



## State of Arizona Board of Chiropractic Examiners

5060 North 19<sup>th</sup> Avenue Suite 416  
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04/24/2014

### NOTICE OF MEETING AND HEARINGS OF THE ARIZONA STATE BOARD OF CHIROPRACTIC EXAMINERS

Pursuant to A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN to the members of the Arizona State Board of Chiropractic Examiners and to the general public that the Board of Chiropractic Examiners will hold a scheduled meeting. The meeting will be open to the public, on **Wednesday June 18, 2014** at 5060 North 19th Avenue, **Suite 416**, conference room Phoenix, Arizona. The meeting will begin at **9:00 a.m.** When necessary, the Board may go into Executive Session intermittently throughout the meeting for discussion and consultation for legal advice regarding any of the agenda items. (A.R.S. § 38-431.03(A)(3). The Board may also go into Executive Session to discuss personnel matters A.R.S. § 38-431.03(A)(1), records exempt by law from public inspection A.R.S. § 38-431.03 (A)(2) or for legal advice and consultation regarding pending or contemplated litigation A.R.S. § 38-431.03 (A)(4). The Board reserves the right to change the order of items on the Agenda and to call cases in random order.

A copy of the agenda for the meeting will be available at 5060 North 19th Avenue, Suite 416, Phoenix, Arizona at least 24 hours prior to the meeting.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Ruby Kelley, Administrative Assistant at (602) 864-5088, ext. 214. Requests should be made as early as possible to allow time to arrange the accommodation.

**DATED this 24<sup>th</sup> day of April 2014.**


BOARD OF CHIROPRACTIC EXAMINERS

By   
Pamela J. Paschal, Executive Director

### CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of this notice will be duly posted at 5060 North 19th Avenue, Suite 416, Phoenix, Arizona on **June 16<sup>th</sup> at 5:00 p.m.** in accordance with the statement filed by the Arizona State Board of Chiropractic Examiners with the Arizona Secretary of State.

**DATED this 24<sup>th</sup> of April 2014**

By   
Pamela J. Paschal, Executive Director

Janice K. Brewer  
Governor

• • •

James J. Badge, D.C.  
Chairperson

Richard A. Guarino, D.C.  
Vice-Chairperson

Norris Nordvold  
Member

Gregory Katsaros, D.C.  
Member

• • •

Pamela J. Paschal  
Executive Director

**ARIZONA STATE BOARD OF CHIROPRACTIC EXAMINERS**  
**5060 N. 19 Ave. #416**  
**Phoenix, AZ 85015**

**\*\*FINAL\*\***  
**BOARD MEETING AGENDA**  
**Wednesday**  
**June 18, 2014**  
**9:00 am**

When necessary, the Board may go into Executive Session intermittently throughout the meeting for discussion and consultation for legal advice regarding any of the agenda items. A.R.S. § 38-431.03 (A)(3). The Board may also go into Executive Session, on agenda items D through S to discuss records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. A.R.S. § 38-431.03 (A)(2).

The Board reserves the right to change the order of items on the Agenda or to take action on any item and call cases in random order. The Board may discuss, consider or take action on any item on the agenda.

In accordance with Title II of the Americans with Disabilities Act (ADA), this Board does not discriminate on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation, such as sign language interpreter, by contacting Ruby Kelley at 602.864.5088 ext. 214. Requests should be made as early as possible to allow time to accommodate the request.

- A. Call to Order**
- B. Roll Call**
- C. Recognition, Instruction and Dialogue with New Licensees**

**D. Board Meeting Minutes** – Review, discussion and possible action on the following:

TAB NO.	
01	Executive Session Minutes of April 9, 2014
02	Board Meeting minutes of May 14, 2014
03	Executive Session Minutes of May 14, 2014

**E. Formal Hearing – 9:00 AM - Review, discussion and possible action on the following cases scheduled for Formal Hearing pursuant to A.R.S. § 32-924 (G), (H) and (I):**

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**F. Formal Interview – Review, discussion and possible action on the following cases scheduled for Formal Interview pursuant to A.R.S. § 32-924 (F):**

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
04	2012-037	Parrish S. Lewin, D.C.	5592	
05	2013-041	Dean J. Micalizio, D.C.	4280	

**G. JUDICIAL REVIEW ACTION** – Information on Judicial Review Action filed pursuant to A.A.C. R4-7-305 and A.R.S. §§ 41-1092.09 and 12-901 et seq.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
See Tab 35	2013-016	Clifton G. Mack, D.C.	6098	

**H. Initial Action on Complaints** – Review, discussion and possible action on the following cases before the Board for the first time. The Board may consider dismissing the complaint; issuing a Non-Disciplinary Advisory Letter; Order for Non-Disciplinary Continuing Education, forwarding the matter for further investigation or Formal Interview.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**I. Previously Before the Board** – Review, discussion and possible action on the following items previously before the Board:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**J. Whether to Open** – Review, discussion and possible action on whether to open a complaint or take other action on the following:

TAB NO.	LICENSEE	LIC NO.	ALLEGATIONS
06	Jeff R. Alfred, D.C.	3674	False/misleading advertising; failing to use initials D.C.
07	Richard F. Bronson, D.C.	3217	False/misleading advertising; promise to cure; failing to use initials D.C.; practicing outside scope and claiming professional superiority
08	Michael E. Bean, D.C.	7544	False/misleading advertising; failing to use initials D.C.; failing to properly identify chiropractic; claiming professional superiority
09	Eric J. Olsen, D.C.	6032	False/misleading advertising; failing to use initials D.C.; claiming professional superiority

10	Nephi W. Riordan, D.C.	5359	False/misleading advertising; failing to use initials D.C.; claiming professional superiority
11	Bruce G. Bedrick, D.C.	5694	Advertising in a false or misleading manner; failing to use initials D.C. and to properly identify chiropractic
12	Christopher R. Butler, D.C.	7506	Failure to report charges; making false statements and habitual use of alcohol, narcotics or stimulants.
13	William D. Luster, D.C.	8280	False/misleading advertising and practicing outside scope
14	Brian S. McCain, D.C.	7065	Action in another state
15	Michael Rinaldi, D.C.	3122	Practicing while on Administrative Suspension and Acupuncture without certification
16	See Section P. Licensure by Exam		
17	David C. Hansen, D.C.	7650	Failure to notify of chiropractic assistant hire, failure to have chiropractic assistant begin the required training within three months, failure to have chiropractic assistant complete required training within one year of initial hire, and failure to register chiropractic assistant upon completion of required coursework
18	John B. Olenik, D.C.	5192	Failure to comply with continuing education requirements

**K. Probation** – Review, discussion and possible action regarding the following cases currently under Probation:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
19	2012-010	Joanne Hauptert, D.C.	5785	Terminate Probation
20	2012-048	James L. Warlick, D.C.	5514	Terminate Probation

**L. Consent Agreements** – Review, discussion and possible action on proposed Consent Agreements.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**M. Consent Agenda Open Complaint/Issue Advisory Letter** – Review, discussion and possible action on consent to Open a Complaint and Issue a Non-Disciplinary Advisory Letter or take other action.

TAB NO.	RESPONDENT	LIC. NO.	
21	Melanie Dias-Zair, D.C.	7439	Failure to notify of chiropractic assistant hire
22	Joseph Greer, D.C.	4905	Failure to notify of chiropractic assistant hire
23	Jason C. Taylor, D.C.	7539	Failure to notify of chiropractic assistant hire
24	George W. Kukurin, D.C.	7366	Failure to notify of chiropractic assistant hire
25	Zhijia J. Qiu, D.C.	8188	Failure to notify of chiropractic assistant hire
26	Robert S. Watson, D.C.	7236	Failure to notify of chiropractic assistant hire
27	Philip J. Zair, D.C.	7419	Failure to notify of chiropractic assistant hire

**N. Consent Agenda Issue Advisory Letter** – Review, discussion and possible action on consent to Issue a Non-Disciplinary Advisory Letter or take other action.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
Vacant				

**O. Consent Agenda** – Review, discussion and possible action on consent to Dismiss or take other action.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.
Vacant			

**P. Licensure** – Review, discussion and possible action on the following applications for licensure upon payment of appropriate fees:

**Licensure by Examination:**

TAB NO.	APPLICANTS	
28	Tyson Adair, D.C. Robert Bentley, D.C. Elisabeth Kehrl, D.C. Darren Olson, D.C. David Scheiner, D.C. Thomas Tozer, D.C. Joseph Vigneau, D.C.	
See Tab 16	Erik W. Wagner, D.C.	Advertising/practicing chiropractic without a license

**Licensure by Reciprocity:**

TAB NO.	APPLICANTS	
Vacant		

**Licensure by Examination with Disclosure:**

TAB NO.	APPLICANTS	DISCLOSURE
29	Craig Eymann, D.C.	Arrests involving Illegal or Prohibited Substances and an undisclosed license.

**Q. Reinstatement** – Review, discussion and possible action on the following applications for reinstatement of license upon payment of appropriate fees:

TAB NO.	APPLICANTS	
Vacant		

**R. Certification** – Review, discussion and possible action on the following applications for certification upon payment of appropriate fees:

**Physical Medicine Modalities and Therapeutic Procedures:**

TAB NO.	APPLICANTS	LIC NO.	
30	Robert Bentley, D.C. Denise Holtzman, D.C. Elisabeth Kehrli, D.C. Darren Olson, D.C. Thomas Tozer, D.C. Joseph Vigneau, D.C.	8405	

**Acupuncture:**

TAB NO.	APPLICANTS	LIC NO	
31	Greg Donnelly, D.C.	7865	

**S. Training Applications** – Review, discussion and possible action on the following course and training applications:

**Chiropractic Assistant:**

TAB NO.	APPLICANTS	
Vacant		



**Preceptorship:**

TAB NO.	APPLICANTS	PROGRAM DATES
Vacant		

**T. Board Business** – Review, discussion and possible action regarding the following:

TAB NO.	
32	Policy Re: Continuing Education for new licensees
33	Reconsideration of Reciprocity Agreement with the State of Missouri
34	Vacant
35	Vacant
36	Executive Director’s Report: <ul style="list-style-type: none"> <li>• Reappointment of Dr. Badge</li> <li>• Announcement of Board relocation</li> <li>• Update on status of Legislative Liaison RFQ process</li> <li>• Potential Website with ASET</li> <li>• Telecommunications System Refresh</li> <li>• Statistics</li> </ul>
37	Budget Update

**U. Call to the Public**

Pursuant to A.R.S. § 38-431.01(H), Board members are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, members may ask staff to review a matter or may ask that a matter be placed on a future agenda.

**V. Adjournment**