



State of Arizona Board of Chiropractic Examiners

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9/12/13

Janice K. Brewer
Governor

James J. Badge, D.C.
Chair

Richard A. Guarino, D.C.
Vice Chair

Norris Nordvold,
Member

Gregory Katsaros, D.C.
Member

Patrice A. Pritzl
Executive Director

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 **Tuesday, September 17, 2013** 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 Patrice A. Pritzl, Executive Director at (602) 864-5088, ext. 15. Requests should be made as early as possible to allow time to arrange the accommodation.

DATED this 12th day of September 2013

BOARD OF CHIROPRACTIC EXAMINERS

By Pamela J. Paschal
Pamela J. Paschal, Deputy 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, **September 13, 2013 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 12th day of September 2013

By Pamela J. Paschal
Pamela J. Paschal, Deputy Director

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

****FINAL****
BOARD MEETING AGENDA
Tuesday
September 17, 2013
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 C through M 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 and Instruction to New Licensees**

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

TAB NO.	
01	Meeting Minutes of August 14, 2013

E. Formal Hearing – 10:00 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.	
02	2013-059	S. Scott Moller, D.C.	7688	

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.	
Vacant				

G. MOTION FOR REHEARING OR REVIEW – Review, discussion and possible action on the motion for rehearing or review pursuant to A.A.C. R4-7-305

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

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 or forwarding the matter for further investigation.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
03	2013-044	Jay B. Phillips, D.C.	7666	
04	2013-013	Robert H. Iversen, D.C.	4858	Possible Admin Suspension
05	2013-018	James W. Basil, D.C.	3679	
06	2013-035	David C. Johnson, D.C.	5344	
07	2013-042	Larry R. Johnston, D.C.	4602	
08	2013-063	Richard A. Boatright, D.C.	5129	
09	2013-071	Curtis R. Casady, D.C.	8325	
10	2012-112	Lawrence B. Nielsen, D.C.	4564	
11	2013-062	Aaron Kovac, D.C.	7294	
12	2013-074	Aaron Kovac, D.C.	7294	

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
13	Kirk D. Chirico	Appl	Advertising and/or practicing chiropractic without a license
14	Darl R. Shipley, D.C.	4277	Committing a felony

15	Allen E. Stout, D.C.	7353	False/misleading advertising and aiding and abetting unlicensed practice
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K. Probation – Review, discussion and possible action regarding the following cases currently under Probation:

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
16	2009-013; 2009-041 & 2009-076	Robert B. Coffey, D.C.	7166	Termination of Probation

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
17	2014-002	Richard A. Madrid, D.C.	3052	

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.	
Vacant			

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	
18	Scott R. Carmachel, D.C. Erika J. Hackett, D.C. Jason D. McDonald, D.C.	

Licensure by Reciprocity:

TAB NO.	APPLICANTS	
Vacant		

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
19	Darin D. Krueger, D.C.	Application for Licensure by Examination and Physical Medicine Modalities and Therapeutic Procedures Certification with Disclosed Deferred Sentencing and Undisclosed Licensure in Another Jurisdiction
20	Kirk D. Chirico, D.C.	Application for Licensure by Examination and

		Physical Medicine Modalities and Therapeutic Procedures Certification with Undisclosed Conviction and Consideration of Whether to Open a Complaint
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Licensure by Reciprocity with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
Vacant		

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

TAB NO.	APPLICANTS	
21	Homer K. Marcy, D.C.	From Administrative Suspension

- 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	
22	Scott R. Carmachel, D.C. Erika J. Hackett, D.C. Jason D. McDonald, D.C.	

Acupuncture:

TAB NO.	APPLICANTS	
23	Scott R. Carmachel, D.C. Jordan A. Gliedt, D.C.	

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

Chiropractic Assistant:

TAB NO.	APPLICANTS	
24	Laurie Mueller, D.C. & Henry J. Mueller, D.C.	

Preceptorship:

TAB NO.	APPLICANTS	PROGRAM DATES
Vacant		

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

TAB NO.	
25	House Bill 2045 – For Information Only
26	A.R.S. § 32-922.01 Reciprocity; requirements
27	Requirements for approval of Jurisprudence continuing education
28	Legislation for 2014 – general discussion
29	FY15 Budget and Strategic Plan review

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