

STATE OF ARIZONA BOARD OF CHIROPRACTIC EXAMINERS
1951 West Camelback Road, Suite 330
Phoenix, Arizona 85015

****FINAL****
BOARD MEETING AGENDA
Wednesday
December 16, 2015
9:00 am

When necessary, the Board may vote to 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 E through U 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. Please note that any recommendations listed on the agenda do not become final until adopted by the Board. The Board has the authority to accept, reject, or modify any recommendation listed 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 Lindsey Castro at 602.864.5088. 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	Meeting Minutes of November 18, 2015
02	Executive Session Minutes of November 18, 2015, 9:28 am to 9:33 am

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.	
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, forwarding the matter for further investigation or Formal Interview.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
03	2015-053	Gary B. Mendez, D.C.	5659	
04	2015-054	Daniel Migliarese, D.C.	8383	

05	2015-057	Goudarz Vassign, D.C.	5608	
06	2015-059	Mark V. Gregg, D.C.	4455	
07	2015-062	Robert D. Bado, D.C.	5084	

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.	
08	2014-086 & 2016-016	Christopher R. Butler, D.C.	7506	Informational Report

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
09	Justin C. Ross, D.C.	7827	Improper Treatment, Malpractice, Danger to the Health, Safety and Welfare of the Public.

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
10	2014-051	Christopher Todd Mayhew, D.C.	5634	Termination of Probation
11	2014-084	Eric J. Olsen, D.C.	6032	Termination of Probation

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
12	2015-032 & 2012-075	Taylor I. Ramsdell, D.C.	8186	

M. Consent Agenda Open Complaint/Issue Advisory Letter – Review, discussion and possible action to Open a Complaint and Issue a Non-Disciplinary Advisory Letter or take other action. The Board may vote to approve all

items on a consent agenda; however, any one member of the Board may remove a consent agenda item from the vote, and request discussion at the current meeting or a future meeting.

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. The Board may vote to approve all items on a consent agenda; however, any one member of the Board may remove a consent agenda item from the vote, and request discussion at the current meeting or a future meeting.

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

- O. Consent Agenda** – Review, discussion and possible action on consent to Dismiss or take other action. The Board may vote to approve all items on a consent agenda; however, any one member of the Board may remove a consent agenda item from the vote, and request discussion at the current meeting or a future meeting.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
13	-	Gina Bonavito-Larragoite, D.C.	7282	Dismiss – No Jurisdiction
14	-	Jack S. Smith, D.C.	684	Dismiss – No Jurisdiction

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

Licensure by Examination:

TAB NO.	APPLICANTS	
15	Gregory L. Banta, D.C. Jennifer M. Bowser, D.C. Angela L. Cross, D.C.	

Licensure by Reciprocity:

TAB NO.	APPLICANTS	
Vacant		

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
16	Shane J. Fleharty, D.C.	
17	James A. Ijiwoye, D.C.	

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	
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	
Vacant		

Acupuncture:

TAB NO.	APPLICANTS	
Vacant		

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
18	Brandon Schroeder with Scott A. Mitchell, D.C.	January 5, 2016 to April 14, 2016

T. Business Entity Registration – Review, discussion and possible action on the following applications for Business Entity Registration.

TAB NO.	Entity	
Vacant		

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

TAB NO.	
19	Attorney General Opinion No. 115-012 – “Physiotherapy”
20	Review and Establish fees for Licensure by Endorsement pursuant to A.R.S. §32-904(B)(4) and A.R.S. § 32-922.03(4)
21	Interim Director’s Report <ul style="list-style-type: none"> • 2016 Renewals • Budget Update • eNewsletter • CEA16-001 Complaint Processor

22	Appointment of Justin Bohall, Interim Executive Director, as the Executive Director. The Board may also go into Executive Session to discuss personnel matters A.R.S. § 38-431.03(A)(1).
23	Determination of compensation to the Executive Director. The Board may also go into Executive Session to discuss personnel matters A.R.S. § 38-431.03(A)(1).

V. Call to the Public

During Call to the Public comments are limited to two minutes to allow all statements to be heard by the Board. 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.

W. Adjournment