



State of Arizona Board of Chiropractic Examiners

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12/03/2013

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

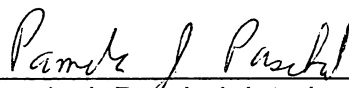
Pursuant to A.R.S. § 38-431.02, NOTICE IS HEREBY GIVEN to the members of the Arizona State Board of Chiropractic Examiners and to the general public that the Board of Chiropractic Examiners will hold a scheduled meeting. The meeting will be open to the public, on **Wednesday December 18, 2013** at 5060 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 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 3rd day of December 2013.

BOARD OF CHIROPRACTIC EXAMINERS

By 
Pamela J. Paschal, Interim 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 **December 16, 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 3rd of December 2013

By 
Pamela J. Paschal, Interim Executive Director

Janice K. Brewer
Governor

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James J. Badge, D.C.
Chairperson

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

Norris Nordvold
Member

Gregory Katsaros, D.C.
Member

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Pamela J. Paschal
Interim Executive Director

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

****FINAL****
BOARD MEETING AGENDA
Wednesday
December 18, 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 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	Board Meeting Minutes for November 13, 2013

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.	
02	2013-018	James W. Basil, D.C.	3679	

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.	
03	2013-041	Dean J. Micalizio, D.C.	4280	

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.
04	2013-016	Clifton G. Mack, D.C.	6098

- 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
05	Farid Roohparvar, D.C.	7769	Use of a name other than licensed; failure to properly identify chiropractic and practicing outside scope
06	Richard M. Shand, D.C.	7108	Practicing outside scope; promise to cure; misleading advertising; and failure to properly identify chiropractic
07	Erik W. Wagner	Unlic	Possible referral pursuant to A.R.S. § 32-927 and continued investigation

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

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.	
08	2011-110 & 2012-029	Scott H. Carrell, D.C.	3676	Termination of Probation
09	2007-056	Nicholas A. Tivoli, D.C.	5879	Termination of 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.	
10	Kenly L. Ries, D.C.	8127	Failure to comply with Chiropractic Assistant regulations
11	Ron C. Wilson, D.C.	4036	Misleading advertising

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
12	Kaitlin E. Bowen, D.C. Eric C. Breure, D.C. Anthony A. Janssen, D.C. Derek M. Legg, D.C. Jeffrey A. Raiffie, D.C.

Licensure by Reciprocity:

TAB NO.	APPLICANTS
Vacant	

Licensure by Examination with Disclosure:

TAB NO.	APPLICANTS	DISCLOSURE
13	Jordan F. Ball, D.C.	Application for Licensure by Examination and Physical Medicine Modalities and Therapeutic Procedures Certification with Undisclosed Deferred Judgment and Court-Ordered Alcohol Evaluation and Treatment Program

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	
14	Larry D. Peterson, D.C. Michelle L. Ruppelt, D.C.	From Administrative Suspension
15	Keith M. Smith, D.C.	From Inactive Status

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	
16	Kaitlin E. Bowen, D.C. Eric C. Breure, D.C. Wesley L. Gregg, D.C. Derek M. Legg, D.C. Jeffrey A. Raiffie, D.C.	

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
17	Barbara J. Bennett, D.C. with Tom B. Bomberg	01/06/2014 – 04/03/2014

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

TAB NO.	
18	Utah Chiropractor Sentenced for Claiming to Cure Diabetes – For Information Only
19	AZ Assoc. of Chiropractic Presentation on Proposed Legislation
20	Proposed Reciprocity Agreement with Alaska
21	Consideration to Withdraw Approval for AZCE13032 for failure to provide license verification, to notify the Board of subsequent disciplinary action and to disclose all licensure information
22	VACANT

23	Budget Report – Information Only
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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