

ARIZONA BOARD OF CHIROPRACTIC EXAMINERS

2024 FISCAL YEAR

ANNUAL REPORT

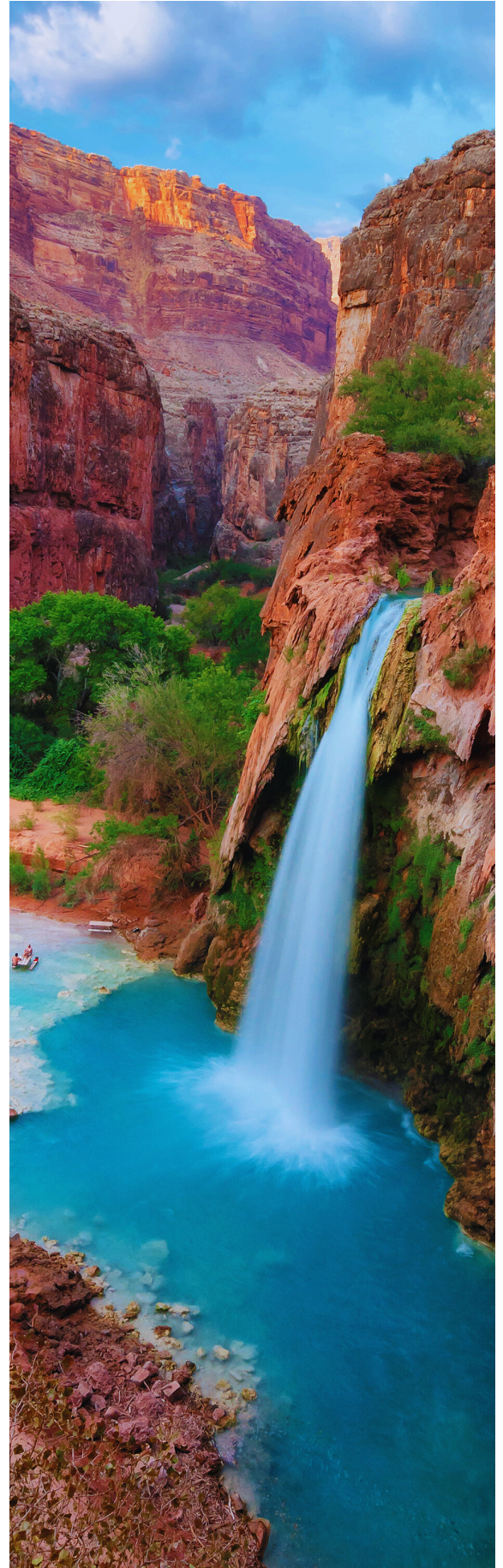


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ARIZONA BOARD OF CHIROPRACTIC EXAMINERS

1740 W. Adams Street,
Suite 2430
Phoenix, AZ 85007



BOARD'S MISSION & RESPONSIBILITIES

MISSION



The State of Arizona Board of Chiropractic Examiners is the regulatory body charged with protecting the health, welfare, and safety of the public by enforcing the laws governing chiropractic practice.

The Board licenses approximately 2,500 chiropractors to practice in the State of Arizona. The Board also accepts and investigates complaints against licensed and unlicensed individuals.



RESPONSIBILITIES

1

To oversee the general application of the laws governing the practice of chiropractic, update and develop regulations, address the scope of practice, and to better define both appropriate conduct by professionals and consumer expectations.

2

To investigate complaints and apply appropriate disciplinary action to doctors of chiropractic who may have broken the public trust by violating the practice act.

3

To function in the global regulatory community to assist other professions or jurisdictions affected by chiropractic, continually review required credentials for doctors to practice safely, effectively, and ethically.

THE BOARD

The Governor appoints the five members of the State of Arizona Board of Chiropractic Examiners, which is comprised of three doctors of chiropractic and two public members.

The Board employs staff to carry out administrative, licensing, and investigative functions of the agency.

An assistant attorney general provides legal counsel to the Board and staff members.

The Board generally meets eight times per year. Board meetings can be attended in person at 1740 W. Adams Street or online via Zoom. All Board meetings are open to the public.



DR. KEVIN LEES, D.C.
PROFESSIONAL MEMBER
TERM DATES:
JULY 1, 2027



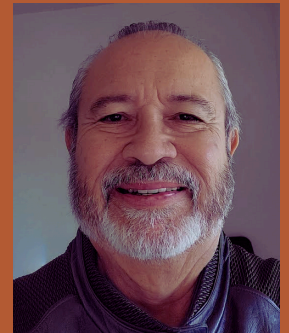
**MS. ANGELA POWELL
CPC, CCO**
VICE CHAIR
TERM DATES:
JULY 1, 2025



DR. WAYNE BENNETT D.C.
CHAIR
TERM DATES:
JULY 1, 2024



MR. MITCHELL TURBENON, ESQ
PUBLIC MEMBER
TERM DATES:
JULY 1, 2026



DR. GEORGE CAMACHO D.C.
PROFESSIONAL MEMBER
TERM DATES:
JULY 1, 2028

BY THE NUMBERS



8,582
Pages of Board Materials Reviewed



58
Cases Fully Adjudicated



63
Hours in Board Meetings



66
Licensing Applications Approved

BOARD ACCOMPLISHMENTS



Thentia Application and Licensure Portal fully implemented.

Successfully transitioned 2,300 active licenses to their new renewal date in 2025.

Hired a new Operations Coordinator.

100% of Continuing Education Audits were conducted for all renewals in 2024.

Linked the disciplinary and non-disciplinary actions from the past five years to Thentia to enhance public accessibility.

Secured funding for hiring an extra staff member to improve the efficiency and effectiveness of the Board.

Developed and put into action the Board's Disciplinary Sanctioning Guidelines.

The complaint backlog was decreased by 23%.

Started preparing and strategizing for upcoming statute and rule modifications.

Completed a thorough cleanup and assessment of continuing education, successfully clearing the backlog of course approvals.

Reduced processing time for renewal applications

LICENSURE

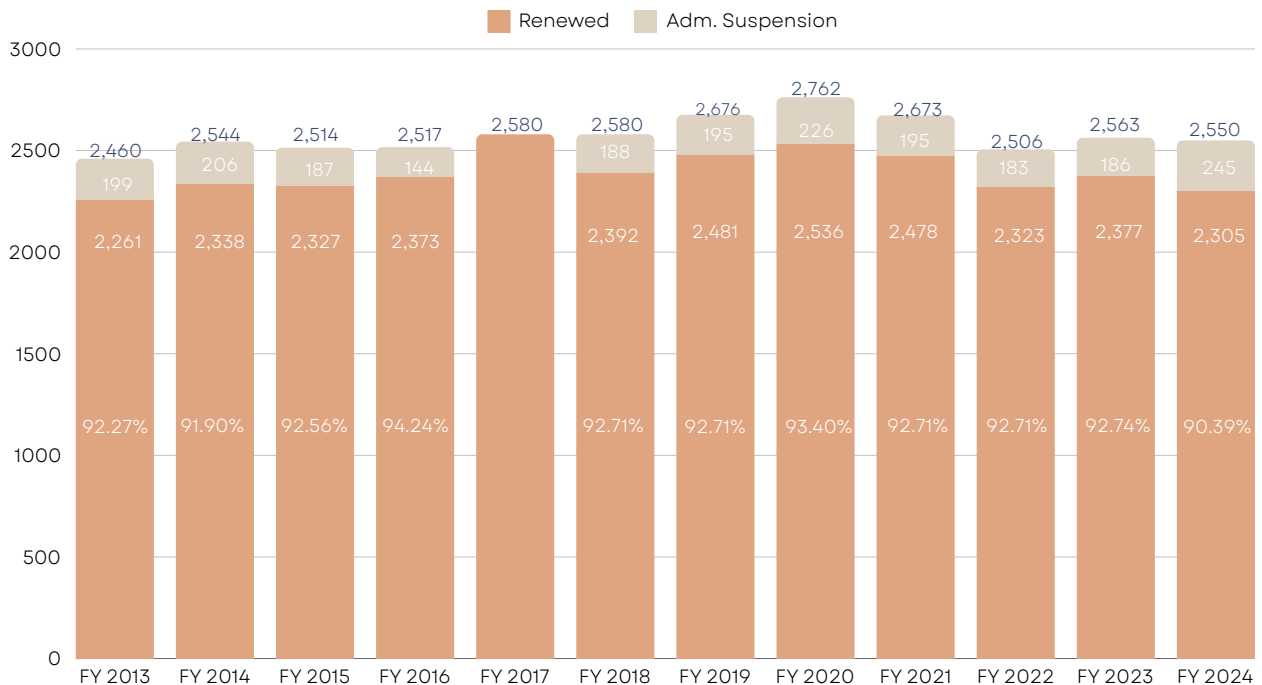
Licenses by Status

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
ACTIVE	2245	2189	2176	2174		2264	2348	2383	2346	2199	2250	2153
INACTIVE	68	87	85	113		42	44	42	44	41	42	53
PROBATION	16	7	11	15		14	15	14	15	14	13	9
SUSPENDED	0	0	0	1		2	2	2	2	2	3	1
RETIRED	47	55	55	71		72	74	72	74	70	71	69*
ADMINSTRATIVE SUSPENSION	199	206	187	144		188	195	226	195	183	186	245**
Total Licensees	2575	2544	2514	2518	2580	2580	2676	2715	2673	2506	2565	2,530

*38 licensees with retired status did not renew their retired license in the FY 2024 renewal cycle.

** 203 licensees were placed under Administrative Suspension for the 2024 renewal cycle, and licensees have a two-year window to reinstate their licenses to active status.

Licensure Renewals



On average, 92.3% of licensees renew and keep their licenses, with the Board consistently overseeing around 2,300 active licensees. Among all licenses, 2.1% are Inactive, and 2.7% are Retired.

During the 2024 Renewal Period, the Board saw a notable decrease in active licenses, possibly due to two contributing factors:

The shift to the Thentia Cloud Platform might have dissuaded some less active licensees from renewing, as paper renewals are no longer available.

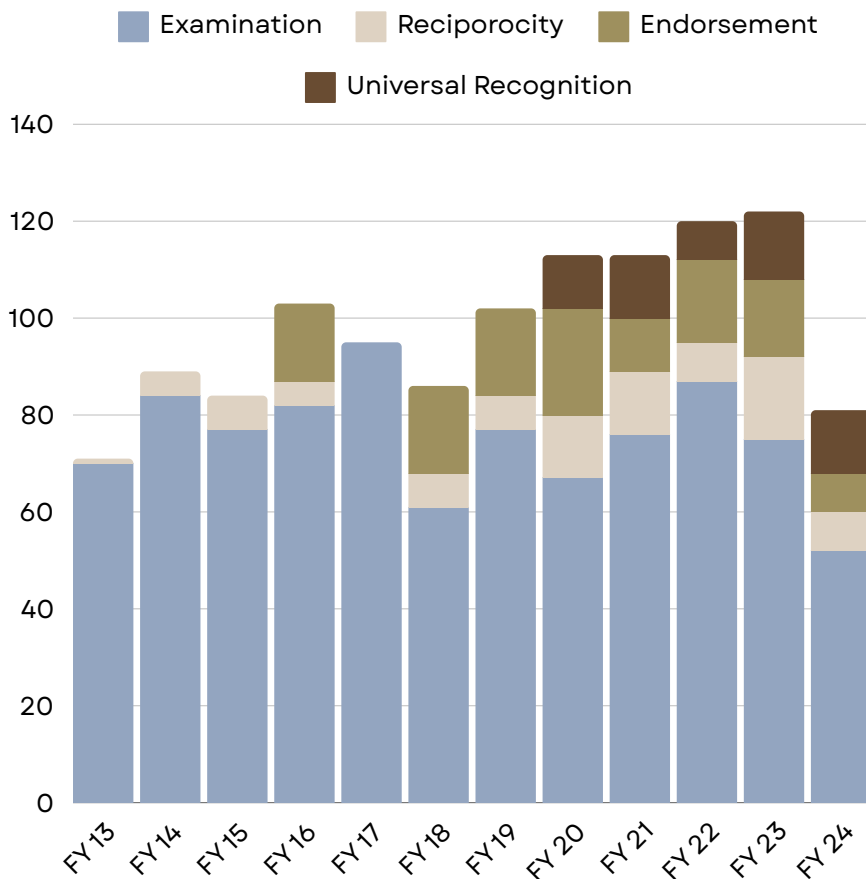
The rise in renewal fees for extending licenses through 2025 might have discouraged licensees or those from out-of-state from renewing.

APPLICATIONS FOR LICENSURE

Applications Received by Type

	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
Examination	70	84	77	82		61	77	67	76	87	77	52
Reciprocity	1	5	7	5		7	7	13	13	8	15	8
Endorsement	0	0	0	16		18	18	22	11	17	15	8
Universal Recognition	0	0	0	0		0	0	11	13	8	20	13
Total Applications	71	89	84	103	95	86	102	113	113	120	127	81

Applications Received by Type



LICENSES ISSUED

	FY 13	FY 14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
Licenses Issued	67	80	81	80	78	76	62	112	112	114	111	66
Denied	2	0	0	0	0	1	0	0	0	0	0	0
Withdrawn	0	0	0	0	0	1	0	0	0	0	0	0
Closed/Incomplete	3	6	6	6		8	26	1	1	6	16	0

Other Licenses & Applications

License Verifications	138
Fingerprints sent to DPS	70
Extern/Preceptor Applications	11
Reinstatement Applications	?
Business Entity Renewal Applications	30
Chiropractic Assistants Registrations	130
Chiropractic Assistant Transfers	0

75.76% of all licensure applications approved in FY 2024 were approved by the Executive Director, with 24.24% having to be approved by the Board. This increased over FY 2023, when only 15% of applications required Board approval. The Board approved sixteen (16) applications. The Board has not denied a license since FY 2018.

35.80% of all licensure applications received are through Reciprocity, Universal Recognition, or Endorsement. FY 2024, the Board received thirteen (13) applications for licensure through Universal Recognition (UR). 46% of UR Applications required Board approval.

Specialty Certificates

In FY 2024, in addition to issuing Licenses for Chiropractic Physicians, the Board issued a total of fifty-eight (58) Specialty Certificates in the areas of:

Physical Medicine and Modalities and Therapeutic Procedures (PMMP) (26), Acupuncture (3), and Percutaneous Therapy (25). This is almost a 200% increase in Specialty Certificates over FY 2023. The Board has seen significant growth in Percutaneous Therapy Certificates in the last two years. Since its introduction in 2018, the Board has averaged approximately 13 applications per year, with FY 2024 being the highest with twenty-five applications.

Licenses Issued



BOARD COMPLAINTS AND INVESTIGATIONS

The mission of this agency is to protect the health, welfare, and safety of Arizona citizens who seek and use chiropractic care.

The Board of Chiropractic Examiners and its staff uphold the Board's mission. Statutes and rules outline the Board's authority and regulations governing chiropractic practice. State laws guide board operations and decisions.

Individuals, including the Board, can lodge a complaint against a licensed chiropractor. All complaints against licensed chiropractors are thoroughly investigated and presented to the Board for action. Resolving a complaint can vary from thirty (30) days to several years, depending on factors such as the complaint's timing, the investigation's complexity, and any associated criminal investigations. The Board's commitment to ensuring decisions are based on all facts may prolong the complaint resolution process.

The Board's jurisdiction does not cover issues such as billing disputes, personality conflicts, bedside manners, business disputes, or employment matters.

Effectively Addressing Complaints

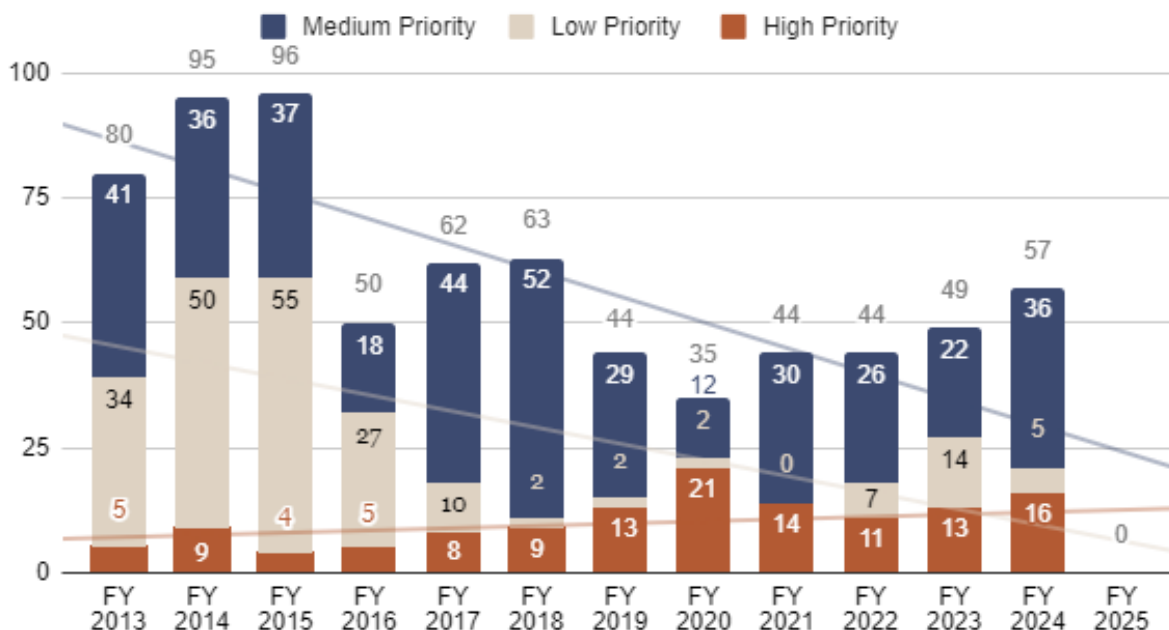
The Board's Priority Classifications

To ensure the effectiveness of their complaint-handling process, the Board has categorized complaints into three levels of priority:

- **High-priority complaints (17.78%)** concern patient safety, substance abuse, improper treatment, or sexual misconduct.
- **Medium Priority Complaints (53.19%):** include documentation errors, record-keeping mistakes, and billing issues.
- **Low-priority complaints (28.57%)** are typically about misleading advertising, using specialized terms like "Physiotherapy," or failing to release records.

Although the number of Low-Priority and overall complaints has decreased, the Board has observed an increase in High-Priority complaints over the last five (5) years. While the ten-year average for High-Priority complaints is 17.78%, in FY 2024, they accounted for twenty-eight percent (28%) of the total complaints received. This increase is a sixteen percent (16%) increase in overall complaints and a twenty-eight percent (28%) increase in high-priority complaints since last year.

Complaints by Priority



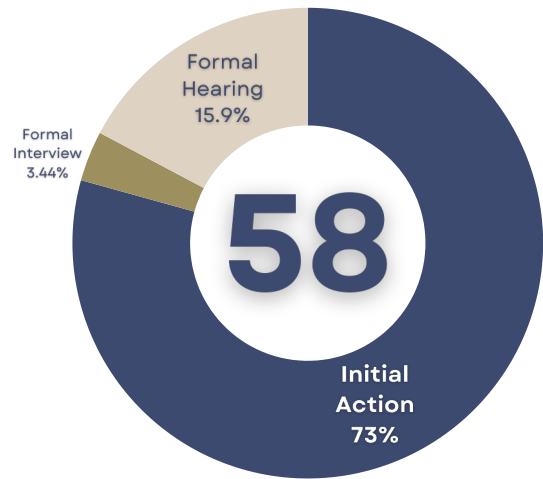
BOARD INVESTIGATIONS

Investigation Process

The stages of the Board's Investigation process:

- **Initial Investigation:** The Board's investigator reviews the complaint information received, interviews the complainant and the doctor, and compiles a report to present to the Board.
- **Initial Action-** The Board's Investigator presents the complaint to the Board for the case review. The Board can not take disciplinary action at this stage. If the Board determines the complaint does not rise to the level of disciplinary action, they can issue a Non-Disciplinary Advisory Letter or Non-Disciplinary Order for Continuing Education according to A.R.S. 32-924 (3).
- **Formal Interview-** If the Board determines that the matter rises to the level of disciplinary action after the initial action, then the complaint will be forwarded to a Formal Interview. During this investigative phase, the Board may receive and consider pertinent documents and sworn statements of persons who may be called as witnesses in a Formal Hearing. Legal counsel may be present and participate in the formal interview. At this phase, the Board may issue disciplinary action. Disciplinary Action can be a cease and desist, Order for Censure, Order for Probation, Civil Penalty, Refusal to Renew license, or a Disciplinary Order.
- **Formal Hearing**—If, after the Formal Interview, the Board finds the violations rise to suspension or revocation, the matter will be moved to a Formal Hearing. The Board must hold a Formal Hearing within 180 days of the date the Complaint and Notice of Hearing are mailed to the licensee.

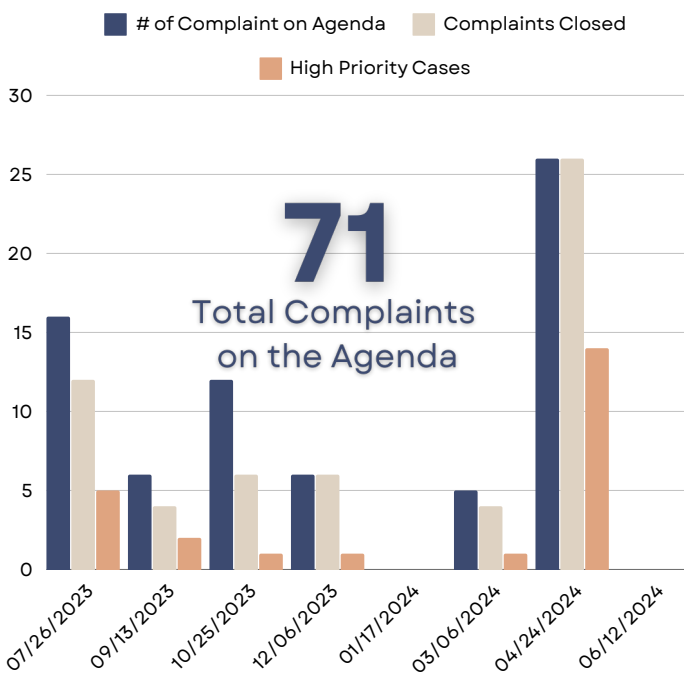
FY 2024 Board Investigations



The Board's Adjudication Progress in FY 2024

During FY 2024, the Board effectively fully adjudicated 80.28% of the cases it reviewed, which amounted to 58 complaints – a 7% increase compared to FY 2023. Each Board Meeting handled an average of 12 complaints, leading to 44 Initial Actions, 2 Formal Interviews, and 10 Formal Hearings. Most matters were successfully resolved during the initial action stages of the investigation process.

FY 2024 Complaint Resolution



Unlicensed Practice & Criminal Referrals

3 # of Complaints for Unlicensed Practice

The Board has seen an increase in complaints regarding unlicensed practice in Arizona. Two Complaints were substantiated, and an Order to Cease and Desist was issued. Both complaints were sent to law enforcement for further investigation. The Board encourages the public to use the "Find a Chiropractor" online look-up to verify a Chiropractor license before seeking treatment.

2 # of Complaints Referred to Law Enforcement

The Board only found evidence of criminal wrongdoing in two of its complaints. Those complaints were for practicing without a license, which is a class six felony in the state of Arizona. These complaints were referred to the appropriate jurisdictions for further investigation.

COMPLAINT BACKLOG

Total Complaints
Awaiting Initial
Action

59

Awaiting Initial Action	59
Awaiting Formal Interview	0
Awaiting Formal Hearing	2
Continued for Further Investigation	4

Pending Complaints

In FY 2024, the Board reduced the number of pending complaints by 8.4%. The Board continues to focus on hearing complaints and moving things forward quickly. The final complaint from FY 2020 is scheduled for a Formal Hearing in September. The remaining two cases for FY 2021 are pending additional investigation. For FY 2022, the case is pending a formal hearing that will be held in September; the other two cases are pending initial action, and the other is pending further investigation.

Complaint Backlog

The Board is currently addressing a backlog of 59 complaints. It has taken a two-pronged approach to address the backlog, first addressing high-priority complaints and then in the order in which the Board received the complaints starting with FY 2018. The Board has significantly reduced the backlog by 23% and successfully resolved all FY 2018 and 2019 complaints. During the last year, the Board addressed more cases than in the past, which can be directly attributed to having two full-time investigators.

Complaint Timeframes

The time it takes to process a complaint can vary depending on the complaint type, the complexity of the investigation, and whether or not a related criminal matter is being investigated. On average, the Board takes 292 days to adjudicate a complaint fully. About 10% of the Board's complaints are closed within 180 days. The Board continues to focus on processing complaints within the recommended 180-day timeframe.

Pending Complaints by Fiscal Year

	03/04/2022	06/07/2023	06/12/24
Complaints Remaining from 2018	11	0	0
Complaints Remaining from 2019	2	0	0
Complaints Remaining from 2020	10	3	1
Complaints Remaining from 2021	33	10	2
Complaints Remaining from 2022	28	25	3
Complaints Remaining from 2023	0	46	17
Complaints Remaining from 2024	0	0	42
Total	84	84	65

3.55

Average Number of Allegations per Investigative Report

12

Average Number of Complaints Heard at Each Meeting

46

Initial Action Heard by the Board

10

Formal Hearings Conducted by the Board

2

Full Time Board Investigators

23%

Decrease in backlogged complaints

DISCIPLINARY ACTION

The Board strives to balance protecting the public and rehabilitating the licensee. Most Board complaints are dismissed with no basis to proceed or result in non-disciplinary action. When a complaint is dismissed, it often means that the Board does not have jurisdiction or the investigation did not find evidence that a violation of the law occurred. The Board can also take non-disciplinary action against a licensee to address the concerns it finds during an investigation but does not rise to the level of requiring formal discipline.

Non-disciplinary action can include the following: Issue a Non-disciplinary Advisory (NDAL) letter to the licensee. The letter becomes part of the licensee's permanent file with the Board. The Board often issues an NDAL for first-time infractions depending on the type of violation, technical violations, or when there is insufficient evidence to proceed.

Issue a Non-Disciplinary Order for Continuing Education for violations that warrant more action than an Advisory Letter but do not rise to the level of formal discipline. The Board can require a licensee to take additional hours in continuing education to address the allegations found during the investigation.

When the Board finds a substantive basis on which to proceed, the Board will take disciplinary action.

Disciplinary action can include:

- An Order to Cease and Desist
- An Order for Censure
- An Order for Probation
- A Civil Penalty
- A Refuse to Renew the License
- A Disciplinary Order

About 9.1% of all complaints result in either a voluntary surrender or revocation of licensure. 68% of all Board cases are dismissed or issued either a Non-Disciplinary Advisory Letter or Non-Disciplinary Order for Continuing Education. The Board strives to balance patient safety and welfare with rehabilitating and training its licensees. Historically, only 8.19% of Board complaints result in a Voluntary Surrender of Licensure or Revocation. 14.17% of all complaints result in Probation or Suspension.

The number one allegation the Board receives complaints from is regarding Improper and Unnecessary Treatment.

Did you know...

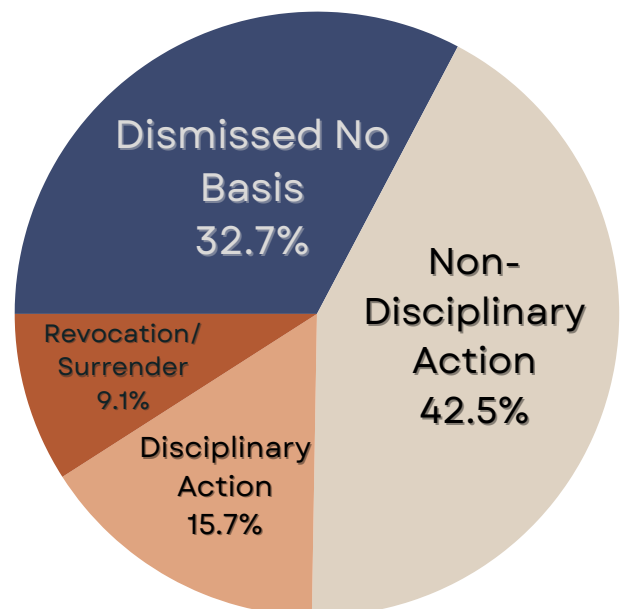
43%

Of all cases result in Non-Disciplinary Action

TOP 10 COMPLAINT ALLEGATIONS

- 1 IMPROPER/UNNECESSARY TREATMENT
- 2 IMPROPER BILLING
- 3 DANGER TO HEALTH, SAFETY AND WELFARE
- 4 **SEXUAL IMPROPRITES** ←
- 5 FAILURE TO MAINTAIN ADQUETE RECORDS
- 7 MISLEADING ADVERTISING
- 6 MAKING FALSE OR MISLEADING STATEMENTS
- 8 DISTRUPTIVE OR ABUSIVE BEHAVIOR
- 9 INADEQUATE HISTORY OR EXAMINATION
- 10 FAILURE TO RELEASE RECORDS

FY 24 Board Actions



ADDRESSING SEXUAL MISCONDUCT

Sexual Misconduct complaints fall into three (3) different categories: Ethics/Boundary Violations, Communication, and Inappropriate Physical Contact. Ethics and Boundary violations occur when chiropractic physicians fail to maintain appropriate professional boundaries with their patients and allow a physical and sexual relationship to develop while still providing treatment. According to the Board's statutes and rules, the appropriate and correct thing for the physician to do is to transition the patient to another provider and wait three (3) months to begin a relationship. This is a clear boundary violation and will result in disciplinary action.

The second type of sexual misconduct complaint is either inappropriate communication of a sexual nature or failure to communicate clearly and effectively before treating a sensitive area of the patient's body. Licensees must ensure that their communication is always clear and professional and that the necessary steps are taken and communicated to patients during treatment.

The final complaint involves inappropriate physical contact with a patient during treatment. This is when a practitioner crosses a boundary and physically violates the patient during treatment. These cases can be the hardest for the Board to adjudicate timely as they usually involve criminal prosecution, and the Board must wait for the criminal matters to proceed. In these cases, the Board will often enter into interim consent agreements to not practice or place restrictions on the licensee to ensure the public is safe while the criminal process is working.

The professional boundary between physicians and patients is paramount to any doctor-patient relationship. Once this boundary is crossed, it severely impacts the patient's well-being and causes distrust in other professional relationships. Sexual misconduct is an example of a harmful boundary violation that can occur in various contexts. It involves a wide range of behaviors, including sexual relations with a patient, sexual impropriety towards a patient, or sexual conduct toward patients.

It is misconduct for a physician to engage in any sexual conduct with current patients, even if it is consensual. Engaging in sexual conduct with former patients may also constitute misconduct, depending on the surrounding circumstances. Sexual or romantic relationships between physicians and their patients can often take advantage of the patient's vulnerability, cloud the physician's objective judgment regarding the patient's care, and demonstrate a general lack of ability or willingness to maintain clinical objectivity. Sexual misconduct between a physician and a patient is never considered to be diagnostic or therapeutic. Additionally, romantic or intimate relationships may hinder the physician's ability to address noncompliance with treatment or communicate unpleasant medical information to the patient. Physicians must prioritize the needs of their patients over their own needs or interests.

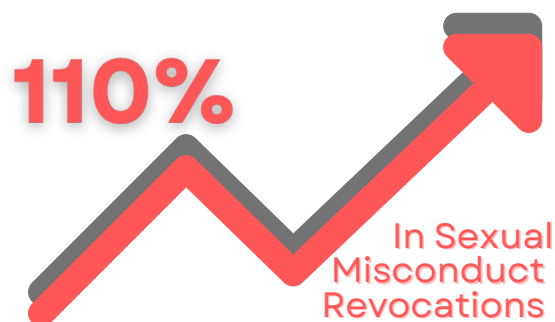
The physician-patient relationship relies on the patient having complete confidence and trust in the physician, and patients have the right to believe that the physician is committed solely to their best interests.

The category of misconduct described is considered severe due to its potential to harm patients and undermine public trust in the healthcare profession. It also damages the credibility of healing arts professions. When sexual misconduct is found, the Board will take necessary steps to impose sanctions and monitoring requirements that match the severity of the misconduct and minimize the risk to patients.

In FY 2024, the Board adjudicated eighteen (18) sexual misconduct complaints. Seven (7) of the complaints involved ethics and boundary violations where the licensee engaged in a sexual relationship while continuing treatment of the patient. Three (3) complaints involved miscommunication, where the doctor failed to communicate what actions would occur during the patient's treatment. Finally, the Board addressed eight (8) complaints of inappropriate physical contact. Of the eight complaints heard by the Board, five (5) complaints resulted in the revocation or surrender of the chiropractor's license. In FY 2023, the Board only accepted two (2) Voluntary Surrenders of Licensure for sexual misconduct. This is a 110% increase in these allegations.

Sexual misconduct is the fourth-highest allegation in complaints filed with the Board. The Board adjudicated seven (7) cases involving allegations of sexual misconduct, a 120% increase over last year's total cases (5). For FY 2024, in three (3) cases, the allegations were dismissed with no basis to proceed, two (2) cases resulted in probationary disciplinary consent agreements, two (2) cases were issued Non-Disciplinary Advisory Letters, and four (4) cases resulted in Non-Disciplinary Orders for Continuing Education.

The Board must also weed through false allegations of sexual misconduct. These often occur when complaints are filed for retaliatory purposes, making it difficult for the Board to timely and effectively address actual complaints of sexual misconduct that put the public at risk. The Board addressed three complaints that appeared to be based on false or misleading allegations by the complainant.



CONTINUING EDUCATION

The Board statute and rules require the Board to pre-approve the courses licensees can take for their annual continuing education for their renewal application. The course must have a significant relationship to accessing, diagnosing, or treating patients within the scope of chiropractic.

Since FY 2022, the Board has seen a 21% increase in Continuing Education applications. Most applications received by the Board have been reviewed and approved to meet the Federation of Chiropractic Licensing Boards (FCLB) requirements.

The Board has a current approved course list of 950 courses totaling 6,190 hours of course content. 51% of all education hours are online, and 49% of courses are in-person. One hundred twenty-one courses offer Record Keeping and Documentation, totaling 473 hours. The Board has an online look-up page of CE Courses for licensees to locate and verify approved Continuing Education courses.

During the last year, the Board implemented new PACE and Traditional Electronic Applications for CE Course Providers and a Payment Portal for CE Course Providers to pay for their courses online using a credit card. The Board no longer receives handwritten paper applications, which has reduced processing times and incomplete applications. The Board also created a new website page for continuing education providers to assist them with information about continuing education in Arizona.

Licensees can now track their continuing education hours in their Thentia Portal account to help ease the annual renewal process. This reduces the need to track their hours outside their portal account and the steps in the renewal process.



56

Continuing Education Credit for Board Meeting

Board Rules require newly licensed practitioners to attend one Board Meeting within one year of licensure. In FY 2024, 56 licensees, or 85% of all new licenses, attended a board meeting for education purposes.



950
Total Approved
CE Courses



6,190
Hours of Available
Continuing
Education Courses



121
Record Keeping &
Documentation
Courses

CE Course Approvals

	FY 2022	FY 2023	FY 2024
Pace Pre-Check Applications	284	333	336
Traditional Applications	84	167	114
Total CE Applications	368	500	450

Continuing Education Audits



90%

Compliance in
Continuing
Education Audits

During the 2024 Renewal Cycle, Board staff successfully conducted a 100% audit of all Continuing Education hours submitted. Less than 10% of all renewal applications failed to provide the 12 hours of Continuing Education Course Certificates, verifying they had completed the necessary hours to renew their license. The Board will continue to use Thentia to improve its process.

The Board is considering implementing CE Broker through the Thentia Portal, which would make it easier for licensees and providers to locate and track approved continuing education courses. The Board is also exploring a rule change to allow CE Credit for all licensees who attend at least three hours of a Board meeting.

STAFF PRODUCTIVITY



43%

Pages of Public Record Requests



100%

Name and Address Changes



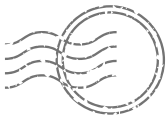
57%

Email Correspondence



36%

Status Change Requests



28%

Administrative Suspension Notices Mailed

Thentia Improvements

Since the implementation of Thentia began in FY 2023, the Board has seen an increase in certain areas of staff productivity. With the Thentia Portal, Board staff is no longer completing Address Changes and Chiropractic Assistant Transfers, as the portal owner in Thentia now does these processes.

This change reduces the 850 transactions completed by Board Staff. There were also reductions in Administrative Suspension Notices as licensees received real-time information and messages about their applications and could address deficiencies before the renewal deadline. Licensees no longer have to request a copy of their license or renewal receipt. They can print them directly from the portal at no cost.

Using the Thentia portal for applications has reduced the number of incomplete applications the Board receives. In FY 2023, the Board did not have to close any incomplete licensure applications.

Staff Productivity

	FY 2024
Email Correspondence	5,250
Name and Address Changes	0
Status or Name Change Requests	63
Notice of Records Transfer	12
Request for Board Meeting Attendance for CE	56
Request for Copy of License	38
Public Records Requests	8
Adm. Suspension Letters Sent	152
New Portal Accounts Created	634
Thentia Portal Messages	943

Arizona Board of Chiropractic Examiners



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