

State of Arizona Board of Chiropractic Examiners

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BOARD OPEN SESSION MEETING MINUTES November 27, 2024

BOARD MEMBERS PRESENT: Wayne Bennett, D.C., Vice Chair
Angela Powell, D.C., Chair
Kevin Lees, D.C., Professional Member
Mitchell Turbenson, Public Member

BOARD MEMBERS ABSENT: George Camacho, D.C., Professional Member

STAFF PRESENT: Casey Hutchison, A.A.G
Alissa M. Vander Veen, Executive Director
Conny Gillum, Board Investigator

A. Call to Order

The State of Arizona Board of Chiropractic Examiners called a meeting to order on Wednesday, November 27, 2024, at 10:00 a.m. Ms. Angela Powell presiding. The meeting was conducted virtually through Zoom.

B. Roll Call of Board Members Present

See above.

C. Auditor General – Special performance audit

Pursuant to A.R.S. §38-431.03(A)(2), the Board may meet in Executive Session to receive information about the Board's special performance audit, and to approve the Executive Director's draft response to the draft audit report.

Dr. Bennett moved, seconded by Dr. Lees, to go into executive session pursuant to A.R.S. §38-431.03(A)(2) to receive information about the Board's special performance audit, and to review the Executive Director's draft response to the draft performance audit report. The motion passed unanimously, and the Board went into executive session at 10:05 A.m., reconvening its public meeting at 11:13 a.m.

Mr. Turbenson left the meeting at 11:13 a.m.

After review and discussion, upon MOTION by Dr. Lees, SECOND by Dr. Bennett, the Board voted to accept the draft report from the Arizona Auditor General as

1 discussed in the executive session and authorized the Executive Director to submit
2 the Board's draft response to the Auditor General.

3 The Board conducted a roll call vote

4 Dr. Bennett requested the opportunity to explain his vote he stated the following,
5 "As a result of this audit our board will be a better board. As we have struggled through a
6 time of unprecedented challenges finding better ways to respond to these challenges has
7 always improved. Has already improved our board also learning new ways to further those
8 efforts that were already underway, such as monitoring and prioritizing board complaints
9 reducing complaints, and backlogs, implementing board training protocols, implementing
10 disciplinary guidelines, and reviewing and working closely with the Attorney General's
11 office to identify and embrace needed rule and statute changes will only make our board
12 better. Moving forward through the audit process we have through this process we are able
13 to process and deal with impediments in our Board's ability to perform effectively and
14 efficiently while under extreme conditions. And we are able to remedy these. As a result of
15 this board process, if one were to review the timeline of our Board's performance, they
16 would see that a dramatic erosion of the performance in key areas that have been
17 identified by this audit began coincident with increased complexities associated with a
18 single and still ongoing investigation. The necessary allocation of Staff Board, Member,
19 and AG resources to address the repercussions of this investigation have included the
20 following multiple meetings by board and board staff, with legislators, and lobbyists
21 regarding legislative efforts to significantly modify the regulatory processes of our Board.
22 Necessary appearances by board members and staff, before legislative committees multiple
23 meetings by board, staff, and board members with legislators who requested information
24 regarding legislative efforts to significantly modify the Board's regulatory process and
25 organize public criticism of the Board by unofficial action groups and lobbyist written
26 responses by the executive director to inquiries from legislators regarding board
27 procedures. Meetings with the Ombudsman's office in response to organized efforts to
28 discredit our board responding to hundreds of phone calls by board, staff, and board
members from licensees, and the public regarding public criticism of the Board arriving,
arising from an unofficial Political Action Group Responding to an unprecedented wave of
Freedom of Information Act request addressing and adjudicating related complaints that
were determined to have been wholly without merit but which both required extensive
board resources to resolve, and which dramatically delayed the completion of other key
investigations, including the ongoing investigation to which I've already referred. Finding
it necessary to engage board, members, staff, and AG resources in a careful effort to
educate our licensees regarding proposed not existing legislation that would significantly
modify the regulatory process of our board consuming significant Board Member, Staff,
and AG resources to respond to a 10 million dollars notice of claim against the Board, and
this is not a complete list. The cumulative impact of all this has stressed our Board's
resources and capacity to its limits and has thus revealed weaknesses that, when
addressed and reinforced, will empower our Board to more effectively respond to
unanticipated and extraordinary comp extraordinarily complex challenges in the future.

Dr. Bennett voted Aye.

ROLL CALL:

	Dr. Wayne Bennett	Ms. Angela Powell	Mr. Mitchell Turbenson	Dr. Kevin Lees	Dr. George Comacho
AYE	X	X		X	
NAY					
ABSENT			X		X

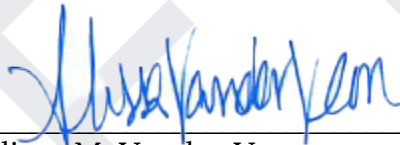
Motion passed 3-0-0-2-0-0

3-Aye 0-Nay 0-Abstained 2-Absent 0-Recused 0-Vacant

D. Adjournment

The meeting adjourned at 11:19 a.m.

Angela Powell, Chair



Alissa M. Vander Veen,
Executive Director