

**BOARD OPEN SESSION
MEETING MINUTES
March 19, 2025**

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

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

1. Meeting Location - In-person and virtual via Zoom

The State of Arizona Board of Chiropractic Examiners called a meeting to order on Wednesday, March 19, 2025, at 9:00 a.m., with Ms. Angela Powell presiding. The meeting was conducted both in person and virtually through Zoom. It was held at the Board's office, located at 1740 W. Adams Street, Phoenix, AZ 85007, in Boardroom C.

2. Call to Order - 9:00 a.m

3. Roll Call of Board Members Present (staff)

4. Recognition, Instruction, and Dialogue with New Licensees

5. Motion for Rehearing or Review pursuant to A.A.C. R4-7-305 - Review, discussion, and possible action on the following items previously before the Board:

Pursuant to A.R.S. §§ 32-924 (G), (H), and (I), 41-1092.07, the Board will conduct an administrative hearing in the following matter(s). The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice according to A.R.S. § 38-431.03(A)(3).

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.
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1	2020-036 & 2022-002	Herbert L. Schillerstrom, D.C. (Revoked)	3847
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9:24a.m. Board Break

9:31a.m. Board Returns from break

6. **Formal Hearing** – Pursuant to A.R.S. § § 32-924 (G), (H), and (I), 41-1092.07, the Board will conduct an administrative hearing in the following matter(s).

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice according to A.R.S. § 38-431.03(A)(3).

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.

7. **Formal Interview** – Pursuant to A.R.S. § 32-924 (F), the Board will conduct a Formal Interview in the following matter (s).

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice according to A.R.S. § 38-431.03(A)(3).

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.

8. **Consent Agenda**—Review, discussion, and possible action on a consent agenda 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 or interested party may remove a consent agenda item from the vote and request discussion at the current meeting or a future meeting.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

- a. Consent Agenda - Cases recommended for dismissal** - *Review, discussion, and possible action on the following case(s):*
- 2023-039 - Shirine Gharib, D.C. (Active), License No. 8984
 - Fact #1 Failure to maintain Adequate Records
 - Fact#2 Improper Billing
 - Fact#3 Misleading Advertising
 - 2023-036 - Ryan Edward Hicks, D.C. (Active), License No. 7728
 - Fact#1 Inadequate History/Examination
 - Fact#2 Improper/Unnecessary Treatment
 - Fact#3 Failure to Release Records
 - 2024-035 - David Leopold Lowenstein, D.C. (Active), License No. 4841
 - Dismissed
 - 2023-048 - Nickolas S. McCann, D.C. (Active), License No. 8090
 - Fact#1 Improper Treatment - Unprofessional or Dishonorable Conduct
 - Fact#2 Danger to Health, Safety, Welfare
- b. Consent Agenda - Cases recommended for dismissal with a non-disciplinary advisory letter** - *Review, discussion, and possible action on the following case(s):*
- 2023-014 - Jacob Hanson, D.C. (Active), License No. 7655
 - Fact#1 Improper/Unnecessary Treatment
- c. Consent Agenda - Cases recommended for opening a complaint and opening an investigation -**
Review, discussion, and possible action on the following case(s):
- WTO - 2025-008 - Justin Brandau, D.C. (Active), License No. 7382
- d. Consent Agenda - Cases recommended for opening a complaint and dismissing with a non-disciplinary advisory letter.** *Review, discussion, and possible action on the following case(s):*
- e. Consent Agenda - Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement -**
Review, discussion, and possible action on the following case(s):

- f. Consent Agenda - Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement** – *Review, discussion, and possible action on the following case(s):*
- 2023-047 - David Welch, D.C. (Active) License No. 3997
 - Fact #1: Providing substandard care due to negligent act regardless of whether actual injury to the patient is established
 - Fact #2: Failure to Maintain Adequate Records
- g. Consent Agenda - Cases recommended for opening a complaint and acceptance of a proposed signed disciplinary consent agreement** – *Review, discussion, and possible action on the following case(s):*
- h. Consent Agenda - Cases recommended for acceptance of a proposed signed disciplinary consent agreement** – *Review, discussion, and possible action on the following case(s):*
- i. Consent Agenda - Cases recommended for opening a complaint and denying for unprofessional conduct** – *Review, discussion, and possible action on the following case(s):*
- j. Consent Agenda - Cases recommended for release from consent agreements** – *Review, discussion, and possible action on the following case(s):*
- k. Consent Agenda - Applications for licensure recommended to grant licensure** – *Review, discussion, and possible action on the following applications for licensure upon payment of appropriate fees:*
- 25-1281 - Jonathan Thomas Hahn, D.C. - Licensure By Examination
 - 1161 - Garry Cook Pow, D.C. - Licensure By Universal Recognition
 - 1046 - Tarek Fuad Tawil, D.C. - Licensure By Endorsement
- 9. 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 or Order for Non-Disciplinary Continuing Education, and forwarding the matter for further investigation or a Formal Interview.*

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and

discussion of information or testimony that is confidential by State or Federal law and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed.

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.
3	2023-046 & 2025-004	William J. Gunderman, D.C. (Probation - Failed to Renew)	4962
4	2025-005	Gregory Melvin, D.C. (Unlicensed)	NONE
5	2023-041	Brice Allen Neff, D.C. (Active)	7444
6	2023-022	Thomas Christian Nienstedt, D.C. (Active)	7335

Tab#3

Fact #1 Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any of the provisions of this chapter or any board order.

Tab#4

Fact #1 Violating any state statute or rule application to the practice of chiropractic - Practicing without a license

Fact #2 Violating, either directly or indirectly, any provisions of this chapter - Practicing without a license

Fact #3 Any practice contrary to the recognized standards in chiropractic

Fact #4 Any practice that constitutes a danger to the health, safety, and welfare of the public

Fact #5 Using PMMTP without passing the exam and being certified by the Board

Fact #6 Unprofessional conduct likely to deceive or defraud the public: Knowingly making a false or misleading statement to a patient

Fact#7 Unprofessional conduct likely to deceive or defraud the public: Intentionally misrepresenting the effectiveness of a device

Tab#5

Fact#1 Improper Billing

Fact#2 Making False Statements

Fact#3 Misleading Advertising

Fact#4 Working Outside the Scope of Chiropractic
 Fact#5 Failure to Maintain Adequate Records

10:30a.m. Board Break
 10:45a.m. Board Returns from Break

Tab#6

Fact #1 Improper or Unnecessary Treatment
 Fact#2 Incorrect Diagnosis
 Fact#3 Failing to Create an Adequate Patient Record

- 10. Previously Before the Board** – Review, discussion, and possible action on the following items previously before the Board:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

TAB NO.	CASE NO.	RESPONDENT	LIC. NO.

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

TAB NO.	APPLICANTS	APPLICATION TYPE
9	Clinton James Low, D.C.	Universal Recognition
10	Michael Reeves Taylor, D.C.	Universal Recognition
11	Mehran Afkar, D.C.	Licensure by Examination

- 12. Reinstatement** – Review, discussion, and possible action on the following applications for reinstatement of license upon payment of appropriate fees:
- 13. Certification** – Review, discussion, and possible action on the following applications for certification upon payment of appropriate fees:
- 14. Training Applications** – Review, discussion, and possible action on the following course and training applications:

Chiropractic Assistant:

Preceptorship:

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

TAB NO.	CASE NO.	BUSINESS ENTITY	BE REG. NO.
11	2024-021	AZ Accident Chiropractic Plus	NONE

16. **Probation & Suspension** – Review, discussion, and possible action regarding the following cases currently under Probation or Suspension:
17. **Report from the Executive Director and/or staff** – The Board may hold an executive session to discuss personnel matters pursuant to A.R.S. 38-431.03(A)(1), to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

11:59a.m. Board Executive Session

12:36p.m. Board Returns from Executive Session

Review, discussion, and possible action regarding the following:

- Discussion Regarding International Academy of Neuromusculoskeletal Medicine regarding the use of protected terms.
- January and February Financial Report
- Legislative Status Update
- Case Status Report
- Licensure Status Report
- Renewal Status Report
- Continuing Education Update
- 2026 Board Meeting Calendar
- Board Meeting Materials and Board Meeting Binders

18. **Assistant Attorney General's Report: Casey Hutchison, A.A.G.** - The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).

Review, discussion, and possible action regarding the following:

- Annual Review of the Arizona Attorney General's Scope of Services

- 19. Report from the Chair** - *The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03(A)(2), including the receipt and discussion of information or testimony that is confidential by State or Federal law and receive legal advice pursuant to A.R.S. § 38-431.03(A)(3).*
- a. Summary of current events** - *By law, the summary of current events is limited to recent occurrences. The Board cannot propose, discuss, deliberate, or take legal action on matters in the summary unless the specific matter is properly noticeable for legal action.*
- 20. Establishment of future meeting dates(s)**
The next regular meeting is scheduled for Wednesday, April 23, 2025, at 9:00 am, at 1740 W. Adams Street, Boardroom C.
- 21. Adjournment**

12:42pm Board Meeting Adjourned