



State of Arizona

Board of Chiropractic Examiners

Summer 2005

Legal Updates and Newsletter

Mission Statement: *The mission of the Board of Chiropractic Examiners is to protect the health, welfare and safety of the public.*

Board of Chiropractic Examiners

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P. Dianne Haydon, D.C.
Vice Chairperson

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Public Member

S. Steven Baker, D.C.
Professional Member

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Public Member

Board Meetings

September 8, 2005
October 20, 2005
November 10, 2005
December 8, 2005

Board meetings scheduled for the 2nd Thursday of the month begin at 8:00 am. Meetings scheduled for the 3rd Thursday of the month begin at 9:00 am. Meeting dates and times are subject to change.

Examinations

Jurisprudence – 1st Friday of the month, 10:00 am
Application deadline – 1 month prior to the exam

Getting in touch with the Board:

Phone: (602) 864-5088
Fax: (602) 864-5099
Website: www.azchiroboard.com
E-mail: Refer to the website for a list of e-mail addresses.

Did you move or get a new telephone number?

Please remember that A.R.S. 32-923 (A) requires that every licensed person shall, within **30 days**, notify the Board **in writing** of any change in residence or office address and telephone number. Please note that if your mailing address is a post office box or personal mailbox, you must also provide a physical address. Failure to update your address and telephone number will result in a **\$50.00** civil penalty.

Renewal Errors

Last year Board staff returned a large number of license renewal applications as incomplete. The following is a list of common errors that caused applications to be incomplete:

1. Failing to complete continuing education prior to submitting the renewal application.
2. Failing to completely answer each question. Entering a check mark, an X or N/A **is not acceptable**. You must answer every question.
3. Failing to enter the following CE information:
 - a. The date completed
 - b. The subjects (topics) covered by the course. (Do not enter the course title)
 - c. The qualifying instructor or sponsor.
4. Failing to sign the renewal.

We hope that this list will help you avoid errors and delays in your renewal submission for 2006.

NO DUMPING!

Last year the Board received two complaints about chiropractors discarding patient records in publicly accessible dumpsters. *This should never take place.* The information contained in your patient records is privileged and confidential and it is your responsibility to protect it. Instead of taking a shortcut by tossing your records into a dumpster, take the time to destroy your records in a manner designed to protect patient information. Shredding and incineration are two effective methods for disposing of patient files while protecting doctor/patient confidentiality. The inappropriate disposal of files not only affect your patients, it may affect your license. The Board may sanction your license if you fail to properly dispose of your records.



Suggestions for Chiropractors: Sage Advice from a Seasoned Investigator

By Charles Brown, Deputy Director

The following is a list of questions a doctor should answer during a patient's first visit, even if the patient does not ask. Answering these questions may help to avoid disgruntled patients or even a Board complaint!

1. What types of treatment do you offer? (Chiropractic, Physiotherapy, Acupuncture)
2. What types of insurance do you take?
3. Do you wait for payment on a personal injury claim or do you file a medical lien?
4. Do you have a list of your charges for each service?
5. Will I receive a receipt after each service?
6. Do you bill a different price for cash or insurance payments?
7. Is your staff certified to perform their duties? (Chiropractic Assistant, Physical Therapist, Massage Therapist)
8. Do you own the clinic? If not, do you make the final decision over charges and treatment plans?
9. Who is responsible for an unpaid portion of the bill, if my insurance does not pay the total bill?

The Board receives many complaints from new chiropractic patients who did not know what to expect when entering into chiropractic treatment. Effective communication between doctor and patient could resolve these types of complaints before they reach the Board. If you provide detailed information to your patient and document that you provided the information, you may avoid a Board complaint.

Playing the Name Game

By Charles Brown, Deputy Director

Arizona Administrative Code R4-7-902 (7): requires a doctor that is, "Practicing under, or billing for services under any name other than the name by which the chiropractic physician is licensed, including corporate, business, or other licensed health-care providers' names, without first notifying the Board in writing."

If you are billing for your services under any other name than which is printed on your license issued by this Board, you may be in violation of the above law. If you wish to abbreviate your name, bill under a business name or wish to change your name entirely you must first notify the Board in writing. If you are attempting to change your name completely or modify it because of marriage, you must provide legal documentation of the name change to the Board office. **Remember, your name and license number is how your patients find you, how the Board tracks you, and how the Board notifies the public about your location and status.**



Legal Updates

Please note the following changes to substantive policy and law.

The Board is issuing the following statement regarding Diagnostic Testing:

Proposed Substantive Policy Statement re: Diagnostic Testing

The Board of Chiropractic Examiners has determined that the following criteria must be met regarding any in-office diagnostic testing, including testing performed by "mobile labs":

The physician must clearly document the medical necessity for each and every test. The physician shall determine that the service is medically appropriate, necessary to meet the patient's health needs, consistent with the diagnosis, and consistent with widely accepted clinical standards of care concerning reliability, validity, and timing of the test.

The physician must clearly document that the chosen diagnostic test is the best or most appropriate test available and that it will provide results that will support a diagnosis

and/or assist in clinical decision-making regarding treatment and/or referral.

The physician must be sufficiently trained in the utilization of the diagnostic equipment to be able to perform the chosen test and to supervise (as defined in R4-7-101 (10)) the performance of the test. The physician shall determine that the equipment is in good operational order, is reliable, and presents no harm to the patient.

If a technician is utilized, then the physician must supervise the technician as described in R4-7-101 (10), verify the technician's training, and retain documentation verifying the training.

The physician shall disclose any pecuniary interest in the testing. In determining whether to order any diagnostic test, the physician's primary consideration shall be whether the test is in the best interest of the patient.

Substantive Policy Statement on Board Approval of Chiropractic Assistant Training Course Instructors

The Board of Chiropractic Examiners has determined that a chiropractic physician who is currently the subject of a disciplinary sanction does not qualify to be approved as an instructor for a chiropractic assistant training course. A previously sanctioned chiropractic physician will not qualify to be approved as an instructor for a chiropractic assistant training course for three years from the date the chiropractor's order was terminated.

The Board shall rescind the approval of a chiropractic assistant training course instructor if the instructor becomes the subject of a disciplinary sanction.



Reporting Criminal Charges

According to A.R.S. §32-3208, if you are charged with a felony or with a misdemeanor involving conduct that may affect patient safety, you must report the charge to the Board in writing, within 10 working days.

A list of misdemeanor charges considered to involve conduct that may affect patient safety is available from the Board office upon written request. However, this list does not excuse you from reporting a charge to the Board. You should report all misdemeanor charges even if the charge is not mentioned on the list. The Board will decide if the conduct surrounding your misdemeanor charge may affect patient safety.

Please note that you **MUST** report all DUI charges to the Board within ten working days.

Disciplinary Actions

You may now review disciplinary actions on our web site, www.azchiroboard.com. Licensees that have had a disciplinary action imposed by the Board from Sept. 1, 2004 to July 20, 2005 include:

Thomas Aamot, D.C.; 2005-014
Paul Bates, D.C.; 05F-012-CEA
Thomas Blankenbaker, D.C.; 2004-070
Thomas Bruns, D.C.; 2004-049
Matthew Burrow, D.C.; 2004-063
Scott Busker, D.C.; 2004-054 & 2004-059
David Campbell, D.C.; 2004-057
Brete Carlsen, D.C.; 2004-089, 2004-090, 2004-091
Richard Casabona, D.C.; 2004-030
Sheldon Deal, D.C.; 2004-044
LaVonda Evans, D.C.; 05F-011-CEA
Lucille Gaeta, D.C.; 2005-026
David Gilligan, D.C.; 2005-064
Barton Grant, D.C.; 2005-031
Leisa-Marie Grgula, D.C.; 2004-086
Robert Jursek, D.C.; 2004-050
J. R. Kosack, D.C.; 04F-034-CEA
Randolph Langholdt, D.C.; 2004-104
Stephen Lee, D.C.; 2004-041
Majera Majidi, D.C.; 2004-076
Patrick Maloney, D.C.; 2004-061
Shayar Maroufkhani, D.C.; 2004-112
Timothy Martin, D.C.; 2005-008
William Matura, D.C.; 2004-077
Scott Miritello, D.C.; 2004-071
Donald Nelson, D.C.; 2004-025
Roy Ottinger, D.C.; 05F-061-CEA
Carl Row, D.C.; 2004-078
Vernon Schroeter, D.C.; 2004-101
Nicholas Schultz, D.C.; 2004-039
Grant Shapiro, D.C.; 2004-028
Steven Shochat, D.C.; 2004-065
Marvin Smith, D.C.; 2001-038 & 065
Mark Strom, D.C.; 2004-100 & 2004-109
Patricia Summers, D.C.; 2004-103
Kenneth Torrens, D.C.; 2007-097
Steven Vigdor, D.C.; 2004-001
Michael Watts, D.C.; 2004-095
Bradly Westfield, D.C.; 05F-040-CEA, 04F-102-CEA

STATE of ARIZONA
BOARD of CHIROPRACTIC EXAMINERS
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