



State of Arizona Board of Chiropractic Examiners

October 2003

Newsletter

Mission Statement: *The mission of the Board of Chiropractic Examiners is to protect the health, welfare and safety of Arizona citizens who seek and use chiropractic care.*

Board of Chiropractic Examiners

N. Edwin Weathersby, D.C.
Chairman

Craig Seitz, D.C.
Vice Chairman

Sandra Lynne Velotta
Public Member

Lee Miller
Public member

P. Dianne Haydon, D.C.
Professional Member

Board Meetings

October 16, 2003
November 13, 2003
December 11, 2003

Examinations

Jurisprudence – 1st Friday of the month, 10:00 am
Acupuncture January 30, 2004 10:00 am

Our Newsletter goes online

We are now publishing our newsletter online at our website, www.azchiroboard.com. This helps us reduce cost and increases readership. If you do not have web access you can

request a copy of the newsletter and one will be sent to you. The web newsletter has a full list of disciplinary actions.

Getting a hold of us at the Board:

Phone: (602) 864-5088

Fax: (602) 864-5099

Website: www.azchiroboard.com

E-mail: chiroboard@earthlink.net

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. Failure to do so will cost you \$50.00 in a civil penalty. Mail, fax or e-mail your address change to us. Our website is www.azchiroboard.com and has an e-mail link to us.

Renewal Time Reminders

Once again license renewal time is here. Start looking for your renewal in the mail. All renewals are mailed to your address of record. If there has been a change in that address and you did not make the change with the Board the Post Office may not get the renewal to you.

Some changes to look for in the renewal.

1. The fee is \$155.00
2. Under CE completion, you must have completed the CE class before returning the renewal. You must write in the date taken, the subject, sponsor and or instructor that qualifies the course by statute.
3. Until you complete your CE hours your renewal will not be complete and will be returned.

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Disciplinary Actions Against Licensees

Michael Hirsch, D.C., #3910

2002-061

California license sanctioned with stayed revocation and suspension.

Violation: ARS 32-924(A)(14)

Order: License surrendered

Adrian Marnell, D.C., #2064

02F-070-CEA and 2003-092

Billed for services not supported by record; Allowing unregistered person to perform patient therapies; Failed to supervise staff; Failed to fully comply with Board subpoena.

Violation: ARS 32-924(A)(5)(15)(22) and A.A.C. R4-7-902 (9)(10).

Order: Stayed 6-month suspension of license; 3-years probation, \$1500 fine, SPEC exam; Law exam; independent billing service; audits of files; restitution to 3rd party payors.

2003-092

Failing to comply with a Board Order by not completing the required CE's in the allotted time.

Violation: ARS 32-924 (A)(16)

Order: \$500 fine

Joseph Dembinski, D.C., #5140

2000-032, 060, 075

Performed duplicative billing in violation of probation; Failed to notify Board of office closure

Violation: ARS 32-924(A)(5)(16)

Order: Surrendered license, Restitution to 3rd party payer.

Ronald Sather, D.C., #3016

2002-089

Convicted of five felony and three misdemeanors. Failed to reveal convictions on renewal application.

Violation: ARS 32-924(A)(6)

Order: Revoked

Drew Lawrence, D.C., #5899

2001-091

Allowed unregistered person to exercise duties of a Chiropractic Assistant. Failed to create, maintain, adequate patient records

Violation: ARS 32-924(A)(5)(15)(16)(17)(18) AAC R4-7-902 (3)

Order: Two years probation, audits of files, CE in record keeping, law exam, \$1500 fine.

Scottie Rae Johnson-Lawrence, D.C., #5890

Allowing an unregistered person to perform duties of a Chiropractic Assistant.

Violation: ARS 32-924(A)(5)(15)(16)

Order: Order of Censure, \$500 fine

David Ball, D.C., #1073

2002-096

Failed to provide patient records within 10-days. Failed to comply with CE requirement for renewal. Falsely confirmed CE compliance on renewal application. Admitted to memory loss and physical impairment.

Violation: ARS 32-924 (A)(5)(16) AAC R4-7-902 (5)

Order: Reinstatement of license precluded pending CE completion, Decree of censure, restitution to patient, physical and psychological evaluation.

Dean Micalizio, D.C., #4280

2002-008, 050

Failure to create, maintain adequate patient records. Allowing unlicensed person to practice chiropractic.

Violation: ARS 32-924 (A)(5)(16) AAC R4-7-902 (3)

Order: Three years of probation; \$2,000.00 fine; quarterly audit of patient files; Three hours CE on record keeping and three hours on ethics

Scott Gedye, D.C., #5369

2002-049, 072, 101

Failed to disclose a sanction in another state. Clinic failed to maintain adequate patient records. Billed for services not documented in the patient record.

Violation: ARS 32-924 (A) (1)(5)(16)(22) AAC R4-7-902 (3)

Order: Three years probation; audit of patient records, CE classes in billing, record keeping, ethics, \$2,000 fine.

E.J. Strandlund, D.C. #3753

2002-059

Billed for services not supported in patient record. Billed for services not rendered. Double billing.

Violation of ARS 32-924 (A)(5)(22) AAC R4-7-902 (9)

Order: Order of Censure

Bruce Stork, D.C., #3474

2002-101

Allowed unregistered person to perform duties of a chiropractic assistant.

Violation: ARS 32-924 (A)(5)(15)(16)

Order: Order of Censure; \$1,000 fine.

Johnyee Beasley, D.C., #5887

2003-016

Failed to comply with CE law. Falsely confirmed CE compliance on renewal application.

Violation: ARS 32-924 (A)(1)(16)

Order: License suspended pending compliance of CE, pass law exam, pass SPEC exam.

Marc Nielson, D.C., #3690

2003-005

Failed to provide records within 10-days.

Violation: ARS 32-924 (A)(5)(15) AAC R4-7-902 (5)

Order: Order of Censure, 6-months probation, law exam, \$1,500 fine.

Bradly Westfield, D.C., #5416

2002-072

False or deceptive advertising. Failed to supervise unregistered and unlicensed person performing hair removal.

Violation: ARS 32-924 (A)(5)(13)(15)

Order: Letter of concern.

Timothy Glass, D.C., #5210

2003-002

Allowed an unregistered person to perform duties of a chiropractic assistant.

Violation: ARS 32-924 (A)(5)(15)(16)

Order: Order of Censure, \$1,000 fine.

Paul Bates, D.C., #849

2002-103

Billed for services not supported in the patient record.

Violation: ARS 32-924 (A)(5)(16) AAC R4-7-902 (3)(9)

Order: 2-years probation, audit of patient files, CE in ethics and record keeping, \$1,000 fine.

Daniel Boswein, D.C., #4406

2003-021

While working under a limited license in Wisconsin for arrest of drug use, in a subsequent incident, he admitted to law enforcement of drug use. He surrendered license in Wisconsin

Violation: ARS 32-924 (B)(15)

Order: Probation and drug monitoring

2003-114

While on probation Dr. Boswein tested positive for cocaine.

Violation: ARS. § 32-924(A)(15)

Order: License Revoked pending Board review of re-hearing

James Briggs, D.C., #7200

2002-068 and 2002-68A

As an applicant Dr. Briggs practiced chiropractic without a license.

Violation: ARS 32-926(A)(1)

Order: One year probation, pass the Arizona Law exam; 3 hours of ethics; \$500 fine.

Dr. Briggs failed to comply with the consent agreement and his license was revoked.

Elizabeth Ruman, D.C., #2026

2002-006-CHR

Failure to maintain patient records for five years. Under Board order, 02F-007-CEA, Dr. Ruman's license was suspended for six months and she was required to satisfy the following terms and conditions by November 30, 2002.

Pass the jurisprudence examination; Pass the SPEC exam;

Undergo a psychiatric evaluation.

Violation: ARS 32-924(A)(16) and A.A.C. R4-7-902(4)

Order: Dr. Ruman failed to comply with the order and after a hearing her license was revoked.

David Ball, D.C., #1073

2002-096

Failure to release patient records within 10-days; Failing to complete 12-CE hours for renewal.

Violation: ARS 32-924(A)(5)(16), AAC R4-7-902 (5)

Order: Decree of Censure; Pay restitution of \$440 to the patient; Written physical and psychological evaluation.

License was surrendered

Randell Dobbs, D.C., #5448

2003-042

Having a sexual relationship with a patient. Billing for level of services that were not provided.

Violation: ARS 32-924(A)(5)(21)(23) AAC R4-7-902(8)

Order: License Revoked

Frederik Gerretzen, D.C., #5205

Failing to maintain a patient record per statute

Violation: ARS 32-924(A)(5), AAC R4-7-902 (3)

Order: Letter of Concern and take a record keeping class; records audited.

Robert Nielson, D.C., #4618

2003-063 and 2003-068

Advertising in a false, deceptive or misleading manor

Violation: ARS 32-926(B)(5)(13)(16)(23); AAC R4-7-902(2).

Order: Probation for 18 months; complete 6 hours of continuing education in ethics; \$1,500.00 fine.

2003-068

Conviction of a felony involving drug use

Violation of ARS 32-924(A)(5)(6)(15), ARS 13-702(G)

Order: 12-Month Suspension; Biological Fluid Testing;

Abstain from Drug Use; Obtain one year of Medical Health Counseling; Appear before the Board when requested; Pass the SPEC exam; Provide fingerprints to DPS; Complete 6 hours of CE in ethics; Obey all Federal, State and Local laws.

Albert Reach, D.C., #515

2003-054, 055, 056

Failing to maintain a patient record; Billing for services not rendered.

Violation: ARS 32-924(A)(5), AAC R4-7-902(3)(9)

Order: Letter of Concern

Frank Andosca, D.C., #4720

97F-099-CH

Violation of a Board Order ARS 32-924(A)(16)

Order: License Surrendered

Barbara Froelich, D.C., #4887

2003-070

Fail to release patient records within 10 days; failed to create and maintain records as required by Board rule; billed for services not rendered.

Violation: ARS 32-924(A)(5); AAC R4-7-902(3)(5)(9)

Order: Letter of concern; six hours of CE in record keeping; six hours of CE in professional billing.

Ron Halstead, D.C., #2002-084

2002-084

Conviction of a felony; (1) count of conspiracy, fourteen (14) counts of health care fraud, and one (1) count of conspiracy to commit money laundering

Violation: ARS 32-924(A)(6)

Order: License Revoke (stayed pending rehearing conclusion)

Steven Lynch, D.C., #5870

2003-078

Employment of fraud or deception in securing a license; falsely reporting to a police officer is the commission of a class 1 misdemeanor crime involving moral turpitude;

unprofessional conduct as it relates to knowingly making a false or misleading statement to the Board.

Violation: ARS 32-924 (A)(1)(5)(6); AAC R§-7-902 (9)
Order: Order of Censure; six months probation; complete a six hour course in ethics; Pass the jurisprudence examination.

Milo Fencl, D.C., #3031

2003-086

Failing to report a conviction on a renewal application

Violation of A.R.S. 32-924 (A)(1)

Order: Letter of Concern

Clinton Scott, D.C., #7169

2003-087 and 2003-096

Fail to renew license and continued to practice; Fail to complete CE hours; Fail to maintain adequate patient records.

Violation: ARS 32-924 (A)(1)(16); AAC R4-7-902 (3).

Order: License suspended for a minimum of 49 weeks; Document completion of CE requirement; Probation for two years; Pass the jurisprudence exam; six hours CE in record-keeping; six hours of CE in ethics; random audits of patient records on a semi-annual basis; \$1,000.00 civil penalty

Pasquale Laurito, D.C., #5397

2003-085

Dr. Laurito lied on his initial application for licensure when he said he had not been convicted of a crime. He was convicted of a misdemeanor in Las Vegas Nevada. Dr. Laurito lied on his 2002 renewal by stating he had not been sanctioned by another state board when he had in 2001.

Violation: A.R.S. 32-924 (A)(1)

Order: Surrendered license

William Covey, D.C., #4958

2000-123

Dr. Covey engaged in that was personal to him, inappropriate and unprofessional. Dr. Covey made false representations to the Board. Dr. Covey failed to notify the Board of his change of residence.

Violation: A.R.S. 32-924 B (5)(15) and ARS. 32-923 A.

Order: One-year probation to start from date of signed conclusions of law; \$1000.00 fine and Mandatory psychiatric evaluation.

Order: License Revoked for noncompliance with one of the terms of his Order.

Lavonda Evans, D.C., #7370

2003-116

Fail to list AKA's on application. Substantial criminal history involving drugs and alcohol

Violation: ARS 32-921 and A.R.S. 32-924.

Order: Board approved supervisor

Five years probation; Practice under supervision; Abstain from alcohol and drug use; Biological fluid testing; Abstain from prohibited substances; Notify each office, clinic or other setting of her probationary status; Will not work as supervising chiropractor, clinic or office director or chiropractor in charge; Annually submit fingerprints to the Board; Bear all costs relative to complying with this Order

Timothy O'Conner, D.C., #5031

2003-089

X-rays were not of diagnostic quality

Violation: ARS. 32-924(A)(15)

Order: Letter of Concern; 12 hours of CE in X-rays

Pending hearing or formal interview

Hearings

Marvin Smith, II, D.C.

Clinton Scott, D.C.

Robert Nielson, D.C.

Formal Interviews

Leonard Rudnick, D.C.

Herb Schillerstrom, D.C.

Robert Watson, D.C.

Darrell Beauvais, D.C.

Melinda Rosenblum, D.C.

Steven Kuhn, D.C.

Daniel Kinkead, D.C.

Leonard Lense, D.C.

Majera Majidi, D.C.

Marie Cipolla, D.C.

STATE of ARIZONA
BOARD of CHIROPRACTIC EXAMINERS
5060 North 19th Avenue, Suite 416
Phoenix, AZ 85015