

# State of Arizona Board of Chiropractic Examiners

September 2002

**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*

*James J. Badge, D.C.  
Professional Member*

*Lee Miller  
Public member*

## **Board Meetings**

*September 12, 2002  
October 17, 2002  
November 14, 2002  
December 12, 2002*

## **Examinations**

*Jurisprudence – 1<sup>st</sup> Friday of the month, 10:00 am*

*Acupuncture      October 30, 2002, 10:00 am  
                                 January 29, 2003 10:00 am*

## **WARNING—CAUTION--IMPORTANT**

2003 license renewals

The top five mistakes chiropractors make when renewing their license.

1. Fail to sign the form.
2. Fail to write in "Yes" or "No" to questions.
3. Fail to enclose a check.
4. Fail to update clinic and home address and telephone number.
5. Fail to return form on time.

Read all the instructions before filling out the form

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### **Getting a hold of us at the Board:**

Phone: (602) 864-5088

Fax: (602) 864-5099

Website: [www.azchiroboard.com](http://www.azchiroboard.com)

E-mail: [chiroboard@earthlink.net](mailto:chiroboard@earthlink.net)

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### **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](http://www.azchiroboard.com) and has an e-mail link to us.

## 2002 Legislative Law Changes

This legislative session there were several law changes to the Chiropractic Code, ARS 32-900 *et seq.*

Some of the reasons for the fee increases and changes are, the application fees have not increased since 1976 and the renewal fee has not increased since 1991. The fee increases bring in line the costs related to a 4% annual growth in licensee's and inflation. The fees also cover the new legislative requirements and recommendations by the Auditor General's Office relating to their recent audit of the Chiropractic Board.

Below are some of the law changes that took effect on May 22, 2002, as a result of the passing of HB2019.

### Fees:

1. Application fees for licensure by exam and reciprocity will increase from \$100.00 to \$250.00. The fingerprint fee is \$26.00 for a total application fee of \$276.00.
2. License renewal fee will increase to a maximum of \$170.00. Effective with the 2003 renewal the fee will be \$140.00, up from \$100.00.

### Civil Penalties:

1. Licensee's who fail to report a change of address or telephone number shall incur a civil penalty of \$50.00.
2. Increase civil penalties imposed as a sanction from \$500.00 to \$1,000.00 per violation.

### Compliance:

1. Passing score for examinations is 75%.
2. Requires licensee to report their telephone number or any change within 30 days.
3. Requires the licensee to file a response to a Complaint and Notice of Hearing within 20 days, if the licensee is to be represented at the hearing.
4. Establishes an inactive license status. This status requires licensee's to pay the full renewal fee but waives the CE requirement. Also must comply with address and telephone requirements.

### Board Authority:

1. Protects complainants who report in good faith from civil damages.
2. Provides Board authority to issue a non-disciplinary advisory letter.
3. Provides the Board authority to issue a disciplinary letter of concern.
4. Provides the Board authority to order restitution to a patient through an Order of Censure.
5. Provides the Board authority to hold formal interviews and impose sanctions of less than a suspension or revocation.
6. Provides the Board authority to order the licensee to pay restitution to the Board for the cost of the investigation and hearing.

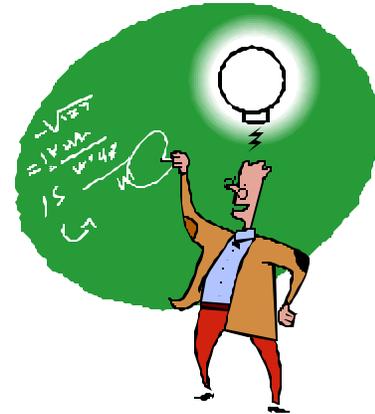
7. Requires the Board to report allegations of evidence of criminal wrongdoing to the appropriate criminal justice agency.

You can view all of the law changes at the legislative website, [www.azleg.state.az.us/](http://www.azleg.state.az.us/) under Bills, then enter HB2019.

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By Allen Imig  
Deputy Director

## Formulating a Chiropractic Assistant



(MOS = CA) if < (PDQ = JAG)

Many chiropractors depend on Chiropractic Assistants (CA) to help them in their practice by assisting the doctor in basic health care duties and designated duties commensurate with their education and training. There are three things that distinguish a CA from clerical or administrative help around the office.

1. 24 hours of Board approved course work (basic)
2. 12 hours in physiotherapy and or acupuncture, if assisting in those areas.
3. Registered with the Board.

All this has to be done within a year and started within three months of hire.

You are probably asking yourself, gee who teaches the Board approved course? Well, some individual chiropractors, some technical colleges, or without too much trouble, *you could get a course approved to teach your staff or others.*

All you have to do is request a CA training course packet from us, follow the instructions and submit it for approval. The packet includes a sample syllabus, laws and application.

It costs nothing to get a course approved or register your Chiropractic Assistant. (MOS=CA). If you don't, it could cost you dearly (PDQ=JAG)

Visit our website at [www.azchiroboard.com](http://www.azchiroboard.com) to download the CA registration and transfer forms or course approval application. The laws are: ARS 32-900; ARS 32-930; AAC R4-7-1001, 1002, 1003.

By Allen Imig  
Deputy Director

## Rubbed the wrong way

Some chiropractic offices either have on staff or contract with massage therapists. Some doctors think if they have a massage therapist in the office, they can use them to do other duties related to physiotherapy. Well that's the "Rub". Unless the massage therapist is also a registered chiropractic assistant, all they can do is, massage, massage and more massage.

The Board doesn't regulate massage therapists; it is the local city government's that license them. So if a city doesn't issue a license and you as a doctor want to utilize a massage therapist and bill for physiotherapy, they need to be registered as chiropractic assistant, with the Board.

Likewise, if a city licenses massage therapists, they for sure need to follow the licensing requirements. In some cases, your office, as a facility, may be subject to some requirements by the city, if a massage therapist is working there.

To keep it simple, use the following formula:

1. Licensed massage therapist: Massage only. Has to be registered CA to do physiotherapy.
2. Unlicensed massage therapist: No massage. Has to be registered CA to do physiotherapy.
3. Registered CA in physiotherapy: Massage and assist with physiotherapy.

Don't lead your massage therapist's astray and don't let them rub you the wrong way.

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## Disciplinary Actions Against Licensees

### Thomas Blankenbaker, #3164

2000-038

Instructed an unregistered, uncertified assistant to schedule patients for treatment to be performed by assistant knowing and intending that treatment would be without the required physician's supervision.

Violation of 32-924(B)(5), (B)(15), (B)(16)

Three months suspension, 2 years probation, \$1,000 fine.

### Janine Secord, #5770

2002-019

Felony conviction

Violation of 32-924(B)(5) and (B)(6)

License revoked

### Lloyd Malone, #2080

2002-08 and 2002-50

Engaged in a sexual relationship with patient. Answered falsely on the renewal application that required CE had been completed.

Violation of 32-924(B)(15), (B)(21).

License surrendered.

### Debra Mazzola, #7067

2002-048

Abdicated responsibility for record keeping and billing, patient records below standard in law.

Violation of 32-924(B)(5) and A.A.C. R4-7-902(3)

1 year probation, \$250 fine, audits and CE

### Karen Jacobson, #5722

Misleading advertising, records and x-rays below standard in law, treatment generic and non-specific.

Violation of 32-924(B)(15)

One-year probation, \$500 fine and CE

### William Covey, #4958

Inappropriate and unprofessional behavior toward patient, false representation to Board and failure to notify Board of change of address.

32-924(B)(5), (B)(15) and 32-923 (A)

1 year probation, \$1,000 fine and psychiatric evaluation

### Elizabeth Ruman, #2026

Three previous sanctions, failed to notify Board of change of address, failed to provide patient records, failed to comply with subpoena.

Violation of 32-924(B)(5), 32-923(A) and AAC R4-7-902 (5) and (10)

6 months suspension, take and pass law exam, take and pass SPEC exam, mandatory psychiatric evaluation.

### James Briggs, #7200

Practicing without a license

Violation of 32-924(A)(1)

1 year probation, take and pass law exam, \$500 and CE

### Aaron Kovac

Criminal history, failure to disclose history on application, failure to obtain arrest and conviction documents.

Lacking good character and reputation, license denied, issued under Consent Agreement

3 years probation, submit fingerprints annually, 3 hours of ethics classes, \$500.00 fine.

### Pending hearing or formal interview

Dean Micalizio, #4280

Michael Hirsch, #3910

Adrian Marnell, #2064

Joseph Deminbinski, #5140

Ronald Sather, #3016

Elizabeth Ruman, #2026

Drew Lawrence, #5899

Scottie Rae Johnson-Lawrence, #5890

David Ball, #1073

Scott Geyde, #5369

E.J. Strandlund, #3753

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