



State of Arizona Board of Chiropractic Examiners

April 1999

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*

*Norma H. Steinbrenner
Public Member*

*Sandra Lynne Velotta
Public Member*

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

Board Meetings

May 20, 1999

June 17, 1999

July 15, 1999

August 12, 1999

September, 1999 (TBA)

Examinations

Jurisprudence – 1st Friday of month

State of Arizona Board of Chiropractic Examiners
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Phoenix, AZ 85015-3210
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The Question of the Year: What are the new rules on Chiropractic Assistants?

by Patrice Pritzl, Executive Director

But first... Thank You!

The introductory year for the required 12 hours of continuing education has passed. While we still have a few licensees making up their CE credits for 1998 to submit a late renewal, most licensees completed their CE credits in a timely manner and were able to renew licenses by the December 31, 1998 deadline. The Board and staff would like to thank licensees for their cooperation and support in the implementation of the CE laws.

Chiropractic Assistants Statutes and Rules---What's New, What Isn't---

I understand that there have been some rumors circulating about the statutes and rules regarding chiropractic assistants. This is my opportunity to make certain you have the correct information. I have included a copy of the statutes and rules in this newsletter to help you comply with the law. Please check with your friends and associates to make certain they have also received and read their copy of this newsletter since the laws do effect all licensees employing chiropractic assistants.

During the 1998 legislative session, the Board clarified some of the language in statute which pertained to chiropractic assistants. The former statutory language was confusing to licensees and even to the Board. In this regard, the legislative action did not create a new law, but simply clarified language in the existing law. Those statutory changes became effective in August of 1998.

Once the Board clarified the statutory language, we needed to do the same type of house cleaning with rules. While cleaning

To summarize about C.A. laws:

- An unlicensed individual who assists in basic health care duties in the practice of chiropractic under the supervision of a doctor of chiropractic must complete the education requirements in law and be registered with the Board. Please refer to the following rules for the educational requirements.
- To be registered with the Board, the C.A. must complete the educational requirements through a board approved facility or doctor of chiropractic.
- To be approved to provide training, the facility or doctor needs to submit documentation to the board that describes each subject listed in rule. (This means you can provide the training to your staff, you just need to be pre-approved.)
- The C.A. must commence coursework within 3 months of initial employment, and complete coursework within one year of initial employment.
- To register the C.A., documentation must be provided, on a Board approved form, which shows the date the C.A. completed the required subjects.

This is just a summary. It is important that you read and know the full law.

Hiring a New Associate? *****

If you're thinking of hiring a new associate who is in the process of obtaining an Arizona chiropractic license, you might want to plan on an additional 3-6 weeks before you can bring him or her aboard. Why the delay? The FBI background report, which can take from 6-10 weeks to reach us. The Board will not issue the license until it has received and reviewed the report. This means the report must have arrived at least 7 days before the Board meets to allow us to assess it and place the candidate's application on the Board's agenda. If the report has not been received in time, your prospective new hire's application will have to wait for the following month's Board meeting. To avoid delays we are encouraging everyone to get their license applications in early, well before the 30-day deadline for the jurisprudence exam.

up the rule language, the Board also added new language that provided licensees with some timeframes to go by. Since the rules actually provide licensees with "instructions" on how to comply with the statute, the Board has not been actively enforcing the statute until the rule changes are final. Those rule changes became final in March, and therefore, the Board will now enforce compliance with the laws.

Now, the next issue I would like to address has to do with some of the incorrect information that has been circulating.

False, false, false!

The requirement that chiropractic assistants receive training, and the type and amount of training is **not new**, as is rumored. The laws have required that unlicensed staff who assist in the basic health care duties in the practice of chiropractic under the supervision of a licensed doctor of chiropractic meet the minimum training requirements for years, and those training requirements have existed in rule for years.

True, true, true!

The changes in statute and rule eliminated references to a "C.H.A." and use only the reference "chiropractic assistant" or "C.A." The law then goes on to define a chiropractic assistant and to clarify that only a person who meets the training requirements and performs such duties as defined in law can be called a chiropractic assistant or C. A. We eliminated the C.H.A. designation because having two designations was confusing to most people and the statute did not provide a definition for a C.H.A. as opposed to a C..A.

We've also tried to clarify that an unlicensed person who performs clerical or administrative duties and does not assist in basic health care duties in the practice of chiropractic under the supervision of a doctor of chiropractic is not a chiropractic assistant and therefore, is not required to meet the training and registration requirements.

Finally, we've provided more guidance in law on timeframes to complete training and to determine qualified training.

A Word About the Laws Governing the Practice of Chiropractic

It is extremely important that you know the laws that govern the practice of chiropractic. As with all laws, ignorance is not a defense, and will not protect you if you violate a law. We sent out a copy of the law book to all licensees in 1997; however, new laws have been added and old laws changed since that time. Due to the expense, we cannot do another free mailing of law books to all licensees. If you would like a copy of the law book, please submit your request in writing, along with a check or money order for \$5.00 to the Board office and we will send you a new copy. The fees for law books will increase to \$10.00 in May, so now is the time to get a deal on your law book. Also, since laws change frequently, it's good to get a new law book every year or two.

Statutes on Chiropractic Assistants

A.R.S. 32-900 (3) defines "Chiropractic assistant" as an unlicensed person who has completed an educational training program approved by the board, who assists in basic health care duties...under the supervision of a D.C..but does not evaluate, interpret, design or modify established treatment programs . A.R.S. 32-926 (A) (2) and (3) state that it is unlawful to work as a chiropractic assistant except under the supervision of a D.C. and pursuant to rules, or to use the abbreviation "C.A." or term "Chiropractic Assistant" unless working under a D.C. and pursuant to the rules.

1999 AMENDMENTS TO THE CHIROPRACTIC ACT

ARTICLE 11. CHIROPRACTIC ASSISTANTS

R4-7-1101. Use of the Term "Chiropractic Assistant"

Only a chiropractic assistant as defined in A.R.S. § 32-900 who assists a chiropractor by performing basic health care duties, shall use the term "chiropractic assistant" or "C.A."

R4-7-1102 Chiropractic Assistant Training

A. A C.A. shall complete 24 clock hours of coursework, with a minimum of 4 hours in each of the following subjects: chiropractic principles, management of common diseases, history taking, recordkeeping, professional standards of conduct, and CPR. If a chiropractor supervising a C.A. is certified in a specialty under A.R.S. § 32-922.02, the C.A. shall complete 12 hours of additional training in that specialty.

B. A C.A. shall take coursework from a Board-approved facility or chiropractor. The facility or chiropractor providing coursework shall submit documentation that describes each subject listed in subsection (A) to the Board for approval prior to offering the course.

C. A C.A. shall begin Board-approved coursework within 3 months of initial employment with a supervising chiropractor, and shall complete the coursework within 1 year of initial employment with the supervising chiropractor.

D. A C.A. shall register with the Board or its designee upon completing required coursework. A C.A. shall submit a separate registration form for each place of employment and supervisor. A C.A. shall submit documentation to the Board or its

If you do violate a law, your license may be sanctioned, and you may incur considerable expense in attorneys fees for your defense. If your license is sanctioned, you may have to pay a fine, have your license suspended or revoked or have it placed on probation with various terms that must be met. Even with a minor sanction, you may find a considerable loss of revenue in that insurance companies verify the status of your license on a regular basis, and may possibly refuse to accept you as a provider if your license has been sanctioned. The best way to avoid all this doom and gloom is to know your laws. When you review the law book, be aware that law exists in two forms, statute and rule. Arizona Revised Statutes are indicated

by this symbol, §, while rules are preceded by a designation that looks something like this, R4-7-1102.

The statutes are the authority vested by the legislature and can only be created, deleted or revised in legislative session. Anybody can approach a member of the legislature to sponsor a bill to create, delete or change a law.

Rules are promulgated by the agency, must be authorized by statute for their existence, and are authorized by the Governors Regulatory Review Council. Statutes and rules that affect the same area of law will not appear next to each other, so it is important that you check both or you may miss an important aspect of the law which affects you.

In creating new laws, all bills before the legislature are public record. All rulemaking must be noticed in the Arizona Administrative Register. You can obtain a copy of the rulemaking notices by requesting them from the Board office. We have had some comments in the past about new laws "sneaking through". It is impossible for any changes in law to "sneak through". All rulemaking promulgated by this agency is published for public comment in the Arizona Administrative Register, as per law.

Chapter 32 of the Arizona Revised Statutes reflects the statutes governing the practice of chiropractic, but those are not the only laws which may affect you. We have tried to identify some of the other laws which affect the chiropractic profession in our law book; however, that reference may not be complete. If you have legal questions, please confer with your legal counsel to ensure that you are aware of all laws that impact you. Remember that neither the Board members nor staff can give you legal advice or interpret the law for you. If you make such a request, you will be referred to your own attorney.

New Laws Since The Last Newsletter

Aside from the Chiropractic Assistant rules which are included in this newsletter, the Board has promulgated rules for licensing timeframes. These rules are required by law and provide applicants with information on licensing requirements and timeframes for processing applications. Please be aware that the Board has an overall timeframe of 145 business days to process and approve a new license application.

The Board has also revised the rules regarding preceptors. The preceptor program will now be limited to students. Externs must concurrently participate in an undergraduate or post graduate preceptorship program in order to qualify.

designee on a Board-approved form, signed by the supervising chiropractor, showing the date that the C.A. completed each required subject. The Board shall issue the C.A.'s registration upon approval of the registration form.

E. A chiropractor supervising a C.A. shall maintain at the C.A.'s place of employment a copy of the C.A.'s registration.

R4-7-1103 Scope of Practice

A. A C.A. shall perform only tasks that are:

1. Consistent with a supervising chiropractor's licensure and certification; and
 2. Delegated by the supervising chiropractor.
- B. A C.A. shall not take an x-ray.
- C. A supervising chiropractor shall be responsible for all acts or omissions of a supervised C.A.
- D. A person who does not meet the coursework requirements of R4-7-1102 shall perform only clerical or administrative duties.

ARTICLE 10. PRECEPTORSHIP TRAINING PROGRAM

R4-7-1001. Eligibility; Application

A. Both extern and preceptor shall submit a written application to the Board. The Board shall process the application within the time-frames provided in R4-7-502 (J). The application shall be submitted on a form that contains the extern's photo; the extern's and preceptor's name, address, telephone number, and any other names of the extern and preceptor; the preceptor's license number, number of years in practice, and disciplinary history; a waiver of confidentiality and notarized signature from both the extern and preceptor; the beginning and ending date of the program; location, days, and hours of the proposed program; the name and contact number for the sponsoring college; the date of extern graduation; and identification of the proposed scope of the program and the eligibility of the applicants for approval.

B. Except as provided in subsection (D), the Board may approve participation by an extern who:

1. Concurrently participates in an undergraduate or postgraduate preceptorship program offered by an accredited chiropractic college and provides verifiable proof of enrollment;

Continued--->

2. Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college to evaluate the extern's eligibility for or performance in the program;

3. Provides a Certificate of Attainment on Parts I and II of the examination by the National Board of Chiropractic Examiners;

4. Successfully completes and provides documentation of the coursework required by A.R.S. §32-922.02 for practice of chiropractic specialties, if specialties are to be included in the training program; and

5. Submits the \$75.00 filing fee.

C. The Board shall not approve participation for an extern who:

1. Has been the subject of disciplinary sanction or convicted of a felony or a misdemeanor involving moral turpitude.

2. Is currently under investigation for a licensing violation, felony or misdemeanor involving moral turpitude.

3. Fails to demonstrate good character and reputation.

4. Fails to demonstrate the physical and mental ability to practice chiropractic skillfully and safely.

5. Has practiced chiropractic without a license or through participation in an approved preceptor program.

D. The Board may approve participation for a preceptor who:

1. Concurrently participates as a preceptor at the chiropractic college in which the extern is enrolled throughout the program and provides verifiable proof of participation;

2. Submits a written waiver of confidentiality that permits the Board access to any information, records, or documentation collected or used by the college to evaluate the preceptor's eligibility for or performance in the program;

3. Is licensed in Arizona for at least 5 years preceding the date the program is to begin and, if the program is to include practice of chiropractic specialties, is certified in those specialties for at least 3 years preceding the date upon which the program is to begin; and

E. The Board shall not approve participation for a preceptor who:

1. Has been the subject of disciplinary sanction or convicted of a felony or a misdemeanor involving moral turpitude.

2. Is currently under investigation for a licensing violation, felony or misdemeanor involving moral turpitude.

3. Fails to demonstrate good character and reputation.

4. Fails to demonstrate the physical and mental ability to practice chiropractic skillfully and safely.

R4-7-1002. Practice Limitations

A. Under the supervision of the preceptor and commensurate with the extern's education, training, and experience, an extern may engage in the practice of health care, as defined in A.R.S. §32-925, except that an extern shall not perform any procedure defined as a chiropractic specialty requiring certification unless the extern and the preceptor have met the eligibility requirements in R4-7-1001 for that specialty.

B. At all times when patients may be present, the extern shall wear a badge showing the extern's name and the title "Extern" in capital letters equal in size to the name.

C. Before an extern conducts an examination or renders care to a patient, the preceptor shall secure from the patient a written consent to the examination or care. The written consent shall specify that the patient understands that an extern is not a licensed doctor, and that the preceptor retains responsibility for quality of care. The preceptor shall maintain the signed consent as a part of the patient's file.

R4-7-1003. Regulation and Termination of the Preceptorship Program

A. The Board, on its own initiative or upon receipt of a complaint, may investigate conduct of an extern or preceptor occurring within the program for compliance with these rules and A.R.S. § 32-924. The Board may, pursuant to A.R.S. § 32-929, obtain patient records as part of the investigation.

B. If after investigation, the Board determines that the conduct of the extern or preceptor imperatively requires emergency action, the Board shall suspend approval of the program pending proceedings for termination or other action. The Board shall promptly notify the extern, the preceptor, and the college of the suspension, the reasons for the suspension, and the conditions under which the suspension may be lifted, if any.

C. If after a hearing, the Board determines that the conduct of the preceptor or the extern constitute a violation of these rules or A.R.S. §32-924, the Board shall terminate the program and may sanction the preceptor or deny licensure to the extern if the extern has applied for a license.

D. If the Board receives written verification from a chiropractic college that the extern or preceptor is no longer concurrently participating in the associated chiropractic college program, the Board shall terminate approval of the extern's training program.

E. An extern may participate in a preceptorship program until the results of the next scheduled Part IV of the National Board of Chiropractic Examiners examination are released or for 6 months, whichever occurs first.

Review of Board Actions (since 8/98)

Marc Widoff, D.C.	Probation/Fine
Torrance Brooks, D.C	Probation/Fine
M. J. Dionisio, D.C.	Probation/Fine
Richard Kosack, D.C.	Probation/Fine/Suspension
Mark Millar, D.C.	Indefinite Suspension

Fees

Verification of Licensure	\$ 2.00
Mail Lists, Labels, Directory	\$40.00
Newly Licensed Chiropractors (1 yr.)	\$40.00
Board Minutes (1 yr.)	\$40.00
License by Examination Packet	\$10.00

License by Reciprocity Packet	\$10.00
Duplicate Renewal Receipt	\$ 5.00
Duplicate Ornamental License	\$20.00
Duplicate Ornamental Certificate	\$20.00
Jurisprudence Booklet	\$10.00
Public Record Copies-per page	\$.25

Newly Licensed Chiropractors

- David A. Campbell
- Andrew D. Bedell
- William Erdstein
- Linda L. Randazzo
- Craig Godard
- Herbert Lake
- W. Raymond Chavez
- Peter D. Crocker
- Leah J. Buchkowski
- Jessica M. Dukart
- Mark S. Palazzo
- Shawn P. Lambert
- Carol R. Rothman
- Scott D. Dewar
- Joseph B. Madison
- Kurt B. Tompkins
- Brian D. Rappaport
- Randy B. Howe
- James E. Sinner
- Keri D. Lewin
- Nicky E. Lowery
- Marc Weissman
- Rosanne M. Dukart
- Steven G. Lynch
- Ted Edwards
- Michael D. Soloman
- James D. Berrier
- Troy M. Tann
- Cheryll R. Straub
- Mark A. Steele
- Laurent O. Pelletier
- Laura Jo Riley
- Nicholas A. Tivoli
- Michael Vosin
- Mandy M. Blase
- Caron Pedersen
- S. Melody A. Holladay
- Michael Shaigec
- John Boardman
- Steven Marshall
- Johnyee Beasley
- James T. Furry
- Arthur W. Means
- Scottie Rae Johnson-Lawrence

Arlen E. Scholl
Scott Demert
Garrett Lane
Tad Tenny
Christopher S. Williams
Brian M. Gabbert
Michael Simmer
Thomas B. Douglass
Drew J. Lawrence
Jason L. Loth
Torrance A. Brooks
Thanh Gia Pham
Jason M. Kolber
Stephen Junho Lee
Tona Lee Bailey
Jeffrey Aragon Trinka
Carl D. Gillman
Arthur C. Luethe
Randall S. Wittman
David J. Taylor
Kelly A. Austin
Craig J. Snyder
Joni Marie Gray
Anthony Audino
Linda Audino
Ivory B. Chenteyl
John W. Thuerck, III
Emily M. Opperman
Debra A. Casper
John Warman
Matthew D. Coen
Wayne Harmon
Julia Hennagir
Trista M. DeLuca
Michael F. Showah
Donald C. Helvey, II
Moshe Farhi
Glenn D. Gamble
Thomas L. Armbrust
Kirk W. Van Metre
Angela Kay Mick
Michael L. Akerson
Robert M. Cucitrone
Brian G. Cohrs

New Substantive Policy:
Requirement to Reinstate a License Placed
on Permanent Retirement Status

To have a retired license reinstated to active practice, the licensee is required to take and

pass the SPEC examination administered by the National Board of Chiropractic Examiners with a score of 75% or better and produce evidence of having completed 12 hours of continuing education if the license has been on retirement status for one year or less, or 24 hours of continuing education if the license has been on retirement status in excess of one year. This is a minimum requirement. All other requirements of A.R.S. 32-923 apply.

Change of Address

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. Mail or fax address change to:

Arizona Board of Chiropractic Examiners
5060 N. 19th Ave. Suite 416
Phoenix, AZ 85015
Fax: 602-255-4289

REMINDER----CONTINUING ED---NOW !!

It's not too early to be taking your 12 hours of continuing education for 1999. To find out about courses, contact the professional association and accredited colleges of your choice. Beat the December rush!

STATE of ARIZONA
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