

MINUTES
UTAH
CHIROPRACTIC PHYSICIAN LICENSING BOARD
MEETING
January 8th, 2015

Room 210 (Second Floor) - 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:55 a.m.

ADJOURNED: 12:20 a.m.

Bureau Manager:

Maria Skedros

Board Secretary:

Sally Canavan

Board Members Present:

Craig D. Campbell, DC; Chairman
Carlyle Bret Whittaker, DC
Jay D. Anderson, DC
Richard Engar, DDS, Public Member
Terry Martin, DC

Board Member Absent:

None

Guests:

Tim Apgood, UCPA
Neil Erickson, UCA
Harold Petersen, Self
Chris Purcell, Attorney
Lew Wheelwright, UPCA
Jim Knight, UCPA
Trev Wilde, Self
Dan Monson, Self
Alan L. Colledge, Labor Commission
Ron Dressler, Labor Commission
Mark Thornton, Self
Che' Arguella, AG/DOPL
Todd A. Turnblom, UDLA
Paul Martin, NAMIC

DOPL Staff Present:

Debra Troxel, Compliance Specialist
Dan Lau, Asst Attorney General
Ray Walker, Compliance Officer
Dane Ishihara, Bureau Manager
Allyson Pettley, Team Leader-Investigations

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Minutes:

DECISIONS AND RECOMMENDATIONS

The minutes from the October 9th, 2014 meeting were reviewed by the Board. Dr. Engar made a motion, seconded by Dr. Martin, to approve the minutes with

APPOINTMENTS:

Debra Troxel, Compliance Unit Specialist

John Dudley (Phone Interview)

corrections. The voting was unanimous.

Ms. Troxel presented the compliance reports on the probationers being interviewed today.

The Board noted Dr. Dudley's probation was set to terminate shortly. Dr. Engar made a motion seconded by Dr. Whittaker to terminate Dr. Dudley's probation today, pending the phone interview with him. The voting was unanimous. The Board telephoned Dr. Dudley. Dr. Engar told Dr. Dudley the Board had already voted and his probation would be terminated.

The Division stated he would get a letter and a new license. The Board wishes him well. Dr. Campbell stated the Board is rehabilitative only not punitive. He likes to see the process work.

Bruce Van Gundersen

He noted his editor is doing better. He is doing lots more singing this year and he is singing with groups that were a little more advanced. He stated he had lost a dear friend. They received their licenses the same day and they had become good friends. Dr. Gundersen stated he was doing well. He said he would attend the next Board meeting. The Board stated they find him enjoyable to work with. The Board requested to see him on the April 9th, 2015. He was found to be compliant.

Harold Q. Stokes

Dr. Stokes interview was conducted via telephone. He is out of town helping family members. He made sure to get his forms faxed in. He plans go to California for two weeks. He is trying to build his practice and has put up a lighted sign which has doubled his practice. He is hopeful after the sign has been there longer, he may receive more patients. He is doing well. The Board requested to see him at the next Board meeting on April 9th, 2015. He was found to be compliant.

Timothy Andrew Wann

Dr. Wann stated he did not understand he was supposed to call Debra. He has registered for a course next week in Atlanta. The Board reminded him communication is very important. He is currently unemployed in the field. He is trying to get his recently widowed mother situated. He is taking care

of her estate. He is planning on meeting with Dr. Ken Andersen as a mentor and he is probably the best option for employment. He estimates it will be about April when he returns to chiropractic work he does not want to work alone. The Board stated he needs a supervisor. He has not worked since May 2014 and it is impacting him financially. He stated he will never be in a room treating a patient without someone else. He stated he attended Palmer West Chiropractic College. Mr. Apgood often gets calls for doctors that need a substitute while they are on vacation or sick. The Board wants to make sure he has a chaperone. Dr. Wann needs to use the log form for the chaperone report. The Board noted he has no employment requirements in his MOU. He has been offered work at "The Joint". He needs an ethics course that is approved by the Board or the Division. He brought a list of possible courses with him the Board reviewed his list, they suggested the first course on his list looked good. Mr. Apgood noted the association would be happy to help him with his continuing education. The Board noted he is looking better than he was at the last meeting. The Board requested to see him at the next Board meeting on April 9th, 2015. He was found to be compliant.

Dale Harlan Heath

The Board noted he has completed his evaluation performed by Dr. Roby also and received A and B marks on his employer evaluation. He said things are going well and it has been a challenge but he was moving forward. The Board stated he needs five additional hours of CE that are approved by the Board. He brought a list for the Board's review. The parameters for the five additional CE hours are professional ethics, professional boundaries, treating patients with dignity and respect. Dr. Whittaker made a motion seconded by Dr. Anderson that we approve the course led by Dr. Friens of Utah and two hours towards his continuing education requirement for professional conduct. The voting was unanimous. He is working with a chaperone and completing his logs. Dr. Heath stated he was not a member of the association. The Board strongly recommended he become a member when he gets back home to Utah. The Board requested to see him at the next Board meeting on April 9th, 2015.

DISCUSSION ITEMS:

Proposed Rule Change

He was found to be compliant.

The Board invited Dr. Wheelwright to address the Board on part of the proposed rule. Mr. Walker stated that Mr. Steinagel needed more information from the Board and guidance from the Attorney General's Office etc. Before Mr. Lau, AG expresses his offices opinion he wanted to hear the opinion of the Board. Mr. Wheelwright stated that they want to change the rule to allow for IV Therapy of water and use vitamins and minerals. He noted with some patients vitamins or mineral may upset their stomachs and then they may not get the full benefit, of the nutrients. Mr. Lau stated that allowing IV Therapy is a very broad base term he suggested narrowing the term. Mr. Wheelwright stated they were "putting the cart before the horse a little bit"; hoping to make it easier when they meet with the Legislature to change the law, if the rule is already in place. The Board discussed before if IV therapy could be performed by Chiropractic doctors they would have to have 100 additional hours of training on top of already being trained as a doctor of chiropractic. He stated the additional training would be done by the Association under their C.E. The Board also discussed being able to prescribe USP substances too stating many other states are already allowing their Chiropractic doctors to do IV Therapy.

Some of the Chiropractic doctors feel that their claims are being denied unfairly by the insurance companies. They discussed that paper reviewers were not adequately trained to determine if certain procedure were necessary.

The Board discussed possibly assigning a task force to research and bring information to the Board. They decided to revisit this issue at the next meeting on April 9th, 2015. Dr. Colledge from the Labor Commission stated he was not in favor of the currently proposed rules. Mr. Walker reminded the Board the proposed rule be available for public comment till January 14, 2015. The Board called for a vote. Dr. Whittaker made a motion which was seconded by Dr. Martin to withdraw the proposed rule and start over. The voting was unanimous.

exempted from the Massage Therapy scope of practice. There was some language that was not agreeable to the Chiropractic profession.

Next Scheduled Meeting:

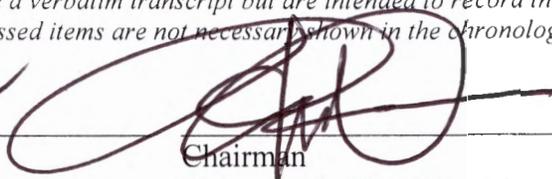
Thursday, April 10, 2015

ADJOURN: 12:35 p.m.

(no motion required)

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Jan 8th 2015
Date Approved


Chairman

Chiropractic Physician Licensing Board

April 8, 2015
Date Approved


Bureau Manager

Division of Occupational & Professional Licensing