

# MINUTES

## CHIROPRACTIC PHYSICIANS LICENSING BOARD

### JULY 28, 2022

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In person and Electronic Meeting

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Convened: 9:03 A.M.

Adjourned: 11:06 A.M.

**DOPL STAFF PRESENT:**

Lynne Anthony, Bureau Manager  
Tracy Naff, Compliance Specialist  
Tynisha Lutz, Board Secretary  
Maree Christensen, Board Secretary  
Tracy Taylor, Bureau Manager

Camille Farley, Investigator  
Lisa Martin, Bureau Manager  
Bernice Palama, Compliance Specialist  
Daniel Briggs, Investigator  
Allyson Pettley, Bureau Manager

**BOARD MEMBERS PRESENT:**

Kristina Stitcher, DC, Chair  
Dan S. Monson, DC

Larry Vance, DC

**BOARD MEMBERS ABSENT:**

Terry Martin, DC

**GUESTS:**

Kent Pollock, DC  
Micheal Vandyke  
Emily Vandyke  
Jeff Mutler  
Elizabeth Dranage

Troy Graf, DC  
Dr. Jon Stucky  
Craig Johnson  
Hal Reiser  
Laurie Noda

*Others may have been in attendance but were not identified.*

**ADMINISTRATIVE BUSINESS: (00:02:37)**

**Read and approve Minutes from April 28, 2022**

**Dr. Monson moved to approve the minutes from the April 28, 2022 meeting.**

**Dr. Vance seconded the motion.**

**The motion passed unanimously.**

**DOPL Team Update: (00:03:00)**

Ms. Anthony introduced Ms. Martin as the new Chiropractic Bureau Manager and Ms. Christensen as the new Chiropractic Board Secretary.

**CH Guidelines Tracy Taylor: (00:03:50)**

Ms. Taylor discussed the updated criminal history guidelines for reviewing chiropractic applications. Board members and DOPL staff reviewed the guidelines in detail. Questions and concerns were articulated and answered. It was noted that the document is fluid and will change based on updated laws and circumstances within the profession.

**Dr. Vance motioned to approve the Criminal History Guidelines.**

**Dr. Monson seconded the motion.**

**Board motion passed unanimously.**

**INVESTIGATION UPDATE: (00:16:36)**

Ms. Farley introduced herself as the investigations supervisor for DOPL.

Ms. Anthony discussed SB 43 and the need for a board member that can be contacted for questions and consult by DOPL investigations.

Dr. Stitcher volunteered.

**COMPLIANCE UPDATE: (00:38:20)**

Ms. Palama provided a report on the probationers being seen today. Questions were asked and answered.

She noted Dr. Graf last met with the board on January 27, 2022 and there were no new documents to review at this time.

Ms. Palama updated the board on Dr. Pollock's probation. She noted he was charged with sexual misconduct.

She noted Dr. Pollock last met with the board on January 27, 2022. Employer reports are submitted quarterly. His April report was received on time with good reviews. Ms. Palama noted she received a call from his supervisor on May 23, 2022 about complaints brought to his attention. She noted Dr. Pollock was suspended due to misconduct allegations. They were then reported to Investigations. Mr. Pollock has been charged with 2 counts of sexual battery, class A misdemeanor on May 11, 2022.

**APPOINTMENTS:**

**Michael VanDyke (00:19:50)**

Ms. Anthony updated the board of Dr. VanDyke's circumstances and renewal submission.

The Board reviewed his stipulation and discussed their concerns.

Dr. Stitcher expressed her concerns noting his pattern of performance and agreed with DOPL's recommendation for revocation of licensure with the stipulation that the individual may not reapply for a period of 5 years.

Dr. Vance and Dr. Monson noted their concerns and agreement with Dr. Stitcher and DOPL.

Dr. VanDyke discussed his circumstances and expressed his perspective of the events.

**Dr. Vance motioned to move the discussion to allow time for a better recommendation to DOPL.**

**Dr. Monson Seconded the motion.**

**Board motion passed unanimously.**

**Kent Pollock (00:46:00)**

Dr. Stitcher expressed her concerns. She noted previous interviews Dr. Pollock has had with board members noting his previous denial of inappropriate actions. She noted his two counts of sexual battery and his repetitive behavior. She expressed that this is a public safety concern.

Dr. Pollock noted his attorney advised him to not discuss the May 11, 2022 event.

Dr. Pollock expressed his gratitude towards the board with previous meetings allowing him to regain his license in the past. He noted there was nothing sexual in nature and that it was a language barrier with Spanish speaking girls.

Dr. Stitcher discussed a 2021 report. She noted that he can't touch buttocks and lift shirt without consent and was told numerous times. She stated this was done in a repetitive way.

Dr. Vance noted that he stated they were patients have been seen by Chiropractic Physicians before.

Dr. Pollock stated he has been practicing for 47 years. He disputed the report noting he always has them cross their arms.

Dr. Vance noted he has been practicing for many years as well but has never dealt with sexual misconduct or insurance problems.

Dr. Stitcher found Dr. Pollock non-compliant with probation. She recommended suspension of licensure as criminal proceedings move forward.

**Dr. Vance motioned to recommend the suspension of his license.**

**Dr. Monson seconded the motion.**

**Board motion passed unanimously.**

Jeff Metler the General Counsel to the Chiropractic Physicians Association discussed compliance and how to move forward when situations such as Dr. Pollock's happens.

Ms. Anthony explained the difference between revocation and suspension.

The Board noted the timeline for Dr. Pollock's circumstances and discussed the events in depth.

Board recommended preapproved specific board approved CE training in billing and coding in addition to the required 40 hours of required CE credits.

The Board recommended a two year suspension.

**Dr. Vance motioned to suspend his license with the requirements of, 40 hours of preapproved specific CE training in billing and coding in addition to the required 40 hours of CE credits.**

**Dr. Monson seconded the motion.**

**Board motion passed unanimously.**

**Troy Graf (00:43:00)**

Dr. Vance conducted the interview.

Dr. Graf updated the board and his life circumstances.

Dr. Stitcher asked about the previously approved items he was authorized to sell and if he was still seeing patients.

Dr. Graf noted the items are not currently his focus and he is still seeing patients.

**Dr. Vance found Dr. Graf to be in compliance.**

**Steve Baker (01:15:07)**

Ms. Anthony noted Mr. Baker submitted his renewal with a yes answer to question 1. On October 6, 2017 charges were filed on 2 counts of false or fraudulent insurance claim. In March 8, 2022 he entered a plea in abeyance. On March 23 2022 the charges to be dismissed. On May 31, 2022 notice of agency action was issued with 30 days to respond. She noted this is considered an informal adjudicative procedure and the board is advisory to the Division.

Dr. Stitcher discussed Dr. Baker's situation. She expressed concerns over the circumstances and the requirements for different note taking procedures when completing insurance claims.

Mr. Reiser as attorney spoke on behalf of Dr. Baker. He noted the restitution that goes back over 6 years. He noted Dr. Baker recognizes the need to protect the profession and the concerns of the board. He stated that Dr. Baker would like 2 years of indirect supervision.

Dr. Baker discussed his circumstances, noting the staff was performing fraudulent activity without his knowledge.

Dr. Stitcher reviewed the recommendation of revocation of licensure with the stipulation that he may not reapply for a period of 5 years.

**Dr. Vance motioned to follow DOPL's recommended revocation of licensure.**

**Dr. Monson seconded the motion.**

**Board motion passed unanimously.**

**TENTATIVE MEETING DATES**  
November 17, 2022

ADJOURN: 11:06 A.M.

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 necessary shown in the chronological order they occurred.

11/17/2022	<i>K Stetcher</i>
Date Approved	Board Chair – Chiropractic Physician Licensing Board
11/17/2022	<i>Lisa Martin</i>
Date Approved	Bureau Manager – Division of Occupational & Professional Licensing