

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS

Board Meeting

June 22, 2006

A meeting of the Georgia Board of Chiropractic was held on Thursday, June 22, 2006, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Karen Mathiak, D.C., President Patrick J. Sallarulo, D. C., Vice President Jackson C. Patterson, D. C. David A. Wren, D.C.	Ajay Gohil, Board Attorney Anita O. Martin, Executive Director Kathy Linaker, D.C., DACBR, Life University Greg Jarmon, State Farm

Karen Mathiak established that a quorum was present and the meeting was **called to order** at 9:03 a.m.

Draft of Board Rule 100-4-.01: Advertising – Tabled – Dr. Mathiak appointed a committee comprised of herself & Dr. Sallarulo to continue review of this rule and bring a proposal back to the board for consideration.

Draft Revision of Board Policy #5: Reinstatement of Revoked/Expired Licenses. – Dr. Wren motioned, Dr. Sallarulo seconded and the Board voted to approve as amended.

Review and approval of minutes from April 27, 2006 meeting. – Dr. Sallarulo made a motioned, Dr. Wren seconded and the Board voted to approve as amended.

CORRESPONDENCE

Larry Schadler, D.C.: Request to terminate probation. – Dr. Patterson made a motion, Dr. Sallarulo seconded and the Board voted to approve the request.

Stephen Ranick, D.C.: The use of EEG evaluation and Neurofeedback. – **Board response:** Send a no-legal letter and add “that based upon the information provided for in his letter to the board, that the Board believes that this practice falls within the scope of practice”.

Chris Carver, D.C.: Plan of study – **Board response:** Notify Dr. Carver that all CE program providers must fall within the criteria as outlined in board rule 100-5-.02.

Dale Fairchild, D.C.: Eligibility for licensure in GA – **Board response:** Notify Dr. Fairchild that he must meet the conditions of Board Rule 100-2-.07.

Ajay Gohil, Board Attorney: MRI referral – Viewed as informational.

NBCE: Dr. Sallarulo participation with the exam given in May. – Viewed as informational.

Sean Whitelavich: Requesting if it is legal to order diagnostic tests and have testing done on location using an outside service. – **Board response:** Send no legal letter and add “that based upon the information provided for in his letter to the Board, that the Board believes that this practice falls within the scope of practice”.

Marc D’Andrea, D.C.: Requesting to have second part of infraction removed from his record. Dr. Patterson motioned, Dr. Wren seconded and the Board voted to **deny** the request. This request does not fall within the board’s legal authority provided in OCGA § 43-9-6.1.

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Khaled Abouhaif, D.C.: Requesting to have his consent order changed from public to private. Dr. Sallarulo motioned, Dr. Nelson seconded and the Board voted to **deny** the request.

Aubrey Villines: Board response: Notify Mr. Villines that the Board has a strict interpretation of Board Rule 100-7-.03.

EXPUNGEMENT REQUESTS

Thomas Copelli, D.C. – Dr. Wren motioned, Dr. Patterson seconded and the Board voted to grant the request for expungement on license number CHIRO002102, docketed on May 6, 1991.

David J. Pasquariello, D.C. – Dr. Sallarulo motioned, Dr. Wren seconded and the Board voted to grant the request for expungement on license number CHIR001680, docketed on September 24, 1990.

LICENSES TO RATIFY.

Dr. Wren made the motion and Dr. Sallarulo seconded and the Board voted to approve.

License #	Name	Profession	Status	Issue Date
CHIR008004	Cunningham, Chandra Lee	Chiropractor	Active	4/4/2006
CHIR008005	Ojiwawh, Eriidina Liiza	Chiropractor	Active	4/7/2006
CHIR008006	Kish, Ryan S	Chiropractor	Active	4/7/2006
CHIR008007	Sayers, John J, Jr	Chiropractor	Active	4/18/2006
CHIR008008	Schenendorf, Eric J	Chiropractor	Active	4/18/2006
CHIR008009	Racioppo, Raymond Anthony	Chiropractor	Active	4/18/2006
CHIR008010	Shim, Choong B	Chiropractor	Active	4/25/2006
CHIR008011	Sredniawski, Michael Joseph	Chiropractor	Active	4/25/2006
CHIR008012	Hazzard, Dawn Marie	Chiropractor	Active	4/26/2006
CHIR008013	Hershkowitz, David William	Chiropractor	Active	4/28/2006
CHIR008014	Taylor, Sadiyq Nkosi	Chiropractor	Active	4/28/2006
CHIR008015	Gouy, Sarah Jane Elizabeth	Chiropractor	Active	5/2/2006
CHIR008016	Baldwin, Brandon P.	Chiropractor	Active	5/3/2006
CHIR008017	Gutherie, Clay A	Chiropractor	Active	5/4/2006
CHIR008018	Thai, Binh Van	Chiropractor	Active	5/4/2006
CHIR008019	Abouhaif, Khaled Mhmoud	Chiropractor	Probation	5/4/2006
CHIR008020	Biggs, Leaba Lashay	Chiropractor	Active	5/9/2006
CHIR008021	Lawicki, Lawrence Patrick	Chiropractor	Active	5/11/2006
CHIR008022	January, Lynnee T.	Chiropractor	Active	5/11/2006
CHIR008023	Nesi, Edwin M.	Chiropractor	Active	5/16/2006
CHIR008024	Goodman, Caz	Chiropractor	Active	5/19/2006
CHIR008025	Pham, Binh Cong	Chiropractor	Active	5/24/2006
CHIR008026	Story, Kimberly Rochea	Chiropractor	Active	5/25/2006
CHIR008027	Perloff, Richard A	Chiropractor	Active	5/31/2006
CHIR008028	Koch, David B.	Chiropractor	Active	6/5/2006

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Executive Director's Report – Ms. Anita Martin

1. The Board requested the following items be placed on August 2006 agenda:

- MD/DC practice
- Board Rule 100-7-.07 (ED will work on revising)
- Development of a new rule or policy that requires D.C.'s conducting utilization reviews to have the Insurance Commissioners Office certification and/or Georgia license and/or at least 5 years on non-encumbered practice, 300 hours of documented reviews, at least 80% of income source from active practice.

2. **Compliance issues for Elliott Becker** – Executive Director to draft an additional letter requesting information within 5 days. If not received, board voted to send matter to AG's office for Notice of Hearing for Revocation of license.

Dr. Patterson made a motion, Dr. Wren seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h)(2) and § 43-1-2(k) to deliberate and receive information on applications, cognizant reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Mathiak, and Dr. Sallarulo. The Board concluded Executive Session in order to vote on the matters and to continue with the public session.

Applications

B.A.G. – Applicant requesting approval for licensure – Recommended denying.

D.K.M. – Reinstatement applicant requesting licensure – Recommended denying.

E.S. – Reinstatement applicant submitting SPEC scores – Recommended approving.

P.M.S. – Applicant requesting approval for licensure – Recommended approving.

Cognizant Reports

CHIR060009 – Recommended close/No violation

CHIR060114 – Recommended schedule for Investigative Interview

CHIR060092 – Recommended send to enforcement if not already done so

CHIR060057 – Recommended schedule for Investigative Interview

CHIRO060087 – Recommended send back to enforcement to have re-check in 3 months to make sure no practice is taking place. Also refer cast to the Insurance Commissioners office.

CHIR060102 – Recommended schedule for Investigative Interview. Also schedule for C.A. and D.C. who previously worked for D.T. Also, subpoena copies of claims filed with insurance company

CHIR060104 – Recommended request additional information from D.C. – please send copies of billing records for patient.

CHIR060050 – Recommended close/No jurisdiction

CHIR060066 – Recommended close and notify complainant that based upon review of the information provided it appears that the examinations were appropriate for the diagnosis.

CHIR060116 – Recommended close with a letter of concern – in the future make sure you release patient records in compliance with Georgia law O.C.G.A. 31-33.

CHIR060101 - Recommended close and notify complainant that based upon review of the information provided it appears that the x-rays were appropriate

CHIR060085 – Recommended close with a letter of concern – Make sure advertising is specific pertaining to the types of services you are able to provide and always assure that you use the designation of "D.C." or "Chiropractor" with your name.

CHIR060118 – Recommended schedule for Investigative Interview

CHIR060015 – Recommended refer to enforcement to serve C&D

CHIR040035 – Recommended contact T.U. and notify that he must have certification from the Georgia Insurance Commissioners Office for a Utilization Review certificate.

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CHIRO60067 – Recommended refer to AG for Public Reprimand, \$500 fine & 1 year probation for unprofessional conduct for divulging confidential patient information.

CHIRO60058 & 060121 – Recommended to put holds on records re: renewal.

Executive Director's Report

- Accept reinstatement consent order on Kari I. Dianich, D.C.

Attorney General's Report

- Updated on 10 cases in his office
- Cases CHIR00100025, 1000025, & 1100042 – Board recommended subpoena 5 random patient records from Mid-July 2005, Mid-September 2005, Mid-November, 2005, Mid-January 2006, Mid-March 2006 and Mid-May 2006 for review by cognizant. The subpoena is to be hand served and records are to be received from leaving the clinic.

Investigations/Enforcement

- Accept Cease & Desist order on William Overstreet

Dr. Sallarulo made a motion and Dr. Wren seconded and the Board voted to **approve** the recommendations **made in Executive Session.**

There being no further business to come before the Board, the meeting was adjourned at 4:00 pm on June 22, 2006.

Minutes prepared by: Eva Holmes, Board Secretary

Reviewed/Edited by: Anita O. Martin, Executive Director