Mission Statement: The mission of the Board of Chiropractic Examiners is to protect the health, welfare and safety of the public.

Board of Chiropractic Examiners
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Vice Chairperson
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Board Meetings
September 8, 2005
October 20, 2005
November 10, 2005
December 8, 2005

Board meetings scheduled for the 2nd Thursday of the month begin at 8:00 am. Meetings scheduled for the 3rd Thursday of the month begin at 9:00 am. Meeting dates and times are subject to change.

Examinations
Jurisprudence – 1st Friday of the month, 10:00 am
Application deadline – 1 month prior to the exam

Getting in touch with the Board:
Phone: (602) 864-5088
Fax: (602) 864-5099
Website: www.azchiroboard.com
E-mail: Refer to the website for a list of e-mail addresses.

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. Please note that if your mailing address is a post office box or personal mailbox, you must also provide a physical address. Failure to update your address and telephone number will result in a $50.00 civil penalty.

Renewal Errors
Last year Board staff returned a large number of license renewal applications as incomplete. The following is a list of common errors that caused applications to be incomplete:

1. Failing to complete continuing education prior to submitting the renewal application.
2. Failing to completely answer each question. Entering a check mark, an X or N/A is not acceptable. You must answer every question.
3. Failing to enter the following CE information:
   a. The date completed
   b. The subjects (topics) covered by the course. (Do not enter the course title)
   c. The qualifying instructor or sponsor.
4. Failing to sign the renewal.

We hope that this list will help you avoid errors and delays in your renewal submission for 2006.
Choosing a Continuing Education Course

At renewal time, the most common question asked of Board staff is, “How do I know if the CE course I took qualifies for credit in Arizona?” To qualify for credit towards your license renewal, a continuing education course must meet the legal requirements stated in A.R.S. § 32-931 and A.A.C. R4-7-801. The following questions may help you to determine whether a course meets the legal requirements.

1. Is the course taught at or sponsored by an accredited college or university, or taught by a faculty member of an accredited college or university?

2. Is the course topic any of the following?
   a. Anatomy
   b. Physiology
   c. Bacteriology
   d. Symptomatology
   e. Diagnosis
   f. Chiropractic Orthopedics
   g. Principles of Chiropractic and Adjusting
   h. Neurology
   i. Chemistry, including biochemistry and nutrition
   j. Public health and hygiene
   k. Chiropractic Spinal Analysis
   l. Acupuncture
   m. Physiotherapy

If you have answered, “yes” to both of the above, the course meets the legal requirements for continuing education credit.

The Board has granted approval to courses that do not meet the legal continuing education requirements. If a course claims to be Board approved, but does not meet the legal requirements, you may contact the Board office to verify that the course is approved. You must have a specific course name, sponsor or instructor.

Please note that the Board staff cannot evaluate courses to determine whether they will qualify for continuing education credit. You are responsible for making sure that your continuing education credits meet the legal requirements and qualify for credit.

Have you heard the latest news??!

Do you know the warning signs of false advertising? This free report reveals the biggest mistake you can make when advertising.

During the past year, the Board has seen an increase in the use of advertisements that employ false or misleading statements that may deceive or defraud the public. These advertisements typically make unverifiable claims or cite studies from unreliable sources. The ads also use scare tactics and false consumer testimonials. They are generally in the form of letters and flyers that state that they are “confidential reports.”

Earlier this year, the Board took disciplinary action against a licensee for advertising violations related to a form letter the doctor purchased from a consulting company. The advertisement contained claims that the doctor could not support or verify. Unfortunately, this was not an isolated incident. The Board is currently investigating several other doctors for similar advertising violations.

You control the type of advertisements you use to promote your practice. It is up to you to decide if you are going to buy into false and deceptive advertising. You should be wary of purchasing form letter advertisements, especially if these advertisements contain assertions or claims that you cannot verify with a reputable source. The Board will sanction your license if you use false, deceptive or misleading advertising.

Record Keeping Practices

On September 18, 2004, N. Edwin Weathersby, D.C. presented a course entitled “Record keeping the Right Way” as part of a continuing education seminar conducted by the Board in cooperation with the Arizona Association of Chiropractic. In his presentation, Dr. Weathersby described the documentation necessary for creating and maintaining patient records that meet legal and professional standards. He explained that a patient record must be an understandable story of the patient that is clearly legible to other healthcare professionals. To compose a legible story, a doctor must thoroughly document, date and initial each patient encounter. Dr. Weathersby also explained the correct procedure for making changes to the patient record. It is acceptable to make additions to the patient record. However, it is not acceptable to erase or overwrite the original entry. Additionally, the change must be clearly indicated, dated and initialed. Finally, Dr. Weathersby encouraged chiropractors to evaluate their own records to identify the weak points in their record keeping procedures.

A summary of Dr. Weathersby’s presentation is available on the Board web site. To request a copy of the presentation, please send a written request and a $12.50 check or money order to the Board office.
NO DUMPING!

Last year the Board received two complaints about chiropractors discarding patient records in publicly accessible dumpsters. This should never take place. The information contained in your patient records is privileged and confidential and it is your responsibility to protect it. Instead of taking a shortcut by tossing your records into a dumpster, take the time to destroy your records in a manner designed to protect patient information. Shredding and incineration are two effective methods for disposing of patient files while protecting doctor/patient confidentiality. The inappropriate disposal of files not only affects your patients, it may affect your license. The Board may sanction your license if you fail to properly dispose of your records.

Suggestions for Chiropractors: Sage Advice from a Seasoned Investigator

By Charles Brown, Deputy Director

The following is a list of questions a doctor should answer during a patient’s first visit, even if the patient does not ask. Answering these questions may help to avoid disgruntled patients or even a Board complaint!

1. What types of treatment do you offer? (Chiropractic, Physiotherapy, Acupuncture)
2. What types of insurance do you take?
3. Do you wait for payment on a personal injury claim or do you file a medical lien?
4. Do you have a list of your charges for each service?
5. Will I receive a receipt after each service?
6. Do you bill a different price for cash or insurance payments?
7. Is your staff certified to perform their duties? (Chiropractic Assistant, Physical Therapist, Massage Therapist)
8. Do you own the clinic? If not, do you make the final decision over charges and treatment plans?
9. Who is responsible for an unpaid portion of the bill, if my insurance does not pay the total bill?

The Board receives many complaints from new chiropractic patients who did not know what to expect when entering into chiropractic treatment. Effective communication between doctor and patient could resolve these types of complaints before they reach the Board. If you provide detailed information to your patient and document that you provided the information, you may avoid a Board complaint.

Playing the Name Game

By Charles Brown, Deputy Director

Arizona Administrative Code R4-7-902 (7): requires a doctor that is, "Practicing under, or billing for services under any name other than the name by which the chiropractic physician is licensed, including corporate, business, or other licensed health-care providers' names, without first notifying the Board in writing."

If you are billing for your services under any other name than which is printed on your license issued by this Board, you may be in violation of the above law. If you wish to abbreviate your name, bill under a business name or wish to change your name entirely you must first notify the Board in writing. If you are attempting to change your name completely or modify it because of marriage, you must provide legal documentation of the name change to the Board office. Remember, your name and license number is how your patients find you, how the Board tracks you, and how the Board notifies the public about your location and status.

Legal Updates

Please note the following changes to substantive policy and law.

The Board is issuing the following statement regarding Diagnostic Testing:

Proposed Substantive Policy Statement re: Diagnostic Testing

The Board of Chiropractic Examiners has determined that the following criteria must be met regarding any in-office diagnostic testing, including testing performed by “mobile labs”:

The physician must clearly document the medical necessity for each and every test. The physician shall determine that the service is medically appropriate, necessary to meet the patient’s health needs, consistent with the diagnosis, and consistent with widely accepted clinical standards of care concerning reliability, validity, and timing of the test.

The physician must clearly document that the chosen diagnostic test is the best or most appropriate test available and that it will provide results that will support a diagnosis
and/or assist in clinical decision-making regarding treatment and/or referral.

The physician must be sufficiently trained in the utilization of the diagnostic equipment to be able to perform the chosen test and to supervise (as defined in R4-7-101 (10)) the performance of the test. The physician shall determine that the equipment is in good operational order, is reliable, and presents no harm to the patient.

If a technician is utilized, then the physician must supervise the technician as described in R4-7-101 (10), verify the technician’s training, and retain documentation verifying the training.

The physician shall disclose any pecuniary interest in the testing. In determining whether to order any diagnostic test, the physician’s primary consideration shall be whether the test is in the best interest of the patient.

### Substantive Policy Statement on Board Approval of Chiropractic Assistant Training Course Instructors

The Board of Chiropractic Examiners has determined that a chiropractic physician who is currently the subject of a disciplinary sanction does not qualify to be approved as an instructor for a chiropractic assistant training course. A previously sanctioned chiropractic physician will not qualify to be approved as an instructor for a chiropractic assistant training course for three years from the date the chiropractor’s order was terminated.

The Board shall rescind the approval of a chiropractic assistant training course instructor if the instructor becomes the subject of a disciplinary sanction.

### Reporting Criminal Charges

According to A.R.S. §32-3208, if you are charged with a felony or with a misdemeanor involving conduct that may affect patient safety, you must report the charge to the Board in writing, within 10 working days.

A list of misdemeanor charges considered to involve conduct that may affect patient safety is available from the Board office upon written request. However, this list does not excuse you from reporting a charge to the Board. You should report all misdemeanor charges even if the charge is not mentioned on the list. The Board will decide if the conduct surrounding your misdemeanor charge may affect patient safety.

Please note that you MUST report all DUI charges to the Board within ten working days.

### Disciplinary Actions

You may now review disciplinary actions on our web site, [www.azchiroboard.com](http://www.azchiroboard.com). Licensees that have had a disciplinary action imposed by the Board from Sept. 1, 2004 to July 20, 2005 include:

- Thomas Aamot, D.C.; 2005-014
- Paul Bates, D.C.; 05F-012-CEA
- Thomas Blankenbaker, D.C.; 2004-070
- Thomas Bruns, D.C.; 2004-049
- Matthew Burrow, D.C.; 2004-063
- David Campbell, D.C.; 2004-057
- Richard Casabona, D.C.; 2004-030
- Sheldon Deal, D.C.; 2004-044
- LaVonda Evans, D.C.; 05F-011-CEA
- Lucille Gaeta, D.C.; 2005-026
- David Gilligan, D.C.; 2005-064
- Barton Grant, D.C.; 2005-031
- Leisa-Marie Grgula, D.C.; 2004-086
- Robert Jursek, D.C.; 2004-050
- J. R. Kosack, D.C.; 04F-034-CEA
- Randolph Langholdt, D.C.; 2004-104
- Stephen Lee, D.C.; 2004-041
- Majera Majidi, D.C.; 2004-076
- Patrick Maloney, D.C.; 2004-061
- Shayar Maroufkhan, D.C.; 2004-112
- Timothy Martin, D.C.; 2005-008
- William Matura, D.C.; 2004-077
- Scott Miritello, D.C.; 2004-071
- Donald Nelson, D.C.; 2004-025
- Roy Ottinger, D.C.; 05F-061-CEA
- Carl Row, D.C.; 2004-078
- Vernon Schroeter, D.C.; 2004-101
- Nicholas Schultz, D.C.; 2004-039
- Grant Shapiro, D.C.; 2004-028
- Steven Shochat, D.C.; 2004-065
- Marvin Smith, D.C.; 2001-038 & 065
- Patricia Summers, D.C.; 2004-103
- Kenneth Torrens, D.C.; 2007-097
- Steven Vigdor, D.C.; 2004-001
- Michael Watts, D.C.; 2004-095
- Bradly Westfield, D.C.; 05F-040-CEA, 04F-102-CEA