

MINUTES

UTAH CHIROPRACTIC PHYSICIAN LICENSING BOARD MEETING July 8th, 2010

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

CONVENED: 9:05 a.m.

ADJOURNED: 10:37 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Sally Canavan

Board Members Present:

James D. Knight, DC, Chairman
Edmund Sperry, Public Member
Craig D. Campbell, DC
Carlyle Bret Whittaker, DC
Vacant Position

Board Member Absent

None

Guests:

Tim Apgood, Utah Chiropractic Physicians
Association

DOPL Staff Present:

Debbie Harry, Compliance Specialist

New Chairperson:

Dr. Whittaker made a motion, seconded by Dr.
Campbell for James D. Knight, DC, to continue as
Chairperson. The motioned carried unanimously.

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

DECISIONS AND RECOMMENDATIONS

The minutes from the April 8th, 2010 meeting were reviewed. A motion was made by Dr. Whitaker, seconded by Dr Campbell, to approve the minutes. The motion carried unanimously.

APPOINTMENTS:

Debbie Harry, Compliance Specialist

Ms. Harry presented the status reports on the probationers being interviewed today.

Keith Sterling Hansen, DC

Mr. Sperry interviewed Dr. Hansen. He stated he was practicing one day a month with Dr. Lance Rawlings. He stated he enjoys doing the one day a month. It helps him keep his skills and he likes interacting with the clients/patients. He stated he is part of the faculty for the seminars he presents. He stated his stressors were being handled fine and his family is supportive.

Keith Sterling Hansen, DC

(interview continued)

He is not planning to get into a full-time Chiropractic practice. The Board noted a 180 degree turnaround since they first started to see him four years ago. Dr. Hansen requested early release from probation. He was told he needed to put the request in writing and send it to Ms. Harry three weeks before the next Board meeting for them to consider it. The Board requested he next be seen January 13th, 2011. **Compliant**

Kip C. Porter, DC

Dr. Knight interviewed Dr. Porter. He stated things are going very well and business is also going well. He apologized for missing the last meeting. He stated he checked the website on March 10th, and that he did not see a meeting scheduled. He stated he has been doing everything possible to try to be in compliance. The Board requested he continue to meet with Dr. Dan Park as a mentor/support for him. The Board noted that Dr. Porter is coping well with “the Board looking over his shoulder”. He stated the most important thing he would tell someone starting a practice is to have their staff in place. The Board requested he next be seen October 14th, 2010. **Compliant**

Derek Wayne Birch, DC

Dr. Whittaker interviewed Dr. Birch, who apologized for not being compliant. He has now submitted the required reports. Dr. Birch stated there are some management opportunities with his current employer that may be coming his way. Updated address information was requested to be given to Ms. Harry. The Board discussed that Dr. Birch was a little disorganized and suggested a whiteboard with markers to help him stay organized. The Board discussed how Probationary licenses must be renewed through the mail rather than via the internet and he will need to renew/reinstate. He stated he was looking forward to get back into working in the Chiropractic field. He would like share office space with someone. This last month has been hectic for him. He is working two jobs for about 60 hours a week. The communication between him and his wife is “leaps and bounds” better than it was initially. He stated he will stay compliant. The Board requested he next be seen October 14th, 2010. **Non-Compliant**

DISCUSSION:

Advisory Peer Committee:

Ms. Stewart led the discussion on this. By Statute, there is an Advisory Peer Committee for the review of the quality of care for the profession. The Committee is to have five licensed, practicing Chiropractic

Advisory Peer Committee:

(discussion continued)

Physicians as its members. There is currently only one individual on it. The Advisory Peer Committee is a non-compensated appointment. The Division must have the Committee in existence, but we are not necessarily required to staff it. The Division is requesting names of Chiropractic Physicians who would be interested in the positions. In the past, the time commitment has been approximately 6 hours per year. The Board members were asked to call or email Ms. Stewart with names and resumes so she may submit them for consideration.

Unlicensed Chiropractors:

(Non-agenda item – no action possible)

The Utah Chiropractic Physicians Association called many Chiropractic Physicians whose licenses were not renewed, reminding them to do so. The Board noted the CE audits must be complied with. The Chiropractors who received a CE audit were given notice back in January. The Board discussed various situations for getting notices to Chiropractic Physicians whose licenses were expiring and the budget restrictions now being forced in many areas of DOPL. Mr. Sperry requested that Mr. Wayne Holman, Chief Investigator, come to the next meeting to address this matter.

Student Loan Repayment Defaults:

The Chiropractic Physicians Board has taken a position previously on applicants who have not paid their student loans. If a person defaults on financial obligations, it is a civil matter; therefore it is not a matter of public safety for the Board to address. The Board does not want it to become punitive because of default on a student loan. This was their previous position as well.

Foreign Education Qualifications:

John Dale Fullwood – Appeal for consideration of qualifications

John Dale Fullwood does not meet the qualifications listed in statute for licensure. The Act requires that he qualify through United States Department of Education recognized accreditation of education or endorsement from another jurisdiction defined as another state. In the Act "state" is not defined but because the United States is referenced, it is implied. He is not licensed currently in another state. He has passed the National Boards with superior scores. He has a Bachelor of Sciences in Chiropractic Education from a Welsh University but for licensure in the Utah he needs a doctorate degree in Chiropractic Education. The Board discussed the possibility of foreign educated Chiropractors use of a foreign educational

Foreign Education Qualifications:

John Dale Fullwood – Appeal for consideration of qualifications
(discussion continued)

credentialing agency which would require a rule change but to consider issuance of a license to Mr. Fullwood or any foreign educated applicant would require a statutory change. The Board discussed options for change if the profession does not act. It was agreed that Mr. Fullwood always has the option of contacting his legislator for consideration of a change to the statute. It was noted that if the Act is opened, other changes could also be made.

The Board suggested using Dr. Joe Brimhall might be asked to address the topic, as an expert. Dr. Brimhall is the President of the Western State Chiropractic College and oversees International accreditation on a worldwide basis. The Utah Chiropractic Physicians Association representative, Mr. Tim Apgood, offered to contact Dr. Brimhall. The Board discussed the Chiropractic licensure seems to be becoming more global.

Next Scheduled Meeting:

Thursday, October 14th, 2010

ADJOURN:

10:37a.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.

October 14th, 2010

Date Approved

**(ss) James D. Knight, DC, Chairman
Chiropractic Physician Licensing Board**

October 14th, 2010

Date Approved

**(ss) Sally A. Stewart, Bureau Manager
Division of Occupational & Professional Licensing**