

MINUTES
UTAH
CHIROPRACTIC PHYSICIAN LICENSING BOARD
MEETING
July 10th, 2014
Room 474 (Fourth Floor) - 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:05 a.m.

ADJOURNED: 11:05 a.m.

Bureau Manager:

Sally A. Stewart

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
Vacant position

Board Member Absent:

None

Guests:

Tim Appood, UCPA
Lew Wheelwright, UCPA
Jim Knight, UCPA
Terresa Cutler, Self
Craig Cutler, Self

DOPL Staff Present:

Debra Troxel, Compliance Specialist

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

Minutes:

DECISIONS AND RECOMMENDATIONS

The minutes from the April 10th, 2014 meeting were reviewed by the Board. Dr. Engar made a motion, seconded by Dr. Whittaker, to approve the minutes as written. The voting was unanimous.

APPOINTMENTS:

Debra Troxel, Compliance Unit Specialist

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

John Dudley (Phone Interview)

The Board attempted to call Dr. Dudley three minutes early but he was not available. The Board called again a few minutes after his scheduled appointment time. Dr. Dudley was available. He stated he was with his family when they had survived the hurricane scare. He stated he is trying to maintain. His practice is not growing at a great rate, but it is growing. He is seeing 30 to 50 people per week. He is getting his CE done. He sounds like he is handling his stressors. The Board stated there is light at the end of the tunnel for getting

off probations. Dr. Dudley has no questions of the Board at this time. The Board told him they appreciate his good attitude. He stated his family was good. The Board stated sometimes people get near the end of probation and get tempted; they reminded him to continue to stay on the straight and narrow. The Board requested to call him again for the October 9th, 2014 Board meeting. **Compliant**

Bruce Van Gundersen

Dr. Gundersen stated his practice is doing better than it has for about two years. He is seeing about 60 patients per week. Dr. Gundersen meets with James Brandt twice per week to go over topics for the Journal and as a mentor. His editor is not doing well. Dr. Gundersen has hired an assistant editor; that has helped a lot. He is having no family issues. The journal has a free link; it is hard to tell his circulation size. He gets a lot of referrals from his singing group. The Board requested to see him at the October 9th, 2014 Board meeting. **Compliant**

Harold Q. Stokes

The Board told him this is a public meeting. It is a good idea for him to come and listen. He has about 25% of the patients he usually sees. He joined the Utah Chiropractic Physicians Association (UCPA) as a retired chiropractor. He got up and ready to go to the UCPA CE Conference only to find out had been last weekend. He missed getting his CE for that one. The Board and members of UCPA made some suggestions for some other CE's. He is making arrangements for paying his creditors. His son is coming in from the military. He has some stressors but he is just doing the best he can. He is living in his office; he lost his home. He wants to get back on some of the insurance panels and is applying to them. He said Dr. Dan Egbert was his mentor. The Stake President can no longer help him as the Stake's boundaries have changed. He is not doing okay emotionally or mentally after hearing Dr. Knight say the mark on his license would stay on the data base for ever; even though the probation may have ended. The Board suggested he change gears and his paradigm. They recommended he go forward with a mindset, an outlook, into a cash based payment practice rather than insurance based. The Board told him he is ahead of the game and to get so "you can feel your value". They said it is his belief in chiropractic that sells it.

He needs to take a “boundaries” class. Individuals from UCPA suggested one at SLCC starting in September. The Board reminded him to give the information to Ms. Troxel to be approved for the next class at SLCC. The Board requested to see him at the October 9th, 2014 Board meeting. Compliant

Michael D. Hendren – Application Review

He does not plan to practice fulltime, just do physicals for UDOT. He meets the qualifications but has not been practicing for 11 years. He anticipates taking over as clinic director and needs a license to do that. He has no experience in the field for 11 years. He has passed the National Chiropractic exams, including part four, the clinical portion. The Board noted if you don't know chiropractics, you don't pass the National Chiropractic Exam part four. He used to be licensed in Colorado. He has arthritis and sold his practice. He was working for a bank and then CR England Trucking. He is interested in managing the CR England nation-wide clinic making sure all the clinics runs smoothly. This way he can work in chiropractics when he wants to and when his arthritis will allow him to work. The Board asked him how he passed part four of the National Chiropractic exam. He just studied and put in a lot of hours to study for part four. The Board members asked many questions and held its own discussion of recommending a license for Dr. Hendren. The Board noted 20 years ago there was a malpractice claim that was dismissed. Dr Whittaker made a motion, seconded by Dr. Engar, to recommend the Division issue him a Chiropractic Physician license. The voting was unanimous. The Board told him to get on board with other licensees, join UCPA and get to know Tim Apgood.

NEW ORDERS:

None

DISCUSSION ITEMS:

Proposed Rule Changes

Dr Wheelwright was invited to the table. He is on the Quality and Standards Committee. He stated the changes have been brought together by the Division. There has been a lot of work put into it by Ms. Stewart. The Board wanted to go on record as publicly appreciating her efforts. Changes to any set of rules that are approved by the Board must go through a rule making process. The Board discussed several sections on a proposed rule change. They

discussed the definition of ACCME, CCE, Preceptorship, some re-numbering of sections, PACE, Distance learning, and the SPEC exam. The Board had an extensive discussion on the addition of Standards Governing Medical Retainer Agreements. The Board discussed trust and escrow accounts and the differences between them. The Board suggested doctors in the Chiropractic associations be e-mailed Section 31A on medical retainer agreement code to get guidelines and to insure the prepay doctors are doing their billing legally. Dr. Whittaker made a motion, seconded by Dr. Anderson that the Board recommend the proposed rule change move forward into the rulemaking process. The voting was unanimous.

Next Scheduled Meeting:

Thursday, October 9th, 2014

ADJOURN: 11:05 a.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 necessary shown in the chronological order they occurred.

Date Approved

Chairman
Chiropractic Physician Licensing Board

Date Approved

Bureau Manager
Division of Occupational & Professional Licensing

Awaiting Formal Approval