BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

NOTICE OF PUBLIC MEETING

The Westin San Diego
400 W Broadway, Crystal II Ballroom
San Diego, California 92101
(619) 338-3607
October 14, 2016
9:30 a.m.

The Board plans to webcast this meeting at https://thedcapage.wordpress.com/webcasts/. Webcast availability cannot, however be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please attend at a physical location.

AGENDA

1. OPEN SESSION – Call to Order & Establishment of a Quorum

Sergio Azzolino, D.C., Chair
Heather Dehn, D.C., Vice Chair
Julie Elginer, Dr.PH, Secretary
Dionne McClain, D.C.
John Roza Jr., D.C.
Corey Lichtman, D.C.
Frank Ruffino

2. Pledge of Allegiance

3. Chair's Report
Overview of the Board's accomplishments and/or goals

4. Approval of Minutes
July 29, 2016
August 29, 2016

5. Executive Officer's Report
A. Administration- Board staffing/Organizational Chart
B. Budget- Fund condition update
C. Licensing-Statistical trends
D. Enforcement- Statistical trends

6. Ratification of Approved License Applications

7. Ratification of Approved Continuing Education Providers

8. Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing

9. Review, Discussion, and Possible Action Re: Sunset Review Report

10. BCE Licensing, Continuing Education and Public Relations Committee Meetings Update -
Board may take action on any item on the attached Licensing, Continuing Education and Public Relations Committee meeting agendas.

11. BCE Government Affairs Committee Meeting Update –
Board may take action on any item on the attached Government Affairs Committee meeting agenda.

12. Review, Discussion, and Possible Action Re: 2017-2020 Strategic Plan

13. Update on Pending Regulations

1. Application for Licensure (CCR Section 321)
2. Consumer Protection Enforcement Initiative (CPEI)
3. Uniform Standards for Substance Abusing Licensees
4. Revisions to BCE Disciplinary Guidelines
5. Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees
6. Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)
7. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee
8. Continuing Education Requirements (CE Provider and Course Approval)
9. Amend or Repeal CCR Section 354- Successful Examination(Obsolete provision) Amend or Repeal CCR Section 354 - Successful Examination

14. Legislative Update

A. AB 2182 (Mullin) School athletics: neurocognitive testing
B. AB 2744 (Gordon) Healing arts: referral
C. SB 1348 (Cannella) Licensure applications: military experience

15. Proposed 2017 Board Meeting Schedule

16. Public Comment for Items Not on the Agenda
Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

17. Future Agenda Items
Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125.]

18. Hearings Re: Petition for Early Termination of Probation and/or Reduction of Penalty
A. Daniel Brady, D.C. – DC 27027

19. Hearing Re: Petition for Reinstatement of Revoked License
A. Robert Glover

20. Closed Session

The Board will meet in Closed Session to:

A. Deliberate on Disciplinary Decisions and Petitions Pursuant to California Government Code Section 11126(c)(3)

B. Receive Advice from Legal Counsel Pursuant to California Government Code Section 11126(e) Regarding:

1) Hugh Lubkin, D.C. v. Board of Chiropractic Examiners
Workers' Compensation Case No. ADJ7361379

C. Evaluation of the Executive Officer
Pursuant to California Government Code Section 11126(a)

21. OPEN SESSION: Announcements Regarding Closed Session

22. Adjournment

Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at **www.chiro.ca.gov.**

The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Valerie James at (916) 263-5355 ext. 5362 or e-mail Valerie.James@dca.ca.gov or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 142A, Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

NOTICE OF TELECONFERENCE
LICENSING, CONTINUING EDUCATION & PUBLIC RELATIONS COMMITTEE MEETING

August 30, 2016
12:30 p.m.

One or more Committee Members will participate in this meeting at the teleconference sites listed below. Each teleconference location is accessible to the public and the public will be given an opportunity to address the Licensing, Continuing Education and Public Relations Committee at each teleconference location. The public teleconference sites for this meeting are as follows:

Teleconference Meeting Locations:

901 P Street, Suite 142A
Sacramento, CA 95814
(Board Staff)

Corey Lichtman, DC
538 Stevens Ave.
Solana Beach, CA 92075
(858) 481-1889

Heather Dehn, DC
4616 El Camino Ave, Ste B
Sacramento, CA 95821
(916) 488-0202

Dionne McClain, DC
6360 Wilshire Blvd., Ste 410
Los Angeles, CA 90048
(323) 653-1014

AGENDA

1. **Call to Order & Establishment of a Quorum**

2. **Approval of Minutes**
   July 11, 2016

3. **Review and Discussion on Possible Revisions to Sections 360-366 of Title 16 of the California Code of Regulations Regarding Continuing Education; Possible Recommendation to Full Board**

4. **Review and Discussion on Creating a Consumer Publication Related to Chiropractic Training and Education Requirements**

5. **Public Comment**
   Note: The Committee may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

6. **Future Agenda Items**

7. **Adjournment**

LICENSING, CONTINUING EDUCATION
& PUBLIC RELATIONS COMMITTEE

Heather Dehn, D.C., Chair
Dionne McClain., D.C.
Corey Lichtman, D.C.

Meetings of the Board of Chiropractic Examiners' Committee are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board's Committee may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at **www.chiro.ca.gov.**

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BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

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NOTICE OF PUBLIC MEETING

TELECONFERENCE - GOVERNMENT AFFAIRS & STRATEGIC PLANNING COMMITTEE

September 22, 2016, 10:00 a.m.

One or more Committee Members will participate in this meeting at the teleconference sites listed below. Each teleconference location is accessible to the public and the public will be given an opportunity to address the Government Affairs and Strategic Planning Committee at each teleconference location. The public teleconference sites for this meeting are as follows:

Teleconference Meeting Locations:
901 P Street, Suite 142A
Sacramento, CA 95814
(916) 263-5355
(Board Staff)

Julie Elginer, DrPH
Agoura Hills Library
29901 Ladyface Circle
Agoura Hills, CA 91301
(818) 889-2278

John Roza, D.C.
800 Douglas Blvd
Roseville, CA 95678
(916) 786-2267

Frank Ruffino
Department of Veterans Affairs
700 E. Naples Court
Chula Vista, CA 91911
(619) 205-1415

AGENDA

1. **Call to Order**

2. **Approval of Minutes**
   a. July 14, 2016

3. **Review, Discussion and Possible Action on the Draft 2017-2020 Strategic Plan**

4. **Discussion of Dates for Future Committee Meetings**

5. **Public Comment For Items Not On The Agenda**
   Note: The Committee may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

6. **Future Agenda Items**
   Note: The Committee may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.

7. **Adjournment**

GOVERNMENT AFFAIRS COMMITTEE

Julie Elginer, DrPH, Chair
John Roza, D.C.
Frank Ruffino, Public Member

The Board of Chiropractic Examiners' paramount responsibility is to protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

Committee Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Committee may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at **www.chiro.ca.gov.**

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BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

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Agenda Item 4
October 14, 2016

Approval of Minutes

Purpose of the item

The Board will review and approve the board meeting minutes of the previous board meeting.

Action(s) requested

The Board will be asked to make a motion to approve the July 29, 2016 & August 29, 2016, Board meeting minutes.

Background

N/A

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Meeting Minutes from the July 29, 2016 Board meeting
- Meeting Minutes from the August 29, 2016 Board meeting

BOARD OF CHIROPRACTIC EXAMINERS
PUBLIC SESSION MINUTES

July 29, 2016
Milton Marks Conference Center and Great Hall, San Diego A/B/C
455 Golden Gate Avenue
San Francisco, CA 94012

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Board Members Present
Sergio Azzolino, D.C., Chair
Heather Dehn, D.C., Vice Chair
Julie Elginer, DrPH, Secretary
Frank Ruffino
Dionne McClain, D.C.
John Roza, Jr., D.C.
Corey Lichtman, D.C.

Staff Present
Robert Puleo, Executive Officer
Spencer Walker, Attorney III
Dixie Van Allen, Staff Services Manager I
Marcus McCarther, Associate Governmental Program Analyst
Nikkia Capizzano, Staff Service Analyst
Valerie James, Management Services Technician

Call to Order
Dr. Azzolino called the meeting to order at 9:11 a.m.

Roll Call
Dr. Elginer called the roll. All members were present.

Pledge of Allegiance
Mr. Ruffino led the Pledge of Allegiance.

Chair's Report
Dr. Azzolino thanked SOLID for facilitating the Board's Strategic Planning Session that took place on July 28, 2016. He also thanked Leslie Hewett, President of CCA as well as Monica Miller from CCA and other staff for their participation in the Strategic Planning session. Dr. Azzolino shared that the Board accomplished most of the goals of the 2014-2017 Strategic Plan and highlighted that the Board streamlined a number of the processes, developed publications for outreach to stakeholders and the public,

enhanced the Board's website to make it more informative, and started the BCE occupational analysis process.

Lastly, he shared that the Board is currently working on the 2017-2020 Strategic Plan.

Approval of Minutes

May 19, 2016

MOTION: DR. ELGINER MOVED TO APPROVE THE MAY 19, 2016 MINUTES AS AMENDED.
SECOND: DR. DEHN SECONDED THE MOTION
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

Executive Officer's Report

Mr. Puleo announced that Nikkia Capizzano had been promoted to the vacant Staff Service Analyst position the Compliance Unit, which created an office technician vacancy in the Licensing Unit. Additionally, he reported that the Board had begun accepting applications for the vacant Associate Governmental Program Analyst position in the Compliance Unit and would be scheduling interviews in the near future.

Mr. Puleo provided an update on the Board's fund condition and the loan repayment to the Bureau of Automotive Repair (BAR) for the Arbuckle judgment. Additionally, he shared that the Attorney General's Office (AG) cost remain under budget and that BCE had six months in reserve.

Dr. Azzolino requested an itemized list of expenses from the AG's office.

Dr. Elginer requested that a letter be written and provided to the Department of Consumer Affairs (DCA) to recognize Mr. Puleo and staff's efforts to reduce the Board's expenses by sixty-six percent.

Mr. Puleo summarized the Board's licensing statistics and stated that there were no significant changes in the licensee population.

Mr. Puleo summarized the Board's Enforcement statistics and provided a brief overview of enforcement activity since the last Board Meeting. He explained that a new information technology (IT) system would allow staff to run specific reports to identify the different types of violations.

Dr. Azzolino requested an excel spreadsheet with the types of violations and where they are coming from. In addition, he requested a breakdown of violations, to better educate

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stakeholders regarding the types of violations that occur and place them in the BCE newsletters.

Dr. Elginer requested more detailed information regarding the types of complaints and the justification for closure, such as with insufficient evidence, with no violation, or closed with merit.

Dr. Roza requested an explanation of Gross Negligence and agreed that a breakdown of the types of complaints would be helpful.

Mr. Puleo provided an overview of the Sunset Review process. He shared that the Board's Sunset Review report is due to the Legislature December 1, 2016 and that the Sunset Review Hearing would take place January/spring in 2017.

Dr. McClain requested clarification on who is able to attend the Sunset Review Hearing.

Mr. Puleo responded that the Executive Officer and the Board Chair usually attend the Sunset Review hearing.

Dr. Elginer shared that the Sunset Review Hearing is great experience and encouraged other Board Members to attend.

Dr. Azzolino requested the date of the Sunset Review Hearing be sent to all Board Members.

Mr. Puleo explained that the DCA held a brown bag lunch meeting that provided Executive Officer's a chance to discuss mutual issues. He shared that DCA had initiated a leadership development program. Mr. Puleo stated that DCA is looking at ways to address succession planning for future leadership in the Department's staff.

Mr. Ruffino requested additional training for Board Member's on leadership development and how to chair a committee.

Mr. Puleo commented that those ideas could be incorporated into the Board Member Orientation training.

Ratification of Approved License Applications

MOTION: DR. DEHN MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS.
SECOND: MR. RUFFINO SECONDED THE MOTION
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

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The Board ratified the attached list of approved license applications incorporated herein (Attachment A). **Ratification of Approved Continuing Education Providers**

MOTION: MR. RUFFINO MOVED TO RATIFY THE APPROVED CONTINUING EDUCATION PROVIDERS.
SECOND: DR. ROZA SECONDED THE MOTION
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

The Board ratified the attached list of approved continuing education providers incorporated herein (Attachment B).

Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing
There were no denied license applications.

Report from Federation of Chiropractic Licensing Board, National Board of Chiropractic Examiners and California Chiropractic Association Conference

Dr. Dehn shared that she helped proctor Part IV of National Board of Chiropractic (NBCE) exam at Life West, and previously participated in the NBCE exam development in Colorado. She encouraged other licensee Board Members to participate as a proctor in NBCE Part IV test. Lastly, Dr. Dehn explained NBCE exam day testing protocol.

Dr. Azzolino encouraged all Board Members to participate in the NBCE exam review.

Mr. Puleo added that the Office of Professional Examination Services (OPES) will review the NBCE exam to ensure that the exam is valid and appropriate following the BCE Occupational Analysis.

Dr. Dehn provided an update on her trip to the Federation of Chiropractic Licensing Boards (FCLB) conference. Additionally, Dr. Dehn encouraged Board Members to attend the conference because it allows the different states the opportunity to network and brainstorm about the chiropractic profession.

Dr. Dehn shared that NBCE has developed a chiropractic college entrance exam called the Chiropractic College Aptitude Test (CCAT).

Dr. Roza asked if any chiropractic schools currently require students take the CCAT entrance exam.

Dr. Dehn responded that there are no colleges that require the CCAT entrance exam, however; there are some schools that offer the exam.

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Dr. Dehn informed the Board that NBCE/FCLB is supporting evidence informed practice, whereby, licensees are making decisions based upon information available in evidence. She shared that nationally, four schools have been given grants to develop curriculum based on evidence informed practice.

Dr. Dehn explained how she participated as speaker at CCA's annual conference and provided information about the Board's regulatory process during the Ethic's seminar.

BCE Licensing, Continuing Education and Public Relations Committee Meeting Update

Dr. Dehn reminded the Board that continuing education focus groups were held in both Northern and Southern California. She explained that the major themes from the meetings were indexed to allow for easy organization and discussion during the regulation development process by the Committee. Dr. Dehn shared that the regulation package will be comprehensive with changes such as how and what is required to become a provider, the creation of a mentorship program, and outcome assessments for provider courses.

Dr. Dehn explained that the Licensing Committee is still developing its consumer information pamphlets.

Dr. Elginer asked if the pamphlets would be sent to the states chiropractic colleges.

Dr. Dehn responded that they would be sent to the colleges and would be placed on the BCE website.

Dr. Dehn reminded the Board that staff was developing a pamphlet on the educational qualifications of chiropractors. She stated that it could also become a one-page handout to be handed out to stakeholders in the future.

Dr. Elginer inquired if the pamphlets would be completed by November before the Government Affairs Committee Members conduct meet and greet meetings with the Legislature.

Dr. Dehn shared her desire to have the pamphlet completed by the October 14, 2016 Board Meeting.

Dr. Azzolino explained that the American Chiropractic Association (ACA) had already compiled the information that would be included into the pamphlet. He suggested the Board adopt what has already been created for the creation of the chiropractic education pamphlets.

Dr. Dehn replied that she would look into what has been created by the ACA.

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Dr. Dehn stated that the most recent BCE newsletter was included in the Board Meeting packet.

Dr. Dehn suggested finding ways to get licensees to share BCE Facebook post.

Dr. Elginer responded that Facebook friends that "like" a post could receive a thank you response from the BCE.

Dr. Dehn shared that Facebook can be used as an opportunity to outreach to stakeholders.

Dr. Elginer suggested all posts to social media be filtered through staff. She encouraged Board Members to create content for staff to share on social media.

Dr. Azzolino responded that he would send content to Mr. Puleo in the near future.

BCE Government Affairs Committee Meeting Update

Dr. Elginer provided an update on the previous Government Affairs & Strategic Planning Committee meeting and highlighted the discussions on the Board's Strategic Plan and the Board Member Administrative Procedures Manual.

Dr. Elginer called attention to the Board Administrative Procedure Manual and requested the incorporation of two items referring to page 10 and page 28. She suggested the addition of language regarding "Board Meeting Locations" on page 10 and the addition of language regarding "Board Member Onboarding and Orientation" to page 28.

MOTION: DR. ELINGER MOVED, ON BEHALF OF THE COMMITTEE TO APPROVE THE BOARD ADMINISTRATIVE PROCEDURE MANUAL WITH THE FOLLOWING CORRECTIONS.

- ***Page 28 - Under the heading Board Member Onboarding and Orientation first sentence third line from the top of the paragraph capitalize " Executive Officer " and Board Member"***

VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

Additionally, Dr. Elginer discussed the nine bills that the Committee had identified, analyzed and taken positions on. She referred to the legislation-tracking document and updated the Board on the three bills the board supported. Dr. Elginer also shared that Dr. Azzolino testified on AB 1992 (Jones) Pupil health; physical examinations and that she provided testimony on SB 1033 (Hill) Medical professionals: probation. Lastly, she shared that AB 2407 (Chavez) Worker's compensation was placed on the inactive file and referred for further study, and that Dr. Roza offered to participate at hearings, committee meetings and with legislative offices.

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Dr. Elginer shared that Dr. Azzolino brought AB 2182 (Mullin) Schools athletics: neurocognitive testing to the Committee for discussion.

Dr. Azzolino shared that to date there has been little mandate to have sports programs prescreen high school students for concussions. AB 2182 (Mullin) would establish the Neurocognitive Testing Pilot Grant Programs and would require school districts, charter schools, and private schools that elect to offer sports programs to collect and maintain data on traumatic brain injuries and concussions sustained during these activates.

Dr. Elginer noted that this bill would be amending the Education Code, not the Business and Profession code in which the BCE laws are contained.

Dr. McClain asked if taking a position on the bill would have a negative impact on the board.

Mr. Puleo responded that the bill would not affect the BCE but may have an impact on the Department of Education.

Mr. Ruffino asked if there was a legal issue on taking a position on this bill.

Mr. Walker responded that there are no legal issues.

MOTION: DR.AZZOLINO MOVED TO TAKE A "SUPPORT" POSITION ON AB 2182 (MULLIN)
SECOND: DR. ROZA SECONDED THE MOTION
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-NAY, DR.LICHTMAN-OBSTAIN, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

The Board referred back to Agenda item 3- Chair's Report

Dr. Azzolino spoke on the Joint Hearing of the Senate Committee on Business, Profession and Economic Development and the Assembly Committee on Business & Professions on The Role of the Regulatory Profession in Combating Human Trafficking that he, Mr. Puleo and Dr. Elginer attended. He further clarified that the Board does not have any enforcement cases relating to human trafficking.

Update on Pending Regulations

Mr. McCarther referred to the "BCE List of Prioritized Proposed Regulatory Changes". He provided an update on three regulation packages. First, he discussed the Application for Licensure (CCR Section 321 & Section 364) regulation. Mr. McCarther shared that the package had been submitted to DCA for final review and once approved by DCA the package would be submitted to the Office of Administrative Law (OAL). Next, he discussed the Consumer Protection Enforcement Initiative (CPEI) (CCR Sections 303, 304, 306.3, 308.1, 312,314,317.2, 317.3, 321.1, 384.1, 390.7, 390.)

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package. Mr. McCarther informed the Board that upon additional review, the language would need to be revised and approved at a future meeting. Lastly, the Board discussed and approved the language for Delegation of Authority to the Assistant Executive Officer (CCR Sections 306, 389,390.4 & 390.5) regulation package.

Mr. Puleo requested that the Board hold a teleconference public board meeting to review and approve the revised CPEI regulatory language.

The Board agreed to hold a teleconference meeting on August 29, 2016 to review and approve the revised CPEI language.

Mr. McCarther suggested the Board establish a two-person regulation development committee to develop regulation packages.

Mr. McCarther informed the Board that the next regulation package under development will be Uniform Standards for Substance Abusing Licensees and Disciplinary Guidelines.

Public Comment for Items Not on the Agenda
None.

Future Agenda Items
None.

Closed Session
Following oral testimonies, the Board went into Closed Session for deliberation and determinations regarding:

A. Deliberate on Disciplinary Decisions and Petitions Pursuant to California Governmental Code Section 11126(c)(3)
B. Closed Session to receive advice from Legal Counsel Pursuant to California Government Code Section 11126(e) regarding:
   1) Jonathan Widenbaum, D.C. v. California Department of Consumer Affairs/Board of Chiropractic Examiners, Cal.Ct.App. (1st app. Dist.), Case No. A142454
   2) Hugh Lubkin, D.C. v. Board of Chiropractic Examiners Workers' Compensation Case No. ADJ7361379

Open Session
The Board went back into Open Session.

Adjournment
Dr. Azzolino adjourned the meeting at 12:30 p.m.

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(ATTACHMENT A)

Approval By Ratification of Formerly Approved License Applications April 1, 2016 – June 30, 2016

Name (First, Middle, Last)			Date Issued	DC#
Kirsten	Alana	Bryson	4/7/2016	33543
Alexandra	Shawn	Nunn	4/7/2016	33544
Daniel	Julian	Perman	4/7/2016	33545
Jordan	Michael	Jiunta	4/8/2016	33546
Derek	Christopher	Murray	4/8/2016	33547
My	Hien	Vo	4/8/2016	33548
Zachary	Lee	Beatty	4/15/2016	33549
Brandon	David	Barnette	4/15/2016	33550
James	Vernon	Barthelme	4/15/2016	33551
Shea	Elizabeth	Lindsay	4/15/2016	33552
Alex	Chung-Hao	Yu	4/15/2016	33553
Ryan	Harris	Berg	4/20/2016	33554
Ahyoung		Chang	4/20/2016	33555
Kristina	Rae	Constant	4/20/2016	33556
Laura	Yueng-Ru	Kuan	4/20/2016	33557
Mary	Kathleen	Whalen	4/20/2016	33558
Pooja		Dhir	4/22/2016	33559
Jennifer	Joy Charlotte	Hohn	4/22/2016	33560
Diana	Christine	Miller	4/22/2016	33561
Pantea		Nikaeen	4/22/2016	33562
Anne-Isabelle	Sophia	Reme	4/22/2016	33563
Brandon	Joel	Fantasia	4/27/2016	33564
Shelley	Anne	Sheridan	4/27/2016	33565
Scott	Andrew	Mills	4/27/2016	33566
Simon	Lok Lok	Ma	4/27/2016	33567
Frederick	Joseph	Nyhan	4/29/2016	33568
Shannon	Ann	Kennard	5/10/2016	33569
Alicia	Shuntrice	McBride	5/10/2016	33570
Nicholas	Sean	O'Connor	5/10/2016	33571
Nicholas	Emanuel	Rous	5/10/2016	33572
Steven	Paul-Adren	Keener	5/12/2016	33573
Steven	Richard	Knauf	5/12/2016	33574
Nima	Sharif	Mahallati	5/12/2016	33575

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Sterling	Michael	Petersen	5/12/2016	33576
Andrew	Clark	Shepherd	5/12/2016	33577
Cari	Anne	Officer	5/12/2016	33578
Minh	Nguyen	Tran	5/12/2016	33579
Joshua	Mark	Harper	5/12/2016	33580
Marie	Mignon	Biek	5/13/2016	33581
Benjamin	James	Heredia	5/13/2016	33582
Jason	Thomas	Bassett	5/23/2016	33583
Daiki		Ishiyama	5/23/2016	33584
Yee Lam	Mae	Li	5/23/2016	33585
Sherrie	Elizabeth	Thompson	5/23/2016	33586
William	C	Woodcock	5/23/2016	33587
Jace	Hampton	Bennett	5/25/2016	33588
Casey	Adrian	Crisp	5/25/2016	33589
William	Thomas Dilag	Moss	5/25/2016	33590
Natalie	Marie	Hanson	5/27/2016	33591
Kristen	Marie	Livingston	5/27/2016	33592
Van	Lam	Nguyen	5/27/2016	33593
Jennifer	Nicol	Nelson	5/27/2016	33594
Brian		Peck	5/31/2016	33595
Romance		Pham	5/31/2016	33596
Julian	Thomas	Raymond	5/31/2016	33597
Benjamin	Joseph	Ramos	5/31/2016	33598
Martin	Senlem	Chu	6/2/2016	33599
Jimmy		Jimenez	6/2/2016	33600
Eddie		Jung	6/2/2016	33601
David	Hyun	Lee	6/2/2016	33602
Ashley	Ann	Pulford	6/2/2016	33603
Nicholas	Menezes	Rogers	6/2/2016	33604
Robert	Jasan	Sanchez	6/2/2016	33605
Johnnett	Barbara	Thatcher	6/2/2016	33606
Albert		Winandar	6/2/2016	33607
Jamie		Yoeurng	6/2/2016	33608
Brent	Donald Mejia	Coffman	6/10/2016	33609
Jordan	Michael	Payne	6/10/2016	33610
Danielle	Jillian	Russell	6/10/2016	33611
Fahim		Soukhak	6/10/2016	33612
Katie	Ann	Stewart	6/10/2016	33613
Garrison	Ryan	Weaver-Gourdeau	6/10/2016	33614
Andrew	Evan	Goldstein	6/13/2016	33615
Paige	Elizabeth	Meyer	6/13/2016	33616

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Marissa	Nicole	Palmer	6/13/2016	33617
Benjamin	Samuel	Rosenstein	6/13/2016	33618
Landon	Craig	Christy	6/15/2016	33619
Michael	Joseph	Goodman	6/15/2016	33620
Jasdeep	Kaur	Henshaw	6/15/2016	33621
Pedro		Samaniego IV	6/15/2016	33622
Anat	Marie	Aronowicz	6/16/2016	33623
Yu Pei		Chang	6/16/2016	33624
Anthony	Gilbert	Ramos	6/16/2016	33625
Daniel		Sanchez	6/16/2016	33626
Justin	Michael	Goehl	6/21/2016	33627
George	Copeland	Hawkins IV	6/21/2016	33628
David	Moore	Hicks	6/21/2016	33629
Elizabeth		Sanchez Nunez	6/21/2016	33630
Catherine	Ann	Schmedding-Harrison	6/21/2016	33631
Brittany	Nicole	Treadway	6/21/2016	33632
Andrew	Eric	Wong	6/21/2016	33633
Justine	Ganne	Anderson	6/24/2016	33634
Garet	Scott	Davis	6/24/2016	33635
Ramin		Eshghi	6/24/2016	33636
Jason	James	Garrett	6/24/2016	33637
Suttee		Hem	6/24/2016	33638
Baron	Tyrone	Nickleberry	6/24/2016	33639
Ronald	Earl	Pacheco	6/24/2016	33640
Aaron	Steven	Van Brunt	6/24/2016	33641
Robert	Anthony	Willhite	6/24/2016	33642
Merrick	Rae Dumont	Tomlinson	6/28/2016	33643

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(ATTACHMENT B)

Ratification for New Continuing Education Providers

CONTINUING EDUCATION PROVIDERS	DATE APPROVED
1. Chiropractic Online CE	07/29/16
2. John Bleno, D.C.	07/29/16
3. 69 Dollar Chiro CE	07/29/16
4. Lani Simpson, D.C.	07/29/16

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BOARD OF CHIROPRACTIC EXAMINERS
TELECONFERENCE BOARD MEETING MINUTES
August 29, 2016
Office of the Board of Chiropractic Examiners
901 P St, Suite 142A
Sacramento, CA 95814

Teleconference Meeting Locations:

Sergio Azzolino, DC
1545 Broadway St., #1A
San Francisco, CA 94109
(415) 563-3800

Heather Dehn, DC
4616 El Camino Ave., #B
Sacramento, CA 95821
(916) 488-0202

Julie Elginer, DrPH
901 P Street, Suite 142A
Sacramento, CA 95814
(916) 263-5355

John Roza, Jr., DC
800 Douglas Blvd.
Roseville, CA 95678
(916) 786-2267

Dionne McClain, D.C.
6360 Wilshire Blvd., #410
Los Angeles, CA 90048
(323) 653-1014

Corey Lichtman, DC
538 Stevens Ave.
Solano Beach, CA 92075
(858) 481-1889

Frank Ruffino
Department of Veterans Affairs
700 East Naples Court
Chula Vista, CA 91911
(619) 205-1415

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Board Members Present
Sergio Azzolino, D.C., Chair
Heather Dehn, D.C., Vice Chair
Julie Elginer, DrPH, Secretary
Frank Ruffino
Dionne McClain, D.C.
John Roza, Jr., D.C.
Corey Lichtman, D.C.

Staff Present
Robert Puleo, Executive Officer
Dixie Van Allen, Staff Services Manager I
Beckie Rust, Staff Services Manager I
Marcus McCarther, Associate Governmental Program Analyst
Spencer Walker, Attorney III, DCA

Call to Order
Dr. Azzolino called the meeting to order at 2:01 p.m.

Roll Call
Dr. Elginer called the roll. All members were present.

Discussion and Possible Action to Initiate a Rulemaking Related to the Consumer Protection Enforcement Initiative (CPEI)

Mr. Walker explained that the Board needs to withdraw section 317.2 from the CPEI regulation package.

MOTION: DR. ELGINER MOVED TO WITHDRAW SECTION 317.2 (GAG CLAUSES IN CIVIL AGREEMENTS PROHIBITED) FROM THE CPEI RULEMAKING PACKAGE.
SECONDED: DR. DEHN SECONDED THE MOTION.
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

Dr. Elginer asked Mr. Walker whether CCR 384.1, Section (4), Subsection (D), related to voluntary restitution also included cost recovery to be paid by a probationer.

Mr. Walker responded that cost recovery was indeed different than restitution. He explained that cost recovery is included as a term of probation and that the Board is unable and has no authority to compel a probationer to pay restitution.

Dr. Elginer shared that cost recovery should be required of any petitioner that would come before the Board to ask for his/her license to be reinstated.

MOTION: DR. ELGINER MOVED TO APPROVE THE DRAFT LANGUAGE RELATED TO CCR SECTION 321.1, DELEGATE AUTHORITY TO THE EXECUTIVE OFFER TO MAKE ANY TECHNICAL, NON-SUBSTANTIVE CHANGES AND NOTICE THE REGULATION FOR A 45-DAY COMMENT PERIOD.
SECOND: DR. AZZOLINO SECONDED THE MOTION
VOTE: 7-0 (DR. AZZOLINO-AYE, DR. DEHN-AYE, DR. ELGINER-AYE, DR. LICHTMAN-AYE, DR. MCCLAIN-AYE, DR. ROZA-AYE, MR. RUFFINO-AYE)
MOTION: CARRIED

Legislative Update

Mr. Puleo explained that the original bill language was contained in SB 1195 (Hill) and was amended into SB 1194 (Hill) at the end of session. He shared that due to opposition from labor stakeholders, SB 1194 (Hill) was pulled by the author.

Ms. Isenberg requested a brief summary of SB 1194 (Hill).

Mr. Puleo provided a brief description of the bill.

Public Comment for Items Not on the Agenda

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No public comments were provided.

Future Agenda Items

No future agenda items were discussed.

Adjournment

Dr. Azzolino adjourned the meeting at 2:17 p.m.

DRAFT

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

State of California
Edmund G. Brown Jr., Governor

Agenda Item 5
October 14, 2016

Executive Officer's Report

Purpose of the item

The Executive Officer will provide the Board Members an update on statistics related to Board Administration, Budget, Licensing and Enforcement. Board Members will have the opportunity to ask questions as necessary.

Action(s) requested

No action requested at this time.

Background

A. Administration

- Currently, the Board is recruiting for an Associate Governmental Program Analyst for the Compliance Unit and a Retired Annuitant for the Administration Unit.

- The Board is preparing documentation for the recruitment of an Office Technician in the Administration/Licensing Unit.

B. Budget

- The Executive Officer will provide an overview of the Boards fund condition for Fiscal years 2015-2017. Attached is the analysis of the Boards fund condition.

C. Licensing

- As of September 30, 2016 (FY 2016/17):
  - Total Licensees Population: 13,246

D. Enforcement

- As of July 1, 2016 through September 30, 2016 (FY 2016/17):
  - Complaints Received: 122

Recommendation(s)
N/A

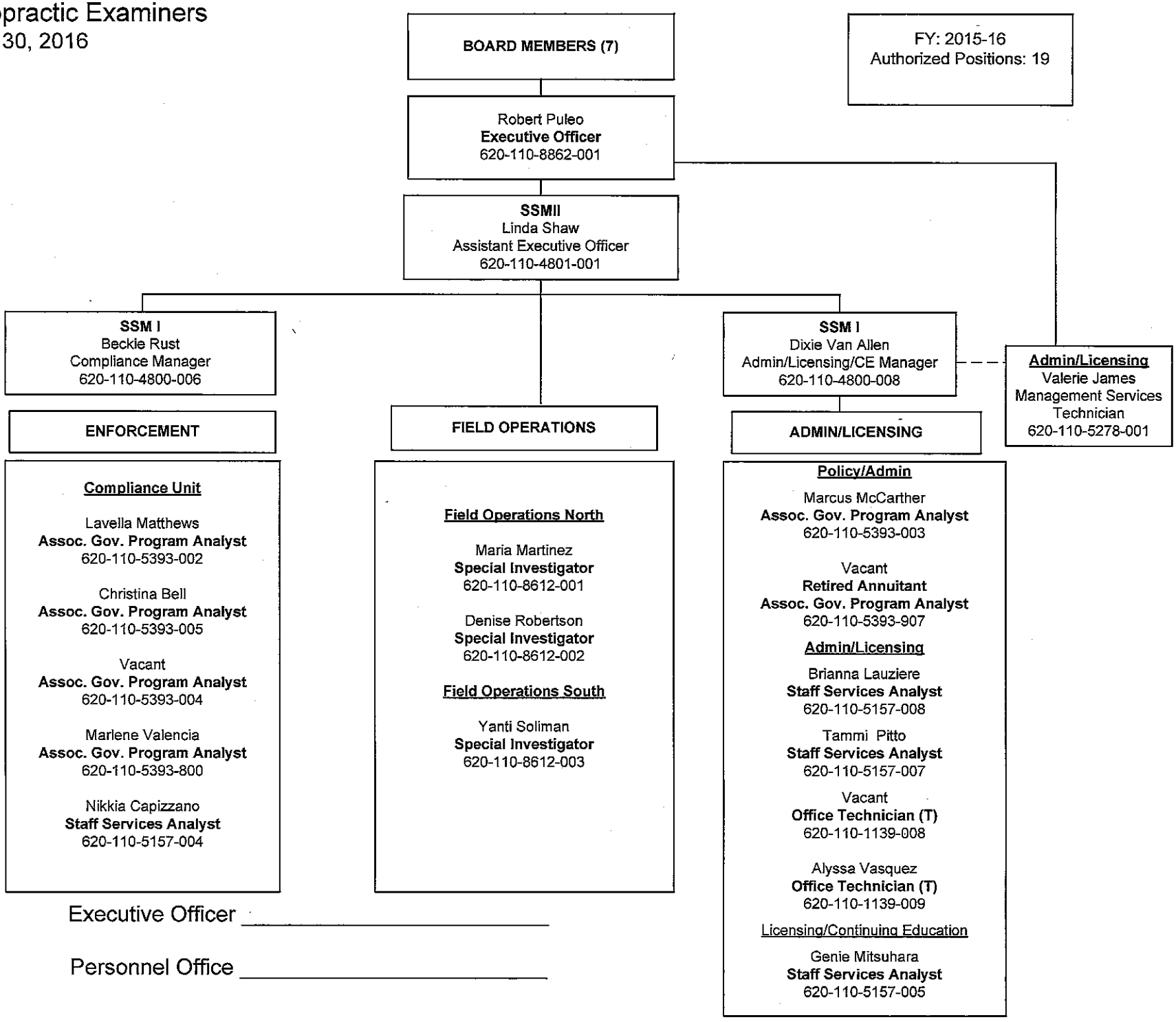
Next Step
N/A

Attachment(s)
- Org Chart
- Updated Fund Condition
- Licensing Statistics
- Enforcement Statistics

Department of Consumer Affairs

State Board of Chiropractic Examiners

September 30, 2016



Executive Officer _____

Personnel Office _____

All positions are designated CORI except for the RA

Rev. 10/4/16

Board of Chiropractic Examiners Staff Functions

Executive Officer (620-110-8862-001) – Oversees management of the Board of Chiropractic Examiners. Directs negotiations for stipulated agreements, monitors deadlines and procedures for compliance with the Administrative Procedures Act. Directs the organization and coordination of committee, executive and task force meetings and compilation of data for Board meetings, ensures compliance with the Open Meetings Act, coordinates closed sessions and hearings, attends all Board meetings. Identifies the need for legislation and recommends modifications to existing statutes or regulations to the Board. Oversees all aspects of the legislative and rulemaking processes. Testifies before legislative committees on behalf of the Board, advocates consumer protection and lobbies on behalf of consumers and the Board, interprets and clarifies the Board's Initiative Act, regulations, and policies. Represents the Board before professional and health associations or other state, federal, local, or community groups/entities.

Assistant Executive Officer (620-110-4801-001) - Oversees all administrative duties of the Administration, Enforcement, Licensing/Continuing Education, and Field Investigation divisions, directly supervises managers and field staff, assists the EO with special projects, attends Board and Committee meetings, acts as the Board's liaison to DCA, attends all informal office conferences and writes resulting decisions. Oversees management of the Board in the EO's absence and backs up managers in their absence, represents the Board before professional and health associations or other state, federal, local or community groups/entities in the absence of the EO. Develops, reviews and implements policies and operating procedures, directs the development and implementation of regulations adopted by the Board. Advises EO of critical issues which may result in litigation or require legislation, regulations or policy adjustment, oversees the planning and ensures timely preparation and mailing of all Board and Committee materials, directs the preparation of recurring special reports, monitors the Board's revenue and expenditures.

Compliance Manager (620-110-4800-006) – Manages and supervises compliance and probation programs/staff, performs case reviews and reviews case closure recommendations, participates in probationer interviews, attends informal citation conferences, reviews administrative citations and fines, monitors monthly caseload statistics, monitors success of Expert Consultant program, reviews AG billing statements for accuracy.

Compliance Analyst (620-110-5393-002) - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

Probation Monitor (620-110-5393-005) – Monitors probationers for compliance with conditions and terms of probation, sends letters to probationers who are out of compliance with their terms of probation, coordinates site inspection or suspension visits with field staff, schedules probation interviews, refers cases to Board experts, consults with the AG's office and makes recommendations to management on cases ready for petition to revoke or accusation referral due to non-compliance issues, tracks cases waiting to be heard at Office of Administrative Hearings, recommends settlement or probationary terms for management approval, prepares stay of decision, reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office. Serves as coordinator for the Enforcement Committee.

Compliance Analyst (620-110-5393-004) - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval. Assists the Policy Analyst with preparing and compiling enforcement related rulemaking documents for the repeal, amendment or adoption of enforcement related regulations.

Compliance Analyst (620-110-5393-800) - Reviews and investigates complex complaints, drafts recommendations for complaints including referral of complaints to the AG's office, prepares packets for Petitioner hearings, evaluates administrative cases, and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, develops settlement and probationary terms for the Executive Officer's approval.

Compliance Analyst (620-110-5157-004) – Assists the public with inquiries about the complaint process, performs intake and assignment of consumer complaints, requests court documents for subsequent arrest reports, requests Interim Suspension Orders or Penal Code 23 assistance, reviews and investigates routine consumer complaints, drafts recommendations for complaints including referral of complaints to the AG's office, reviews administrative cases and proposed decisions, stipulations and default decisions for adherence to the Admin. Procedures Act and Disciplinary Guidelines, tracks proposed decisions received and cases awaiting hearing at the Office of Administrative Hearings. Serves as the contact for the National Data Bank reporting.

Licensing, CE, Administration Manager (620-110-4800-008) - Manages and supervises licensing, continuing education, and administrative programs and staff, compiles and analyzes licensing workload statistics, assists applicants and licensees with licensing issues, reviews staff recommendations regarding licensure and continuing education applications and grants or denies approval, monitors development and administration of the California Law and Professional Practices Examination, attends Board and committee meetings, assists AEO and EO with preparation of special reports or projects.

Policy Analyst (620-110-5393-003) – Prepares and compiles rulemaking documents for the repeal, amendment or adoption of regulations. Identifies, tracks and analyzes legislative bills impacting the Board, acts as Personnel Liaison for Board staff, acts as training coordinator for Board staff, assists management with research and special projects, works with Licensing manager in monitoring and analyzing the Board's budget and preparation of reports for DCA's budget office. Acts as coordinator for the Government Affairs committee. Attends Board and committee meetings.

Retired Annuitant Policy Analyst (620-110-5393-907) – Prepares and compiles rulemaking documents for the repeal, amendment or adoption of regulations.

Administrative Assistant (620-110-5278-001) – Performs administrative tasks for the EO (responds to information requests, emails and telephone inquiries), compiles program statistical reports for EO's report at Board meetings, performs special projects assigned by EO, prioritizes EO's workload and maintains EO's calendar, coordinates EO's travel arrangements and processes travel claims. Prepares Board meeting packets, Board meeting minutes, and operates webcasting equipment at Board and Committee meetings, identifies action items and prepares a prioritized list to the EO and

management, recommends agenda items for future board meetings. Coordinates travel arrangements and travel claims for Board members, establishes contracts for meeting accommodations, provides back-up support to Licensing technicians, responds to subpoenas and public records requests, performs fleet management responsibilities, assist with preparation of contracts and interagency agreements for equipment maintenance work.

Licensing Analyst (620-110-5157-008) – Processes restoration of cancelled licenses and corporation applications, Makes determinations and recommendations regarding licensure and denial of applicants. Refers cases to the AG's office for a Statement of Issues for applicants whose licensure was denied and decisions were appealed, prepares mail vote ballots to Board members, distributes decision to all parties once adopted by the Board. Serves as Board liaison for Form 700 filings with the Fair and Political Practices Commission, acts as the webmaster for the Board's website, maintains Board's social media sites, and serves as coordinator for the Licensing & Continuing Education Committee meetings.

Licensing Analyst (620-110-5157-007) – Processes reciprocal and initial applications for a Chiropractic License including all supplemental documents relating to background, education and discipline, prepares deficiency and eligibility letters to applicants. Responds to telephone and written inquiries regarding application status, licensing requirements or processes. Makes determinations and recommendations regarding licensure or denial of applicants. Prepares statistical reports to management, refers cases to the AG's office for a Statement of Issues for applicants whose licensure was denied and decisions were appealed, researches and responds to questions by the assigned Deputy Attorney General, prepares and mails vote ballots to Board members, distributes decision to all parties once adopted by the Board. Processes applications for Chiropractic Referral Services, prepares information on newly licensed applicants for ratification at Board meetings.

Licensing Technician (620-110-1139-008) – Processes Satellite Office certificates, renewals, and license verifications. Answers telephones, maintains inventory of equipment and office supplies, compiles board meeting packets, and obtains approval for payment of bills.

Licensing Technician (620-110-1139-009) – Cashiers all monies received by the Board, requests refunds for overpayments, sends underpayment notices to licensees, performs Continuing Education audits, audits renewal statements for practicing with an expired license, processes address changes, front counter support, answers telephones, greets visitors, receives and distributes mail.

CE/Licensing Analyst (620-110-5157-005) – Reviews and processes continuing education provider applications and continuing education course applications and submittal to manager for approval, maintains database of CE providers and courses, prepares information on CE providers for ratification at Board meetings, prepares approval letters for CE providers and CE courses, processes inactive to active license requests, updates CAS with information from death certificates, name and address changes, processes applications for restoration of forfeiture licenses, approves licensees for the preceptor program, prepares monthly statistical reports for the licensing manager.

0152 - Board of Chiropractic Examiners
Analysis of Fund Condition

(Dollars in Thousands)

Updated
10/10/2016

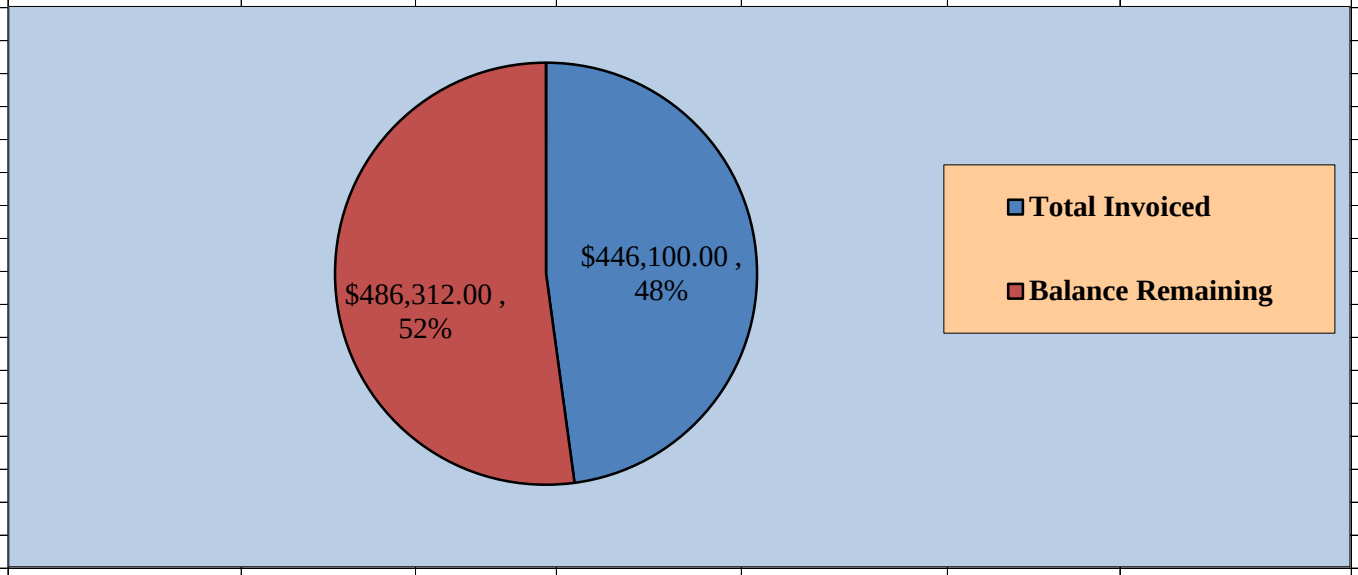
2016 Budget Act		Actual 2014-15	Actual 2015-16	Budget Act CY 2016-17
BEGINNING BALANCE		$ 2,923	$ 3,425	$ 2,278
Prior Year Adjustment		$ 8	$ 12	$ -
Adjusted Beginning Balance		$ 2,931	$ 3,437	$ 2,278
REVENUES AND TRANSFERS				
Revenues:				
125600	Other regulatory fees	$ 27	$ 22	$ 22
125700	Other regulatory licenses and permits	$ 168	$ 153	$ 175
125800	Renewal fees	$ 3,282	$ 3,235	$ 3,101
125900	Delinquent fees	$ 49	$ 37	$ 37
163000	Income from surplus money investments	$ 9	$ 11	$ 8
161000	Escheat of unclaimed checks and warrants	$ -	$ 1	$ -
172500	Miscellaneous revenues	$ 8	$ 1	$ 1
Totals, Revenues		$ 3,543	$ 3,460	$ 3,344
FO0421 To Vehicle Inspection and Repair Fund per Item 1111-011-0421, Budget Act of 2014			$ (1,250)	
Totals, Revenues and Transfers		$ 6,241	$ 2,210	$ 3,344
Totals, Resources		$ 9,172	$ 5,647	$ 5,622
EXPENDITURES				
Disbursements:				
1110 Program Expenditures (State Operations)		$ 3,045	$ 3,357	$ -
1111 Program Expenditures (State Operations)		$ -	$ -	$ 4,091
8880 Financial Information System for CA (State Operations)		$ 3	$ 12	$ 5
Total Disbursements		$ 5,746	$ 3,369	$ 4,096
FUND BALANCE				
Reserve for economic uncertainties		$ 3,425	$ 2,278	$ 1,526
Months in Reserve		12.2	6.7	4.4

NOTES:

A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ON-GOING.
B. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR BEGINNING IN BY+1.
C. ASSUMES INTEREST RATE AT 0.3%.
D. Does not include $1,000,000 payment to VIRF for FY 14/15 made in FY 15/16. Does not include planned $250,000 for 16/17.

4th Quarter FY 15-16

Agency Code	Agency Name	DCA Budget	Budget Revisions	Total Budget Amount	Total Invoiced	Balance Remaining	Average Quarter Monthly Invoiced
3549	Chiropractic Medicine	$932,412.00	$0.00	$932,412.00	$106,537.25	$825,874.75	$35,512.42
	2nd Quarter	$932,412.00	$0.00	$932,412.00	$87,577.75	$738,297.00	$29,192.58
	3rd Quarter	$932,412.00	$0.00	$932,412.00	$126,402.50	$611,894.50	$42,134.17
	4th Quarter	$932,412.00	$0.00	$932,412.00	$125,582.50	$486,312.00	$41,860.83
	SUBTOTAL	$932,412.00	$0.00	$932,412.00	$446,100.00	$486,312.00	$37,175.00



BOARD OF CHIROPRACTIC EXAMINERS
LICENSING TRENDS
FY 2016-17

Total Population of Chiropractic Licenses

Month	Total Licenses
July	13,251
August	13,259
September	13,246

New Chiropractic License Issued

Month	Received	Issued
July	25	15
August	24	36
September	19	26

Number of Restored Cancelled Licenses

Month	Received	Issued
July	1	2
August	5	5
September	4	1

New Satellite Office Certificates Issued

Month	Received	Issued
July	69	91
August	86	82
September	146	137

Corporation Registrations Issued

Month	Received	Issued
July	5	5
August	8	9
September	17	10

Licensing Population as of September 30, 2016

License Type	Clear Licenses
Chiropractors	13,246
Satellite Offices	3,968
Corporation Registrations	1,409

Applications Received and Processed – July 1, 2016 through September 30, 2016

Application Type	Received	Issued	Denied	Pending
Initial Chiropractic	68	77	0	93
Reciprocal	0	0	0	5
Restorations (Cancelled & Forfeiture)	34	30	4	9
Corporation	30	24	3	13

COMPLIANCE UNIT STATS

Fiscal Year	12/13	13/14	14/15	15/16	16/17
COMPLAINTS					
Received	386	487	557	581	122
Pending	159	214	270	232	201
Closed with Insufficient Evidence	57	88	57	127	15
Closed with No Violation	84	140	100	97	19
Closed with Merit	95	148	220	235	71
Letter of Admonishment	2	5	3	4	0
Citations and Fines Issued (Total Fine Amount)	33($19,400)	26($18,500)	16($12,400)	17($11,600)	3($5,400)
ACCUSATIONS					
Filed	34	38	22	31	10
Pending	73	56	64	66	63
Revoked	11	12	9	3	1
Revocation Stayed: Probation	31	15	7	13	4
Revocation Stayed: Suspension and Probation	5	4	2	4	2
Suspension	0	0	0	0	0
Suspension Stayed: Probation	0	0	0	0	0
Suspension and Probation	0	0	0	0	0
Voluntary Surrender of License	11	8	8	9	7
Dismissed/Withdrawn	9	3	3	2	2
STATEMENT OF ISSUES					
Filed	1	5	2	0	0
Denied	0	2	1	0	0
Probationary License	3	1	2	1	0
Withdrawn	1	2	1	0	0
Granted	0	0	1	0	0
PETITION FOR RECONSIDERATION					
Filed	4	3	0	1	0
Granted	0	0	0	0	0
Denied	2	2	0	1	0
PETITION FOR REINSTATEMENT OF LICENSE					
Filed	6	5	8	7	2
Granted	2	1	1	0	0
Denied	5	3	4	7	2
PETITION FOR EARLY TERMINATION OF PROBATION					
Filed	6	11	4	8	2
Granted	1	0	0	1	0
Denied	1	3	5	2	0
PETITION FOR MODIFICATION OF PROBATION					
Filed	0	3	2	3	0
Granted	0	0	1	1	0
Denied	0	1	1	0	0
PETITION BY BOARD TO REVOKE PROBATION					
File	2	11	5	8	1
Revoked	3	5	2	3	1
PROBATION CASES					
Active	139	135	123	104	99

**FY 16/17: July 1, 2016 – September 30, 2016*

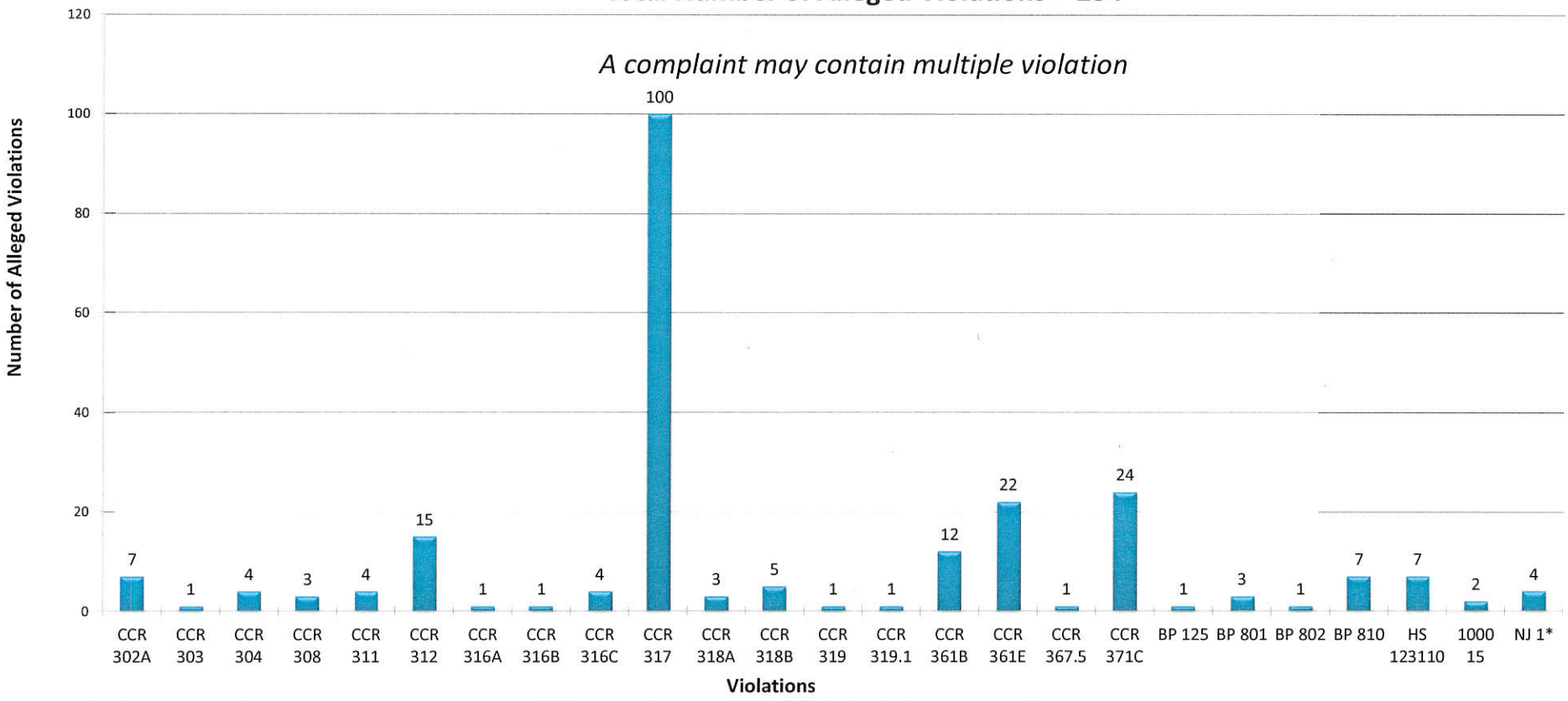
Revised October 4, 2016

Fiscal Year 2016/2017

July 1, 2016 - September 30, 2016

Total Number of Complaints Opened - 114

Total Number of Alleged Violations - 234



Violation Codes/Descriptions

The Chiropractic Initiative Act of California (ACT):

10 – Rules of Professional Conduct
15 – Noncompliance With and Violations of Act

California Code of Regulations (CCR):

302(a) – Scope of Practice
302.5 – Use of Laser
303 – Filing of Addresses
304 – Discipline by Another State
308 – Display of License
311 – Advertisements
312 – Illegal Practice
316 – Responsibility for Conduct on Premises
317 – Unprofessional Conduct
318 – Chiropractic Patient Records/Accountable Billing
319 – Free or Discount Services
319.1 – Informed Consent
361(b) – 24 Hour CE Requirement
366 – Continuing Education Audits
367.5 – Application, Review of Refusal to Approve (corporations)
367.7 – Name of Corporation
371(c) – Renewal and Restoration

Business and Professions Code (BP):

801 (a) – Professional Reporting Requirements (Ins-malpractice settlements)
802 (a) – Professional Reporting Requirements (Lic-malpractice settlements)
810 – Insurance Fraud
1051 – Apply for a Corporation with the Board
1054 – Name of Chiropractic Corporation
17500 – Unlawful Advertising

Health and Safety Code (HS):

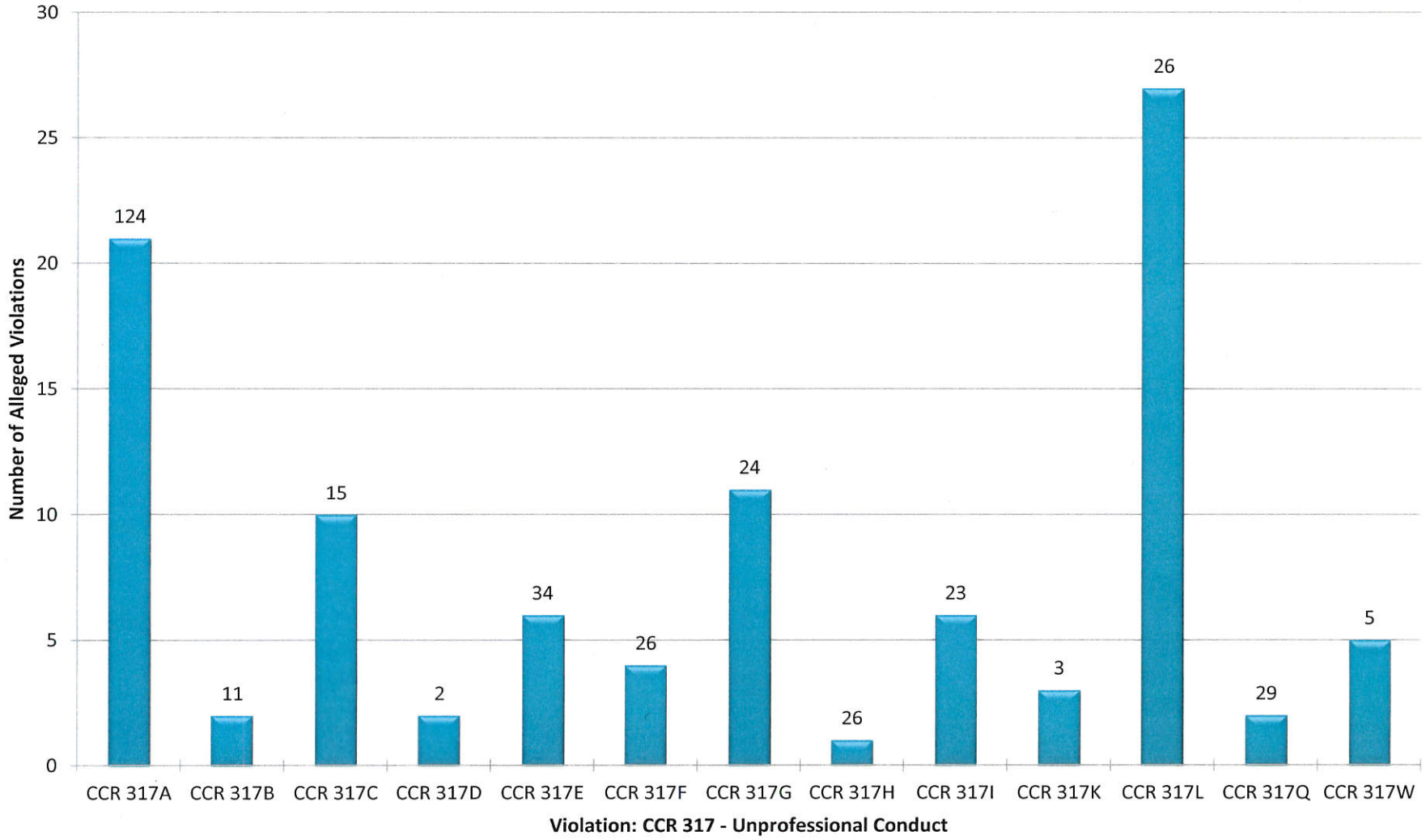
123110 – Patient Access to Health Records

Fiscal Year 2015/2016

July 1, 2016 - September 30, 2016

Number of Complaints Opened Alleging Violation of CCR 317= 100

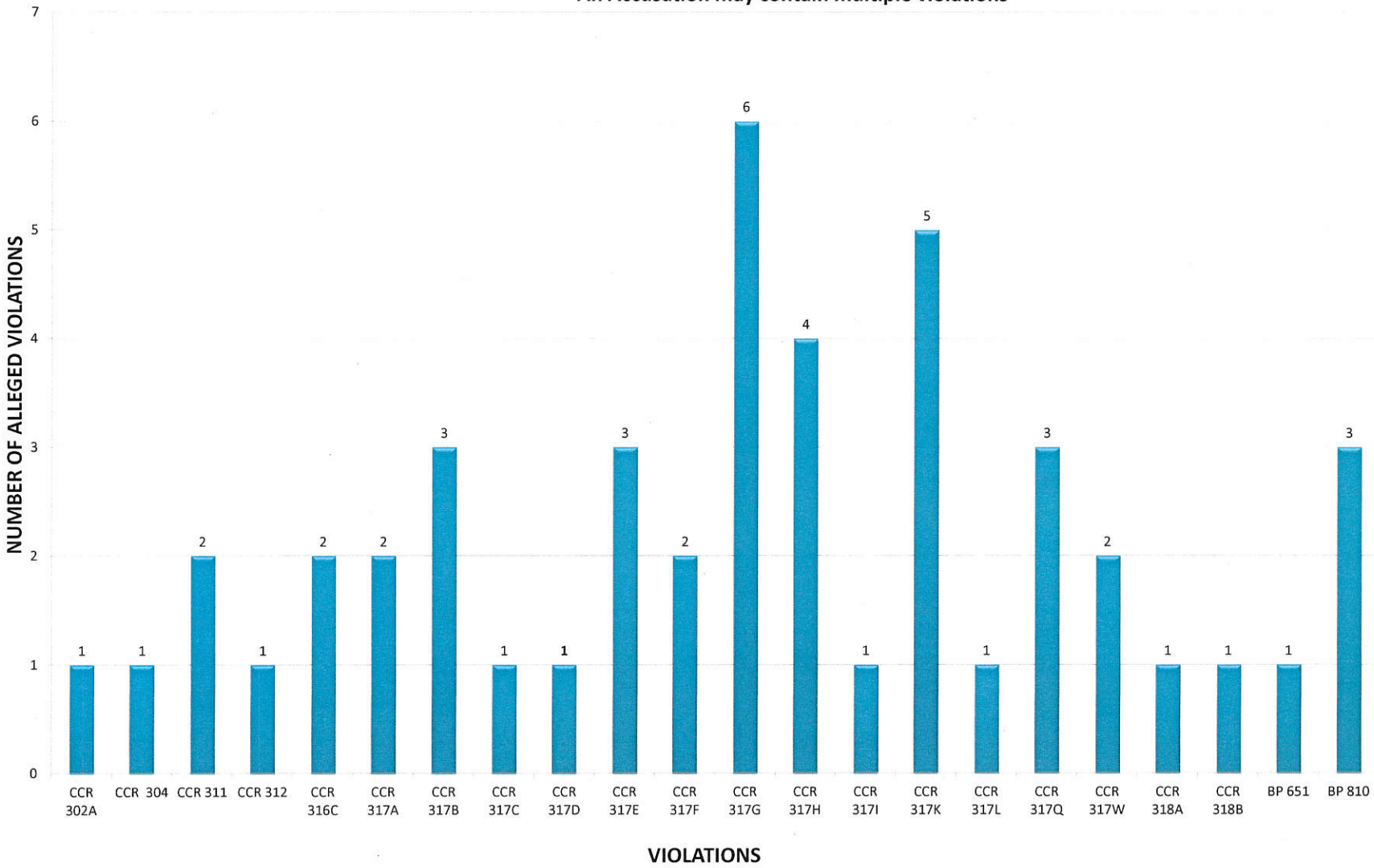
(A complaint may contain multiple violations)



Unprofessional Conduct/Violation Codes/Descriptions

California Code of Regulations (CCR) Section 317 – Unprofessional Conduct:

(a) Gross Negligence
(b) Repeated Negligent Acts
(c) Incompetence
(d) Excessive Treatment
(e) Conduct Endangering Public
(f) Administering to Oneself Drugs/Alcohol
(g) Conviction of a Crime Related to Chiropractic Duties
(h) Conviction of a Crime Involving Moral Turpitude/Physical Violence/etc.
(i) Conviction of a Crime Involving Drugs or Alcohol
(j) Dispensing Narcotics/Dangerous Drugs/etc.
(k) Moral Turpitude/Corruption/etc.
(l) False Representation
(m) Violation of the ACT/Regulations
(n) False Statement Given in Connection with an Application for Licensure
(o) Impersonating an Applicant
(p) Illegal Advertising related to Violations of Section 17500 BP
(q) Fraud/Misrepresentation
(r) Unauthorized Disclosure of Patient Records
(s) Employment/Use of Cappers or Steerers
(t) Offer/Receive Compensation for Referral
(u) Participate in an Illegal Referral Service
(v) Waiving Deductible or Co-Pay
(w) Fail to Refer Patient to Physician/Surgeon/etc.
(x) Offer or Substitution of Spinal Manipulation for Vaccination

Fiscal Year 2016/2017
July 1, 2016 - September 30, 2016
Number of Accusations Filed - 10
Total Number of Alleged Violations - 47

An Accusation may contain multiple violations