

**BOARD OF CHIROPRACTIC EXAMINERS
PUBLIC SESSION MINUTES
May 24, 2012
State Capitol
First Floor, Senate Committee Room 113
Sacramento, CA 95814**

Board Members Present

Hugh Lubkin, D.C., Chair
Francesco Columbu, D.C., Secretary
Julie Elginer, Dr. PH
Sergio Azzolino, D.C.
Heather Dehn, D.C.

Staff Present

Robert Puleo, Executive Officer
Spencer Walker, Staff Counsel
Linda Shaw, Staff Services Manager
Sandra Walker, Staff Services Manager
Dixie Van Allen, Associate Governmental Program Analyst
Alfonso Ramirez, Retired Annuitant
Ray Delaney, Management Services Technician
Valerie James, Office Technician

Call to Order

Dr. Lubkin called the meeting to order at 10:30 a.m.

Roll Call

Dr. Columbu called the roll. All members were present.

Chair's Report

Dr. Lubkin introduced the new members of the Board and reported on recent activities relating to Board matters.

Approval of Minutes

March 22, 2012 Board Meeting
May 1, 2012 Teleconference Board Meeting

MOTION: DR. LUBKIN MOVED TO APPROVE THE MINUTES

SECOND: DR. COLUMBU SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

Executive Officer's Report

Mr. Puleo gave the Executive Officer's Report. The topics were Administration, Budget, Licensing, and Enforcement.

Ratification of Approved License Applications

MOTION: DR. LUBKIN MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS

SECOND: DR. COLUMBU SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

The Board ratified the attached list of approved license applications incorporated herein (Attachment A).

Ratification of Approved Continuing Education Providers

MOTION: DR. LUBKIN MOVED TO RATIFY THE APPROVED CONTINUING EDUCATION PROVIDERS

SECOND: DR. COLUMBU SECONDED THE MOTION

VOTE: 5-0

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
None

Ratification to Waive Two Year Requirement to Restore a Canceled License

MOTION: DR. LUBKIN MOVED TO RATIFY THE RECOMMENDATION TO WAIVE THE TWO YEAR REQUIREMENT TO RESTORE A CANCELED LICENSE

SECOND: DR. COLUMBU SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

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

California Department of Public Health – Radiological Health Branch

Jerry Hensley and Phillip Scott spoke on behalf of the Radiological Health Branch (RHB). Mr. Scott informed the Board of how the RHB functions and operates. Mr. Hensley requested the Board and RHB establish a relationship where information can be disseminated between departments.

Little Hoover Commission Hearing on the Governor's Proposed Reorganization Plan

Mr. Puleo spoke on the Governor's proposed reorganization plan. Mr. Puleo reported that he and Dr. Lubkin testified at a hearing to address the plan.

Meeting with State and Consumer Services Agency and Department of Consumer Affairs

Dr. Lubkin and Mr. Puleo discussed the outcome of their meetings with representative from the State and Consumer Services Agency (SCSA) and the Department of Consumer Affairs (DCA).

Dr. Davis from the International Chiropractic Association of California (ICAC) came forward and

expressed his opposition to the Governor's reorganization plan.

Continuing Education Committee Chair's Report

Dr. Lubkin indicated that with the departure of Dr. Tyler, the Continuing Education Committee Chair assignment is vacant along with other assignments to the Board's committees. Dr. Lubkin will be making assignments to the Committees by the next Board meeting.

Continuing Education Audits

Dr. Lubkin announced that he expects each Board member to audit one continuing education course every other month.

Approval of New Chiropractic College – National University of Health Science – Florida Campus

MOTION: DR. LUBKIN MOVED TO APPROVE THE NEW CHIROPRACTIC COLLEGE – NATIONAL UNIVERSITY OF HEALTH SCIENCE, FLORIDA CAMPUS

SECOND: DR. AZZOLINO SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

Informed Consent

Dr. Columbu reported on his concerns with lack of clarity with the informed consent language.

MOTION: DR. COLUMBU MOVED TO HAVE THE INFORMED CONSENT REGULATION BROUGHT BACK TO COMMITTEE TO REVIEW/CLARIFY THE LANGUAGE

SECOND: DR. AZZOLINO SECONDED THE MOTION

The Board discussed at length the informed consent language.

Dr. Davis came forward to express his agreement with the informed consent language going back to Committee for review and/or clarification.

MOTION: DR. LUBKIN AMENDED THE MOTION AND MOVED TO HAVE THE INFORMED CONSENT REGULATION BROUGHT BACK TO THE ENFORCEMENT COMMITTEE TO REVIEW/CLARIFY THE LANGUAGE

SECOND: DR. AZZOLINO SECONDED THE MOTION

VOTE: 4-1

MOTION CARRIED

Legislative Update

A. SB 352 (Huff) - Chiropractors

Mr. Puleo discussed the nature of the bill and provided the Board with an update of the current status.

B. SB 924 (Price) – Patient Direct Access to Physical Therapist and Provider Corporations

Mr. Puleo gave a brief summary of the bill and addressed its pertinence to the Board. The Board had a lengthy discussion regarding the proposed bill.

Dr. Davis came forward to state his concerns with the bill.

C. SB 1488 (Yee) – Healing Arts: Traditional Chinese Medicine Traumatologist Certification

Mr. Puleo gave a brief summary of the bill and addressed its pertinence to the Board. The Board had a brief discussion regarding the proposed bill.

Debora Mattos from Southern California University of Health Sciences came forward to express her concerns with the bill and suggested the Board pay close attention to the bill.

Dr. Davis came forward to express his concerns with the bill.

MOTION: DR. LUBKIN MOVED TO OPPOSE SB 1488

SECOND: DR. AZZOLINO SECONDED THE MOTION

VOTE: 5-0

MOTION CARRIED

Proposed New Regulations

A. Supervision of Unlicensed Assistant

Ms. Van Allen reported that this proposed regulation language has been incorporated into the pending Omnibus Consumer Protection regulation.

B. Notice to Consumers

Mrs. Van Allen reported that this proposed regulation language has been incorporated into the pending Omnibus Consumer Protection regulation.

C. Inter-Jurisdictional Mobility

Mr. Puleo reported that at the last Board meeting it was recommended that the Board reform the process of candidates for licensure through reciprocity. Board staff researched this issue and determined that changing the language on the Certification of Licensure and State Endorsement form may solve the issue. The verbiage pertaining to certifying a state to grant reciprocal licensure to a California licensee was revised and no change to our regulations is needed.

Pending Regulations

A. Use of Lasers

Ms. Van Allen reported that the regulation package had been submitted to the Office of Administrative Law (OAL) on May 4, 2012.

B. Omnibus Consumer Protection

Dr. Lubkin requested to have this item moved to the Enforcement Committee for review and revisions.

Public Comment

Dr. Davis came forward to request that the Board revise the Disciplinary Guidelines and conduct more Committee meetings.

Future Agenda Items

None

Closed Session

The Board went into closed session for deliberation on Board related matters.

Adjournment

Dr. Lubkin adjourned the meeting at 1:15 p.m.

(ATTACHMENT A)

Approval By Ratification of Formerly Approved License Applications
March 1, 2012 – April 30, 2012

Name (First, Middle, Last)	Date Issued	DC#		
Anupam	Arman	3/2/2012	32237	
Omer	Sahan	Boysan	3/2/2012	32238
Jenny	Lynn	Faber	3/2/2012	32239
MaryAnne	Marie	Harrington	3/2/2012	32240
Jung	Ho	Jang	3/2/2012	32241
Eric	Li	Kang	3/2/2012	32242
David	Adam	Kirsch	3/2/2012	32243
William	Edward	Perry	3/7/2012	32244
Navid		Nazemi	3/12/2012	32245
Young	Hee	Ro	3/12/2012	32246
Ivan	George	Semerdjiev	3/12/2012	32247
Anne	Ngoc Nhu	Nguyen	3/13/2012	32248
Jenna	Louise	Swanson	3/13/2012	32249
Carissa	Suzanne	Abe	3/14/2012	32250
David	Irvin	Dufour	3/14/2012	32251
Karen		Liu	3/14/2012	32252
Cristina		Diaz Martinez	3/14/2012	32253
Jessica	Nicole	Nardone	3/16/2012	32254
Heidi	Lynn	Walrath	3/16/2012	32255
Brandon	Lee	Todd	3/16/2012	32256
Nathan		Nguyen	3/22/2012	32257
Morvarid		Noorivaziri	3/26/2012	32258
Abraham	Christopher	Silva	3/26/2012	32259
Hungchiao	Lisa	Wu	3/26/2012	32260
Derrick	Jon	Schinderle	3/27/2012	32261
Tanya	Stephanie	Cobey	3/28/2012	32262
Pezhman		Ghatreh Samany	3/28/2012	32263
Russell	Anthony	Maramag	3/28/2012	32264
Sean	Gregory	Marcella	3/28/2012	32265
Tracy	Don	Ellis	3/30/2012	32266
Llaird	Lee	Likens	3/30/2012	32267
Noel	Melendrez	Romo	4/6/2012	32268
Naryan	Thomas	Sawyers	4/6/2012	32269

Haesung		Park	4/6/2012	32270
Shane	Michael	Young	4/6/2012	32271
Christopher	Ray	Akin	4/11/2012	32272
Isaac	Immanuel	Borowiec	4/11/2012	32273
Zubin	Mehernosh	Dah	4/11/2012	32274
Liliann		Delgado	4/11/2012	32275
Stephanie	Alyece	Desmarais	4/11/2012	32276
Kristin	Ann	Hartjes	4/11/2012	32277
Collin	Hisao	Higo	4/11/2012	32278
Jordan	Matthew	Johnson	4/11/2012	32279
Salman		Khanaki	4/11/2012	32280
Lance	Michael	Mahoney	4/11/2012	32281
Dane	Royale	Moore	4/11/2012	32282
Malori	Marie	Tinsley	4/16/2012	32283
Michael	Chen	Wang	4/16/2012	32284
Gerard	Joseph	Bogin	4/17/2012	32285
Jessica	Sun	Kim	4/17/2012	32286
Eric	Scott	Westover	4/20/2012	32287
Shahram		Soleimani	4/20/2012	32288
James	Andrew	Stanley	4/20/2012	32289
Dale	Allen	Basescu	4/24/2012	32290
Keira	Elizabeth	Boswell	4/24/2012	32291
Gabriel	McCoy	Dawson	4/24/2012	32292
Melissa	Wing Lum	Ko	4/24/2012	32293
James	Raymond	Dudum	4/26/2012	32294
Michael	Gordon	Lane	4/26/2012	32295
Kyu	Yong-John	Lee	4/26/2012	32296
Loreto		Lo Bosco	4/26/2012	32297
Marjan		Makki	4/26/2012	32298

(ATTACHMENT B)

Approval by Ratification of New Continuing Education Providers

<u>CONTINUING EDUCATION PROVIDERS</u>	<u>DATE APPROVED</u>
<u>1. HAPPYki</u>	<u>5/1/2012</u>
<u>2. NET, Inc</u>	<u>5/1/2012</u>
<u>3. Derik S. Anderson</u>	<u>5/1/2012</u>
<u>4. International Foundation for Nutrition & Health</u>	<u>5/1/2012</u>
<u>5. Cash Practice, Inc.</u>	<u>5/1/2012</u>

(ATTACHMENT C)
Recommendation to Waive Two Year Requirement
on Restoration of a Cancelled License

Name (Last, First MI)	License No.	Cancellation Date
Johnson, Thomas	20642	March 31, 2012