



NOTICE OF TELECONFERENCE BOARD MEETING

July 16, 2020
9:00 a.m. to 4 pm.
or until completion of business

Notice of Teleconference Meeting Held Under Executive Order N-29-20 (3/17/20)

FOR PUBLIC COMMENT, PLEASE LOG ON TO THIS WEBSITE:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=ec77d62510c83c2eb832acdb14f0fcc24>

The preferred audio connection is via mobile phone. The phone number and access code will be provided as part of your connection to the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment. Public comments will be limited to 2 minutes per person unless, in the discretion of the Board or circumstances require a shorter period. Members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

Important Notices to the Public: The Board of Chiropractic Examiners will hold this meeting via WebEx – access information is provided above. General instructions for using WebEx are attached to the agenda. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail chiro.info@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.

AGENDA

- 1. Open Session – Call to Order & Establishment of a Quorum**
David Paris, D.C., Chair
Dionne McClain, D.C., Vice Chair
Frank Ruffino, Secretary
Sergio Azzolino, D.C.
Heather Dehn, D.C.
- 2. Chair's Report**
Update on the Chair's Activities and Board's accomplishments and/or goals
- 3. Approval of January 7, 2020, April 16, 2020, and June 4, 2020 Board Meeting Minutes**

4. Ratification of Approval of License Applications

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

6. Ratification of Approved Continuing Education Providers

7. Executive Officer's Report

- A. Administration - Board staffing/organizational chart
- B. Budget - Fund condition update
- C. Licensing - Statistical trends
- D. Enforcement - Statistical trends
- E. OIS – Update

-----**15 Minute Break**-----

8. Presentation and Discussion on presentation from Dr. Micheala Edwards, President, American Black Chiropractic Association

-----**1 Hour Lunch Break**-----

9. Presentation and Discussion on presentation from Dr. William Foshee, Chair, American Chiropractic Association, Diversity Committee

-----**15 Minute Break**-----

10. Update, Discussion and Possible Action on the submission of a Waiver Request for California Code of Regulations, Title 16, Division 4, Sections 331.7 (Calendar); 331.11 (Scholastic Regulations); and 331.12.2 (Curriculum)

11. Update, Discussion and Possible Action on Proposed Revisions to Curriculum Requirements and Approval of Programs (16 CCR Sections 330 - 331.16)

12. Update, Discussion and Possible Action on Pending Rulemaking:

- A. Denial of Application: Revocation or Suspension of Licensure
- B. Revisions to Curriculum Requirements and Approval of Programs (16 CCR Sections 330 - 331.16)
- C. Continuing Education Requirements (CE Provider and Course Approval)/Mandatory
- D. Probation Status Disclosure
- E. Delegation of Authority to the Assistant Executive Officer
- F. Consumer Protection Enforcement Initiative (CPEI)

- G. Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees
- H. Sponsored Free Health Care Events - Repeal 16 CCR Section 309-309.4
- I. Cardiopulmonary Resuscitation (CPR) Certification for All Licensees
- J. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice on Death/Incapacity of Licensee Amend or Repeal 16 CCR Section 354- Successful Examination (Obsolete provision)

13. 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.

14. 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 Section 11125.]

15. Closed Session

Open Session: Announcements Regarding Closed Session

16. Adjournment

In accordance with Executive Order N-29-20, no physical location is available for observation and public comment, so please plan to attend the meeting telephonically. 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.

A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail chiro.info@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.

HOW TO – Join – DCA WebEx Event

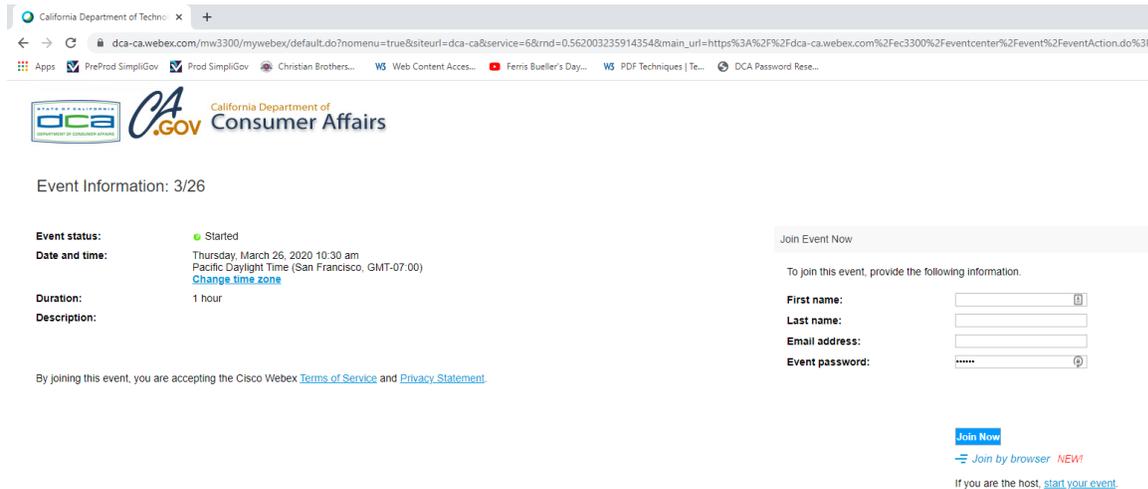
The following contains instructions to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Meeting link: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=ec77d62510c83c2eb832acdb14f0fcc24>

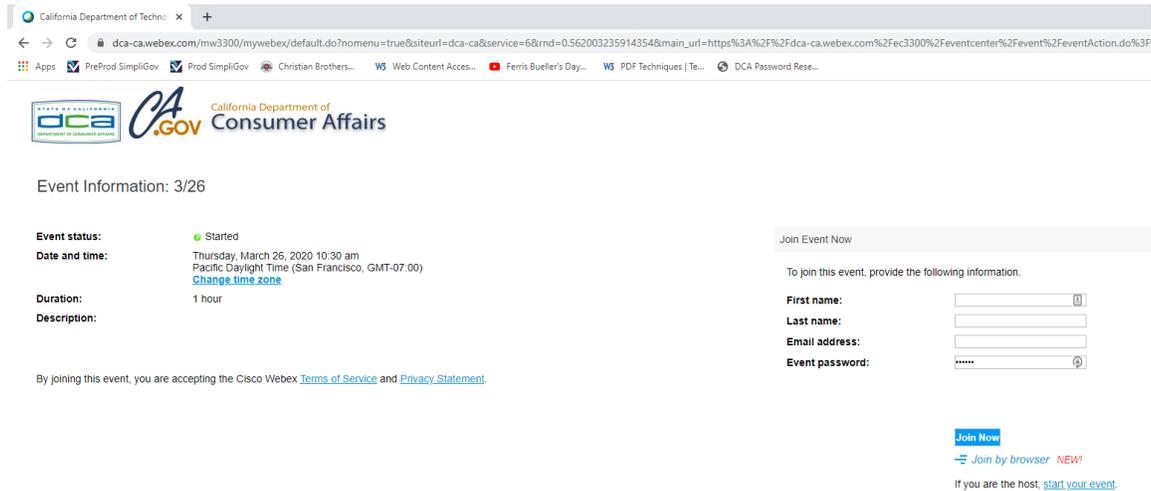
Event number: 145 078 4099
Event password: BCE71620
Audio conference: +1-415-655-0002 (Access code: 145 078 4099)



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

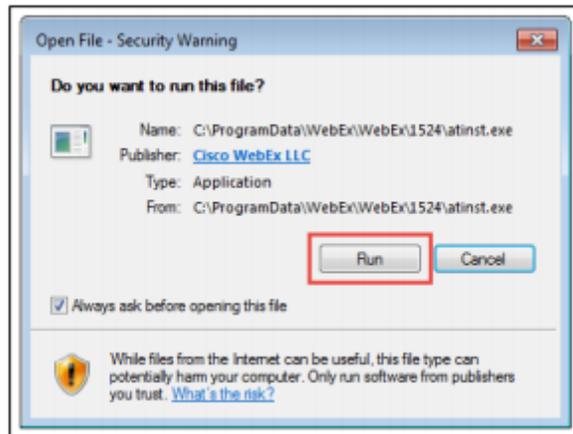
HOW TO – Join – DCA WebEx Event



3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

HOW TO – Join – DCA WebEx Event

Starting Webex...



Still having trouble? [Run a temporary application](#) to join this meeting immediately.

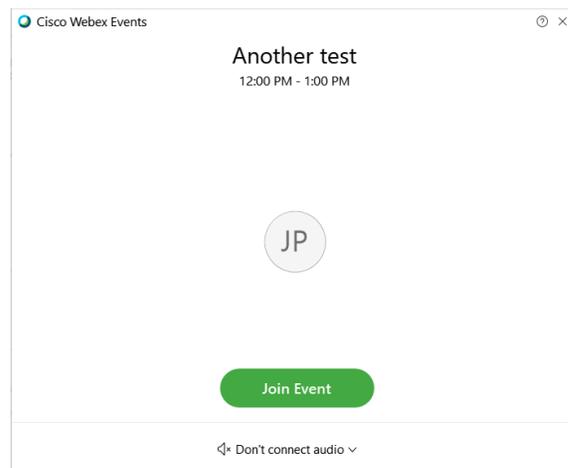
5. To bypass step 4, click 'Run a temporary application'.

6. A dialog box will appear at the bottom of the page, click 'Run'.



The temporary software will run, and the meeting window will open.

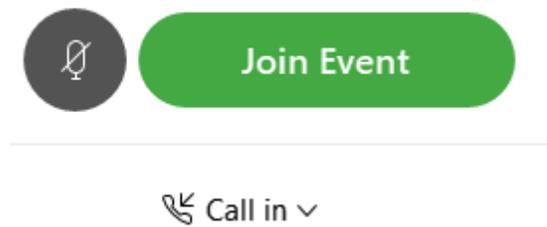
7. Click the audio menu below the green 'Join Event' button.



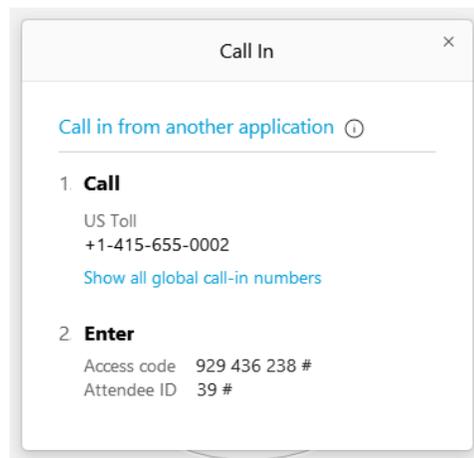
8. When the audio menu appears click 'Call in'.

HOW TO – Join – DCA WebEx Event

9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



10. Call into the audio conference with the details provided.



NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

HOW TO – Join – DCA WebEx Event

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

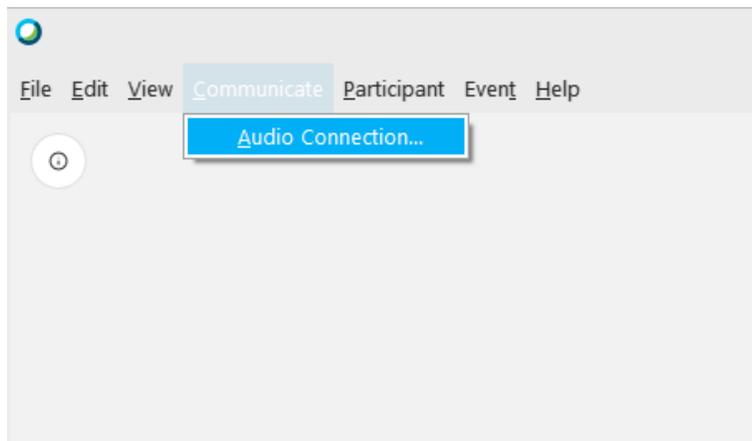


NOTE: Your audio line is muted and can only be unmuted by the event host.

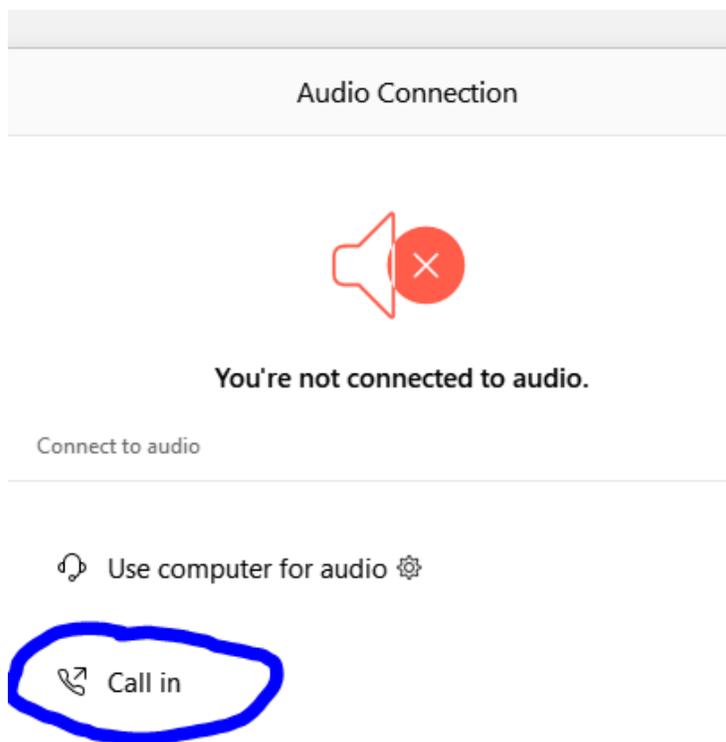
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

Select 'Communicate' and 'Audio Connection' from top left of your screen.

HOW TO – Join – DCA WebEx Event



The 'Call In' information can be displayed by selecting 'Call in' then 'View'



You will then be presented the dial in information for you to call in from any phone.

HOW TO – Join – DCA WebEx Event Participating During a Public Comment Period

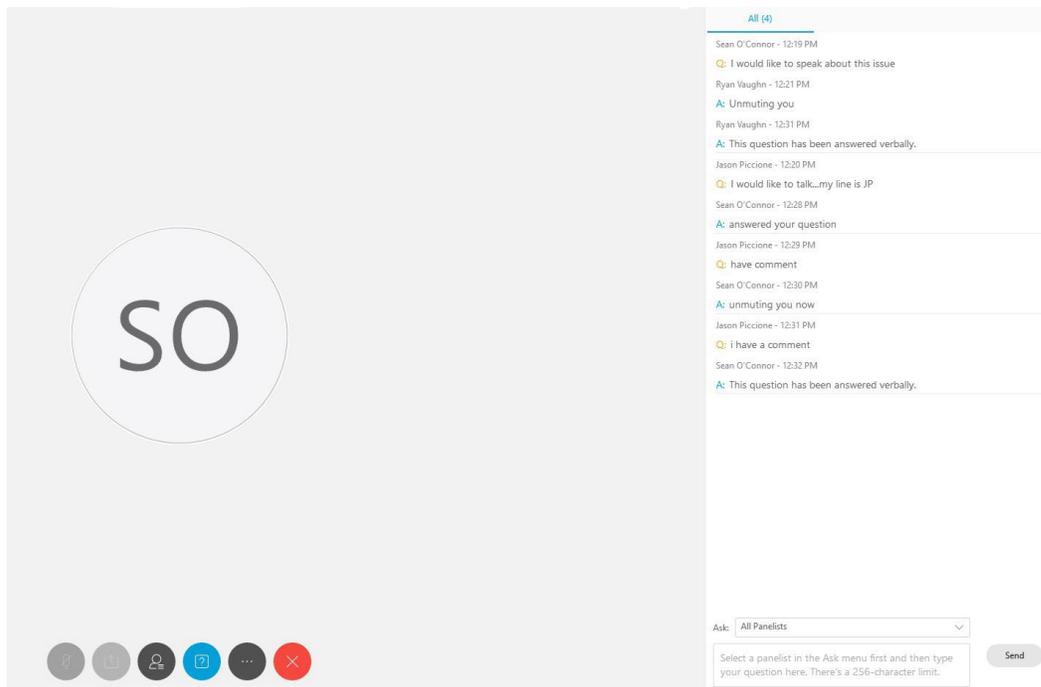
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

HOW TO – Join – DCA WebEx Event



To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be notified when you have 10 seconds remaining.

**Agenda Item #3
July 16, 2020**

Approval of Minutes

Purpose of the item

The Board will review and approve the Board Meeting minutes of the previous Board Meetings.

Action(s) requested

The Board will be asked to make a motion to approve the January 7, 2020, April 16, 2020 and June 4, 2020 Board Meeting minutes.

Background

N/A

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Meeting minutes from the January 7, 2020 Board Meeting.
- Meeting minutes from the April 16, 2020 Board Meeting.
- Meeting minutes from the June 4, 2020 Board Meeting.



BOARD OF CHIROPRACTIC EXAMINERS PUBLIC SESSION MINUTES

January 7, 2020

The Department of Consumer Affairs Headquarters II
1747 N. Market Blvd., Room # 186
Sacramento, CA 95834

Board Members Present

Sergio Azzolino, D.C., Chair
Dionne McClain, D.C., Vice Chair
Frank Ruffino, Secretary
Heather Dehn, D.C.
Corey Lichtman, D.C.
David Paris, D.C.

Staff Present

Robert Puleo, Executive Officer
Marcus McCarther, Assistant Executive Officer
Michael Kanotz, Senior Attorney
Dixie Van Allen, Staff Services Manager I
Kristin Walker, Staff Services Manager I
Valerie James, Staff Services Analyst
Andreia McMillen, Associate Government Program Analyst

Call to Order

Dr. Azzolino called the meeting to order at 9:06 a.m.

Roll Call

Mr. Ruffino called the roll. All members were present. A quorum was established.

Pledge of Allegiance

Mr. Ruffino led the Pledge of Allegiance.

Hearing Re: Petition for Reinstatement of Revoked License

Administrative Law Judge, Coren Wong, presided over and Deputy Attorney General, Karen Denver, appeared on behalf of the people of the State of California on the following hearing:

- A. Andrea Bradshaw Case No. AC 2014-999
- B. Richard Loos Case No. AC 2016-1079

Hearing Re: Petition for Reduction of Penalty

Administrative Law Judge, Coren Wong, presided over and Deputy Attorney General, Karen Denver, appeared on behalf of the people of the State of California on the following hearing:

- A. Lance Mahoney Case No. AC 2016-1064

Hearing Re: Petition for Early Termination of Probation

Administrative Law Judge, Coren Wong, presided over and Deputy Attorney General, Karen Denver, appeared on behalf of the people of the State of California on the following hearing:

- A. John Krage Case No. AC 2014-991

Closed Session

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

- A. Deliberate on Disciplinary Decisions and the above Petitions Pursuant to California Government Code Section 11126(c)(3)
- B. Receive Advice from Legal Counsel Pursuant to California Government Code Sections 11126(e) and 13963.1 Regarding Hugh Lubkin, D.C. v. Board of Chiropractic Examiners, Workers' Compensation Case No. ADJ7361379

Open Session

The Board returned to Open Session.

Chair's Report

Dr. Azzolino highlighted the Board's accomplishments in 2019:

- The Board has invested in the Business Modernization Plan (BMP), which allows for opportunities to implement a new Information Technology system, automate

current business processes and transition to effective online licensing and enforcement systems.

- The Board has recently implemented the online license renewal functionality on the Board's website, thereby expanding technology features to improve the quality of services provided to licensees.
- To date, the Board has been on the leading edge of the BMP initiative. Business process improvements have been reviewed and documented. The Board has completed stages I-IV of the Project Approval Lifecycle.

Dr. Azzolino extended his gratitude to the Department of Consumer Affairs (DCA) and Board staff who collaborated with staff at California Department of Technology, the Department of Finance and the State Legislature to justify the significant investment in the Business Modernization Plan.

Dr. Azzolino announced that Dr. Lichtman completed his four-year term and one-year grace period; therefore, this will be his last Board meeting. On behalf of the Board, Dr. Azzolino thanked Dr. Lichtman for his service and commitment to the welfare and safety of consumers.

Dr. Azzolino shared that he and Dr. Dehn will be completing their second term on February 10, 2020. He expressed their desire to serve out the one-year grace period.

Dr. Azzolino noted he was proud of the efforts and accomplishments of the Board over last eight years and he commended Board staff on their hard work and invaluable guidance.

Dr. Dehn shared it has been her honor to serve the public and further the Board's objectives of protecting the health and safety of the public in California. She encouraged the Governor's office to appoint future successors and stressed the importance for the profession and public to have a strong and coherent Board working together as a unit.

Dr. Lichtman expressed his gratitude to serve the public and the Governor's office and he thanked the Board and staff for their guidance.

Approval of October 24, 2019 Board Meeting Minutes

MOTION: DR. DEHN MOVED TO APPROVE THE MINUTES OF THE OCTOBER 24, 2019 BOARD MEETING.

SECOND: MR. MCCLAIN SECONDED THE MOTION.

Discussion: Dr. McClain offered a grammatical correction on page seven, seventh paragraph, "...the Board automate the process with its existing IT system" should be

replaced with "...the Board is unable to automate the process with its existing IT system".

Additionally, she noted on a correction page nine, the statement: "Dr. Paris responded unaware of discussions pertaining to national chiropractic licensing trends..." should be "Dr. Paris responded he is unaware of discussions pertaining to national chiropractic licensing trends...".

Dr. McClain noted on page 10, first paragraph, the statement "Mr. Paris requested the inclusion of physician assistant licensing trends..." should be replaced with "Dr. Paris...".

VOTE: 6-0, (DR. AZZOLINO-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. PARIS-AYE).
MOTION: CARRIED.

Moved to Agenda Item 16 - Budget/Fund Condition Update by a Representative from the Department of Consumer Affairs Budget Office

Mr. Taylor Schick, Chief Fiscal Officer for the Department of Consumer Affairs, reviewed the Fund Condition Report. Due to recent rate increases implemented by the Attorney General's Office, and increases in departmental and statewide pro-rata costs, including supplemental pension payments, the Board's fund is structurally imbalanced and will be insolvent by Fiscal Year 2022/23.

Mr. Schick shared that the Board historically does not expend its full appropriation each year, thereby reverting some monies to the reserve fund. However, projections based on recent rate increases (adjustments for employee compensation and retirement) and anticipated overhead costs (new IT system), indicate the reserve fund would be depleted by Fiscal Year 2022/23.

He noted the Governor's Budget Proposal will be released on January 10, 2020, and it is likely to incorporate adjustments and additional costs that will impact the Board's fund.

Mr. Schick advised the Board that a fee increase may be necessary in the future. He also offered to explore other solutions once the Governor's budget report has been released.

Dr. Azzolino inquired if the adjustments proposed in the Governor's budget might be beneficial to the Board.

Mr. Schick responded that typically that is not the case as departmental and statewide pro-rata costs tend to increase each year.

Dr. Azzolino asked whether there are any other options to address the future fund deficit, given that the Board raised licensing fees recently.

Mr. Schick stated the Budget Office will collaborate with the Board to monitor the fund closely, predict future costs, and explore other avenues to rebuild the Board's fund balance and mitigate costs in the future.

Dr. Dehn asked for clarification on the pro-rata trending downwards in FY 2020/21.

He responded that the Board's direct full appropriation for FY 2019/20 is \$4.9 million, and it includes the IT system project, which was approved on a year limited term basis. The Budget Office anticipates there will be savings out of that appropriation and costs associated with the new system will be deferred to FY 2020/21.

Dr. Dehn inquired if pro-rata costs will have a downward trend in the future.

He explained that pro-rata fluctuates typically, especially statewide pro-rata, which operates on a two-year roll forward basis. With employee compensation increases and additional costs on the rise, he anticipates pro-rata costs will continue to increase in the future.

Dr. Dehn inquired if the Board could obtain an update on the fund condition once the Governor's budget is released.

Mr. Schick confirmed the Board will receive an update on the new fund condition following the Governor's budget release. He noted the Budget office will build in a 3% cost increase factor into the projected appropriation beyond FY 2020/21, thereby capturing unanticipated costs based on adjustments seen over the years.

Dr. Azzolino inquired whether other DCA boards and bureaus are experiencing the same issue.

He responded the Budget office has been assisting various DCA programs by monitoring their fee structure to ensure a healthy fund condition and long-term sustainability. He added he's seen a number of programs complete fee studies to seek a fee increase.

Moved to Agenda Item 17 - Information Technology Update by Sean O'Connor, Chief, Project Delivery and Administrative Services at the Department of Consumer Affairs

Mr. Sean O'Connor, Chief, Project of Delivery and Administrative Services for the Department of Consumer Affairs, provided an update on the Business Modernization Project. The Office of Information Services (OIS) has been engaged with the California Department of Technology in planning for the Business Modernization Project (BMP).

Mr. O'Connor announced the Board will soon complete stage four of the Project Approval Lifecycle process for procuring a new IT system, which will automate current business processes and transition the Board to effective online licensing and enforcement systems. He added the project duration is 18 months and operational maintenance will follow.

Mr. O'Connor explained that focusing on meeting the Board's immediate needs is critical to improving business services. Subsequently, IT solutions for future needs will be rolled out on an ongoing basis. This incremental approach will minimize potential risks and challenges associated with data conversion and organizational change managements.

Mr. O'Connor shared the Board will likely see deliverables in Summer of 2020, including online licensure application submissions. He added that the next step is to identify the Board's public-facing components of online complaint submissions, back office evaluation of those submissions and other critical enforcement needs.

Mr. O'Connor highlighted the recently implemented online license renewal functionality available on the Board's website and shared the adoption rate has steadily increased since this feature was released in October. He anticipates seeing an upward trend as licensees become aware of this online service.

Mr. Puleo noted that Board staff is proactively informing licensees about the ability to renew online and anticipates the adoption rate will increase significantly in the near future.

Mr. Puleo extended his gratitude to Mr. Schick and Mr. O'Connor for their support throughout this process as the Board has faced various challenges.

Dr. McClain asked if the new IT system would allow the Board to extract data related to licensing trends to understand whether licensees are retiring or simply moving out of California.

Mr. O'Connor stated it would not be an issue to incorporate such feature into the IT system. He added OIS will be integrating this system with an existing reporting business intelligence tool that DCA has been utilizing with their current systems.

Mr. McCarther confirmed that Board staff will be receiving training on QBIRT, a software data reporting tool that will pull statistical information related to licensing trends and anticipates being able to extract that information in the near future.

Dr. Azzolino inquired about the cost for the Board to maintain the new IT system on an annual basis.

Mr. O'Connor stated the Board is still completing stage four of the Project Approval Lifecycle process for procuring a new IT system and since the contract has not been

finalized, that information is not available at this time. However, he stated costs for the IT system will most likely not exceed the initial cost estimates once the contract has been finalized.

Dr. Azzolino thanked Mr. O'Connor for the information provided.

Ratification of Approval of License Applications

MOTION: MR. RUFFINO MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS.

SECOND: DR. LICHTMAN SECONDED THE MOTION.

Discussion: There was none.

VOTE: 6-0 (DR. AZZOLINO-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. DEHN-AYE, DR. LICHTMAN-AYE, DR. PARIS-AYE).

MOTION: CARRIED.

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

There was none.

Ratification of Approved Continuing Education Providers

MOTION: MR. RUFFINO MOVED TO RATIFY THE APPROVED CONTINUING EDUCATION PROVIDERS.

SECOND: DR. PARIS SECONDED THE MOTION.

Discussion: There was none.

VOTE: 6-0 (DR. AZZOLINO-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. DEHN-AYE DR. LICHTMAN-AYE, DR. PARIS-AYE).

MOTION: CARRIED.

Election of Board Officers for 2020. The Board will vote for the following Board Officer Positions: A. Chair; B. Vice Chair; and C. Secretary.

A. Chair:

Mr. Kanotz called for any additional nominations for the officer position of Chair.

There were none.

Dr. Azzolino declined the nomination.

Dr. Paris was the sole nomination for the office of Chair.

Mr. Kanotz asked Dr. Paris if he wished to provide a statement of interest.

Dr. Paris abstained.

Mr. Ruffino facilitated the roll call for voting for the office of Chair.

VOTE: 6-0

- DR. DENH – DR. PARIS
- DR. LITCHMAN – DR. PARIS
- DR. MCCLAIN – DR. PARIS
- DR. PARIS – DR. PARIS
- MR. RUFFINO – DR. PARIS
- DR. AZZOLINO – DR. PARIS.

DR. PARIS WAS ELECTED TO THE OFFICE OF BOARD CHAIR.

B. Vice Chair:

Mr. Kanotz called for any additional nominations for the officer position of Vice Chair.

There were none.

Dr. McClain was the sole nomination for the office of Vice Chair.

Dr. McClain stated it was her honor to serve the Board in any capacity and expressed her desire to continue to serve the public.

Mr. Ruffino facilitated the roll call for voting for the office of Vice Chair.

VOTE: 6-0

- DR. DENH – DR. MCCLAIN
- DR. LITCHMAN – DR. MCCLAIN
- DR. MCCLAIN – DR. MCCLAIN
- DR. PARIS – DR. MCCLAIN
- MR. RUFFINO – DR. MCCLAIN
- DR. AZZOLINO – DR. MCCLAIN

DR. MCCLAIN WAS ELECTED TO THE OFFICE OF BOARD VICE CHAIR.

C. Secretary:

Mr. Kanotz called for any additional nominations for the officer position of Secretary.

There were none.

Mr. Ruffino was the sole nomination for the office of Secretary.

Mr. Kanotz asked Mr. Ruffino if he wished to provide a statement of interest.

Mr. Ruffino abstained.

VOTE: 5-0, 1 ABSTAIN

- DR. DENH – DR. MR. RUFFINO
- DR. LITCHMAN – MR. RUFFINO
- DR. MCCLAIN – MR. RUFFINO
- DR. PARIS – MR. RUFFINO
- MR. RUFFINO – ABSTAIN
- DR. AZZOLINO – MR. RUFFINO

MR. RUFFINO WAS ELECTED TO THE OFFICE OF SECRETARY.

Remarks from the newly elected Board Chair

Dr. Paris addressed the Board, he is privileged to be new Chair of the Board and he is looking forward to serving the public alongside Board Members and staff he respects tremendously. Dr. Paris extended his sincere gratitude to the Board staff for their invaluable guidance.

Executive Officer's Report

A. Administration - Board staffing/organizational chart

Mr. Puleo announced that Natalie Boyer has accepted the newly created Associate Governmental Program Analyst position in the Licensing Unit. Additionally, Amanda Campbell has accepted the limited term Staff Services Analyst in the Licensing Unit.

Dr. Dehn inquired if Ms. Boyer will continue to perform CE duties.

Mr. Puleo confirmed that Ms. Boyer will maintain those duties.

Mr. Puleo reported two vacant positions: a Management Services Technician position in the Board's Licensing Unit and a Staff Services Analyst position in the Board's Enforcement Unit.

B. Licensing - Statistical Trends

Ms. Van Allen reported on the Licensing Trends Report, there had been a decrease in the total population for licensed chiropractors. Additionally, the number of licensing applications has slightly decreased. However, she anticipates a high volume of applications and licenses to be issued in December and January. The total number of applications received and issued in the next six months will be an indicator of future licensing trends.

She stated that due to limited staff resources, statistics on Continuing Education (CE) audits, including the number of audits completed and compliance rate, are not available at this time. However, that information will be presented to the Board at the next meeting.

Mr. Puleo added that Board staff, including managers, have been assisting with CE audits in an effort to expedite review process.

Dr. Azzolino requested statistics on national and state licensing trends to be included in future reports.

Mr. Puleo explained that staff has been researching those trends and more information will be available at the next Board meeting.

Mr. McCarther added that he will contact chiropractic boards and other associations in other states to inquire about contributing factors that help drive their licensing trend upwards.

Dr. McClain reminded Board staff of the request to include physician assistant licensing trends in future reports.

C. Enforcement - Statistical trends

Ms. Walker presented the Board's Enforcement Statistics and noted data from the current fiscal year indicates that the increase in new and pending complaints is primarily due to the CE audits initiated by the Licensing Unit. She also added that the closure rate for pending cases has increased. She commended the enforcement unit on their hard work and handling of cases in a timely manner.

Ms. Walker noted a significant increase in letter of admonishments (LOA) and citations issued to licensees over the last five years. She explained the LOA is an enforcement

tool that allows for the correction of minor violations while educating licensees about the laws governing the chiropractic practice.

Ms. Walker noted a gradual decrease in the number of cases resulting in probation over the last five years. This downward trend is possibly related to the slight increase in the number of revoked or surrendered licenses.

Dr. McClain asked if there is data on percentage of fines assessed in relation to fines that have been recovered.

Ms. Walker responded that information is not included in the report, but it will be available at the next Board meeting. She added that the Board has been successful in collecting delinquent payments through the Franchise Tax Board's intercept program.

D. Budget - Fund Condition Update

Mr. Puleo deferred this portion of the report to Mr. Taylor Schick, who facilitated a thorough discussion on the Board's fund condition (Agenda Item 16 – Budget/Fund Condition Update by a Representative from the Department of Consumers Affairs Budget Office).

E. OIS - Update

Mr. Puleo deferred this portion of the report to Mr. Sean O'Connor, who facilitated a thorough discussion on the Board's Business Modernization Project (Agenda Item 17 – Information Technology Update by Sean O'Connor, chief, Project Delivery and Administrative Services at the Department of Consumer Affairs).

Update, Discussion and Possible Action on Pending Rulemaking

Ms. McMillen reported the following rulemaking files have been submitted to DCA to commence the Initial Phase of DCA's Regulatory Review Process:

- Consumer Protection Enforcement Initiative
- Delegation of Authority to the Assistant Executive Officer

Additionally, staff have been working on the following draft rulemaking files:

- Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees
- Continuing Education Requirements

Mr. McCarther asked Mr. Kanotz to provide a brief overview of the newly established regulatory review division at DCA.

Mr. Kanotz explained that Legal Affairs has established a new unit to review rulemaking files on behalf of DCA while assisting Board's legal counsels with regulatory work as well. He shared that Mr. Clay Jackson has been assigned to the Board.

Mr. McCarther asked for an update on the status of the rulemaking files that have been submitted to DCA's Legal Affairs for review.

Mr. Kanotz reported the following rulemaking files are currently under review:

- Denial of Application, Revocation or Suspension of Licensure
- Consumer Protection Enforcement Initiative
- Delegation of Authority to the Assistant Executive Officer

Public Comment for Items Not on the Agenda

There were none.

Future Agenda Items

Dr. McClain requested the discussion of disciplinary monitors be included on the Agenda for the April 16, 2020 Board Meeting.

Dr. Azzolino asked for a future discussion on chiropractic corporate naming.

Adjournment

Dr. Paris adjourned the meeting at 4:34 p.m.

(ATTACHMENT A)

Approval by Ratification of Formerly Approved License Applications
between October 1, 2019 and November 30, 2019.

Name (First, Middle, Last)			Date Issued	DC#
Raymond	Roushdy	Bakhoun	10/4/2019	34659
Arno		Grigoryan	10/4/2019	34660
Garrett	Steven	Brown	10/4/2019	34661
Anthony		Saechao	10/4/2019	34662
Jared	Ryan	Craddick	10/9/2019	34663
Gary		Tao	10/9/2019	34664
Zachary	Thomas	Owens	10/14/2019	34665
Rouzbeh		Karimzadeh	10/14/2019	34666
Nina		Nori	10/14/2019	34667
Steven	Douglas	Herting	10/14/2019	34668
Alan	Christopher	Crick	10/17/2019	34669
Nicholas	Hayden	Muhn	10/18/2019	34670
Elise		Leung	10/18/2019	34671
Edward	Soojin	Chun	10/25/2019	34672
Rachel	Anne	Selnick	10/25/2019	34673
Matthew	David	Wittwer	10/25/2019	34674
Janessa	Michelle	Brown	10/25/2019	34675
Vincent	Bernard	Turosky	10/28/2019	34676
Julia	Eve	Morgan	10/28/2019	34677
Richard	Wayne Alexander	Nance	10/28/2019	34678
Steven	Po-Chao	Hsu	10/28/2019	34679
Tyler	James	Harrison	10/28/2019	34680
Shiro		Chiro	10/31/2019	34681
Juan	Pablo	Rivera-Rodriguez	10/31/2019	34682
Samantha	Addie	Boyd	10/31/2019	34683
Nelson	Winchie	Lee	10/31/2019	34684
Lisa	Dinh	Nhu	11/12/2019	34685
Mallory	Lynn	Mckinney	11/12/2019	34686
Vivek	Shirish	Soham	11/12/2019	34687
Michael	Shane	Braccio	11/12/2019	34688
Timothy	Youngkyun	Woo	11/12/2019	34689
Nicole	Ashley Villegas	Virrey	11/20/2019	34690
Benjamin	Frank	Adams	11/20/2019	34691
Cody	James	Alme	11/20/2019	34692

Colby	Dion	Brink	11/20/2019	34693
Anne		Kim	11/20/2019	34694
Rebekah	Leigh	Wilks	11/20/2019	34695
Ashley	Elizabeth	Hook	11/22/2019	34696
Patrick	Blaine	Eley	11/22/2019	34697
Skyler	Evan	Alvord	11/22/2019	34698
Karen	Beth	Pazera	11/22/2019	34699
Tyler	James	Erickson	11/22/2019	34700
Mohammad	Reza	Zarghami	11/22/2019	34701
Stephanie	Renee	Stensaas	11/22/2019	34702

DRAFT

(ATTACHMENT B)

Pending Ratification to Approve New Continuing Education Providers

<p>Provider Name: SP Westcoast Inc</p> <p>CE Oversight Contact Person: Kim Eaves</p> <p>Provider Status: Corporation</p>	<p>Provider Name: Robert Swiryn, D.C.</p> <p>CE Oversight Contact Person: Dr. Robert Swiryn</p> <p>Provider Status: Individual</p>
<p>Provider Name: John M. Talevich</p> <p>CE Oversight Contact Person: John M. Talevich</p> <p>Provider Status: Individual</p>	<p>Provider Name: Eldoa USA</p> <p>CE Oversight Contact Person: Annika Turner</p> <p>Provider Status: Individual</p>
<p>Provider Name: Heidi Jays D.C.</p> <p>CE Oversight Contact Person: Mehrnaz Mistry</p> <p>Provider Status: Corporation</p>	<p>Provider Name: Standard Process Nutritional Consultants of Los Angeles, Inc.</p> <p>CE Oversight Contact Person: David Combs</p> <p>Provider Status: Corporation</p>
<p>Provider Name: Advanced Clinical Educational Seminars, LLC</p> <p>CE Oversight Contact Person: Craig E. Morris</p> <p>Provider Status: Individual</p>	<p>Provider Name: Restorative Wellness Solutions, LLC</p> <p>CE Oversight Contact Person: Anne Fischer Silva</p> <p>Provider Status: Corporation</p>
<p>Provider Name: Kimberly Bensen, D.C.</p> <p>CE Oversight Contact Person: Dr. Kimberly Bensen</p> <p>Provider Status: Individual</p>	



**BOARD OF CHIROPRACTIC EXAMINERS
PUBLIC SESSION MINUTES**

April 16, 2020
Teleconference

Board Members Present

David Paris, D.C., Chair
Dionne McClain, D.C., Vice Chair
Frank Ruffino, Secretary
Heather Dehn, D.C.
Sergio Azzolino, D.C.

Staff Present

Robert Puleo, Executive Officer
Marcus McCarther, Assistant Executive Officer
Michael Kanotz, Senior Attorney
Dixie Van Allen, Staff Services Manager I
Kristin Walker, Staff Services Manager I
Valerie James, Staff Services Analyst
Andreia McMillen, Associate Government Program Analyst
Natalie Boyer, Associate Government Program Analyst

Call to Order

Dr. Paris called the meeting to order at 1:06 p.m.

Roll Call

Mr. Ruffino called the roll. All members were present. A quorum was established.

Ratification of Approval of License Applications

MOTION: MR. RUFFINO MOVED TO RATIFY THE APPROVED LICENSE APPLICATIONS.

SECOND: DR. DEHN SECONDED THE MOTION.

Discussion: There was none.

VOTE: 5-0, (DR. PARIS-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. AZZOLINO-AYE, DR. DEHN-AYE).

MOTION: CARRIED.

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

Discussion: There was none.

Ratification of Approved Continuing Education Providers

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

SECOND: DR. MCCLAIN SECONDED THE MOTION.

Discussion: There was none.

VOTE: 5-0, (DR. PARIS-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. AZZOLINO-AYE, DR. DEHN-AYE).

MOTION: CARRIED.

Public Comment for Items Not on the Agenda

Public Comment: Dr. Marcus Strutz, chiropractor and continuing education provider, expressed his concerns regarding the Department of Consumer Affairs waiver to postpone live continuing education hours. As after the shelter-in-place orders, due to Covid-19, had lifted there would be double or triple the amount of licensees attempting to take live courses. Dr. Strutz would like to propose to the Board to utilize ZOOM meeting technology to count towards live continuing education credit, versus distance learning credit.

Public Comment: Dr. John Scaringe, President of Southern California University of Health Sciences, and Dr. Ron Oberstein, President of Life Chiropractic College West, addressed the Board together.

Dr. Oberstein highlighted the education deficits facing the California chiropractic colleges considering Covid-19 shelter-in-place orders and the prescriptive nature of the chiropractic college curriculum regulations. Dr. Oberstein highlighted that the colleges needed to adapt to learning needs for matriculating students, even with the challenges that Covid-19 had presented for colleges.

Dr. Scaringe shared that colleges and students were delaying students' exposure to clinical settings due to the Covid-19 crisis. Dr. Scaringe implored the Board to please review the recommended changes to the curriculum regulations for potential action.

Dr. Oberstein encouraged the Board to revise the California regulations to differ authority to the Council on Chiropractic Education or an equivalent accrediting body.

He went on to implore the Board to seek an emergency measure due to the future uncertainty of higher education in light of Covid-19.

Future Agenda Items

Dr. Paris inquired if the Board wished to make a motion to put the chiropractic colleges and curriculum regulations on the agenda for a future public Board Meeting.

MOTION: DR. AZZOLINO MOVED TO ADD THE CHIROPRACTIC COLLEGES AND CURRICULUM REGULATIONS TO THE AGENDA OF A FUTURE BOARD MEETING. SECOND: DR. MCCLAIN SECONDED THE MOTION.

Discussion: There was none.

**VOTE: 5-0, (DR. PARIS-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. AZZOLINO-AYE, DR. DEHN-AYE).
MOTION: CARRIED.**

Closed Session

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

- A. Deliberate on Disciplinary Decisions and the above Petitions Pursuant to California Government Code Section 11126(c)(3)
- B. Receive Advice from Legal Counsel Pursuant to California Government Code Sections 11126(e) and 13963.1 Regarding 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. Paris adjourned the meeting at 1:24 p.m.

(ATTACHMENT A)

Approval by Ratification of Formerly Approved License Applications
between December 1, 2019 and March 31, 2020.

Name (First, Middle, Last)			Date Issued	DC#
Gwangjong	Danny	Lee	12/5/2019	34703
Sulakshandan		Kathireson	12/6/2019	34704
Skyler	Rey	Talamantes	12/6/2019	34705
Benjamin	Koubing	Su	12/6/2019	34706
Mercedes	Alexis	Cook	12/6/2019	34707
Carrie		Huang	12/16/2019	34708
Danielle	Marie	Kronk	12/16/2019	34709
Samantha	Taylor	Voss	12/16/2019	34710
Michele	Kimberly	Bahadoor	12/16/2019	34711
Veronica		Torres	12/16/2019	34712
Justin	James	Coryell	12/16/2019	34713
Edward	Owen	Barksdale	12/24/2019	34714
Corey	Mae	Belt	12/24/2019	34715
Brian	Francis	Kane	12/24/2019	34716
Martin	Anthony	Soares	12/24/2019	34717
Allison	Lynn	Walls	1/8/2020	34718
Penny	Lynn	Harris	1/8/2020	34719
Adrian		James	1/16/2020	34720
Rodney		McBride	1/16/2020	34721
Holly	Diane	Schonberger	1/16/2020	34722
Malena	Britt	Kaufman	1/16/2020	34723
Kendra	Grace-Elene	Sietsema	1/16/2020	34724
Kristopher	Khoa	Nguyen	1/16/2020	34725
Brooke	Ashley	Herbert	1/16/2020	34726
Kevin	Tri	Lam	1/16/2020	34727
Julie	Arielle	Soloduka	1/27/2020	34728
Nicholas	Stefano	Fedele	1/27/2020	34729
Peter		Yi	1/27/2020	34730
Enya	Shifra	Katz	1/27/2020	34731
Dacy Mari	T	Ricardo	1/27/2020	34732
Ashley	Ann	Taylor	1/27/2020	34733
Iannick		Remillard	1/27/2020	34734
Pamela	Colleen	Riggs	1/27/2020	34735
Laura	Elizabeth	Zelko	1/29/2020	34736
Nicole	Elizabeth	Rodriguez	1/29/2020	34737

Faraz		Ozlati	1/29/2020	34738
Anthony	Julio	Branker	2/4/2020	34739
Clayton	Conner	Welch	2/4/2020	34740
Acacia	Marie	Mason	2/4/2020	34741
Tiffany	Vaness Moss	Raith	2/4/2020	34742
Dakota	Cassidy	Zitlaw	2/4/2020	34743
Nadzeya		Stokes	2/4/2020	34744
Hojin		Seo	2/4/2020	34745
Jose	Guillermo	Rodriguez	2/4/2020	34746
Shawn	Shahin	Tabrizi	2/4/2020	34747
Nicholas	Paul	Westfall	2/4/2020	34748
Heather	Daniel	Isensee	2/4/2020	34749
Brandon	Christopher	Parnham	2/4/2020	34750
Elidge	Demetre	Anderson	2/4/2020	34751
Karan		Seth	2/6/2020	34752
Tera	Marie	Roycraft	2/6/2020	34753
Roy	Mcrae	Hughes III	2/6/2020	34754
Eva		Quach	2/6/2020	34755
Sean	Robert	McTaggart	2/6/2020	34756
Dalbir	Singh	Bedi	2/6/2020	34757
Andrew	Basil	Reichman	2/6/2020	34758
Hunter	Thomas	Ford	2/6/2020	34759
Shelby	Denise	Kloiber	2/10/2020	34760
Matthew	Thomas	Miller	2/10/2020	34761
Justin	John	Traille	2/10/2020	34762
Victoria	Louisa	Simpson	2/10/2020	34763
Danielle	Monique	Cornelius	2/13/2020	34764
Felisha	Duc	Truong	2/13/2020	34765
Arshia		Pourdehghan	2/13/2020	34766
Edward		Tang	2/13/2020	34767
Raymond	Michael	Adams	2/13/2020	34768
Holly	Nichole	Stephens	2/14/2020	34769
Anqi		Zheng	2/14/2020	34770
Andriy		Melnyk	2/14/2020	34771
Monica	Kameel	Hanna	2/14/2020	34772
Dina		Fanai	2/20/2020	34773
Connor	James	Naasz	2/20/2020	34774
Andrea	Michell	Sandoval	2/20/2020	34775
Christopher	John	Galeotti	2/20/2020	34776
Lydia	Daoud	Guirges	2/20/2020	34777
Ramses	Anthony	Patron	2/20/2020	34778

Ashtynn	Marie	Nelson	2/24/2020	34779
Ariana	Crystal	Censullo	2/24/2020	34780
Molly	Claire	McFarland	2/24/2020	34781
Mark	Allen	O'Brien	2/24/2020	34782
Charlene	Alice	Harber	2/24/2020	34783
Mahealani		Schreindorfer	2/24/2020	34784
	Matthew			
John	Robert	Lutz	2/24/2020	34785
Mark	Castillo	Samson	2/26/2020	34786
Michael		Espinoza	2/26/2020	34787
Lane	Nam	Tran	2/26/2020	34788
Bao-Quang		Nguyen-Phuc	2/26/2020	34789
Edward	Byungdo	Lee	2/26/2020	34790
Lauren	Yumi	Taketomo	2/26/2020	34791
Kenneth	Grant	Mittelstadt	3/4/2020	34792
Sadiq	Ali	Sheraze	3/4/2020	34793
Robert	Borden	Sheets	3/4/2020	34794
Kendra	Marilyn	Kautz	3/4/2020	34795
Daniel	Francis	Lynch	3/4/2020	34796
Mark	David	Zuber	3/18/2020	34797
Sara	Jane	Van Dyke	3/9/2020	34798
Alexandra	Juliet	Bonilla	3/9/2020	34799
Parisa		Shahidi	3/9/2020	34800
Jamie	Lynn	Staton	3/9/2020	34801
Jacy	Rose	Rainer	3/9/2020	34802
Amber	Lynn	McCallum	3/9/2020	34803
Stephanie	Nicole	Peacock	3/9/2020	34804
Lloyd	Brandon	King	3/18/2020	34805
Tian	Ying	Huang	3/18/2020	34806
Brian	Audelio	Serrano	3/18/2020	34807
Dawne	Michelle	Costantino	3/18/2020	34808
James	David	Evans	3/18/2020	34809
Monica	Stacy	Vetter	3/20/2020	34810
Brianna	Louise	Edginton	3/20/2020	34811
Anthony See				
Chuan		Lai	3/20/2020	34812
Jason	Patrick	Nummi	3/20/2020	34813
Levi		Cadman	3/20/2020	34814
Nicholas	Kent	Hoy	3/20/2020	34815

(ATTACHMENT B)

Pending Ratification to Approve New Continuing Education Providers

<p>Provider Name: Anthony Subia, D.C.</p> <p>CE Oversight Contact Person: Anthony Subia, D.C.</p> <p>Provider Status: Individual</p>	<p>Provider Name: California College of Ayurveda</p> <p>CE Oversight Contact Person: Wendy Houser</p> <p>Provider Status: University/College</p>
<p>Provider Name: ChiroCECredits.com</p> <p>CE Oversight Contact Person: Brian Crombleholme</p> <p>Provider Status: Corporation</p>	<p>Provider Name: Marc Halpern, D.C.</p> <p>CE Oversight Contact Person: Wendy Houser</p> <p>Provider Status: Individual</p>
<p>Provider Name: Michael McCall, D.C.</p> <p>CE Oversight Contact Person: Jessica Carn</p> <p>Provider Status: Corporation</p>	<p>Provider Name: Michigan Association of Chiropractors</p> <p>CE Oversight Contact Person: Tim Gaughan</p> <p>Provider Status: Professional Association</p>
<p>Provider Name: PESI, Inc.</p> <p>CE Oversight Contact Person: Abby Klingenberg</p> <p>Provider Status: Corporation</p>	<p>Provider Name: Tara Rasta, D.C.</p> <p>CE Oversight Contact Person: Tara Rasta, D.C.</p> <p>Provider Status: Individual</p>



BOARD OF CHIROPRACTIC EXAMINERS PUBLIC SESSION MINUTES

June 4, 2020
Teleconference

Board Members Present

David Paris, D.C., Chair
Dionne McClain, D.C., Vice Chair
Frank Ruffino, Secretary
Heather Dehn, D.C.
Sergio Azzolino, D.C.

Staff Present

Robert Puleo, Executive Officer
Marcus McCarther, Assistant Executive Officer
Michael Kanotz, Senior Attorney
Clay Jackson, Attorney
Dixie Van Allen, Licensing and Continuing Education Manager I
Kristin Walker, Enforcement Manager I
Natalie Boyer, Licensing Analyst
Amanda Campbell, Licensing Analyst

Call to Order

Dr. Paris called the meeting to order at 1:07 p.m.

Roll Call

Mr. Ruffino called the roll. All members were present. A quorum was established.

Presentation from interested stakeholders on a proposed emergency regulation of California Code of Regulation, Article 16, Chapter 4, Sections §331.

Discussion: The Board was addressed by interested stakeholders including Ronald Oberstein, D.C., President of Life Chiropractic College West, David O'Bryon, President of the Association of Chiropractic Colleges, and Craig Little, D.C., President of the Council of Chiropractic Education (CCE). These stakeholders believe addressing their specific curriculum concerns via the emergency regulation process will help provide the flexibility needed to allow students to continue and complete their education without increasing their student debt burden.

Dr. Oberstein addressed the Board first stating that he has spoken with the other colleges and they believe they have identified how to move forward in light of COVID-19 (C19). The stakeholders' key concerns include California Code of Regulation (CCR) 331.7, 331.11, and 331.12.2 (e) (1-4). Dr. Oberstein stated he believes there will be great damages if nothing is done to address these concerns.

Dr. Oberstein stated the colleges have been converting to all online in order to keep their students on track to graduate. He stressed the importance of making a change with an emergency regulation along with a permanent regulation.

Dr. Little offered his support of an emergency regulation so that students do not have an increase of debt. Their plan has no negative impact on the graduating students' competency. He stated waiving CCR 331.7 would allow colleges to provide flexibility through realigned and extended schedules to provide the lab and clinical components of the program in an appropriate and safe manner. Waiving CCR 331.11 and 331.12.2 (e) (1-4) also give students flexibility to define their own attendance while meeting CCE's accreditation standards.

Dr. Little stated CCE has competency requirements so a waiver of these requirements in the regulations won't negate the competency of the students, as graduating from a CCE accredited college is mandatory. Dr. Little further noted the California Board of Chiropractic Examiners (Board) is one of the few licensing boards that has requirements outside of CCE. He believes waiving these standards won't impact the quality of the student's education or competency.

Mr. O'Bryon stated the Association of Chiropractic Colleges has vigorous oversight to ensure competency of students for public safety and believes the Board should adopt these changes permanently. He thanked the Board for their time and effort.

Public Comment: Dawn Benton, Executive Director of the California Chiropractic Association, stated she has been in communication with the colleges and is in support of an emergency regulation.

Public Comment: Ana Facchinato, D.C., Dean of Los Angeles College of Chiropractic, voiced her support for this request.

MOTION: DR. AZZOLINO MOVED TO HAVE THE BOARD MOVE FORWARD IN DRAFTING EMERGENCY CURRICULUM REGULATIONS TO BE PROPOSED AND VOTED ON AT THE NEXT MEETING.

SECOND: MR. RUFFINO SECONDED THE MOTION

Discussion: The Board discussed whether the emergency regulation process was the best course of action.

Dr. Dehn agreed changes needed to be made to the regulations but asked if these changes were different than the draft currently being worked on by the Board. She

asked if an emergency regulation quickened the process.

Dr. Oberstein stated his understanding is that an emergency regulation can only be approved if someone can be harmed and believes that to be true in this case. He stated they would like both an emergency regulation and a permanent regulation because they are currently working outside of compliance due to necessity.

Dr. Dehn stated she understood why we needed these changes but was concerned if an emergency regulation were appropriate due to the strict requirements of what constitutes an emergency.

Dr. McClain stated her agreement with Dr. Dehn as an emergency regulation request has high standards and requires proof of serious harm to the public health or general welfare. Dr. McClain inquired if a temporary waiver would be more effective.

Dr. Paris requested suspending the motion until after the next agenda item had been discussed.

Dr. Azzolino suspended his motion.

Review, Discussion and Possible Action on Pursuing Emergency Regulations of California Code of Regulation, Article 16, Chapter 4, Sections §331.

Discussion: Mr. Clay Jackson, Attorney for the Regulation Unit for the Department of Consumer Affairs (DCA), discussed whether the materials presented would require a waiver, emergency regulation, or a standard regulation and what the differences were. He explained if items were to be removed from the regulations, a waiver would suffice. If items were added, a standard regulation would be necessary. He then clarified the level of emergency determined how quickly action would be taken.

Mr. Jackson believes a waiver would be more appropriate for this situation given an emergency regulation could take months or longer. If the Board then wanted to make the changes permanent, all steps of the regulation process would need to be duplicated after the emergency regulation expired.

Dr. Azzolino expressed concern the schools would all be shut down if nothing was done and wanted to clarify that this wouldn't be considered an emergency.

Mr. Jackson stated the decision of whether this was an emergency was determined by DCA's Director, the California Business, Consumer Services and Housing Agency (Agency), and the Office of Administrative Law (OAL). He believes this would be a timing issue and the level of emergency determines how quickly the emergency regulation is processed.

Dr. Azzolino asked how long a waiver would take to process.

Mr. Jackson deferred to Mr. Kanotz who will be addressing the waiver process later in the meeting.

Dr. McClain asked how long it takes for OAL to process an emergency regulation.

Mr. Jackson stated it takes 15 days for OAL to process an emergency regulation and 30 days to process a standard regulation.

Dr. McClain asked Mr. Jackson to provide examples of an emergency regulation.

Mr. Jackson clarified and added that there is not currently a draft of changes to the regulations and Board staff would need to write a draft. He stated OAL would likely not define changes to the curriculum as an emergency.

Mr. Kanotz provided details of Governor Newsom's Executive Order N-39-20 pertaining to waivers. Item 5 in the Executive Order allows DCA's Director to waive Business and Professions Code (BPC) statutes and their accompanying regulations. Mr. Kanotz stated a waiver is for the duration of the executive order.

Mr. Kanotz stated the director needed specific information regarding how social distancing requirements are making it impossible to fulfill these regulations and what needs to be waived. The waiver needs to be justified by necessity whereas an emergency regulation requires substantial evidence of an emergency and general changes are not accepted.

Dr. Azzolino asked what Mr. Kanotz suggested.

Mr. Kanotz recommended submitting a waiver request to the Director while also expediting the standard regulation package. He added if the Board were to submit an emergency regulation and on-campus classes resumed before the emergency regulation was approved, the justification for the emergency would no longer exist.

Dr. Azzolino asked how long the waiver would be in effect and how long it would take the Director to approve a waiver request.

Mr. Kanotz stated the waiver is for the duration of the crisis but he is unaware of the Director's timeframe to process waivers. He added a waiver request only requires review and approval by the Director, which is a shorter process than an emergency regulation. He estimated it would take a few weeks.

Dr. Azzolino stated he wanted to ensure the schools and students were taken care of.

Dr. Dehn asked if the information in the Board packet stating that waivers were reviewed in four to seven business days was inaccurate.

Mr. McCarther stated he believed that was an initial estimate but is not reflective of the current timeframe due to the volume of requests received by DCA and the substantive documentation submitted, which requires more thorough analysis.

Dr. Dehn confirmed with Mr. Kanotz that the waiver was easier to get approved and would be quicker than an emergency regulation.

Dr. Dehn asked if it was the Board and legal staff who will be writing the regulations, not other staff at DCA.

Mr. Kanotz clarified it would be the Board staff and DCA legal counsel.

Dr. Dehn confirmed with Mr. Kanotz that the staff who worked on the emergency regulation would also work on the standard regulation.

Dr. McClain asked if the waiver was the responsibility of Board staff and legal staff.

Mr. Kanotz stated a waiver could be submitted by an outside party or by Board staff and many waivers have been submitted by associations.

Dr. McClain requested Mr. Puleo's opinion on collaborating with outside entities for submitting the waiver or providing input to Board staff.

Mr. Puleo stated Board staff and legal counsel would prepare the waiver request and if more information was required, he would ask stake holders for supporting documentation or information.

Mr. Puleo stated he believes the waiver was retroactive for the duration of the Executive Order whereas the emergency regulation was not, so there would be a period not addressed by an emergency regulation.

Mr. Azzolino requested Mr. Jackson's opinion.

Mr. Jackson recommended the Board submit a waiver request. He added that many of California's public universities and colleges have said they were going virtual in the fall. He said he can't imagine the Governor wouldn't extend the educational waivers DCA entities currently have in place. Mr. Jackson believes a waiver would be consistent with the swift and flexible approach public universities and colleges are taking, whereas an emergency regulation would require a longer process and be more labor intensive due to the duplication of effort. He believes submitting a waiver while simultaneously working on a standard regulation would be a better use of the Board's time and effort and ultimately have a better outcome.

Mr. Puleo thanked Mr. Jackson for mentioning the Executive Order could be extended because he believes waivers likely will be needed for a while after the C19 pandemic. He stated he's putting a lot of faith in the Administration because 40 DCA regulatory

boards are currently facing the same obstacles.

Mr. Kanotz clarified the Executive Order could be extended, but at this time, the Director is only authorized to issue waivers for the duration of the Executive Order.

Mr. Puleo agreed, but believes that the Administration will authorize the necessary extensions

Dr. Dehn requested to hear from Dr. Oberstein and Dr. Scaringe.

Dr. Oberstein stated if the waiver served the purpose they needed, he would be fine with it since it would be faster. He believed the Governor would understand the effects and ramifications would last much longer than the pandemic. Dr. Oberstein asked if the waiver would defer them to CCE for compliance.

Mr. Puleo believes the waiver would address the provisions that need to be waived. He stated the waiver would need to be specific and clearly address CCE's guidelines.

Dr. Oberstein stated his biggest concern was the schools being unable to operate in compliance. He stated he was in favor of the waiver.

Mr. Puleo stated he anticipates the Board voting on the regulations package at the July meeting and hopes to have a comprehensive regulation in place in a year.

Dr. Scaringe stated he was in favor of the waiver. The Association of Independent Colleges and Universities has a taskforce looking into these items and will be submitting a report to the Governor.

Dr. Paris asked when that document was expected to be finalized.

Dr. Scaringe stated it would be available as soon as possible but he cannot give a definite date.

Public Comments: None

Mr. Kanotz stated the Board can move forward with the motion.

**MOTION: DR. AZZOLINO AMENDED THE MOTION TO HAVE THE BOARD PURSUE A WAIVER FOR THE COLLEGES AFFECTED BY THE CRISIS SO THEY CAN CONTINUE TO FUNCTION PROPERLY GIVEN THE C19 RESTRICTIONS.
SECOND: MR. RUFFINO SECONDED THE MOTION.**

Discussion: None

MOTION: DR. AZZOLINO AMENDED THE MOTION TO INSTRUCT STAFF TO

DEFER TO CCE FOR REGULATION GUIDELINES DURING THE C19 RESTRICTIONS.

SECOND: MR. RUFFINO SECONDED THE MOTION.

Discussion: Mr. Puleo asked legal counsel if deferring to another regulatory agency was admissible for a waiver.

Mr. Kanotz stated the waiver must be specific and deferring to CCE would require a general regulation package. To do so through a waiver would not be viable.

Dr. Azzolino asked if the Board could adopt CCE's regulations.

Mr. Jackson added he did not believe a third party could be a regulatory agency. He recommended adding "in consultation with" CCE to the wording.

Dr. Azzolino asked if it would be appropriate to make a motion stating the Board should consult with CCE to modify the Board's regulations in concert with theirs.

Mr. Kanotz stated the best motion would be to direct staff to draft a waiver proposal in consultation with the desired agency.

Mr. Puleo recommended the motion be to direct staff to request a waiver form DCA to address the issues raised by stakeholders at this meeting.

Mr. Kanotz agreed with Mr. Puleo's phrasing of the motion.

MOTION: DR. AZZOLINO MOVED TO DIRECT STAFF TO REQUEST A WAIVER FROM DCA TO ADDRESS THE ISSUES RAISED BY STAKEHOLDERS AT THIS MEETING.

SECOND: MR. RUFFINO SECONDED THE MOTION.

Discussion: None

VOTE: 5-0, (DR. PARIS-AYE, DR. MCCLAIN-AYE, MR. RUFFINO-AYE, DR. AZZOLINO-AYE, DR. DEHN-AYE).

MOTION: CARRIED.

Public Comment for Items Not on the Agenda

Public Comment: Dr. Oberstein thanked the Board Members, attorneys, Mr. Puleo, and Mr. McCarther for their diligence.

Public Comment: Dr. Mark Cymerint, a chiropractor and continuing education provider, thanked the Board for working with the colleges and stated he was requesting a waiver for continuing education (CE) providers who are facing similar challenges due to social

distancing requirements. He stated he would be submitting a waiver requesting live teleconference calls to be considered the same as in person CE courses during the state of emergency.

Public Comment: Mr. O'Bryon thanked the Board for assisting the colleges.

Future Agenda Items

Dr. McClain requested the Board release a statement regarding the current crisis.

Discussion: Dr. Azzolino stated Dr. McClain should work with staff to draft a message.

Adjournment

Dr. Paris adjourned the meeting at 2:52 p.m.

DRAFT



State of California
Gavin Newsom, Governor

Agenda Item 4
July 16, 2020

Ratification of Approved License Applications

Purpose of the item

The Board will review and ratify the attached list of approved license applications.

Action(s) requested

A motion is needed to ratify the attached list of approved license applications.

Background

Between December 1, 2019 and June 30, 2020, staff reviewed and confirmed that the applicants met all statutory and regulatory requirements.

Recommendation(s)

Staff requests the Board approve the list of approved license applications.

Next Step

N/A

Attachment(s)

- List of formerly approved license applications issued between December 1, 2019 and June 30, 2020.

Name (First, Middle, Last)			Date Issued	DC#
Gwangjong	Danny	Lee	12/5/2019	34703
Sulakshandan		Kathireson	12/6/2019	34704
Skyler	Rey	Talamantes	12/6/2019	34705
Benjamin	Koubing	Su	12/6/2019	34706
Mercedes	Alexis	Cook	12/6/2019	34707
Carrie		Huang	12/16/2019	34708
Danielle	Marie	Kronk	12/16/2019	34709
Samantha	Taylor	Voss	12/16/2019	34710
Michele	Kimberly	Bahadoor	12/16/2019	34711
Veronica		Torres	12/16/2019	34712
Justin	James	Coryell	12/16/2019	34713
Edward	Owen	Barksdale	12/24/2019	34714
Corey	Mae	Belt	12/24/2019	34715
Brian	Francis	Kane	12/24/2019	34716
Martin	Anthony	Soares	12/24/2019	34717
Allison	Lynn	Walls	1/8/2020	34718
Penny	Lynn	Harris	1/8/2020	34719
Adrian		James	1/16/2020	34720
Rodney		McBride	1/16/2020	34721
Holly	Diane	Schonberger	1/16/2020	34722
Malena	Britt	Kaufman	1/16/2020	34723
Kendra	Grace-Elene	Sietsema	1/16/2020	34724
Kristopher	Khoa	Nguyen	1/16/2020	34725
Brooke	Ashley	Herbert	1/16/2020	34726
Kevin	Tri	Lam	1/16/2020	34727
Julie	Arielle	Soloduka	1/27/2020	34728
Nicholas	Stefano	Fedele	1/27/2020	34729
Peter		Yi	1/27/2020	34730
Enya	Shifra	Katz	1/27/2020	34731
Dacy Mari	T	Ricardo	1/27/2020	34732
Ashley	Ann	Taylor	1/27/2020	34733
Iannick		Remillard	1/27/2020	34734
Pamela	Colleen	Riggs	1/27/2020	34735
Laura	Elizabeth	Zelko	1/29/2020	34736
Nicole	Elizabeth	Rodriguez	1/29/2020	34737
Faraz		Ozlati	1/29/2020	34738
Anthony	Julio	Branker	2/4/2020	34739
Clayton	Conner	Welch	2/4/2020	34740
Acacia	Marie	Mason	2/4/2020	34741

BCE Ratification of Approved License Applications

July 16, 2020

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Tiffany	Vaness Moss	Raith	2/4/2020	34742
Dakota	Cassidy	Zitlaw	2/4/2020	34743
Nadzeya		Stokes	2/4/2020	34744
Hojin		Seo	2/4/2020	34745
Jose	Guillermo	Rodriguez	2/4/2020	34746
Shawn	Shahin	Tabrizi	2/4/2020	34747
Nicholas	Paul	Westfall	2/4/2020	34748
Heather	Daniel	Isensee	2/4/2020	34749
Brandon	Christopher	Parnham	2/4/2020	34750
Elidge	Demetre	Anderson	2/4/2020	34751
Karan		Seth	2/6/2020	34752
Tera	Marie	Roycraft	2/6/2020	34753
Roy	Mcrae	Hughes III	2/6/2020	34754
Eva		Quach	2/6/2020	34755
Sean	Robert	McTaggart	2/6/2020	34756
Dalbir	Singh	Bedi	2/6/2020	34757
Andrew	Basil	Reichman	2/6/2020	34758
Hunter	Thomas	Ford	2/6/2020	34759
Shelby	Denise	Kloiber	2/10/2020	34760
Matthew	Thomas	Miller	2/10/2020	34761
Justin	John	Traille	2/10/2020	34762
Victoria	Louisa	Simpson	2/10/2020	34763
Danielle	Monique	Cornelius	2/13/2020	34764
Felisha	Duc	Truong	2/13/2020	34765
Arshia		Pourdehghan	2/13/2020	34766
Edward		Tang	2/13/2020	34767
Raymond	Michael	Adams	2/13/2020	34768
Holly	Nichole	Stephens	2/14/2020	34769
Anqi		Zheng	2/14/2020	34770
Andriy		Melnyk	2/14/2020	34771
Monica	Kameel	Hanna	2/14/2020	34772
Dina		Fanai	2/20/2020	34773
Connor	James	Naasz	2/20/2020	34774
Andrea	Michell	Sandoval	2/20/2020	34775
Christopher	John	Galeotti	2/20/2020	34776
Lydia	Daoud	Guirges	2/20/2020	34777
Ramses	Anthony	Patron	2/20/2020	34778
Ashtynn	Marie	Nelson	2/24/2020	34779
Ariana	Crystal	Censullo	2/24/2020	34780
Molly	Claire	McFarland	2/24/2020	34781
Mark	Allen	O'Brien	2/24/2020	34782

BCE Ratification of Approved License Applications

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Charlene	Alice	Harber	2/24/2020	34783
Mahealani		Schreindorfer	2/24/2020	34784
John	Matthew Robert	Lutz	2/24/2020	34785
Mark	Castillo	Samson	2/26/2020	34786
Michael		Espinoza	2/26/2020	34787
Lane	Nam	Tran	2/26/2020	34788
Bao-Quang		Nguyen-Phuc	2/26/2020	34789
Edward	Byungdo	Lee	2/26/2020	34790
Lauren	Yumi	Taketomo	2/26/2020	34791
Kenneth	Grant	Mittelstadt	3/4/2020	34792
Sadiq	Ali	Sheraze	3/4/2020	34793
Robert	Borden	Sheets	3/4/2020	34794
Kendra	Marilyn	Kautz	3/4/2020	34795
Daniel	Francis	Lynch	3/4/2020	34796
Mark	David	Zuber	3/18/2020	34797
Sara	Jane	Van Dyke	3/9/2020	34798
Alexandra	Juliet	Bonilla	3/9/2020	34799
Parisa		Shahidi	3/9/2020	34800
Jamie	Lynn	Staton	3/9/2020	34801
Jacy	Rose	Rainer	3/9/2020	34802
Amber	Lynn	McCallum	3/9/2020	34803
Stephanie	Nicole	Peacock	3/9/2020	34804
Lloyd	Brandon	King	3/18/2020	34805
Tian	Ying	Huang	3/18/2020	34806
Brian	Audelio	Serrano	3/18/2020	34807
Dawne	Michelle	Costantino	3/18/2020	34808
James	David	Evans	3/18/2020	34809
Monica	Stacy	Vetter	3/20/2020	34810
Brianna	Louise	Edginton	3/20/2020	34811
Anthony	See Chuan	Lai	3/20/2020	34812
Jason	Patrick	Nummi	3/20/2020	34813
Levi		Cadman	3/20/2020	34814
Nicholas	Kent	Hoy	3/20/2020	34815
Brandon	David	Schroeder	4/2/2020	34816
Connor	Alexander	Farrelly	4/2/2020	34817
Dominik	Edward	Woods	5/21/2020	34818
Calvin		Ng	5/21/2020	34819
William	G	Albert	5/21/2020	34820
Andrew	Gilbert	Mahlmeister	5/21/2020	34821
Josef	Andrew	Swetz	5/29/2020	34822
Matthew	Richard	Devoe	5/29/2020	34823

BCE Ratification of Approved License Applications

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Benjamin	Patrick	Maynard	5/29/2020	34824
Alexander	Michael	Tuft	5/29/2020	34825
Rena	Avital	Ahdut	5/29/2020	34826
Haydon	Trevor	Stanley	6/5/2020	34827
Jose	Arnulfo	Tienda	6/5/2020	34828
George	Ochoa	Ceja	6/5/2020	34829
Blair	Madland	Milo	6/5/2020	34830
Kiana	Nicole	Choroski	6/12/2020	34831
Ernest		Luong	6/12/2020	34832
Jordan	Renee	Odle	6/12/2020	34833
David	Todd	Hakanson	6/12/2020	34834
Immanuel	Soo	Choi	6/12/2020	34835
Deepak		Rattu	6/12/2020	34836
Josephlucas	Coan	Thompson	6/12/2020	34837
Justin	Ken-Jing	Lew	6/12/2020	34838
Victoria	Michele	Phillips	6/12/2020	34839
Sergio	Alejandro	Candelas Martinez	6/12/2020	34840
Christine	M	Chao	6/12/2020	34841
Mariecar	Joyce	Estanislao	6/12/2020	34842
Ian	Thomas	Chase	6/12/2020	34843
Karlie	Michelle	Terry	6/12/2020	34844
Joseph	Edward	Valdez II	6/12/2020	34845
Teresa	Marie	Gaytan	6/12/2020	34846
Anthony	Gabriel	Silva	6/12/2020	34847
Shao-Chien		Tai	6/19/2020	34848
J Casey		Pride	6/19/2020	34849
Christopher	Michael	Zeiter	6/19/2020	34850
Isaac		Del Toro	6/19/2020	34851
Nisha	Ann	Sachar	6/19/2020	34852
Lance		Usherenko	6/19/2020	34853
Nogol		Daneshvar	6/19/2020	34854
Cristina		Sanniola	6/19/2020	34855
Elaine	C	Thornton	6/26/2020	34856
Mary	Kathryn	Brazil	6/26/2020	34857
Zakari	Larbi	Bissani	6/26/2020	34858
Joel	K	Mackes	6/26/2020	34859
Anthony	Sean	Odney-Pacheco	6/26/2020	34860



State of California
Gavin Newsom, Governor

Agenda Item 5
July 16, 2020

Ratification of Denied License Applications

Purpose of the item

The Board will review and ratify denied license applications in which an applicant did not appeal the Board's decision.

Action(s) requested

No action requested at this time.

Background

The Board of Chiropractic Examiners denies licensure to applicants who do not meet all statutory and regulatory requirements for a chiropractic license in California. Following a denial of licensure, an applicant has 60-days to appeal the Board's decision. If the applicant does not submit an appeal to the Board, the denial is upheld.

Recommendation(s)

During the period of December 1, 2019 and June 30, 2020, staff has reviewed and confirmed that applicants met all statutory and regulatory requirements for licensure. There were no denials or appeals during this time period.

At this time, no ratification is necessary.

Next Step

N/A

Attachment(s)

N/A

**Agenda Item 6
July 16, 2020**

Ratification to Approve Continuing Education Providers

Purpose of the item

The Board will be asked to review and ratify the new continuing education (CE) providers.

Action(s) requested

The Board will be asked to ratify the following new CE providers:

<p>Provider Name: Dustin Strong, CHN-BC, ACN</p> <p>CE Oversight Contact Person: Teddi Parr</p> <p>Provider Status: Individual</p>	<p>Provider Name: Kabrita USA</p> <p>CE Oversight Contact Person: Ashley Weber</p> <p>Provider Status: Corporation</p>
<p>Provider Name: Michael A. Coppola, Jr., DC, AC</p> <p>CE Oversight Contact Person: Michael A. Coppola, Jr., DC, AC</p> <p>Provider Status: Individual</p>	<p>Provider Name: National Educational Seminars</p> <p>CE Oversight Contact Person: David Collum, DC</p> <p>Provider Status: Corporation</p>

Background

N/A

Recommendation(s)

Staff requests the Board approve the new CE provider applicants.

Next Step

N/A

Attachment(s)

- To maintain compliance with AB 434 (Baker) State Web accessibility: standard and reports, we are no longer able to provide scanned documents on our website. Copies of the CE provider applications can be requested via a Public Records Request, please email chiro.info@dca.ca.gov for a copy of the CE provider applications.



Executive Officer's Report

Purpose of the item

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

Action(s) requested

No action requested at this time.

Background

A. Administration

- The Executive Officer will discuss staffing, including current vacancies, new hires, and pending recruitment efforts. He will also provide an overview of operational changes implemented in response to current state of emergency.

B. Budget

- The Executive Officer will provide an overview of the Board's current fiscal-year Fund Condition and projections for the next fiscal year.

C. Licensing

- The Licensing Manager will provide an overview of the attached licensing program data.

D. Enforcement

- The Enforcement Manager will provide an overview of the attached Enforcement program data.

E. IT Update

- The Assistant Executive Officer will provide an update on the Board's various information technology projects.

Recommendation(s)

N/A

Next Step

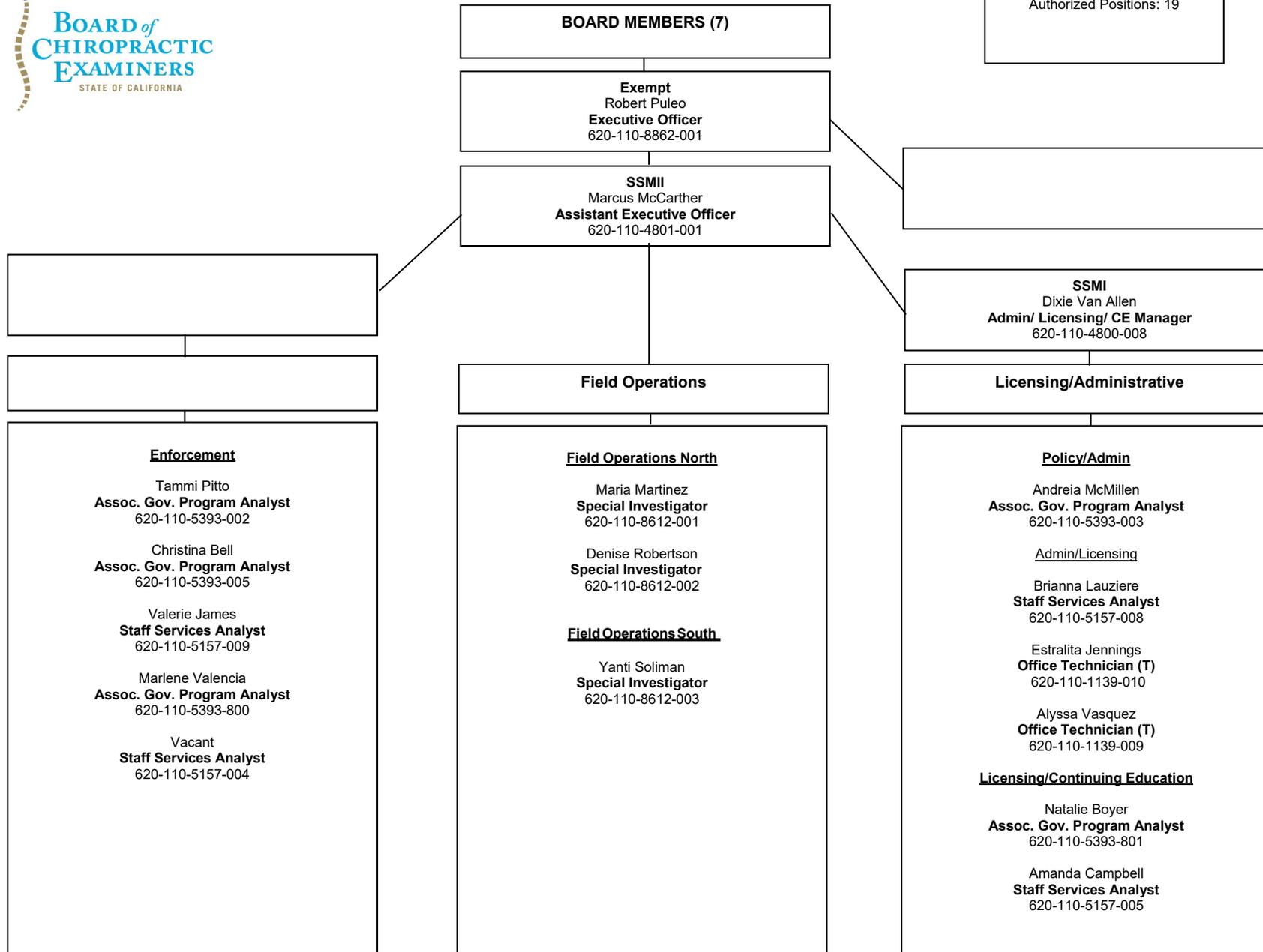
N/A

Attachment(s)

- Organizational Chart/Staff Functions
- Updated Fund Condition
- Licensing Statistics
- Enforcement Statistics



FY 2020-21
Authorized Positions: 19



Executive Officer _____

Personnel Office _____

**BOARD OF CHIROPRACTIC EXAMINERS
LICENSING TRENDS
FY 2019-20**

Total Population of Clear Chiropractic Licenses

Month	Total Licenses
July	12,916
August	12,907
September	12,887
October	12,883
November	12,876
December	12,854
January	12,822
February	12,832
March	12,816
April	12,796
May	12,782
June	12,771

New Chiropractic License Issued

Month	Received	Issued
July	45	15
August	21	35
September	34	22
October	20	26
November	10	18
December	33	15
January	66	21
February	22	53
March	34	24
April	17	2
May	17	9
June	7	34

Number of Restored Cancelled Licenses

Month	Received	Issued
July	5	2
August	0	4
September	8	3
October	3	3
November	2	3
December	1	0
January	1	3
February	3	2
March	1	2
April	3	0
May	1	2
June	1	1

New Satellite Office Certificates Issued

Month	Received	Issued
July	100	41
August	120	144
September	75	94
October	97	105
November	73	65
December	117	95
January	102	108
February	110	104
March	129	130
April	75	99
May	63	46
June	64	43

Corporation Registrations Issued

Month	Received	Issued
July	15	7
August	3	7
September	14	17
October	11	7
November	9	6
December	5	8
January	13	6
February	8	15
March	8	7
April	4	5
May	6	3
June	7	7

Licensing Population as of June 30, 2020

License Type	Clear Licenses
Chiropractors	12,771
Satellite Offices	4,082
Corporation Registrations	1,397

Applications Received and Processed – July 1, 2019 through June 30, 2019

Application Type	Received	Issued	Denied	Pending
Initial Chiropractic	271	274	1	117
Reciprocal	1	2	0	1
Restorations (Cancelled & Forfeiture)	125	126	0	9
Corporation	103	95	0	7

**BOARD OF CHIROPRACTIC EXAMINERS
ENFORCEMENT STATISTICS**

COMPLAINTS

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Complaints Received	581	490	479	641	783
Pending Complaints	232	183	235	613	591
Closed: No Violation	97	75	75	38	115
Closed: Insufficient Evidence	127	79	72	63	76
Closed with Merit	235	184	214	56	65
Closed: Letter of Admonishment	4	4	17	62	279

CITATIONS

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Citations Issued	17	26	25	27	110
Total Fines Assessed	\$11,600	\$36,900	\$24,650	\$25,200	\$71,850
Total Fines Collected	\$16,138	\$24,750	\$29,646	\$29,104	\$64,820

ACCUSATIONS

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Accusations Filed	31	35	34	21	15
Pending Cases	66	65	55	38	51

DISCIPLINARY CASES CLOSED

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
License Revoked	3	10	9	13	5
Revocation Stayed: Probation	13	11	15	14	2
Rev. Stayed: Susp. / Probation	4	5	1	0	1
Voluntary Surrender of License	9	14	9	15	5
Dismissed/Withdrawn	2	6	0	2	0

STATEMENTS OF ISSUES

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
SOI Filed	0	1	2	1	0
Withdrawn	0	0	0	1	0
Denied	0	0	0	0	0
Granted	0	0	0	0	0
Probationary License Issued	1	0	0	1	0

PETITIONS FOR RECONSIDERATION

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Filed	1	0	0	1	3
Granted	0	0	0	0	0
Denied	1	0	0	1	3

PETITIONS FOR REINSTATEMENT OF LICENSE

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Filed	7	6	6	3	8
Granted	0	0	0	0	2
Denied	7	3	3	8	5

PETITIONS FOR EARLY TERMINATION OF PROBATION

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Filed	8	3	2	1	1
Granted	0	0	0	0	0
Denied	2	2	5	1	2

PETITIONS FOR MODIFICATION OF PROBATION

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Filed	3	0	1	0	2
Granted	1	0	1	0	2
Denied	0	0	0	0	0

PETITIONS BY BOARD TO REVOKE PROBATION

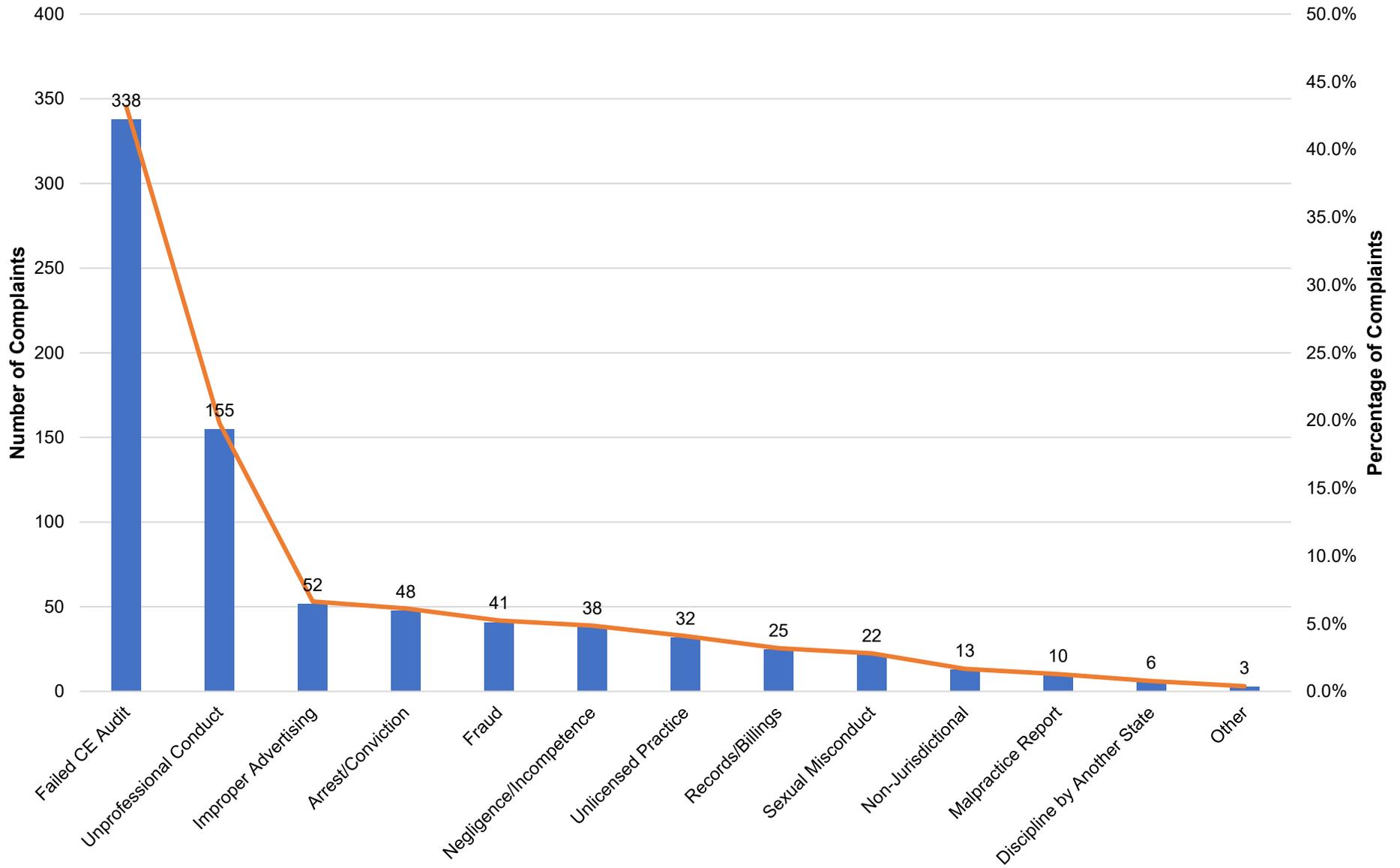
Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Filed	8	5	6	7	2
License Revoked	3	10	9	4	2

PROBATION CASES

Description	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
Active Probationers	104	92	90	80	67

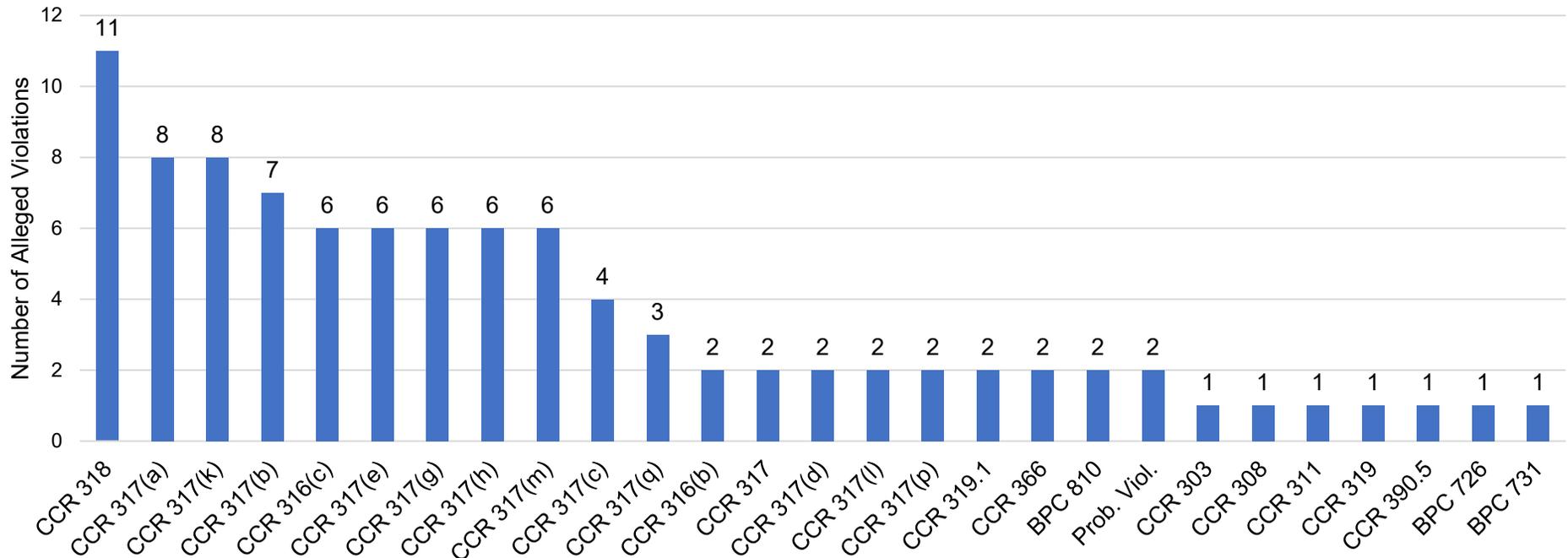
Complaints Received Fiscal Year 2019/2020

(Total Number Received: 783)



Accusations Filed Fiscal Year 2019/2020

Number of Accusations Filed: 15
Total Alleged Violations: 96



Violation Codes/Descriptions

CCR 303 – Failure to File Address
 CCR 308 – Failure to Display License
 CCR 311 – Advertisements
 CCR 316(b) – Sexual Misconduct on Premises
 CCR 316(c) – Sexual Misconduct/Relations
 CCR 317 – Unprofessional Conduct
 CCR 317(a) – Gross Negligence
 CCR 317(b) – Repeated Negligent Acts
 CCR 317(c) – Incompetence
 CCR 317(d) – Excessive Treatment
 CCR 317(e) – Endangering the Health, Welfare, or Safety of Public
 CCR 317(g) – Conviction of Substantially Related Crime
 CCR 317(h) – Conviction Involving Moral Turpitude, Dishonesty, Etc.

CCR 317(k) – Act of Moral Turpitude, Dishonesty, or Corruption
 CCR 317(l) – False Representation
 CCR 317(m) – Violation of Act or Board Regulations
 CCR 317(p) – Advertising in Violation of BPC 17500
 CCR 317(q) – Participation in Fraud or Misrepresentation
 CCR 318 – Chiropractic Patient Records/Accountable Billing
 CCR 319 – Free or Discount Services
 CCR 319.1 – Informed Consent
 CCR 390.5 – Failure to Comply with Citation Order of Abatement
 BPC 726 – Sexual Abuse/Misconduct/Relations
 BPC 731 – Violation of Penal Code 647(a) in Work Premises
 BPC 810 – Insurance Fraud

JANUARY 2020 ENFORCEMENT ACTIONS

DISCIPLINARY ACTIONS

Name and City	License No.	Action	Effective Date	Violation(s)
Darrow, Benjamin Zimmeroff Daly City, CA	DC 28884	Stipulated Surrender of License	1/26/2020	<ul style="list-style-type: none"> • CCR 317 – Unprofessional Conduct • CCR 317(k) – Unprofessional Conduct: Commission of Acts Involving Dishonesty in the Course of Activities as a License Holder • CCR 317(l) – Unprofessional Conduct: Knowingly Making or Signing False Documents • CCR 318(b) – Unprofessional Conduct: Inaccurate Billing • BPC 810(a)(2) and (d) – Unprofessional Conduct: Knowing Preparation of Writings Made to Support a False Insurance Claim • BPC 810(a)(2) and (d) – Insurance Fraud • BPC 810(b) and (d) – Violation of Penal Code Section 550 • ACT 7 – Unauthorized Practice of Medicine • CCR 317(g) – Unprofessional Conduct: Conviction of a Substantially Related Crime • CCR 317(h) – Unprofessional Conduct: Conviction of a Felony Involving Dishonesty

ACT: Chiropractic Initiative Act

BPC: Business and Professions Code

CCR: California Code of Regulations, Title 16

H&S: Health and Safety Code

FINAL CITATIONS

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Pape, Robert David Oakland, CA	DC 25089	\$500	2/1/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Ammirati, Robert Louis Albany, CA	DC 16983	\$500	1/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Bartz, Paul Edward Wildomar, CA	DC 30097	\$500	1/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Feliciano, Miyoshi Magali Whittier, CA	DC 23802	\$500	1/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Isselmann, Janis G. Los Angeles, CA	DC 12714	\$500	1/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Ormond, Matthew Todd Huntington Beach, CA	DC 30977	\$500	1/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Bottorff, Kerry Anthony Alpharetta, GA	DC 29361	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Howe, Perry San Ramon, CA	DC 23658	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

ACT: Chiropractic Initiative Act
 BPC: Business and Professions Code
 CCR: California Code of Regulations, Title 16
 H&S: Health and Safety Code

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Janfaza, Jonathan Ramyar Los Angeles, CA	DC 30111	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Orpelli, Aaron Joseph Los Angeles, CA	DC 24545	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Palmer, Christopher Linn Manhattan Beach, CA	DC 30520	\$750	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Park, James Chae San Francisco, CA	DC 30148	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Svendson, Scott G. San Jose, CA	DC 22265	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Zook, Madeline Los Angeles, CA	DC 21181	\$500	1/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Agueda, David Zachary Paso Robles, CA	DC 30081	\$500	1/9/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Rios, Ernesto Chula Vista, CA	DC 29547	\$750	1/9/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Ruscio, Michael Walnut Creek, CA	DC 32079	\$1,000	1/9/2020	<ul style="list-style-type: none"> • ACT 15 – Use of “Dr.” Without “Chiropractor” or “D.C.” Immediately Following Name • CCR 311 – Advertisements • CCR 317 – Unprofessional Conduct
Smith, Charles Eugene Stanton, CA	DC 17581	\$500	1/9/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Smith, Shane Kedrick Chico, CA	DC 30260	\$250	1/9/2020	<ul style="list-style-type: none"> • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Wagner, Edward Don Pacific Palisades, CA	DC 11827	\$250	1/9/2020	<ul style="list-style-type: none"> • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Sahara, Darrick Eiichi Pasadena, CA	DC 28999	\$500	1/10/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Endangering the Health, Welfare, or Safety of the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Substantially Related Crime
Davis, Michael Kenny Redding, CA	DC 13997	\$250	1/15/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 371(c) – Renewal CE Requirement
Do-Gorlero, Kim Yen Thi Bloomington, CA	DC 30589	\$1,000	1/15/2020	<ul style="list-style-type: none"> • CCR 366 – Failure to Respond to CE Audit • CCR 317(m) – Unprofessional Conduct: Violation of Board Regulations
Ferrante, Charles Jeffrey San Diego, CA	DC 25436	\$500	1/15/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Solverson, Kelly Anne Los Gatos, CA	DC 28857	\$1,000	1/15/2020	<ul style="list-style-type: none"> • CCR 366 – Failure to Respond to CE Audit • CCR 317(m) – Unprofessional Conduct: Violation of Board Regulations

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Jarrah, Jumana San Diego, CA	DC 29695	\$500	1/26/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Le Cara, Edward Charles Dallas, TX	DC 26890	\$250	1/26/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Phillips, Patricia D. Long Beach, CA	DC 16809	\$500	1/26/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Reynoso, Robert Bruce Huntington Beach, CA	DC 23961	\$500	1/26/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Scott, Diana Austria Union City, CA	DC 21609	\$500	1/26/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Dooley, Michael Allen Modesto, CA	DC 27669	\$250	1/29/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Dorman, Patrick Laurin, Jr. San Diego, CA	DC 19434	\$500	1/29/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Iannaccone, William F. Walnut Creek, CA	DC 9797	\$500	1/30/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Valdez, Carlos Mario Montebello, CA	DC 14520	\$500	1/30/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Zeinal, Emily Joan Sebastopol, CA	DC 30186	\$500	1/30/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Zeinal, Madjid Sebastopol, CA	DC 30735	\$500	1/30/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

ACCUSATIONS FILED

No Data to Report

STATEMENT OF ISSUES

No Data to Report

PETITIONS FOR REINSTATEMENT OF LICENSE

No Data to Report

PETITIONS FOR EARLY TERMINATION OR MODIFICATION OF PROBATION

No Data to Report

FEBRUARY 2020 ENFORCEMENT ACTIONS

DISCIPLINARY ACTIONS

Rigler, Steven Jay Solana Beach, CA	DC 17802	Revocation Stayed, 5 Years' Probation with License Suspension	2/13/2020	<ul style="list-style-type: none"> • CCR 317(g) – Unprofessional Conduct: Criminal Conviction for Conspiracy to Commit Honest Services Mail Fraud • CCR 317(h) and (k) – Unprofessional Conduct: Conviction of Offenses and Committed Acts Involving Moral Turpitude, Dishonesty, or Corruption • CCR 317(l) – Unprofessional Conduct: Knowingly Making or Signing Any Document Which Falsely Represents the Facts • BPC 810 and CCR 317(q), (s), and (t) – Unprofessional Conduct: Health Insurance Fraud, Use of Cappers, Illegal Rebates • CCR 317 – Unprofessional Conduct • CCR 317(a) – Unprofessional Conduct: Gross Negligence • CCR 317(b) – Unprofessional Conduct: Repeated Negligent Acts • CCR 318(a)(2) – Unprofessional Conduct: Inadequate Records

FINAL CITATIONS

Pape, Robert David Oakland, CA	DC 25089	\$500	2/1/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

FINAL CITATIONS (Continued)

Lundstrom, Lars Ventura, CA	DC 19200	\$2,500	2/16/2020	<ul style="list-style-type: none"> • CCR 317(d) – Unprofessional Conduct: Excessive Treatment • CCR 318(b) – Failure to Ensure Accurate Billings • CCR 318(a)(7) and 319.1 – Failure to Obtain Signed Inform Consent from Patient
Ramirez, Tim Victor Costa Mesa, CA	DC 27157	\$2,500	2/20/2020	<ul style="list-style-type: none"> • CCR 302(a) – Practice Outside Scope of Chiropractic • CCR 303 – Filing of Addresses • CCR 308 – Display of License • CCR 317(e) – Unprofessional Conduct: Endanger the Health, Welfare, or Safety of the Public • CCR 317(m) – Unprofessional Conduct: Violation of Board Regulations • CCR 318(a) – Failure to Provide Chiropractic Patient Records to the Board
Abboud, William Habib Riverside, CA	DC 20895	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Canul, Joseph Victor, Sr. Beverly Hills, CA	DC 12371	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Kulick, Andrew Michael South Gate, CA	DC 14117	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Lee, Joon Hye Mountain View, CA	DC 32164	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Conduct That Endangered the Health, Welfare, or Safety of the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Crime That Is Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor
Rousseau, Kimberly Kathleen Carmel, CA	DC 24757	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Sheridan, Shamus Sean Menifee, CA	DC 18955	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Stevens, Rex Allen San Luis Obispo, CA	DC 29877	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Conduct That Endangered the Health, Welfare, or Safety of the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Crime That Is Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor
Timmins, John E. Chatsworth, CA	DC 14785	\$500	2/21/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Castillo, Raul Upland, CA	DC 32658	\$1,500	2/26/2020	<ul style="list-style-type: none"> • CCR 317 – Unprofessional Conduct • CCR 317(e) – Unprofessional Conduct: Endanger the Health, Welfare, or Safety of the Public • CCR 317(k) – Unprofessional Conduct: Commission of Acts Involving Dishonesty

ACT: Chiropractic Initiative Act
BPC: Business and Professions Code
CCR: California Code of Regulations, Title 16
H&S: Health and Safety Code

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Davis, James Michael Grover Beach, CA	DC 12649	\$500	2/26/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Conduct That Endangered the Health, Welfare, or Safety of the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Crime That Is Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor
Burke, Terry Lynn Idaho Falls, ID	DC 11866	\$250	2/28/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Charles, Jacquelin Santa Barbara, CA	DC 32491	\$500	2/28/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Hadel, Douglas Prairie Village, KS	DC 12417	\$250	2/28/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Katz, Steven Lee Mill Valley, CA	DC 12725	\$500	2/28/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Khodabakhshian, Sevak E. Thousand Oaks, CA	DC 27785	\$250	2/28/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Miller, Aubrey Wesley Santa Cruz, CA	DC 13612	\$750	2/28/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Prins, Charles Michael Albany, CA	DC 17808	\$500	2/28/2020	<ul style="list-style-type: none"> • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

PETITIONS FOR REINSTATEMENT OF LICENSE

Name	License No.	Status	Board Action/Decision
Lee, Ku Il	DC 27799	Revoked effective 7/6/2014	Petition for reinstatement of license denied effective 2/12/2020
Nguyen, Phu Bae	DC 27350	Revoked effective 11/8/2004	Petition for reinstatement of license denied effective 2/12/2020

ACCUSATIONS FILED

No Data to Report

STATEMENT OF ISSUES

No Data to Report

PETITIONS FOR EARLY TERMINATION OR MODIFICATION OF PROBATION

No Data to Report



MARCH 2020 ENFORCEMENT ACTIONS

ACCUSATIONS FILED

Karimi, Shahriar Los Altos Hills, CA	DC 15970	3/19/2020	<ul style="list-style-type: none"> • CCR 317(g) and (h) – Unprofessional Conduct: Conviction of a Crime Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor and/or Involving Moral Turpitude, Dishonesty, or Corruption • CCR 317(k), (l), (q) – Unprofessional Conduct: Committed Acts Involving Moral Turpitude, Dishonesty, or Corruption, and/or Knowingly Made or Signed Any Certificate Relating to the Practice of Chiropractic which Falsely Represented the Existence or Nonexistence of a State of Facts, and/or Participated in Acts of Fraud or Misrepresentation

DISCIPLINARY ACTIONS

Abusaidi, Reza Belmont, CA	DC 22267	Revoked	3/27/2020	<ul style="list-style-type: none"> • CCR 317(a) – Unprofessional Conduct: Gross Negligence • CCR 317(b) – Unprofessional Conduct: Repeated Negligent Acts • CCR 317(e) – Unprofessional Conduct: Conduct That Endangered the Health or Welfare of the Public • CCR 317 – Unprofessional Conduct

FINAL CITATIONS

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Tomsin, Mahleace Redondo Beach, CA	DC 32617	\$500	3/5/2020	<ul style="list-style-type: none">• CCR 361(b) – 24-Hour CE Requirement• CCR 361(e) – Mandatory CE Categories• CCR 371(c) – Renewal CE Requirement

PETITIONS FOR EARLY TERMINATION OR MODIFICATION OF PROBATION

Name	License No.	Status	Board Action/Decision
Scott, Walker	DC 31910	Stayed revocation, 30-day suspension, and 5 years' probation effective 11/16/2017	Petition for early termination of probation denied effective 3/19/2020

STATEMENT OF ISSUES

No Data to Report

PETITIONS FOR REINSTATEMENT OF LICENSE

No Data to Report

APRIL 2020 ENFORCEMENT ACTIONS

ACCUSATIONS FILED

Name and City	License No.	Date Filed	Alleged Violation(s)
Blanchard, Sophie Alameda, CA	DC 24288	4/9/2020	<ul style="list-style-type: none"> • CCR 303 – Failure to File Address • CCR 308(b) – Failure to Display License • CCR 317(b) – Unprofessional Conduct: Repeated Acts of Negligence • CCR 318(a) – Failure to Maintain Patient Records • CCR 318(b) – Failure to Ensure Accurate Billings of Chiropractic Services • CCR 316(c) – Sexual Relations with a Patient • CCR 317(a) – Unprofessional Conduct: Gross Negligence
Fisette, Bruce Wayne Newport Beach, CA	DC 26387	4/9/2020	<ul style="list-style-type: none"> • CCR 317(c) – Unprofessional Conduct: Incompetence: Failure to Perform Physical Examination • CCR 317(a) – Unprofessional Conduct: Gross Negligence: Failure to Perform Physical Examination • CCR 317(b) – Unprofessional Conduct: Repeated Acts of Negligence: Failure to Perform Physical Examination • CCR 317(b) – Unprofessional Conduct: Repeated Acts of Negligence: Failure to Identify Treated Areas • CCR 317(k) – Unprofessional Conduct: Moral Turpitude or Dishonesty: False Billing • CCR 317(q) – Unprofessional Conduct: Fraud or Misrepresentation: False Billing • CCR 318(b) – Failure to Submit Accountable Billings as Required • BPC 810(a) – Insurance Fraud • CCR 317(a) – Unprofessional Conduct: Gross Negligence: Failure to Obtain Informed Consent • CCR 319.1 – Failure to Obtain Informed Consent

ACCUSATIONS FILED (Continued)

Name and City	License No.	Date Filed	Alleged Violation(s)
<p>Frank, Kenneth Folsom, CA</p>	<p>DC 28230</p>	<p>4/16/2020</p>	<ul style="list-style-type: none"> • CCR 317(g) and (h) – Unprofessional Conduct” Conviction for Violating Penal Code Section 243.4(c) (Sexual Battery) • BPC 726 and CCR 316(b) and (c) – Unprofessional Conduct: Sexual Misconduct with a Patient • CCR 317(e) – Unprofessional Conduct: Conduct Likely to Endanger the Health, Welfare, or Safety of the Public • CCR 317(k) – Unprofessional Conduct: Commission of Act Involving Moral Turpitude
<p>Spencer, Adam Robert Lodi, CA</p>	<p>DC 29150</p>	<p>4/21/2020</p>	<ul style="list-style-type: none"> • CCR 317(g) – Unprofessional Conduct: Conviction of Substantially Related Crimes • CCR 317(h) – Unprofessional Conduct: Conviction of Crime Involving Moral Turpitude, Dishonesty, Physical Violence, or Corruption • CCR 317(e) – Unprofessional Conduct: Conduct Endangering Public Health, Welfare, and Safety • CCR 316(c) – Unprofessional Conduct: Sexual Abuse, Sexual Misconduct, or Sexual Relations with a Patient • BPC 731(a) – Unprofessional Conduct: Violation of Penal Code Section 647(a) in the Work Premises

DISCIPLINARY ACTIONS

Name and City	License No.	Action	Effective Date	Violation(s)
Lanyon, Corazon Caberto Rancho Cucamonga, CA	DC 23557	Revoked	4/26/2020	<ul style="list-style-type: none"> • CCR 317(a) – Unprofessional Conduct: Gross Negligence • CCR 317(b) – Unprofessional Conduct: Repeated Acts of Negligence • CCR 317(c) – Unprofessional Conduct: Incompetence • CCR 317(e) – Unprofessional Conduct: Endangering the Health, Welfare, or Safety of the Public • CCR 317(k) – Unprofessional Conduct: Commission of Acts Involving Dishonesty • CCR 317(l) – Unprofessional Conduct: Knowingly Made Documents Related to the Practice of Chiropractic That Falsely Represent the Existence of Facts • CCR 317(q) – Unprofessional Conduct: Participation in Acts of Fraud and/or Misrepresentation • CCR 317(w) – Unprofessional Conduct: Failure to Refer Patient to Medical Doctor • CCR 317(m) and 302 – Unprofessional Conduct: Operated Outside the Scope of Practice for a Chiropractor • CCR 311 – Used Advertising Containing Misstatements, Falsehoods, Misrepresentations, Distorted, Sensational, or Fabulous Statements • CCR 311 and ACT 15 – False and Misleading Advertising • CCR 318 – Failure to Maintain Required Documentation in Patient Records • CCR 317(m), 303, and 308 – Unprofessional Conduct: Failure to Obtain a Valid Satellite Office Certificate

FINAL CITATIONS

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Buser, Andrew Bradley Solana Beach, CA	DC 33113	\$250	4/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 371(c) – Renewal CE Requirement
Howard, Peggy Ann Chico, CA	DC 18455	\$500	4/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Kiser, Patricia Margaret Palo Alto, CA	DC 23867	\$500	4/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Lazatin, Sergio De La Cuesta, Jr. Los Angeles, CA	DC 30358	\$250	4/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Perron, Terrie L. Roseville, CA	DC 27144	\$250	4/3/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Bailey, Ralph Haze Norco, CA	DC 13734	\$500	4/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
O'Brien, Dennis Joseph Chula Vista, CA	DC 26458	\$500	4/8/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Hewitt, Steven Michael Santa Barbara, CA	DC 32137	\$1,000	4/9/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Endangering the Health, Welfare, or Safety of the Public • CCR 317(f) – Unprofessional Conduct: Use of Alcoholic Beverages in a Manner to be Dangerous to Self and the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Crime That is Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor • CCR 317(i) – Unprofessional Conduct: Conviction of More Than One Misdemeanor Involving the Use, Consumption, or Self-Administration of Alcoholic Beverages
Frazier, Eric George Fort Bragg, CA	DC 23003	\$500	4/17/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Endangering the Health, Welfare, or Safety of the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Crime That is Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor
Hungerford, Richard Douglas Portola, CA	DC 18029	\$1,500	4/17/2020	<ul style="list-style-type: none"> • CCR 317(e) – Unprofessional Conduct: Endangering the Health, Welfare, or Safety of the Public • CCR 317(f) – Unprofessional Conduct: Use of Alcoholic Beverages in a Manner to be Dangerous to Self and the Public • CCR 317(g) – Unprofessional Conduct: Conviction of a Crime That is Substantially Related to the Qualifications, Functions, or Duties of a Chiropractor • CCR 317(i) – Unprofessional Conduct: Conviction of More Than One Misdemeanor Involving the Use, Consumption, or Self-Administration of Alcoholic Beverages

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Geronimo, Rommel Fabrigas San Diego, CA	DC 28665	\$500	4/18/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Goodrich, Jessica New York, NY	DC 32301	\$500	4/18/2020	<ul style="list-style-type: none"> • CCR 317(m) – Unprofessional Conduct: Violation of Board Regulations • CCR 366 – Failure to Respond to CE Audit
Swanson, Noah Curtis Solvang, CA	DC 32851	\$500	4/18/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Young, Scott William Laguna Niguel, CA	DC 22217	\$1,500	4/18/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement
Moffat, Michael Robert Sonora, CA	DC 14997	\$1,000	4/22/2020	<ul style="list-style-type: none"> • CCR 317(m) – Unprofessional Conduct: Violation of Board Regulations • CCR 318(a)(7) – Chiropractic Patient Records: Required Content • CCR 319.1 – Informed Consent
Elcenko, Marguerite Christine Antioch, CA	DC 22657	\$3,500	4/29/2020	<ul style="list-style-type: none"> • CCR 317 – Unprofessional Conduct • CCR 317(m) – Unprofessional Conduct: Violation of Board Regulations • CCR 318(a) – Failure to Make Chiropractic Patient Records Available to Board • H&S 123110(b) – Failure to Provide Patient Records to Patient or Patient’s Representative

PETITIONS FOR REINSTATEMENT OF LICENSE

Name	License No.	Status	Board Action/Decision
Bradshaw, Andrea J.	DC 24091	Surrendered license effective 10/8/2015	Petition for reinstatement of license denied effective 4/22/2020

PETITIONS FOR EARLY TERMINATION OR MODIFICATION OF PROBATION

Name	License No.	Status	Board Action/Decision
Krage, John Smith	DC 14672	Stayed revocation and 5 years' probation effective 8/12/2016	Petition for early termination of probation denied effective 4/22/2020
Mahoney, Lance Michael	DC 32281	Stayed revocation and 5 years' probation effective 3/13/2018	Petition for reduction of penalty granted effective 4/22/2020; practice monitoring reduced to 50% of a work week

STATEMENT OF ISSUES

No Data to Report



MAY 2020 ENFORCEMENT ACTIONS

ACCUSATIONS FILED

Name and City	License No.	Date Filed	Alleged Violation(s)
Migotti, Keith T. Salinas, CA	DC 16744	5/19/2020	<ul style="list-style-type: none"> • CCR 317 and 390.5 – Unprofessional Conduct: Failure to Comply with Terms of Board’s Citation

FINAL CITATIONS

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Stevens, Andromeda Encino, CA	DC 24896	\$1,000	5/13/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

PETITIONS FOR REINSTATEMENT OF LICENSE

Name	License No.	Status	Board Action/Decision
Loos, Richard Arland	DC 26434	Surrendered license effective 9/30/2016; pending reinstatement	Petition for reinstatement of license granted effective 5/13/2020. License will be reinstated upon successful completion of the California Chiropractic Law Examination with stayed revocation and 5 years’ probation.

DISCIPLINARY ACTIONS

No Data to Report

STATEMENT OF ISSUES

No Data to Report

PETITIONS FOR EARLY TERMINATION OR MODIFICATION OF PROBATION

No Data to Report



JUNE 2020 ENFORCEMENT ACTIONS

ACCUSATIONS FILED

Name and City	License No.	Date Filed	Alleged Violation(s)
Parker, John San Marcos, CA	DC 33671	6/23/2020	<ul style="list-style-type: none"> • CCR 317(a) – Unprofessional Conduct: Gross Negligence • CCR 317(b) – Unprofessional Conduct: Repeated Negligent Acts • CCR 317(c) – Unprofessional Conduct: Incompetence • CCR 317(m) and 318(a) – Unprofessional Conduct: Failed to Record Required Patient Information and Diagnoses • CCR 316(c) – Unprofessional Conduct: Committed Acts of Sexual Abuse and/or Misconduct with Patients • CCR 317(e) – Unprofessional Conduct: Engaged in Conduct Which Endangered the Health, Safety, or Welfare of the Public

FINAL CITATIONS

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Brody, Bruce Kevin Woodland Hills, CA	DC 20925	\$1,000	6/27/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Davis, Daniel Kent Fontana, CA	DC 21664	\$500	6/27/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement

FINAL CITATIONS (Continued)

Name and City	License No.	Fine Amount	Date Final	Violation(s)
Donaghe, Brian L. Templeton, CA	DC 20572	\$1,000	6/27/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Griffith, Matthew John Westminster, CA	DC 31329	\$500	6/27/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Hatfield, Brian L. Los Angeles, CA	DC 19475	\$500	6/27/2020	<ul style="list-style-type: none"> • CCR 361(b) – 24-Hour CE Requirement • CCR 361(e) – Mandatory CE Categories • CCR 366 – Failure to Retain CE Certificates of Completion for 4 Years • CCR 371(c) – Renewal CE Requirement
Hearon, Kevin G. Boise, ID	DC 11926	\$250	6/27/2020	<ul style="list-style-type: none"> • CCR 361(e) – Mandatory CE Categories • CCR 371(c) – Renewal CE Requirement

DISCIPLINARY ACTIONS

No Data to Report

STATEMENT OF ISSUES

No Data to Report

PETITIONS FOR REINSTATEMENT OF LICENSE

No Data to Report

PETITIONS FOR EARLY TERMINATION OR MODIFICATION OF PROBATION

No Data to Report

ACT: Chiropractic Initiative Act
 BPC: Business and Professions Code
 CCR: California Code of Regulations, Title 16
 H&S: Health and Safety Code



**Agenda Item 8
July 16, 2020**

**Presentation and Discussion on presentation from Dr. Micheala Edwards,
President, American Black Chiropractic Association**

Purpose of the item

The Board will receive a presentation from Dr. Micheala Edward, President of the American Black Chiropractors Association. Following the discussion, the Board will discuss the content of the presentation.

Action(s) requested

N/A

Background

At the request of Dr. McClain at the June 4, 2020 Board Meeting, staff worked with her to develop a statement regarding the social unrest unfolding around the country following the death of George Floyd.

Additionally, staff reached out to the President of the American Black Chiropractors Association to gain insight into the work of the organization. After a conference call with Dr. Edward, she agreed to provide a presentation at the July 16, 2020 Board Meeting.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- American Black Chiropractors Association Contact Information



State of California
Gavin Newsom, Governor

American Black Chiropractic Association - Contact Information

American Black Chiropractic Association.	Phone: 470.588.0856 Fax: 404-699-0988 E-mail: info@abcachiro.com	
Executive Board		
President	Micheala Edwards president@abcachiro.com	
Vice President	Brandi Childress vicepresident@abcachiro.com	
Secretary	Megan Henry secretary@abcachiro.com	
Treasurer	Mignon Sweat treasurer@abcachiro.com	
Parliamentarian	Shereffa Clarke parliamentarian@abcachiro.com	
Membership Chair	Norquitta Haynes membership@abcachiro.com	
Communications Chair	Chohnice Daniels communications@abcachiro.com	
Scholarship Chair	Mariah Curry scholarship@abcachiro.com	
Regional Representatives		
Eastern Region DC Representative	Ada Aniniba eastrep@abcachiro.com	
Eastern Region Student Representative	Reginald Mims eaststudentrep@abcachiro.com	
Central Region DC Representative	Xaivier Tipler centralrep@abcachiro.com	
Central Region Student Representative	Renee Gentle centralstudentrep@abcachiro.com	
Western Region DC Representative	Derrell Blackburn westernrep@abcachiro.com	
Western Region Student Representative	Alecia Stewart westernstudentrep@abcachiro.com	
National Student Representative	Indiya Simpson nationalstudentrep@abcachiro.com	

**Agenda Item 9
July 16, 2020**

**Presentation and Discussion on presentation from Dr. William Foshee, Chair,
American Chiropractic Association, Diversity Committee**

Purpose of the item

The Board will receive a presentation from Dr. William Foshee, Chair, American Chiropractic Association, Diversity Committee. Following the discussion, the Board will discuss the content of the presentation.

Action(s) requested

N/A

Background

At the request of Dr. McClain at the June 4, 2020 Board Meeting, staff worked with her to develop a statement regarding the social unrest unfolding around the country following the death of George Floyd.

June 4, 2020, the ACA Board of Governors release a statement titled, "Inequity in Culture Leads to Inequity in Health Care." For reference, the statement has been provided.

Following a review of the statement, staff reached out to the Chair of the American Chiropractic Association's Diversity to obtain additional insight into the work of the committee. After a conference call with Dr. Foshee, he agreed to provide a presentation at the July 16, 2020 Board Meeting.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- "[Inequity in Culture Leads to Inequity in Health Care](#)," by the ACA Board of Governors

**Agenda Item 10
July 16, 2020**

Update, Discussion and Possible Action on the submission of a Waiver Request for California Code of Regulations, Title 16, Division 4, Sections 331.7 (Calendar); 331.11 (Scholastic Regulations); and 331.12.2 (Curriculum)

Purpose of the item

Update regarding the waiver request submitted to the Department of Consumer Affairs (DCA) on June 23rd, 2020 on behalf of the Association of Chiropractic Colleges (ACC) and the Council on Chiropractic Education (CCE).

Action(s) requested

N/A

Background

Pursuant to the Governor's Executive Order N-39-20, during the State of Emergency, the Director of the California Department of Consumer Affairs may waive any statutory or regulatory requirements with respect to a professional license issued pursuant to Division 2 of the Business and Professions Code.

At the June 4th, 2020 public Board Meeting, interested stakeholders requested the Board to consider utilizing the emergency rulemaking process to enact changes to CCR sections 331.7 Calendar, 331.11 (f) Scholastic Regulations and 331.12.2 (e) (1-4) Curriculum. These changes would allow the California chiropractic colleges to maintain compliance with the Board's regulations, while meeting their students needs in light of Covid-19 shutdowns.

At the Board meeting it was voted on that Board staff would submit a waiver request to DCA on behalf of the California chiropractic colleges. A waiver could be extended to the original date of the Governor's Executive Order and would remain in place for the full length of the order. Participants agreed this would be a viable solution to assist chiropractic colleges while they adapted to changes resulting from the Covid-19 pandemic.

Recommendation(s)

N/A

Next Step

N/A

Attachment(s)

- Association of Chiropractic Colleges-American Chiropractic Association (Waiver Request Form)
- Association of Chiropractic Colleges-Council on Chiropractic Education (Curriculum Waiver Supporting Documentation)

To maintain compliance with AB 434 (Baker) State Web accessibility: standard and reports, we are no longer able to provide scanned documents on our website. Copies of the Waiver Request Form can be requested via a Public Records Request, please email chiro.info@dca.ca.gov.

Board of Chiropractic Examiners
Association of Chiropractic Colleges/American Chiropractic Association Waiver Request:
Curriculum Requirements

Business and Professions Code/Regulations Requested to Be Waived:

California Code of Regulations, Title 16, Division 4, Sections 331.7 (Calendar); 331.11 (Scholastic Regulations); and 331.12.2 (Curriculum)

Statement of Need:

At the request of the Association of Chiropractic Colleges (ACC) and the Council on Chiropractic Education (CCE) the Board of Chiropractic Examiners (Board) is seeking a waiver from certain provisions of the Board's Regulations pertaining to Curriculum requirements.

Social distancing/stay-at-home orders aimed at curbing the spread of the Covid-19 necessitated a shift in teaching formats for schools and colleges across the country, chiropractic colleges. Chiropractic Colleges quickly transitioned from classroom-based formats to online/distance learning formats. Although many colleges are slowly reopening and students are gradually returning to campus, social distancing orders are still in place and schools must limit the number of students in classrooms and auditoriums at any given time. By transitioning from "traditional" classroom settings to alternate formats such as video conferencing software schools can continue provide quality education meeting rigorous standards while protecting the health and safety of students and faculty.

While the web-based teaching models being utilized meet the standards of the national accrediting body for chiropractic education, CCE, and are recognized by the United States Department of Education and the Council on Higher Education Accreditation, they do not comply with several of the prescriptive requirements of the Board's regulations. The ACC and CCE are, therefore, requesting waivers from specified regulatory requirements.

The requested waivers were accepted by the Board at it's June 4th, 2020 Board Meeting.

The Board also received letters of support for this waive request from the following professional associations:

- Association of Chiropractic Colleges
- Council on Chiropractic Education
- American Chiropractic Association
- International Chiropractic Association
- California Chiropractic Association
- Federation of Chiropractic Licensing Boards

CCR 331.7 – Calendar

The provisions of Section 331.7 mandating 50-minute course lengths, five or six day weeks, and 30-35 hour weeks, effectively prohibit institutions from exercising discretion to meet the needs of late program students near graduation. The institutions need the ability create course material of varying lengths of time and the authority to operate 24 hours/7 days a week.

Without this waiver, institutions will not have the ability to make modifications to their schedules that would enable more options for students to complete their course work. Additionally, removing these two sentences would ensure students are able to complete their graduation requirements on time and without added time in their programs at an additional expense.

ACC and CCE are requesting a waiver from the provisions of Section 331.7 identified in strikeout, below:

§331.7. Calendar.

Each school may elect to use the semester, trimester or four-quarter term system.

A school calendar shall designate the beginning and ending dates of terms or semesters, the vacation periods and legal holidays observed, and the dates for semester and final examinations. ~~The recitation or lecture period shall be not less than 50 minutes in length. The school may operate on a five or six day week or any combination thereof, but the total number of hours of instruction shall be not less than 30 hours nor more than 35 hours per week.~~ The total number of hours provided for each complete student's course, leading to the degree of Doctor of Chiropractic, shall be not less than 4,400 hours distributed over four academic years of nine months each.

CCR 331.11 (f) – Scholastic Regulations

With the requirement to shelter-in-place, these regulations are no longer applicable. This section restricts the flexibility institutions need to administer their programs during the pandemic. For example, this regulation refers specifically to a student being "present in class at least 90 percent of the time..." Social distancing/stay-at-home orders prevent students from being "present in class" as currently understood. With the dynamic and varied ways online education is delivered, it's no longer necessary for a student to be physically present in a classroom to receive the full benefit of a course. Waiving the provisions of 331.11 (f) will enable students to complete their required coursework, and graduate on scheduling despite the restrictions imposed by current Executive Orders.

CCR §331.11. Scholastic Regulations.

~~(f) Attendance. In order to obtain credit for a course, a student shall have been present in class at least 90 percent of the time and shall have received a passing letter grade. When the absence exceeds 10 percent, the student shall be automatically dropped from the class.~~

~~If the absences have been due to illness or other excusable reasons and if evidence of these reasons can be submitted, the student may apply for readmission through the dean's office and may be given credit for attendance upon the recommendation of his instructor and completion of course requirements.~~

~~Students shall be required to spend the last academic year of the course in residence in the college which confers the degree.~~

331.12.2 (e) – Curriculum

The CCE's curriculum requirements include a clinical and didactic portion whereby students are required to demonstrate attainment of all required meta-competencies necessary to function as a Doctor of Chiropractic. The Board's curriculum regulations contain an exhaustive list of quantitative requirements that students must complete. Specifically, the Board requires a significant number of in-person clinical hours and examinations that students are currently unable to meet because of social distancing/stay-at-home orders.

On-campus clinics at Chiropractic colleges are closed or operating at a reduced capacity. The closures prevent fourth-year students from completing the clinical hours required by 331.12.2 (e). A waiver of specified provision therein will enable institutions are consistent with CCE's curriculum standards and ensure students are able to graduate on schedule. This will greatly benefit graduate students who would otherwise have to bear the cost and inconvenience of extending their education an additional semester or year.

The ACC and CCE request a waiver of the provisions of Section 331.12.2 (e) identified in strikeout, below:

CCR 331.12.2(e). Curriculum

(e) Clinics: Each student shall be provided with actual clinical experience in the examining, diagnosing, and treatment of patients. Such clinical experience shall include spinal analysis, palpation, chiropractic philosophy, symptomatology, laboratory

diagnosis, physical diagnosis, Xray interpretation, postural analysis, diagnostic impressions, and adjusting of various articulations of the body, psychological counseling and dietetics.

Individual case files on each patient together with a record of dates and treatments given and student treating shall be kept and available to the board for inspection.

~~Clinical hours, as described in this section, including those relating to physiotherapy, must be completed in a clinic operated or supervised by a chiropractic college.~~

Each student shall be required to complete, as a minimum for graduation, the following:

~~(1) Twenty five (25) physical examinations of which at least ten (10) are of outside (not student) patients.~~

A physical examination shall include an evaluation of all vital signs, case history, orthopedic and neurological testing.

~~Students shall also have practical clinical laboratory training, including twenty five (25) urinalyses, twenty (20) complete blood counts (CBCs), ten (10) blood chemistries, and thirty (30) X ray examinations. Students shall perform ten (10) proctological and ten (10) gynecological examinations.~~ Proctological and gynecological examinations may be performed on a phantom approved by the Board. Gynecological and proctological examinations not completed prior to graduation may be completed after graduation at a Board-approved chiropractic college.

~~(2) Students shall perform a minimum of two hundred and fifty (250) patient treatments (visits), including diagnostic procedures, chiropractic adjustive technique and patient evaluation.~~

~~(3) Written interpretation of at least thirty (30) different X ray views, either slide or film, while a senior in the clinic, in addition to other classroom requirements which shall include the spinal column, all other articulations of the body, and soft tissue.~~

~~(4) Minimum of five hundred eighteen (518) hours of practical clinical experience (treating patients in the clinic).~~

**Agenda Item 11
July 16, 2020**

Update, Discussion and Possible Action on Proposed Revisions to Curriculum Requirements and Approval of Programs (16 CCR Sections 330 - 331.16)

Purpose of the item

Review proposed changes to Article 4. Approved Schools and Qualification of Applicants, Section 330-331.16.

Action(s) requested

Staff requests the Board make a motion to approve the language changes to Article 4 and allow staff to move forward with the rulemaking process.

Background

At the April 16th, 2020 public Board Meeting, interested stakeholders from the California chiropractic colleges brought forward concerns regarding the overly prescriptive nature of the Board's education regulations and the challenges faced by colleges during the Covid-19 outbreak. In addition to emergency regulations, the stakeholders implored the Board to move forward with changes to Article 4 regulations through the traditional rulemaking procedures.

Recommendation(s)

N/A

Next Step

Proceed with the rulemaking process with assistance from the Department of Consumer Affairs, Regulations Unit.

Attachment(s)

- DRAFT Regulation Language - Article 4 - Sections 330-331.16

Article 4. Approved Schools and Qualifications of Applicants

§330. Application for Approval of Chiropractic Colleges.

An application for approval on a form provided by the Board, shall be filed with the Board at its principal office in Sacramento and addressed to the Secretary of the State Board of Chiropractic Examiners. Such application shall be on file at least six (6) months prior to any inspection.

The Chiropractic Initiative Act of California (Stats. 1923, p. 1xxxviii). Reference: Sections 4(b), 4(f) and 4(g) Chiropractic Initiative Act.

§330.1 Accrediting Agency

As used in this Article, “accrediting agency” means the Council on Chiropractic Education (or its successor organization) or other chiropractic school and college accrediting agencies employing equivalent standards for accreditation, as specified in Section 4 of the Chiropractic Initiative Act.

§331.1. Approval and Eligibility.

(a) A school which initially meets the requirements of these ~~rules~~ regulations of the Chiropractic Initiative Act shall be first provisionally approved. No school will ~~be finally receive final approval~~ until a provisional program has been in operation for at least minimum of two (2) years.

(b) No school shall be provisionally approved until it shall present competent evidence of its organizational and financial ability to attain the minimum educational requirements set forth by these ~~rules~~ regulations, the Chiropractic Initiative Act and institutional goals set forth in its application.

~~(c) No school shall be provisionally approved unless there is a reasonable need for such school in the geographical area in which it is proposed to locate.~~

~~(d)~~ (c) No school shall be provisionally approved until competent evidence of compliance with the requirements of Section 29023(a)(2) of the Education Code is filed with the Board.

(d) No school’s application shall be approved for provisional approval by the Board prior to initial accreditation by the Council on Chiropractic Education or another accrediting body approved pursuant to Section 4 of the Chiropractic Initiative Act.

(e) No school shall receive final approval prior to full accreditation by the Council on Chiropractic Education or another accrediting body approved pursuant to Section 4 of the Chiropractic Initiative Act.

§331.3. Supervision.

~~(a) Every approved school shall be under the supervision of a full-time president, dean, or other executive officer who shall carry out the objective and program of the school. Said officer shall have a minimum of two years experience in school administration prior to his appointment, or its equivalent in training.~~

~~(b) The president, dean, or other executive officer shall render a report, annually, covering topics such as including student enrollment, number and changes in faculty and administration, changes in the curriculum, courses given, and the projections for future policy. Said ~~annual~~ report shall be filed with the Board within one (1) month following the end of the academic year.~~

~~(c) It shall be the duty of the president, dean, or other executive officer to obtain from each faculty member, prior to the beginning of the semester or school year, an outline and time schedule for each subject of the course. He shall approve such outlines and determine from time to time if they are being observed. A copy of this outline and a schedule of classes, showing the day and hour of presentation and the instructor shall be filed with the Board within three (3) weeks after the beginning of the term.~~

~~(d) The dean shall maintain a record of the teaching load of each member of the staff in terms of classes taught, supervision, student counseling, committee work, and other assigned activities.~~

~~(e) A permanent file of all class schedules, beginning with those as of the date of the school's approval shall be maintained by the dean. These shall be available for inspection and comparison with the courses described in the relative catalogs.~~

~~(f) Schedules must be kept up to date and posted on a bulletin board available for student inspection.~~

§331.4. Financial Management.

The college shall keep accurate financial records and shall file an annual financial report including a profit and loss statement as well as an asset and liability statement prepared and signed by a qualified accountant. Said financial report shall be filed with the Board within three (3) months following the end of the school's fiscal year.

§331.5. Records.

~~There~~ Each school shall be maintained a good secure system of records, ~~showing conveniently and in detail providing detailed information about~~, the attendance, discipline, grades and accounts of the students, ~~by means of from which an exact specific knowledge can be obtained~~ regarding each student's ~~work~~ academic achievement. A personal file must be maintained for each student containing ~~his~~ the student's admission credentials, photographs and other identifying personal items. ~~Fireproof storage must be provided for the safekeeping of records.~~

§331.6. Catalog. Reserved.

~~The school shall issue, at least biennially, a catalog setting forth the character of the work which it offers and said catalog shall be filed with the Board. The content and format shall follow the usual pattern of professional school catalogs, and shall contain the following information:~~

- ~~(a) A list of its trustees, president, dean and other administrative officers and members of the faculty with their respective qualifications;~~
- ~~(b) Courses set forth by department, showing for each subject its content, value in term, semester hours, or credit hours;~~
- ~~(c) Entrance requirements, conditions for academic standing and discipline, such as attendance, examinations, grades, promotion and graduation;~~
- ~~(d) Matriculation, tuition, laboratory, graduation and special fees, and estimated costs of books, instruments, dormitory and board; and~~
- ~~(e) Descriptions of the library, audio-visual facilities, laboratories and clinic facilities setting forth at least the minimum requirement hereinafter set forth in rules.~~
- ~~(f) No school will be accepted or retained in good standing which publishes in its catalog or otherwise, any misrepresentation regarding its curriculum, faculty or facilities for instruction.~~

§331.7. Calendar Reserved.

~~Each school may elect to use the semester, trimester or four-quarter term system.~~

~~A school calendar shall designate the beginning and ending dates of terms or semesters, the vacation periods and legal holidays observed, and the dates for semester and final examinations. The recitation or lecture period shall be not less than 50 minutes in length. The school may operate on a five or six-day week or any combination thereof, but the total number of hours of instruction shall be not less than 30 hours nor more than 35 hours per week. The total number of hours provided for each complete student's course, leading to the degree of Doctor of Chiropractic, shall be not less than 4,400 hours distributed over four academic years of nine~~

months each.

§331.8. ~~Faculty.~~ Reserved.

All faculty members shall meet the standards of the Council on Chiropractic Education.

§331.9. ~~Student Faculty Ratio.~~ Reserved.

~~(a) The full-time equivalent student faculty ratio shall be at least one full-time professor to every fifteen (15) students enrolled in the school.~~

~~(b) A full-time professor is one who devotes a minimum of 38 hours per week to his academic duties.~~

~~(c) The maximum enrollment for any class in laboratory or clinical work shall be limited to the number which may, by Board standards, sufficiently be trained with the equipment and facilities available in such laboratory clinic.~~

~~(d) All classes and laboratory sessions, including clinics, shall be conducted under the presence and supervision of a full-time professor.~~

~~(e) There shall be one instructor for each twenty-five (25) students in the laboratory and/or clinic courses.~~

§331.10. ~~Faculty Organization.~~ Reserved.

~~(a) A faculty shall be organized by departments. Regularly scheduled meetings of the full faculty shall be had to provide a free exchange of ideas concerning:~~

~~(1) The content and scope of the curriculum;~~

~~(2) The teaching methods and facilities;~~

~~(3) Student discipline, welfare and awards;~~

~~(4) Faculty discipline and welfare;~~

~~(5) Committee reports and recommendations;~~

~~(6) Recommendations for the promotion and graduation of students;~~

~~(7) Administration and educational policies; and~~

~~(8) Recommendations to the administrative officers and to the trustees.~~

~~(b) The dean shall appoint the following standing committees of which he shall be a member ex officio: admissions and credentials, curriculum, clinic, laboratories, library and examinations, grades and records.~~

§331.11. Scholastic Regulations Admissions.

~~(a) Admission.~~

~~(1) Each school shall have a committee on admissions and credentials. The admission of students shall be in the hands of a responsible officer who is a member of the committee and his decision shall be subject to the approval of the committee.~~

~~(2) No applicant shall be admitted to any school until he has been personally interviewed for the purpose of determining his character, scholastic aptitude, mental and physical fitness to study and practice. When a great geographic distance precludes personal interview, the same information, supported by affidavits and photographs, may be substituted for the personal interview.~~

~~(3) Documentary evidence of preliminary education must be obtained and kept on file. All transcripts of other schools must be obtained directly from such schools.~~

~~(4) It is strongly recommended by the Board that an entrance examination compiled and administered by recognized testing agencies (e.g., A.C.T., S.A.T.) be required of all students prior to matriculation in order to prove their ability to do college level work.~~

~~(b) Date of Matriculation. No student shall be matriculated at a later date than one week immediately following the advertised date of the commencement of the school term.~~

~~(c) Qualifications of Students. No student shall be matriculated in an approved school unless he is of good moral character and is without major physical deficiencies, except as provided in Section 8.1 of the Act.~~

~~(d) Professional Education. Students shall not be matriculated in any school approved by the board unless they possess, and submit to the school upon their application for matriculation, either:~~

~~(1) A diploma from a standard high school or other institution of standard secondary school grade evidencing completion by the student of a four (4) year course, or~~

~~(2) A certificate from the board stating that the student has submitted proof, satisfactory to the board, of education equivalent in training power to a high school course. The certificate shall bear a date prior to the applicant's matriculation date in any school approved by the board.~~

~~(3) A student who seeks admission in any school approved by the Board after November 3, 1976, shall be subject to the following: The candidate must have completed, with a satisfactory scholastic record, at least 60 semester hours or an equivalent number of quarter hours in prechiropractic subjects at a college listed in the U.S. Office of Education "Education Directory—Higher Education." The specific prechiropractic subjects and/or requirements shall be in accordance with the standards adopted by the Council on Chiropractic Education.~~

~~(e) Advanced Standing.~~

~~(1) Applicants for admission to advanced standing shall be required to furnish evidence to the school:~~

~~(A) That they can meet the same entrance requirements as candidates for the first year class;~~

~~(B) That courses equivalent in content and quality to those given in the admitting school in the year or years preceding that to which admission is desired have been satisfactorily completed;~~

~~(C) That the work was done in a chiropractic college acceptable to the committee on admissions of the college; and~~

~~(D) That the candidate has a letter of recommendation from the dean of the school from which transfer is made.~~

~~(2) Credits for work done in colleges of liberal arts and sciences will be allowed based on the regulations of the Council on Chiropractic Education.~~

~~(3) Credits for basic science subjects on the professional level shall be in accordance with the provisions of the regulations of the Council on Chiropractic Education.~~

~~(4) A student desiring to re-enter the college after a lapse in attendance of one or more years shall fulfill the entrance requirements applying to the class which he seeks to enter. Students whose education was interrupted by service in the armed forces are exempt from this requirement.~~

~~(5) For all such students admitted to advance standing there will be, therefore, on file with the registrar the same documents as required for admission to the first year class and in addition a certified transcript of work completed, together with a letter of honorary dismissal from the college from which transfer was made.~~

~~(6) No candidate for a degree shall be accepted for less than one full academic year of resident study.~~

~~(f) Attendance. In order to obtain credit for a course, a student shall have been present in class at least 90 percent of the time and shall have received a passing letter grade. When the absence exceeds 10 percent, the student shall be automatically dropped from the class.~~

~~If the absences have been due to illness or other excusable reasons and if evidence of these reasons can be submitted, the student may apply for readmission through the dean's office and may be given credit for attendance upon the recommendation of his instructor and completion of course requirements.~~

~~Students shall be required to spend the last academic year of the course in residence in the college which confers the degree.~~

~~(g) Promotion.~~

~~(1) Promotion from one school term to another should be by recommendation of the instructors and consent of the committee on credentials or other similar committee. The decision should be based upon careful evaluation of the student's attendance, application, conduct and grades in quizzes and examinations. In other words, the final standing of the student in each subject shall be based upon the composite judgment of the responsible instructors in that department, and not solely upon the result of written examinations.~~

~~(2) A student failing in any subject in a school term should be required to repeat the subject.~~

~~(h) Requirements for Graduation. The requirements for admission to the school shall have been fulfilled and the candidate, in addition to scholastic qualitative requirements, shall have completed a minimum quantitative requirement of 4,400 hours of instruction in four academic years of nine months each. The last year shall have been spent in the school granting the degree. The candidate shall have complied with all the regulations of the school and be recommended for the degree by the faculty.~~

~~(i) Special (Graduate of An Approved Chiropractic School) or Unclassified Subject. Persons so registered may not be a candidate for a degree. If they desire to become candidates, they shall satisfy the usual requirements for admission as well as the degree requirement. No work done under this classification will be accepted for credit beyond 90 days from the date of matriculation. Holders of a valid chiropractic degree are exempt from this requirement.~~

~~(j) Degree. The degree conferred for completion of professional undergraduate work shall be Doctor of Chiropractic (D.C.).~~

Schools shall ensure any student granted admission has:

(a) Obtained a high school diploma or equivalent

(b) Completed, the equivalent of at least 60 pre-chiropractic college credits, as required by Section 5 of the Act.

Reference: Sections 5 Chiropractic Initiative Act.

§331.12.1. Curriculum Requirements Prior to November 3, 1976.

All applicants for the Board Examination who matriculated into a chiropractic college prior to the passage of Proposition 15 (November 3, 1976) shall fulfill the requirements of this section.

(a) Course of Study. The school shall have an established curriculum which indicates objectives, content and methods of instruction for each subject offered.

(b) Required Hours and Subjects. The school shall offer, and shall require for graduation, a course of not less than 4,000 academic hours extended over a period of four (4) school terms of not less than nine (9) months each. Such ~~course~~ curriculum shall include the minimum educational requirements set forth in Section 5 of the Act. The minimum number of hours required in the basic subjects shall be as follows:

Anatomy including embryology (minimum of 480 hours), histology (minimum of 160 hours), and dissection (minimum of 160 hours)	800 hours
Physiology	320 hours
Biochemistry, inorganic and organic chemistry	320 hours
Pathology (minimum of 280 hours), bacteriology (minimum of 160 hours), and toxicology (minimum of 40 hours)	480 hours
Public health, hygiene and sanitation, and first aid	120 hours
Diagnosis (minimum of 480 hours), pediatrics (minimum of 40 hours), psychiatry (minimum of 40 hours), dermatology, syphilology and serology (minimum of 40 hours), and X-ray (minimum of 120 hours)	720 hours
Obstetrics and gynecology	120 hours
Principles and practice of chiropractic (minimum of 960 hours), physiotherapy (minimum of 120 hours), and dietetics (minimum of 40 hours)	1,120 hours

(c) Subject Presentation. Laboratory teaching with actual student participation must be included in anatomy, dissection, histology, chemistry, physiology, bacteriology, pathology.

The classes shall be presented in a proper sequence so that the normal shall be presented first before the abnormal is to be considered (i.e., the student must learn anatomy, chemistry and physiology before he is taught pathology and diagnosis). The subject presentation should be of a nature and depth comparable to that found at State colleges in equivalent courses.

ANATOMY: Includes gross anatomy, dissection, embryology, and histology with particular emphasis on neurology.

PHYSIOLOGY: To include the physiology of blood and lymph, circulation, respiration, excretion, digestion, metabolism, endocrines, special senses and nervous system.

CHEMISTRY: To include inorganic and organic chemistry, physical chemistry, the chemistry of foods, digestion and metabolism.

PATHOLOGY AND BACTERIOLOGY: Pathology to include general and special pathology. Bacteriology to include parasitology and serology.

PUBLIC HEALTH AND HYGIENE AND SANITATION: To include sanitary and hygienic procedures, First Aid, prevention of disease and Public Health Department regulations.

DIAGNOSIS: To include physical, clinical, laboratory and differential diagnosis; pediatrics, geriatrics, dermatology, syphilology, psychology, psychiatry and roentgenology (technique and interpretation).

OBSTETRICS AND GYNECOLOGY: To include the standard routine diagnostic procedures, and clinical and laboratory examinations.

PRINCIPLES AND PRACTICE OF CHIROPRACTIC, DIETETICS, PHYSIOTHERAPY, AND OFFICE PROCEDURE: To include history and principles of chiropractic, spinal analysis, adjustive techniques and orthopedics.

NUTRITION: To include dietetics and clinical nutrition, including primary and secondary nutritional deficiencies.

PHYSIOTHERAPY: To include the theory, principles and use of the standard recognized physiotherapy equipment and procedures.

OFFICE PROCEDURE: To include private office and case management, the writing and completion of reports and forms for insurance claims, and the provisions, rules and regulations of the Chiropractic Act.

(d) Additional Hours and Subjects. The school, if it desires, may offer and may require for graduation, course of more than 4,000 hours. Such additional hours may be in elective subjects.

(e) Clinics. Each student shall be provided with actual clinical experience in the examining, diagnosing, and treatment of patients. Said clinical experience shall include spinal analysis, palpation, chiropractic philosophy, symptomatology, laboratory diagnosis, physical diagnosis, Xray interpretation, postural analysis, diagnostic impressions, and adjusting of various articulations of the body, psychological counseling, dietetics and physical therapy. Individual case files on each patient together with a record of dates and treatments given and student treating shall be kept and available to the board for inspection.

§331.12.2. Curriculum Requirements Prior to 2020.

All applicants for licensure who matriculated into a chiropractic college prior to (DATE 2020?) shall be required to comply with this section ~~in order~~ to qualify for a California chiropractic license.

(a) Course of Study: Every school shall have a curriculum which indicates objectives, content and methods of instruction for each subject offered.

(b) Required Hours and Subjects: Each applicant shall offer proof of completion of a course of instruction in a Board-approved chiropractic college of not less than 4,400 hours which includes minimum educational requirements set forth in Section 5 of the Act. The course of instruction completed by the applicant shall consist of no less than the following minimum hours, except as otherwise provided:

Group I	Anatomy, including embryology, histology and human dissection	616 hours
Group II	Physiology (must include laboratory work)	264 hours
Group III	Biochemistry, clinical nutrition, and dietetics	264 hours
Group IV	Pathology, bacteriology, and toxicology	440 hours
Group V	Public health, hygiene and sanitation, and emergency care	132 hours
Group VI	Diagnosis, including E.E.N.T. and serology, dermatology and sexually transmitted diseases, geriatrics, X-ray interpretation, and neurology	792 hours
Group VII	Obstetrics, gynecology, and pediatrics	132 hours
Group VIII	Principles and practice of chiropractic to include chiropractic technique, chiropractic philosophy, orthopedics, X-ray technique, and radiation protection	430 hours
	Clinic, including office procedure	518 hours
	Physiotherapy	120 hours
	Psychiatry	32 hours
Electives		660 hours
		Total 4,400 hours

(c) Subject Presentation: Laboratory teaching with actual student participation shall be included in human dissection, histology, chemistry, physiology, bacteriology, pathology, X-ray and physiotherapy. Each school shall have and use at least one (1) phantom or equivalent equipment for X-ray class and other courses as may be necessary for adequate teaching.

Classes shall be presented in proper academic sequence. Each student shall be taught micro and gross anatomy, human dissection, and physiology before pathology; biochemistry before or concurrent with physiology; and diagnosis before or concurrent with the study of pathology. Clinic hours shall be taken only after a student completes all hours in or concurrently with diagnosis.

(1) ANATOMY: To include gross anatomy, human dissection, embryology and histology.

(2) PHYSIOLOGY: To include the physiology of blood and lymph, circulation, respiration, excretion, digestion, metabolism, endocrines, special senses and nervous system.

(3) BIOCHEMISTRY AND NUTRITION: Biochemistry to include the chemistry of foods, digestion, and metabolism. Nutrition to include dietetics and clinical nutrition in the prevention and treatment of illnesses.

(4) PATHOLOGY AND BACTERIOLOGY: Pathology to include general and special pathology. Bacteriology to include parasitology and serology.

(5) PUBLIC HEALTH, HYGIENE, SANITATION AND EMERGENCY CARE: To include sanitary and hygienic procedures, First Aid, minor surgery, prevention of disease, and Public Health Department regulations.

(6) DIAGNOSIS: To include physical, clinical, laboratory and differential diagnosis; E.E.N.T., geriatrics, serology, dermatology, syphilology, roentgenology (technique and interpretation) and the rules and regulations of the Radiologic Technology Certification Committee of the State Department of Health Services.

(7) OBSTETRICS, GYNECOLOGY AND PEDIATRICS: To include the standard routine diagnostic procedures and clinical and laboratory examinations.

(8) PRINCIPLES AND PRACTICE OF CHIROPRACTIC, DIETETICS, PHYSIOTHERAPY, AND OFFICE PROCEDURE: To include history and principles of chiropractic, spinal analysis, adjustive technique of all articulations of the body, orthopedics and patient counseling in curriculum subject matters.

(9) PHYSIOTHERAPY: To be eligible for licensure, each applicant must furnish proof satisfactory to the Board of successful completion of the required 120 hours of physiotherapy course work and additional clinical training in which the theory, principles and use of the standard recognized physiotherapy equipment and procedures were demonstrated to and used by the applicant. This shall include a minimum of thirty (30) patient office visits in which physiotherapy procedures are performed by the student on their own clinic patients. If physiotherapy course work is not offered by the chiropractic college where the student matriculated, the required instruction and clinical training in physiotherapy may be completed at another Board-approved chiropractic college, provided such course is a regular credit course offered primarily to matriculated students.

Physiotherapy course work not completed prior to graduation from chiropractic college may be fulfilled by course work taken subsequent to graduation at a Board-approved chiropractic college in conjunction with clinical training in physiotherapy offered by that college. Such course work and clinical training must be regular credit course work and clinical training offered primarily to matriculated students.

(10) OFFICE PROCEDURE: To include private office and case management, the writing and completion of reports and forms for insurance claims, and the provisions, rules and regulations of the Chiropractic Act, and the Radiologic Technology Certification Committee of the State Department of Health Services.

(d) Additional Hours and Subjects: It is recommended that a school offer elective subjects, including chiropractic meridian therapy, counseling, hypnotherapy and biofeedback. The school may offer and require for graduation courses of more than 4,400 hours.

(e) Clinics: Each student shall be provided with actual clinical experience in the examining, diagnosing, and treatment of patients. Such clinical experience shall include spinal analysis, palpation, chiropractic philosophy, symptomatology, laboratory diagnosis, physical diagnosis, Xray interpretation, postural analysis, diagnostic impressions, and adjusting of various articulations of the body, psychological counseling and dietetics.

Individual case files on each patient together with a record of dates and treatments given and student treating shall be kept and available to the board for inspection.

Clinical hours, as described in this section, including those relating to physiotherapy, must be completed in a clinic operated or supervised by a chiropractic college.

Each student shall be required to complete, as a minimum for graduation, the following:

(1) Twenty-five (25) physical examinations of which at least ten (10) are of outside (not student) patients.

A physical examination shall include an evaluation of all vital signs, case history, orthopedic and neurological testing.

Students shall also have practical clinical laboratory training, including twenty-five (25) urinalyses, twenty (20) complete blood counts (CBCs), ten (10) blood chemistries, and thirty (30) X-ray examinations. Students shall perform ten (10) proctological and ten (10) gynecological examinations. Proctological and gynecological examinations may be performed on a phantom approved by the Board. Gynecological and proctological examinations not completed prior to graduation may be completed after graduation at a Board-approved chiropractic college.

(2) Students shall perform a minimum of two hundred and fifty (250) patient treatments (visits), including diagnostic procedures, chiropractic adjustive technique and patient evaluation.

(3) Written interpretation of at least thirty (30) different X-ray views, either slide or film,

while a senior in the clinic, in addition to other classroom requirements which shall include the spinal column, all other articulations of the body, and soft tissue.

(4) Minimum of five hundred eighteen (518) hours of practical clinical experience (treating patients in the clinic).

§331.12.3 Curriculum Requirements.

~~All applicants for licensure shall be required to comply with this section in order to qualify for a California chiropractic license.~~

~~Schools shall ensure all graduates have completed the minimum educational requirements identified in Section 5 of the Chiropractic Initiative Act.~~

§331.12.3.4. Eligibility to Take Board Examination.

To be eligible to take the ~~b~~Board examination, ~~as defined in 16 CCR 349(b)(6)~~, each applicant for licensure must furnish proof satisfactory to the Board of meeting all other licensure requirements required by the Board.

§331.13. Physical Facilities. Reserved

~~(a) General: Each school shall own or enjoy the assured use of a physical plant large enough to accommodate classrooms, lecture rooms, laboratories, a clinic, a library and administrative and faculty offices. Each school shall meet and maintain the standards and requirements established by or under the authority of the laws of the State of California governing educational institutions and all applicable city and county ordinances wherein the school is located and shall maintain competent evidence of such compliance, for examination by the Board.~~

~~(b) Administrative Offices: The administrative offices shall provide adequate office space for faculty members.~~

~~There shall be space available for faculty conferences.~~

~~All furnishings shall be serviceable and functional and there shall be sufficient office equipment, subject to Board approval, to efficiently manage the business of the school.~~

~~There shall be fireproof storage for all records and documents required by the Chiropractic Initiative Act, statute, or regulations.~~

~~All administrative offices shall meet the standards and requirements incorporated by subparagraph (a) above.~~

~~(c) Classrooms: There shall be sufficient number and size of classrooms to separately accommodate the graded classes in 1st, 2nd, 3rd and 4th year classes. No two or more subjects shall be taught in the same classroom simultaneously. No two or more student classes (1st, 2nd, 3rd and 4th year) shall be taught in the same classroom simultaneously.~~

~~Classrooms shall be located where there is quiet and freedom from interruption and distraction.~~

~~All classrooms shall be furnished with audio-visual aids appropriate to the subject matter being taught, and desks and chairs or tablet armchairs. There shall be effective shades to darken rooms equipped with visual projection apparatus.~~

~~All classrooms shall meet the standards and requirements incorporated by subparagraph (a) above.~~

~~(d) Laboratories: Laboratories shall be well lighted and ventilated and shall be equipped for the practical work in human dissection, histology, chemistry, physiology, bacteriology, pathology, laboratory diagnosis, roentgenology, physiotherapy and chiropractic technique.~~

~~Anatomy and pathology laboratories shall contain standard equipment. No more than ten (10) students shall be assigned per table. Sinks should be equipped with wrist action or foot pedal valves and supplied in a sufficient number. Human cadavers and specimens for individual and small group demonstrations shall be supplied. If human cadavers are not available, or state law prohibits their use, schools must obtain prior written approval from this Board.~~

~~Microscopic laboratories shall have one microscope and one desk light for each two (2) students in the class.~~

~~Chiropractic technique laboratories shall be equipped with one chiropractic adjusting table for every four (4) students in the class.~~

~~Actual student experience with X-ray phantom or equivalent for all areas of the body shall be necessary.~~

~~Additionally, all laboratories shall meet the standards and requirements incorporated in subparagraph (a) above.~~

~~(f) Teaching Aids and Equipment: For the subject of physiotherapy there shall be sufficient generally recognized equipment for classroom and clinic purposes (to include sine galvanic, ultrasound, diathermy, ultraviolet, heat, cold, percussion, and transaction). For the practical work and physical diagnosis students shall be required to own the ordinary and usual diagnostic instruments, including, but not limited to, thermometers, stethoscopes, sphygmomanometers, oto-ophthalmoscope examination sets, and orthopedic neurological examination instruments. Each school shall own and teach the use of the current standard diagnostic instruments and a list of same shall be made available to the Board upon request. For classroom demonstration and visual education aids, each school shall own charts, mannequins, skeletons, bone collections,~~

~~anatomical and embryological models, stereopticons, balopticons, micro-projections, and video players or similar projection equipment. The film and slide library shall be constantly augmented by the addition of new material.~~

~~(g) Library: A library shall be provided for the use of the student body. The minimum requirements for a library are:~~

~~(1) Operation of the library shall be under the direct supervision of a full-time librarian holding a degree in library science.~~

~~(2) The library shall be open to students a minimum of eight (8) hours per day. It shall have room available for study purposes to accommodate at least ten (10) percent of the enrolled students at one time. Hours shall be posted.~~

~~(3) The library volumes shall be cataloged, using a generally accepted system.~~

~~(4) The library shall consist of a minimum of 5,000 volumes of which 2,000 shall be less than ten years of age. Only cataloged scientific volumes which are of interest to the published curriculum of the school can be counted as library volumes. Unbound journals and periodicals shall not be counted in determining compliance with this rule.~~

~~(5) Each school shall conduct a program of student orientation as to the use of the library and class assignments involving the use of the library.~~

~~(h) Clinic: Each school shall operate a general out-patient clinic where the senior students will obtain actual experience, practical knowledge and skill in:~~

~~(1) Diagnosis, including physical examination, palpation, spinal analysis, clinical pathological, laboratory findings, X-ray, and tentative and working diagnoses.~~

~~(2) Adjustive technique, dietetics, and psychotherapy for the care or prevention of disease in accordance with Section 7 of the Act.~~

~~Such a clinic shall at all times be under the supervision of a clinician who meets the standards of the Council on Chiropractic Education.~~

~~The minimum requirements of a clinic are:~~

~~(A) A reception room with a minimum seating capacity for ten (10) persons.~~

~~(B) A minimum of five (5) patient dressing rooms that are equipped with at least curtains to ensure privacy.~~

~~(C) An administration area wherein at least one full-time secretary shall be located, and patient files shall be maintained.~~

~~(D) A minimum of one (1) office for each faculty member supervising the clinic with a minimum of two (2) such offices.~~

~~(E) Separate lavatories for men and women with a minimum of one (1) each.~~

~~(F) A minimum of one (1) physical examination room for every ten (10) students concurrently present and enrolled in the clinic.~~

~~(G) A minimum of one (1) chiropractic adjusting table for every five (5) students performing adjustments on clinic patients with a minimum of five (5) such tables.~~

~~(H) A minimum of one (1) X-ray examination room that is equipped with at least one (1) Xray machine that has a capacity of no less than 125 KV plus 300 M.A. There shall also be an Xray developing room that is equipped with the appropriate and necessary film processing equipment as required by the Board. This room may be an area within the X-ray procedure room or shall be located in the immediate area in the same building of such X-ray procedure room. A list of minimal X-ray equipment which shall be used must be obtained from the Board.~~

~~(I) A lab room equipped with a sterilization facility, unless waived in writing by the Board.~~

~~(J) In addition to the requirements of section 331.12(e), each student's work, conduct, reliability and personality shall be evaluated in writing by his or her supervising teacher and such evaluation shall become a part of the student's record and shall be available for inspection by the Board.~~

~~(i) Operation and Maintenance of the Physical Plant. In addition to the requirement of subparagraph (a) above, each school shall operate and maintain all physical equipment in good repair.~~

~~Lockers shall be available for student use.~~

§331.14. ~~Quality of Instruction. Reserved~~

~~Nothing herein contained shall constitute any limitation or restriction upon the power of the Board to refuse to approve, or to disapprove, any school if in the opinion of the Board the quality of instruction is not sufficiently high to meet the objective of the State Chiropractic Act or these rules.~~

§331.15. Violations and/or Failure to Comply.

~~(a) Any violation of these rules, or failure to comply with them, shall be grounds to revoke approval of any school, and to refuse approval to any school, or to any applicant.~~

~~(b) If any school provisionally approved or approved by the Board undergoes fundamental~~

~~changes in its administration, organization or stated objectives, provisional approval or approval shall be suspended until such time as the Board again appraises the institution.~~

~~Such changes include but are not limited to change in ownership of the school or its assets or noncompliance with Section 29032(a)(2) of the Education Code.~~

~~(c) In the event an approved school or a school applying for provisional approval fails to maintain or meet the required standards, the institution will be given a bill of particulars and granted 60 days to comply; in the event such corrections are not made within said time, the institution will be removed from the approved list or denied provisional approval.~~

~~(d) Institutions rejected or removed from the approved list may apply for reconsideration or reinstatement in accordance with Rule 331.~~

Violations and/or failures to comply with the accreditation standards of the Council on Chiropractic Education or other accreditation bodies approved by the Board, pursuant to Section 5 of the Initiative Act, regional accreditation bodies, and the rules and regulation set forth by the U.S Department of Education, may be grounds for denial of an application for approval or revocation of approval by the Board.

§331.16.13. Definition of Board.

~~Whenever the Board is used in this article, it shall mean the Board of Chiropractic Examiners unless otherwise indicated.~~

**Agenda Item 12
July 16, 2020**

Update, Discussion and Possible Action on Pending Rulemaking

Purpose of the item

The Board will receive a status update on pending regulatory proposals.

Action(s) requested

No action requested at this time.

Background

The Board currently has multiple regulatory proposals in various stages of completion.

Staff are actively working on changes to the Continuing Education and the Uniform Standards & Disciplinary Guidelines regulations.

Additionally, the Board's legal counsel has completed their review of the rulemaking file for the Denial of Application, Revocation or Suspension of Licensure regulation.

Recommendation(s)

Staff does not have any recommendations at this time.

Next Step

N/A

Attachment(s)

1. BCE Regulation Tracking sheet
2. BCE Regulation Summary sheet
3. DCA Regulation Review Process sheet

Regulation Tracking Sheet

Regulation Summary Sheet

	Group A – Legislatively Mandated	DCA & BCE Review Process	Status
1	Denial of Application, Revocation or Suspension of Licensure (CCR Sections 316.5, 321, 326 and 327)	Step 3 Initial Phase	Legal review completed. Rulemaking file submitted to DCA to commence the initial review process.
2	Probation Status Disclosure (CCR Section 308.2)	Step 2 Initial Phase	Draft rulemaking file under internal review.
3	Consumer Protection Enforcement Initiative	Step 3 Initial Phase	Legal review completed. Rulemaking file submitted to DCA to commence the initial review process.
4	Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees	Step 2 Initial Phase	Rulemaking file under development at the Board.
5	Sponsored Free Health Care Events - Repeal CCR Article 1.5 (Sections 309-309.4)		Not commenced
	Group B		Status
1	Revisions to Curriculum requirements and approval of programs (CCR Article 4, Sections 330 – 331.16)	Step 2 Initial Phase	Rulemaking file under development at the Board. Presenting language to full Board for review and vote on 7.16.20.
2	Continuing Education Requirements (CE Provider and Course Approval) / Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees	Step 2 Initial Phase	Rulemaking file under development at the Board. Committee is currently working through policy issues regarding this regulatory proposal.
3	Delegation of Authority to the Assistant Executive Officer	Step 3 Initial Phase	Legal review completed. Rulemaking file submitted to DCA to commence initial review process.
	Group C		Status
1	Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee	Step 2 Initial Phase	Approved rulemaking process 4/16/15
2	Amend or Repeal CCR Section 354 - Successful Examination (Obsolete provision)		Not commenced

Proposed Regulation	Proposed Change(s)
Denial of Application, Revocation or Suspension of Licensure (CCR Sections 316.5, 321, 326 and 327)	Effective July 1, 2020, the BCE's application for licensure, as well as other existing regulations, will be amended to comply with new legislation, AB 2138 (Chiu, Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction - Stats. 2018, Ch. 995), which will limit the Board's discretion in using prior criminal history (convictions or underlying acts) as grounds for licensing determinations and establish new prohibitions relating to the denial, suspension, and revocation of licensure. Additionally, the BCE will need to develop denial criteria, review and possibly amend existing rehabilitation criteria.
Probation Status Disclosure (CCR Section 308.2)	Effective July 1, 2019, a new law, SB 1448 (Hill, Healing Arts Licensees: Probation Status: Disclosure – Stats. 2018, Ch. 570), requires licensees who have been placed on probation on or after July 1, 2019 to notify all patients of their probationary status. The BCE's proposed regulation would add CCR section 308.2 requiring licensees on probation to provide a patient notification form, developed by the BCE, to all patients, which would ensure greater consumer protection and consistency with the provisions of BPC, section 1007.
Consumer Protection Enforcement Initiative	The proposed changes would add or amend 12 sections within the California Code of Regulations that would establish stricter reporting and disclosure requirements by licensees and applicants and increase the BCE's enforcement authority and access to critical information for use in investigations.
Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees	The BCE's Disciplinary Guidelines are being revised to streamline the enforcement process and provide greater protection to consumers. Additionally, the BCE will need to review and possibly amend the SB 1441 Uniform Standards for Substance Abusing Licensees. Ultimately, the Uniform Standards will be incorporated by reference into the Board's Disciplinary Guidelines.
Sponsored Free Health Care Events - Repeal CCR Article 1.5, Sections 309-309.4	AB 512 (Rendon): Licensure Exemption Stats. 2013, Ch.111, ceased having effect January 1, 2018. No further legislation action has been taken to extend this law. The Board will need to repeal CCR Article 1.5 Sponsored Free Health Care Events.
Revisions to Curriculum requirements and approval of programs (CCR Article, Sections 330 - 331.16)	Presenting language to full Board for review and vote on 7.16.20.
CE Requirements (CE Provider and Course Approval)	TBD
Delegation of Authority to the Assistant Executive Officer	The proposed regulation would delegate to the Board's Assistant Executive Officer the authority to approve settlement agreements for revocation, surrender, and interim suspension of a license, or allow the Executive Officer to delegate this function to another designee.
Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity Licensee (Amendment to CCR Sections 312.2 and 318)	TBD
Amend or Repeal CCR Section 354 Successful Examination (Obsolete provision)	TBD

Department of Consumer Affairs - Regulation Review Process
INITIAL PHASE

Step	Responsible Person/Entity	Required Action
1	BCE Staff & DCA Legal Counsel	Work together on proposed regulation text that is subject to EO's initial approval
2	BCE Board Members	Vote on proposed text and direct staff to begin regulation process.
3	DCA Legal Counsel	Reviews regulation documents and returns to BCE Staff with approval or suggested changes. Legal Affairs notifies the DCA Regulations Coordinator of the status.
4	BCE Staff	Compile four complete hard copy sets of the regulation package and submit to DCA Regulations Coordinator.
5	DCA Regulations Coordinator	Begins DCA initial review process
6	DCA Legal Affairs Division, Legislative Affairs Division, and Budget Office	Review regulation documents.
7	DCA Legal Affairs Division	Chief Counsel Reviews regulation documents
8	DCA Legislative Affairs Division	Deputy Director reviews regulation documents
9	DCA Executive Office	Director reviews regulation documents.
10	Business, Consumer Services, & Housing Agency	Agency Secretary reviews regulation documents.
11	DCA Regulations Coordinator	Logs return of proposed regulation documents from Agency and notifies BCE of approval or concerns & suggested changes
12	BCE Staff	Submits Rulemaking File to the Office of Administrative Law for Notice/PUBLICATION. (If any changes to language last approved by the Board are needed, a vote by the Board may be necessary). 45-Day Public Comment Period begins on date of PUBLICATION.
13	BCE Staff	Receives written comments submitted during the 45-Day Public Comment Period; schedules Public Hearing if requested.

**Department of Consumer Affairs - Regulation Review Process
FINAL PHASE**

Step	Responsible Person/Entity	Required Action
1	BCE Staff & Board Members	Staff review and summarize comments received during 45-day public comment period/hearing. Board Members discuss comments at a public Board Meeting and determine whether to 1) amend the language and issue 15-day public comment period <i>or</i> 2) adopt the proposed text.
2	BCE Staff	Upon adoption of language, staff completes final rulemaking binder and delivers to DCA Legal.
3	DCA Legal Affairs Division	Rulemaking binder is logged and forwarded to BCE's Assigned Legal Counsel
4	DCA Regulations Coordinator	Facilitates review by DCA's Budget Office and the Department of Finance
5	DCA Legal Affairs Division	Binder reviewed by Assistant Chief Legal Counsel
6	DCA Legislative Affairs Division	Binder reviewed by Deputy Director
7	DCA Executive Office	Binder reviewed by Director
8	Business, Consumer Services, & Housing Agency	Binder reviewed by Agency Secretary
9	DCA Regulations Coordinator	Completes closing paperwork and returns binder to BCE with final approval
10	BCE Staff	Submits final rulemaking file to the Office of Administrative Law for review.
11	Office of Administrative Law	Reviews rulemaking file for: 1) Necessity; 2) Authority; 3) Clarity; 4) Consistency; 5) Reference; and, 6) Nonduplication.
12	BCE	If approved: Rulemaking is complete; language takes effect on next effective date or date requested. If disapproved: Board Members decide whether to amend and resubmit or withdraw the regulatory package.