



STATE OF WISCONSIN
Department of Safety and Professional Services
1400 E Washington Ave.
Madison WI 53703

Mail to:
PO Box 8935
Madison WI 53708-8935

Email: dsps@wisconsin.gov
Web: <http://dsps.wi.gov>
Phone: 608-266-2112

Governor Scott Walker Secretary Dave Ross

CHIROPRACTIC EXAMINING BOARD
Room 121A, 1400 E. Washington Avenue, Madison
Contact: Tom Ryan (608) 261-2378
October 3, 2013

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

8:30 a.m.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-4)

B. Approval of Minutes – August 15, 2013 (5-8)

C. Administrative Matters

- 1) Staff Updates
 - a. Attorney Gretchen Mrozinski
 - b. Executive Director Greg DiMiceli

D. Preceptor Approvals – Discussion and Consideration (9-10)

	<u>Chiropractor</u>	<u>Lic. Granted</u>
<u>Northwestern</u>	Brian Senoraski	12/21/2000
<u>University of Western Schools</u>	Jodi Osborne	02/10/2006
<u>Palmer</u>	Jeffrey Mackey	07/30/1980
	Benjamin Erlandson	12/12/2008

E. Education and Examination Matters – Discussion and Consideration

- 1) Post Graduate Preceptorships **(11-16)**
- 2) STAFF APPEARANCE – Discussion of Gonstead Seminar Approval **(17-24)**

F. Legislative/Administrative Rule Matters – Discussion and Consideration

- 1) Executive Order 50 – Review **(25-28)**
- 2) Approval of Scope Statement on 165-CHI 2 and 3 relating to removing the practical exam requirements from s. CHI 2, 3 for submission to the Governor’s Office **(29-32)**

G. Annual Report – Discussion and Consideration (33-42)

H. Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Presentations of Petition(s) for Summary Suspension
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 4) Presentation of Final Decisions
- 5) Disciplinary Matters
- 6) DLSC Matters
- 7) Executive Director Matters
- 8) Education and Examination Matters
- 9) Credentialing Matters
- 10) Preceptor Approvals
- 11) Class 1 Hearing(s)
- 12) Practice Matters
- 13) Legislation/Administrative Rule Matters
- 14) Liaison Report(s)
- 15) Informational Item(s)
- 16) Speaking Engagement(s), Travel, or Public Relation Request(s)

I. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.)

J. Deliberation on Issuance of Administrative Warnings

- 1) 13 CHI 008 – W.W. **(43-44)**

K. Presentation and Deliberation on Proposed Stipulations, Final Decisions and Orders by the Division of Legal Services and Compliance (DLSC)

- 1) 12 CHI 013 – Michael A. Trabbold, D.C. **(45-54)**
- 2) 12 CHI 033 – Susan M. Droessler **(55-60)**

L. DLSC Matters – Discussion and Consideration

- 1) Case Status Report **(61-62)**
- 2) Case Closing
 - a. 12 CHI 023 – K.A. **(63-68)**
 - b. 12 CHI 032 – K.N. **(69-72)**
 - c. 12 CHI 033 – T.D. **(73-76)**

M. Application Matters - Discussion and Consideration

- 1) Preceptor Approval – George P. Varish III, D.C. **(77-82)**
- 2) Endorsement – Nicholas Deer, D.C. **(83-100)**
- 3) Endorsement – Lehi Swan, D.C. **(101-120)**
- 4) Endorsement – Paul Gasch, D.C. **(121-136)**
- 5) Endorsement – Meaghan Kirschling, D.C. **(137-152)**
- 6) Endorsement – Curtis Cook, D.C. **(153-186)**

N. Deliberation of Items Received After Printing of the Agenda

- 1) Disciplinary Matters
- 2) Education and Examination Matters
- 3) Credentialing Matters
- 4) DLSC Matters
- 5) Class 1 Hearings
- 6) Monitoring Matters
- 7) Professional Assistance Procedure (PAP) Matters
- 8) Petition(s) for Summary Suspensions
- 9) Petition(s) for Extension of Time
- 10) Proposed Stipulations, Final Decisions and Orders
- 11) Administrative Warnings
- 12) Proposed Decisions
- 13) Matters Relating to Costs
- 14) Motions
- 15) Petitions for Rehearing
- 16) Formal Complaints
- 17) Case Closings
- 18) Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

Q. Ratify Exam Scores

ADJOURNMENT

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**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
AUGUST 15, 2013**

PRESENT: John Church; Jodi Griffith; James Koshick; Kathleen Schneider; Patricia Schumacher

STAFF: Tom Ryan, Executive Director; Joshua Archiquette, Bureau Assistant; and other Department Staff

CALL TO ORDER

James Koshick, Chair, called the meeting to order at 8:37 a.m. A quorum of 5 (five) members was confirmed.

ADOPTION OF AGENDA

MOTION: Jodi Griffith moved, seconded by Kathleen Schneider, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Kathleen Schneider moved, seconded by Jodi Griffith, to approve the minutes of the May 30, 2013 and July 16, 2013 teleconference meetings as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

MOTION: Kathleen Schneider moved, seconded by John Church, to remove page six (6) from the July 17, 2013 meeting agenda. Motion carried unanimously.

MOTION: Kathleen Schneider moved, seconded by Patricia Schumacher, to direct DSPS Staff to post the Annual Report to the Board's SharePoint Site. Motion carried unanimously.

PRECEPTOR APPROVALS

MOTION: John Church moved, seconded by Patricia Schumacher, to approve all preceptors as noted below. Motion carried unanimously.

	<u>Chiropractor</u>	<u>Lic. Granted</u>
Palmer	Joe Dirker	07/18/1996
	Jason Lang	12/14/2001
	Linda Lorenz	12/13/1990

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

MOTION: John Church moved, seconded by Jodi Griffith, to have the position statement regarding Needle Electromyography read as follows:

The Board has determined that the use of Needle Electromyography (NEMG) is within the scope of practice of a chiropractor as defined by Wis. Stat. § 446.01(2) and Wis. Admin. Code Chir 4.03.

Motion carried unanimously.

MOTION: John Church moved, seconded by Kathleen Schneider, to draft a Scope Statement and delegate Patricia Schumacher to be the Board's liaison to work with DSPS staff to draft the Scope Statement regarding rule changes relating to 2013 Wis. Act 20 and any other rule changes. Motion carried unanimously.

INFORMATIONAL ITEMS

MOTION: Jodi Griffith moved, seconded by Kathleen Schneider, to direct Legal Counsel to draft a response letter to Truhlsen Chiropractic regarding use of I-Lipo System and authorize James Koshick to approve the letter. Motion carried unanimously.

HERZING UNIVERISTY APPLICATION FOR APPROVAL

MOTION: Patricia Schumacher moved, seconded by John Church, to recognize Herzing University's ASCT Program and DCT Program as a course of study approved by the Board for purposes of Wis. Stat. 446.026 and related rules. Roll Call Vote: James Koshick - no; Jodi Griffith - yes; John Church - yes; Patricia Schumacher - yes; and Kathleen Schneider - yes. Motion carried.

Note: in the above motion DCT references the Chiropractic Technician Diploma

CLOSED SESSION

MOTION: John Church moved, seconded by Jodi Griffith, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. James Koshick read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: James Koshick - yes; Jodi Griffith - yes; John Church - yes; Patricia Schumacher - yes; and Kathleen Schneider - yes. Motion carried unanimously.

The Board convened into Closed Session at 11:26 a.m.

RECONVENE TO OPEN SESSION

MOTION: Kathleen Schneider moved, seconded by Jodi Griffith, to reconvene to open session. Motion carried unanimously.

The Board reconvened into Open Session at 1:23 p.m.

STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Jodi Griffith moved, seconded by Kathleen Schneider, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 CHI 006 - Aaron J. Arfstrom, D.C. Motion carried.

James Koshick voted no in the above motion

MOTION: John Church moved, seconded by Kathleen Schneider, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 12 CHI 035 - James W. Appel, D.C. Motion carried.

Jodi Griffith recused herself from deliberation and voting in the above matter.

CASE CLOSING

MOTION: Jodi Griffith moved, seconded by John Church, to close case 12 CHI 011 (J.A.) for Prosecutorial Discretion (P1). Motion carried unanimously.

MOTION: Jodi Griffith moved, seconded by Kathleen Schneider, to close case 12 CHI 004 (S.W.) for Prosecutorial Discretion (P1). Motion carried unanimously.

APPLICATION MATTERS

MOTION: John Church moved, seconded by Kathleen Schneider, to grant L.A.C. certification in Patient History, Physical Examination, Physiologic Therapeutics Overview, Thermotherapy/Cryotherapy, Mechanical Therapy and Electrotherapy. Request for Exercise and Rehabilitation certification is denied. Motion carried unanimously.

MOTION: Kathleen Schneider moved, seconded by Patricia Schumacher, to deny J.K. certification in Exercise and Rehabilitation. Motion carried unanimously.

MOTION: Kathleen Schneider moved, seconded by John Church, to grant M.K. certification in Exercise and Rehabilitation, Patient History, Physical Examination, Physiologic Therapeutics Overview, Thermotherapy/Cryotherapy, Mechanical Therapy, Electrotherapy, Therapeutic Ultrasound and Light Therapy. Motion carried unanimously.

MOTION: Kathleen Schneider moved, seconded by John Church, to issue an intent to deny M.K. certification in Surface EMG. Motion carried unanimously.

MOTION: John Church moved, seconded by Kathleen Schneider, to grant the request of C.C. for licensure by endorsement when the applicant successfully completes the NBCE Part IV exam or the SPEC exam and all other requirements of licensure are met. Motion carried unanimously.

MOTION: Kathleen Schneider moved, seconded by Patricia Schumacher, to grant the request of A.K. for licensure by endorsement when all other requirements of licensure are met. Motion carried unanimously.

MOTION: Kathleen Schneider moved, seconded by Jodi Griffith, to grant the request of K.W. for licensure reinstatement upon demonstration of successful completion of the Continuing Education requirements of the previous biennium as set forth in Wis. Admin. Code Chapter Chir 5 and all other requirements for licensure have been met. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

MOTION: John Church moved, seconded by Kathleen Schneider, to affirm all motions made in closed session. Motion carried unanimously.

ADJOURNMENT

MOTION: Jodi Griffith moved, seconded by Kathleen Schneider, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:46 p.m.



State of Wisconsin
DEPARTMENT OF SAFETY AND PROFESSIONAL
SERVICES
C O R R E S P O N D E N C E / M E M O R A N D U M

DATE: September 20th, 2013
TO: CHIROPRACTIC EXAMINING BOARD
FROM: MAGGY MCGARRY
SUBJECT: PRECEPTOR APPROVAL

The following requests for approval of preceptors have been submitted to the DRL 45 days in advance of the beginning of the school's next trimester:

<u>Northwestern</u>	<u>Chiropractor</u>	<u>Lic. Granted</u>
	Brian Senoraske	12/21/2000
<u>University of Western Schools</u>	Jodi Osborne	02/10/2006
<u>Palmer</u>	Jeffrey Mackey	07/30/1980
	Benjamin Erlandson	12/12/2008

All of the above have current licenses in good standing.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Joshua Archiquette, on behalf of Tom Ryan, Executive Director		2) Date When Request Submitted: 9/24/13 <small>Items will be considered late if submitted after 4:30 p.m. and less than 8 work days before the meeting.</small>	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 10/03/13	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Education and Examination Matters – Post Graduate Preceptorships	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: The Board will discuss Post Graduate Preceptorships			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

From: [Ryan, Thomas - DSPS](#)
To: [Archiquette, Joshua N - DSPS](#)
Subject: FW: Preceptorship Extension Request - [REDACTED] - 9/23/2013
Date: Friday, September 27, 2013 9:47:51 AM
Attachments: [REDACTED] [PreceptorExtensionRequest_09232013.pdf](#)
[ATT00001.htm](#)

Josh, please add this e-mail for now to the agenda packet.

From: Jodi Griffith [REDACTED]
Sent: Wednesday, September 25, 2013 9:35 AM
To: Dr. Koshick
Cc: Ryan, Thomas - DSPS
Subject: Fwd: Preceptorship Extension Request - [REDACTED] - 9/23/2013

Dear Dr. Koshick,

I received this email on Monday. I have read through the rules on preceptorship and I don't see any "loophole" for this doctor. Her graduation date is 3-12-2013. Should I ask legal counsel if there is anything we can do? Do you see something that I don't? I feel so bad for these doctors who are caught in the middle. I want to do something but I don't see it.

Is there any reason to put this topic on the agenda for the next meeting?

Jodi Griffith, DC

Begin forwarded message:

From: "McGarry, Maggy - DSPS" <Maggy.McGarry@wisconsin.gov>
Date: September 23, 2013 at 2:10:56 PM CDT
To: "[REDACTED]"
Subject: Preceptorship Extension Request - [REDACTED] - 9/23/2013

Good afternoon Dr. Griffith,

My name is Maggy McGarry and I am the credentialing associate who will be working with Chiropractic Examining Board with Justin's departure. Attached is a request submitted by an exam applicant, Jesse Anderson, requesting an extension of her preceptorship. Her preceptorship has recently expired. Based on your review, how would you like me to proceed?

I look forward to working with both you and the board.

Thank you,

Maggy McGarry

maggy.mcgarry@wisconsin.gov

Wisconsin Department of Safety and Professional Services
Division of Professional Credential Processing

McGarry, Maggy - DSPS

From: Shea, Eleanor - DSPS
Sent: Thursday, September 12, 2013 8:00 AM
To: McGarry, Maggy - DSPS
Subject: FW: Postgraduate

See below.

Thanks,

Eleanor S.
Department of Safety & Professional Services
P.O. Box 8935
1400 East Washington Ave.
Madison, WI 53708-8935
608-266-2112

From: [REDACTED]
Sent: Monday, September 09, 2013 2:59 PM
To: DSPS
Subject: Postgraduate

Hello, my name is Dr. [REDACTED] and I am writing you today to discuss the situation I am in regarding my Chiropractic Licensure. When the state practical examination was removed a grandfather clause was enacted in order allow several graduates to receive their license and begin their careers. Many of us, however, were ignored in the poor wording of the grandfather clause and were told we weren't allowed to receive our license for another year.

Despite several attempts to make a difference and be heard I was largely ignored and told that Wisconsin doesn't agree that all of us should have been included in the grandfather clause. I am currently employed at a Chiropractic clinic where I am working under a Postgraduate Preceptorship. This Preceptorship is on the verge of expiration, however, and unemployment is looming in my future. I've already accepted the inevitable fate of not being licensed in Wisconsin until next year, but in the meantime I need to remain employed. I have already made a name and reputation for myself at this clinic and have a great report with the rapport with the patient base here. My Preceptor loves having me here as well and already has discussed the future of becoming a long-term partner of his very large practice.

I know there is nothing you can do regarding my licensure at this time. My request is to have my preceptorship extended until such a time as I am able to receive my license. The rules regarding preceptorships do state that they are only allowed for 6 months; however, I believe this is a circumstance that would warrant an exception. Please consider this request and prevent my ultimate fate of unemployment and probable moving to a different state.

Thank you for your time and consideration of this matter.

Dr. [REDACTED]



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Governor Scott Walker Secretary Dave Ross

Voice: 608-266-2112 • FAX: 608-267-0644 • TTY: 608-267-2416

March 15th, 2013

██████████, D.C.
Associate Dean, NWCC Clinical Education
Northwestern College of Chiropractic
2501 West 84th St
Bloomington, MN 55431

Dear Dr. ██████████:

At its last meeting, the Wisconsin Chiropractic Examining Board approved preceptorships as follows:

03/13/2013 to 09/12/2013: Student ██████████ with Dr. Patrick Flynn

Please notify the above individuals that they have been approved.

Sincerely,

Justin Tomer
Program Assistant
Bureau of Health Service Professions
Chiropractic Examining Board
(608) 266-2112

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Department of Safety & Professional Services**

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3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: 10/03/13	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Education and Examination Matters – STAFF APPEARANCE – Discussion of Gonstead Seminar Approval	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: The Board will discuss Gonstead Seminar Approval with and appearance from DSPS staff			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

Zeinert, Ryan - DSPS

From: Church Chiropractic [churchchiro@sbcglobal.net]
Sent: Thursday, September 05, 2013 1:00 PM
To: Ryan, Thomas - DSPS; 'Church Chiropractic'; drkoshick@hotmail.com
Cc: Zeinert, Ryan - DSPS
Subject: RE: Chiro Board issue with Palmer seminar
Attachments: App WI Gonst MoM Oct 2013 (2).docm; App WI Gonstead 2013 18 hours.docm

Dear Thomas,

Enclosed please find the Continuing Education Approval Forms for 2 Seminar Requests. You can clearly see the Seminar in question was approved for the 3 dates listed. There has not been any rescinding of the Gonstead Seminar that I am aware of. Please advise Dr. Conway to investigate the facts before he makes accusations and insinuations. Also, if this has trickled down to Secretary Ross and Michael Berndt, I would ask that you inform them also about the ongoing harassment from Dr. Conway toward the Examining Board.

The second CE Approval Form involves a request from the Gonstead Clinical Studies Society. Please note that this was not from an approved sponsor entity as Palmer College indicated on the form that this was for CE Sponsor only, in other words they apparently would only be sending in the application and the Clinical Studies Society would be doing everything else. This was denied as the entity providing the CE did not meet the requirements of Chir 5.

A company/person/organization cannot circumvent a sponsor's responsibility to review, validate, verify or otherwise ensure the programs are carried out as represented, so that all responsibilities related to a seminar are fulfilled. The sponsor cannot just give this authority to an individual, organization, institution or company to ensure the fulfillment of the sponsor responsibilities.

There are individuals and companies that are trying to find some way around the rules so they can run their own show.

Wisconsin's continuing education statutes and rules are to ensure that approved sponsor organizations are completely responsible for the continuing education of Wisconsin chiropractors. (Chir 5).

I hope this answers your questions and concerns. I am not sure who started the rumor of the seminar being rescinded, or who communicated this bad information to Dr. Cox.

Respectfully,

John E. Church, D.C.

From: Ryan, Thomas - DSPS [mailto:Thomas.Ryan@wisconsin.gov]
Sent: Wednesday, September 04, 2013 1:47 PM
To: John Church
Cc: Zeinert, Ryan - DSPS
Subject: FW: Chiro Board issue with Palmer seminar

Hello Dr. Church: Please see the correspondence we received below from Steven Conway.

Regarding his questions about the Palmer College Gonstead Seminar and recent changes, would you please respond and copy Ryan Zeinert and me on your reply?

Thank you.

Tom Ryan
DSPS

From: chirolaw@aol.com [mailto:chirolaw@aol.com]
Sent: Friday, August 30, 2013 12:05 PM
To: Gasper, Greg - DSPS; Ryan, Thomas - DSPS; McGowan, Yolanda - DSPS
Subject: Chiro Board issue with Palmer seminar

Good Morning Greg, Thomas and Yolanda:

Dr. Cox asked for a contact at the BOE to send the information below. I let him know that I would send it on his behalf. If you could forward to Secretary Ross, I would appreciate it. Although not mentioned, I would also recommend sending to Michael Berndt for his legal review as I believe there will be ramifications as a result of this recent decision.

Please know that in addition to the many Gonstead doctors affected by this recent decision, the members of the chiropractic society of wisconsin are also requesting that the recent decision by Dr. Church and Dr. Koshick to rescind the Palmer seminar be overturned and the seminar be approved for CE.

Sincerely,

Steven Conway DC, Esq

August 29, 2013

RE: Palmer College Gonstead Seminar and WI CCE recent changes in policy

Dear Secretary Ross, Greg Gasper, Thomas Ryan and Yolanda McGowen:

I am writing on behalf of the many Wisconsin Doctors of Chiropractic who had planned on attending the upcoming Palmer College Gonstead CE seminar. My letter is in regards to the recent unexpected and unprecedented decision by the Wisconsin Board of Chiropractic Examiners to rescind their prior approval of continuing education for our Wisconsin D.Cs. Our office has been inundated with calls regarding this change as we prepare for our Gonstead Homecoming Seminar at the Gonstead Clinic in Mt. Horeb on Sept. 13-14. We are very concerned with the sudden change in policy and we are at a loss to explain it to our members. Many of our members plan their year around this particular seminar in September as it fulfills all their state requirements.

As stated previously, the Gonstead technique seminar is sponsored by Palmer College and has a rich tradition in chiropractic. This seminar dates back to 1954 and we teach 12-14 seminars annually. The Gonstead technique originated in Wisconsin and went on to become the longest-running chiropractic seminar in the profession to this day. The Palmer College Gonstead Seminar has maintained its following by adhering to the principles and philosophy established by our profession's founders with our primary emphasis centered on finding and fixing subluxations to improve nerve function by hand only. It can be argued that the Gonstead technique is itself an institution. The seminar fulfills all of the requirements of CE under Wisconsin Chir 5.

The Palmer seminar offers a solid chiropractic education not only in the art of correcting the subluxation but also in the conservative management of each and every case presentation, designed specifically for each patient. Many of our chiropractors have built successful careers, devoting themselves strictly to Gonstead protocol. As they are exclusively Gonstead practitioners, they rely on the Palmer Gonstead technique seminar to further their education on the Gonstead Technique and patient management. For this reason, they depend on the Gonstead Seminar to fulfill their CCE requirements. The Palmer program offers the Introduction to the Gonstead System, Technique and the Advanced Class. The Palmer seminar has also expanded internationally. Many of our members attended chiropractic colleges here in the states and have taken the Gonstead technique back to their home countries.

We urge you to reconsider this policy change. Additionally, we would ask that you honor the prior approval granted to Palmer College for 2013 and reinstate the two remaining seminars in 2013. We are hoping you will consider this request on behalf of all of the Wisconsin DCs who have signed up for the Palmer seminar. We appreciate your quick and direct attention to this matter. You can contact me personally at sloober01@gmail.com for any questions.

Sincerely,

W. John Cox D.C.

President- Gonstead Chiropractic



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CHIROPRACTOR/CT/CRT CONTINUING EDUCATION APPROVAL FORM

Return as an E-mail attachment to Ryan Zeinert at ryan.zeinert@wisconsin.gov, 75 days prior to initial course date.

Name and E-mail Address of Course Sponsor and Contact Person: Palmer College of Chiropractic
 Kati Sproston – kati.sproston@palmer.edu

Course Title: Gonstead with Extremities

Course Objective: To enhance the care of the chiropractic patient

Initial Course Date(s) and Location(s): July 19 – 20, 2013 in Davenport, IA; September 13 – 14, 2013 in Mt. Horeb, WI; November 8 – 9, 2013 in Chicago, IL

* PLEASE NOTE*: Additional dates and/or locations may be offered without submitting requests for further approval as long as the original approved course content is offered by the approved instructor; however, if course content and/or instructor change, you must submit a new request for approval, 75-days in advance.

Method of monitoring attendance: Monitors outside the room check DCs in/out. Verification is mailed following the seminar.

Nutritional Counseling Credit Consideration? Yes _____, for _____ number of hours No _____

Area of Continuing Education:
 (Check one or all that apply)

Chiropractor _____

Chiropractic Technician (CT) _____

Chiropractic Radiological Technician (CRT) _____

You must also submit the following via E-mail, Word Attachment ONLY :

1. Condensed Instructor's qualifications of no more than two (2) pages each indicating the areas of expertise related to the specific areas of instruction per this seminar request (CV may be sent as a PDF)
2. A clear, hourly breakdown of the proposed sessions (breakdown may be sent as a PDF).

For Department Use Only

Course approved for 18 number of hours; including _____ hours of nutritional counseling

_____ Course(s) not approved because:

_____ Course does not meet the 75-day rule _____ Content does not pertain to Wisconsin Clinical Practice

_____ Other: _____

Reviewed by: John E. Church, D.C.

Date: 4/22/13



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CHIROPRACTOR/CT/CRT CONTINUING EDUCATION APPROVAL FORM

Return as an E-mail attachment to Ryan Zeinert at ryan.zeinert@wisconsin.gov, 75 days prior to initial course date.

Name and E-mail Address of Course Sponsor and Contact Person: Palmer College of Chiropractic
 Kati Sproston – kati.sproston@palmer.edu
 (Palmer is the CE Sponsor only.
 Gonstead Clinical Studies Society handles registrations, etc.)

Course Title: Gonstead Meeting of the Minds

Course Objective: To enhance the care of the chiropractic patient

Initial Course Date(s) and Location(s): October 5-6, 2013 in Davenport, IA on Palmer's campus
 * PLEASE NOTE*: Additional dates and/or locations may be offered without submitting requests for further approval as long as the original approved course content is offered by the approved instructor; however, **if course content and/or instructor change, you must submit a new request for approval, 75-days in advance.**

Method of monitoring attendance: Monitors outside the room check DCs in/out. Verification is mailed following the seminar.

Nutritional Counseling Credit Consideration? Yes __, for __ number of hours No X

Area of Continuing Education:
 (Check one or all that apply)

Chiropractor X

Chiropractic Technician (CT) _____

Chiropractic Radiological Technician (CRT) _____

You must also submit the following via E-mail, Word Attachment ONLY :

1. Condensed Instructor's qualifications of no more than two (2) pages each indicating the areas of expertise related to the specific areas of instruction per this seminar request (CV may be sent as a PDF)
2. A clear, hourly breakdown of the proposed sessions (breakdown may be sent as a PDF).

For Department Use Only

_____ Course approved for _____ number of hours; including _____ hours of nutritional counseling

_____ Course(s) not approved because:

_____ Course does not meet the 75-day rule _____ Content does not pertain to Wisconsin Clinical Practice

X Other: The entity providing the continuing education does not meet the requirements of Chir 5.

Reviewed by: John E. Church, D. C.

Date: 7/23/13

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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Joshua Archiquette, Bureau Assistant on Behalf of Tom Ryan, Executive Director		2) Date When Request Submitted: 8/21/2013 <small>Items will be considered late if submitted after 4:30 p.m. and less than 8 work days before the meeting.</small>	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: October 3, 2013	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative/Administrative Rule Matters - Executive Order 50 Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Review of the Chiropractic Position Statements			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



STATE OF WISCONSIN

Department of Safety and Professional Services
1400 E Washington Ave.
Madison WI 53703

Mail to:

PO Box 8935
Madison WI 53708-8935

Email: dsps@wisconsin.gov

Web: <http://dsps.wi.gov>

Phone: 608-266-2112

Governor Scott Walker Secretary Dave Ross

Positions Statements Related to Chiropractors Issued by the Chiropractic Examining Board

MAY A CHIROPRACTOR USE LIGHT THERAPY AS A TREATMENT MODALITY?

Light therapy is included in the Physiological Therapeutics authorized by Wis. Admin. Code Chir 10.05. See also s. Chir 4.05 (2) (e) and (g).

ARE CHIROPRACTORS PERMITTED TO DO EXTREMITY MANIPULATION?

Pursuant to Wisconsin Administrative Code Chir 4.03, the practice of chiropractic includes the application of chiropractic science in the adjustment of the spinal column, skeletal articulations and adjacent tissue, which also includes the use of procedures and instruments preparatory and complementary to treatment of the spinal column, skeletal articulations and adjacent tissue. Accordingly, extremity manipulations may be done, either as preparatory or complementary to the treatment of the spinal column, or separately.

ARE CHIROPRACTORS PERMITTED TO USE NEEDLE ELECTROMYOGRAPHY (NEMG)?

The Board has determined that the use of Needle Electromyography (NEMG) is within the scope of practice of a chiropractor as defined by Wis. Stat. § 446.01(2) and Wis. Admin. Code Chir 4.03, and has authorized the use of NEMG by chiropractors with adequate training under certain circumstances.

Specifically, NEMG may be utilized by Chiropractors for diagnostic purposes. NEMG equipment may be operated only by a chiropractor who has the education, training and expertise necessary to be eligible for, or has been admitted to, Diplomate status by the American Board of Chiropractic Neurology (DABCN or DACNB). The requisite education, training and expertise presume passage of the ABCN exam.

IS IT PERMISSIBLE FOR A CHIROPRACTOR TO DELEGATE ADJUNCTIVE SERVICES TO A NON-LICENSED PERSON?

Section 446.02(7) of the Wisconsin Statutes provides that a chiropractor may delegate the performance of adjunctive services to chiropractic technologists and x-ray services to chiropractic radiological technologists *only*, and then, provided that: 1) the services are performed under the direct, on-premises supervision of the chiropractor; and that 2) the person has adequate education, training, and experience to safely perform those services.

"Adjunctive services" means services which are preparatory or complimentary to chiropractic adjustments of the spine or skeletal articulations, or both. It does not include making a chiropractic diagnosis or performing a chiropractic adjustment.

See also, s. Chir 10.02 of the Wisconsin Administrative Code, which provides that a chiropractor may delegate the performance of adjunctive services to an unlicensed person only if all of the following conditions are met:

(1) The chiropractor maintains records by which the chiropractor has verified that the unlicensed person has successfully completed a didactic and clinical training program approved by the board and covering the performance of the delegated service. Successful completion of a training program is demonstrated by attaining proficiency in the delivery of that service to minimally competent chiropractic practice standards as measured by objective knowledge and skills testing.

(2) The chiropractor exercises direct supervision of the unlicensed person performing the delegated service.

In addition, s. Chir 10.05 of the Wisconsin Administrative Code, provides that a chiropractor may delegate the performance of patient services through physiological therapeutics that include but are not limited to heat, cold, light, air, water, sound, electricity, massage, and physical exercise with and without assistive devices to an unlicensed person only if the delegation is consistent with s. Chir 10.02 and the unlicensed person has adequate training, education and experience to perform the delegated function to minimally acceptable chiropractic standards.

MAY A CHIROPRACTOR CERTIFIED FOR NUTRITIONAL COUNSELING PROMOTE THE SALE OF AND/OR SELL HCG PRODUCTS AS PART OF RECOMMENDED WEIGHT LOSS PROGRAM?

HCG, a hormone produced by the human placenta during pregnancy, is approved by the FDA as a prescription drug for the treatment of female infertility, and certain other medical conditions. However, HCG is *not* approved for use as a weight loss aid. In fact, the prescription drug label notes there "is no substantial evidence that it increases weight loss beyond that resulting from caloric restriction, that it causes a more attractive or 'normal' distribution of fat, or that it decreases the hunger and discomfort associated with calorie-restricted diets." HCG is not approved for any over-the-counter sales. The FDA is advising consumers to steer clear of HCG weight-loss products, often marketed as "homeopathic," but which may or may not qualify as such. The FDA has also warned companies selling HCG products for use as a weight loss aid are illegal as not approved by the FDA. Moreover, HCG is not listed in the Homeopathic Pharmacopoeia of the United States as one of the active ingredients that may legally be included in homeopathic drug products. See [FDA on HCG](#).

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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Shawn Leatherwood, Rules Coordinator		2) Date When Request Submitted: September 13, 2013	
Items will be considered late if submitted after 4:30 p.m. and less than:			
<ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 08 work days before the meeting for all others 			
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: October 3, 2013	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Approval of Scope Statement for 165-CHI 2, and 3	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? If yes, who is appearing? <input type="checkbox"/> Yes by _____ (name) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: The Board will approve the Scope Statement on 165-CHI 2, 3 relating to removing the practical exam requirement from s. CHR 2, 3 for submission to the Governor's Office and publication and to authorize the Chair to approve the scope for implementation no less than 10 days after publication.			
11) Authorization Shawn Leatherwood September 13, 2013			
Signature of person making this request			Date
Supervisor (if required)			Date
Bureau Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
Directions for including supporting documents:			
1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATEMENT OF SCOPE

CHIROPRACTIC EXAMINING BOARD

Rule No.: 165-CHI 2, 3

Relating to: Practical exam for Chiropractors

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The purpose of this proposed rule is aligning current administrative code regulating chiropractors with recent legislation, namely, 2013 Wisconsin Act 20.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

2013 Wisconsin Act 20 created new statutory provisions in chapter 446 by repealing s. 446.02 (3) (a), Stats., which required applicants for chiropractic credentials to take a practical exam. After removing this requirement, the Legislature replaced the practical exam with a requirement to successfully complete Parts I, II, III and IV of the National Board of Chiropractic Examiners Exam (NBCE Exam). The Legislature set the successful completion score of 438 for Part III and a successful completion score of at least 475 on Part IV. Therefore, the primary purpose of this proposed rule is to remove all references to the practical exam currently found in s. Chir 2 and 3.

The new statutory provisions also included a grandfathering clause for applicants who had applied on or after January 1, 2012 and the effective date of 2013 Wisconsin Act 20, June 30, 2013. This class of applicants had taken the practical exam and therefore would not be required to have successfully completed the practical exam as long as the applicant had achieved a score of 375 or higher on Part III, and Part IV of the NBCE Exam and successfully completed the exam that tests the applicant's knowledge of the laws of this state relating to the practice of chiropractic. The Board will also take this opportunity to address other amendments to s. Chir 2 and 3 as necessary based on changes prompted by 2013 Wisconsin Act 20.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 227.11 (2), Stats., discusses the parameters of an agency's rule-making authority stating an agency, "may promulgate rules interpreting the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if it exceeds the bounds of correct interpretation." Section 227.01(1), Stats., defines agency as a board. The Chiropractic Examining Board falls within this definition. Therefore, the Board may promulgate administrative rules which interpret the statutes it enforces or administers as long as the proposed rule does not exceed proper interpretation of the statute.

s. 446.02 (2) (b) 4., Stats., states that the, "examining board shall promulgate rules establishing educational requirements for obtaining a license . . .". One of the requirements for obtaining a license is the successful completion of the NBCE examination. New legislation has prompted a change in the successful score on the NBCE Exam and the corresponding rule should be amended to reflect that
Rev. 3/6/2012

change. Therefore the Board is authorized both generally and specifically to promulgate the proposed rule.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours.

6. List with description of all entities that may be affected by the proposed rule:

Persons who are applying for chiropractic credentials.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

There is no existing or proposed federal regulation that is intended to address the activities to be regulated by this rule.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The Board anticipates that the implementation of this rule will not result in any economic impact on small businesses.

Contact Person: Shawn Leatherwood 261-4438.

Department Head or Authorized Signature

Date Submitted

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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Joshua Archiquette, Bureau Assistant on Behalf of Tom Ryan, Executive Director		2) Date When Request Submitted: 8/21/2013 <small>Items will be considered late if submitted after 4:30 p.m. and less than 8 work days before the meeting.</small>	
3) Name of Board, Committee, Council, Sections: Chiropractic Examining Board			
4) Meeting Date: October 3, 2013	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Report	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Review of Annual Report			
11) Authorization			
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)			
Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

CHIROPRACTIC EXAMINING BOARD



DIVISION OF LEGAL SERVICES and COMPLIANCE

(August 13, 2013)

DIVISION OF LEGAL SERVICES AND COMPLIANCE

The Division of Legal Services and Compliance (DLSC) provides legal services to professional boards and regulated industries. As part of these services, DLSC provides a Team which consists of intake staff, investigators, paralegals, prosecutors and a designated board counsel. DLSC also monitors compliance with disciplinary orders and administers the Professional Assistance Procedure -- a confidential monitoring program for impaired professionals.

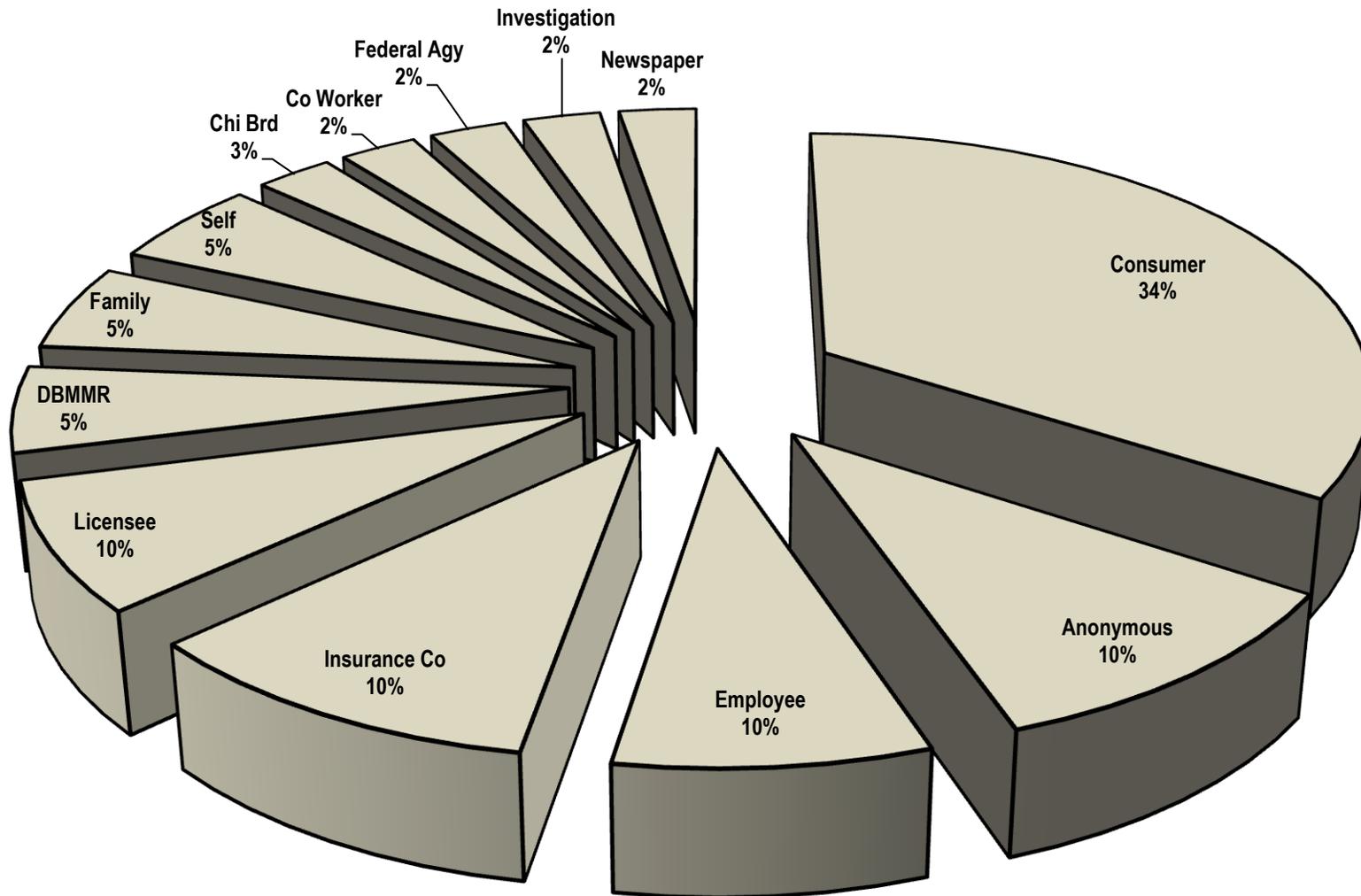
Over the past two years, DLSC Teams have had unprecedented success in resolving the backlog of pending cases. This has resulted in more manageable caseloads, and in turn, higher levels of consumer protection and a renewed focus on quality legal work. DLSC has the capacity to allocate resources as necessary to ensure responsible consumer protection.

Key DLSC statistics for 2012 for the Chiropractic Examining Board include:

- Complaints Received: **38**
- Complaints Resolved:
 - Cases resolved formally (through prosecution and negotiated stipulations): **6**
 - Complaints closed after Investigation (without a Formal Order): **16**
 - Complaints closed by the Board's Screening Panel: **30**
- Administrative Warnings issued: **5**
- Primary sources of complaints originated from **consumers, licensees, employees, anonymous and insurance companies.**
- Most common disciplines issued included **reprimands, license limitations and suspensions.**

In 2012, DLSC consolidated legal services, implemented staff production metrics and quality control procedures, standardized templates and conducted legal training, which has resulted in enhanced efficiencies, higher standards of service to our Boards and responsible consumer protection. These improved services are reflected in our statistics. DLSC respects and values the Chiropractic Examining Board's service to the State of Wisconsin and members of its profession. We look forward to continuing our partnership and working hard to continue to improve our services to the Board and to the public, including our revamped case advisor training methods and materials.

CHIROPRACTIC EXAMINING BOARD SOURCE OF COMPLAINTS - YEAR 2012



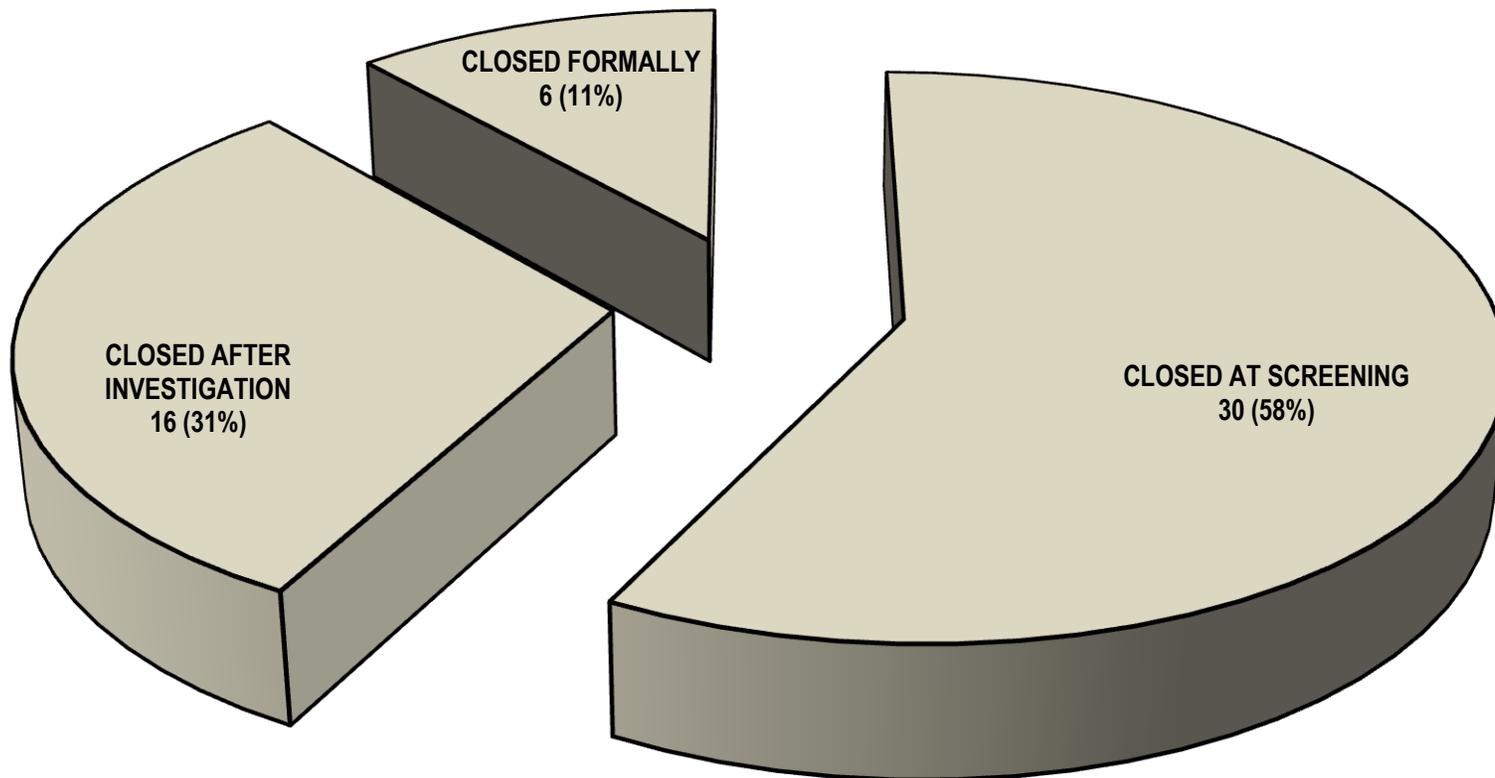
CHIROPRACTIC EXAMINING BOARD
ALLEGATIONS FROM COMPLAINTS RECEIVED JANUARY 1, 2012 - DECEMBER 31, 2012

COMPLAINT NUMBER	ALLEGATION(S)
12 CHI 001	Over treatment. X-rays: too many, inappropriate shielding, over exposed.
12 CHI 002	Practicing beyond scope of licensure.
12 CHI 003	"Public drinking jars dogs have drunk out of." Patient-children play in waiting area after dogs have discharged on carpet. Treating dogs in office for donations (no vet present).
12 CHI 004	Patient fell, sustained a back injury. Respondent's treatment did not help. Complainant has concerns about the CPT codes used in billing.
12 CHI 005	Yellowbook ad under "Physicians--MD and DO--sports medicine)
12 CHI 006	Report of Conviction: OWI (3rd); operating vehicle without owner's consent; false imprisonment.
12 CHI 007	Report of Conviction: OWI (2nd)
12 CHI 008	Failure to apply insurance payments correctly to charges
12 CHI 009	Respondent unable to practice due to tax delinquency
12 CHI 010	Patient (child) climbed exam table while it was vertical. Respondent grabbed patient, swung him into the air, put him the floor in the corner against wall, yelled at child about his behavior and that he doesn't listen.
12 CHI 011	Respondent required Complainant to perform traction, e-stim and cryotherapy on customers prior to chiro tech licensure. Exercise/Rehab speciality was denied due to lack of educ and experience. Respondent asked Complainant to resign when Complainant was denied the exercise/rehab speciality.
12 CHI 012	Billing dispute: Misdiagnosis resulted in MRI and it's corresponding charges.
12 CHI 013	Patient could not breathe, experienced severe pain during adjustment. Respondent requested patient come back next day to inquire about prior injuries, and charged for both appointments.
12 CHI 014	Respondent is excluded from Medicare, Medicaid and all Federal health care programs as he defaulted on a health education assistance loan.
12 CHI 015	Patient claims that Respondent failed to diagnose lumbar disc herniation and cauda equina symptoms. Settlement: \$99,999.00.
12 CHI 016	Resondents advertise on radio and website as being "Team Chiropractors" for sports teams (Olympics), but really have no affiliation except as "advisary council members." Respondents promote multilevel marketing scheme called "Beyond Organic."
12 CHI 017	Inappropriate contact during treatment
12 CHI 018	Respondent continued to work as a chiropractor after license was exired ("O" status due to tax delinquency and continuing education needed).
12 CHI 019	Practicing beyond the scope of licensure?
12 CHI 020	Patient alleges treatment to cervical spine lead to stroke. Settlement: \$500,000.
12 CHI 021	Sexual harassment of employee/C. Paid employee as a "visiting professor" and paid Complainant's child support under "Neurological Consulting Fees." Unurthorized use of signature stamp. Upcoding. Re-wrote Complainant's notes in patient records.
12 CHI 022	Fraudulent advertising. Complainant took in a coupon that was supposed to give him a free consultation, spinal exam and x-rays. However, the coupon was not honored saying that it was a printer error or something to do with medicare.
12 CHI 023	Complainant is alleging that Respondent is harassing her by sending text messages on a constant basis.

CHIROPRACTIC EXAMINING BOARD
ALLEGATIONS FROM COMPLAINTS RECEIVED JANUARY 1, 2012 - DECEMBER 31, 2012

COMPLAINT NUMBER	ALLEGATION(S)
12 CHI 024	Respondent has submitted billings to Complainant, insurance company, for the period of time that his license was suspended.
12 CHI 025	Respondents said they could cure Complainant's pain & diabetes. Complainant requested her money back but says that Respondent still has \$716.00.
12 CHI 026	Billing, Respondent was not in Complainant's insurance network, etc. Possible unlicensed activity?
12 CHI 027	Sexual misconduct with employees and other patients.
12 CHI 028	Respondent told Complainant that Respondent could help her so Complainant went ahead with treatment. After 35 treatments Complainant questioned Respondent about effectiveness. Respondent then told her that he could only help about 80% of people. Complainant says that had she been told that at the beginning, Complainant would never have gone ahead with the treatments as the payments were not being covered by any insurance.
12 CHI 029	Respondent is not providing records to Complainant or Complainant's attorney.
12 CHI 030	Respondent is possibly fraudulently billing.
12 CHI 031	Respondent over-adjusted Complainant causing a disc to bulge.
12 CHI 032	Respondent charged late charges and interest. Respondent violated the "limiting charge" and "ABN" requirements.
12 CHI 033	Respondent charged with felony theft from employer.
12 CHI 034	Falsification of medical records. Respondent came to Complainant's home, accusing her of slander. Failure to release medical records upon request. Failure to return funds owed to Complainant.
12 CHI 035	1) Respondent is billing for diagnoses not supported by medical records. 2) Employee takes scanning equipment home, scans her family and bills the insurance. Biller and Respondent split payments. 3) Respondent allows non-licensed staff to do therapeutic procedures/modalities (ultrasounds, e-stim, massage).
12 CHI 036	James Appel: Patients received modality treatments when he was not in the office by unlicensed staff. Jaime Krueger: Worked at a chiro tech before license was issued.
12 CHI 037	Respondent is providing services without an active license.

**CHIROPRACTIC EXAMINING BOARD
CLOSURES - JANUARY 1, 2012 - 12/31/2012**



CHIROPRACTIC EXAMINING BOARD
DISCIPLINE/OUTCOME - JANUARY 1, 2012 - DECEMBER 31, 2012

RESPONDENT NAME/LIC #	DISCIPLINE/ACTION	VIOLATION(S)
Wanda Erdman, D.C. License #2489-12	Suspended. Board Order date: 11/14/12	Respondent is in violation of the Orders dated October 6, 2011 and October 16, 2012 by failing to pay the costs of the proceeding and failing to comply with the terms of the chiropractic monitoring requirements.
Russell Sherbondy, D.C. License #2391-12	Reprimand, Limited: education, Respondent shall provide written notice, via certified mail, return receipt requested, to Medicare and Medicaid, specifically detailing the periods of unlicensed practice, Respondent shall prepare a sworn affidavit attesting that he notified each party in writing and attached copies of the signed returned receipt for each party so notified. Board Order date: 08/23/12	Engaging in the practice of chiropractic without being licensed by the Chiropractic Examining Board.
James Fink, D.C. License # 3339-12	Suspended. May petition for termination of suspension after completing: Satisfactory Fitness for Duty evaluations. Obtain 8 hours of education in ethics relating to chiropractic practice. Take and pass the NBCE Ethics and Boundaries SPEC Examination. Take and pass the Wisconsin Jurisprudence Examination. Board Order date: 05/24/12	Respondent charged in Brown County with 5 counts of manufacture or deliver prescription drug, and one count possess/illegally obtained prescription.
Brian Palevac, D.C. License #2019	Reprimand. Take and pass the Wisconsin Jurisprudence Examination. For one year from the date of the Order, Respondent shall post a notification in his clinic reception area, in 72 point font, stating that he is not, and has never been, a Diplomate of the American Board of Chiropractic Neurology. Respondent shall commence placement of a notice in his local newspaper, stating that he is not, and has never been, a Diplomate of the American Board of Chiropractic Neurology. This notice shall appear on Sundays for four consecutive weeks. Board Order date: 05/24/12	Since 1995, respondent has represented himself to be a Diplomate of the American Board of Chiropractic Neurology, using the D.A.B.C.N. designation after his name. Usage of the D.A.B.C.N. designation is a misrepresentation of fact that is false, deceptive and misleading, and implies that the respondent is a certified specialist when in fact he is not.
Richard Ranicke, D.C. License #2513-12	Suspended. Limited: education and conditions upon termination of suspension. Board Order date: 05/24/12	Respondent recommended and sold nutritional supplements without providing a diagnosis or basis for his recommendation. Providing chiropractic on three consecutive days is appropriate only in severe cases requiring immediate and intense treatment. Attendees of respondent's seminar did not present with severe conditions requiring chiropractic services on three consecutive days. Respondent's patient records were deficient. Provided Sympathetic Resonance Technology (SRT) as part of his services. SRT is outside the scope of chiropractic and is not approved by the Board as a safe or effective technique.
Danny B. Futch, D.C. License #2369-12	Reprimand. Board Order date: 03/29/12	On May 23, 2011, the Department determined that respondent's license had inadvertently expired on December 14, 2010, unknowingly to the respondent. The Department did not provide respondent notification of his unlicensed status at any time prior to May 23, 2011. Immediately upon notification by the Department of his unlicensed status respondent did the required process and had his license immediately restored to active status on May 23, 2011. This is respondent's first incidence of unlicensed practice.

CHIROPRACTIC EXAMINING BOARD
DISCIPLINE/OUTCOME - JANUARY 1, 2012 - DECEMBER 31, 2012

RESPONDENT NAME/LIC #	DISCIPLINE/ACTION	VIOLATION(S)
Gary Hutchinson, D.C. License #2283-12	Suspended, Limited: education/shall locate and successfully complete a minimum of twelve (12) hours of education in record keeping, 2 years from date of order respondent shall comply with monitoring by a mentor and have mentor provide formal written reports to the Board. Board Order date: 03/29/12	Recordkeeping issues. Also, on December 21, 2010, Respondent signed a Family and Medical Leave - Employee Request/Certification of Health Provider for Family Member's Serious Health. By signing the form, Respondent represented that he was the healthcare professional who authorized the administration of certain medication to Patient C.H. and required the patient's mother to leave work at designated times in order to administer the medication.. Respondent admitted that he was not the treating healthcare professional who prescribed the specific medication and that he did not review the information in the form before signing it, which authenticated Patient C.H.'s condition and the patient's mother's need to leave work. Respondent was aware that he falsified patient records by signing his name to the form.
James Schiavo, D.C. License #2607-12	Suspended. Board Order date: 02/07/12.	As of the Board's January 26, 2012 meeting date, no submissions from Respondent had been received, contrary to the requirements set forth in the Board's August 11, 2011 Order. Respondent's failure to comply with the terms of the Board's August 11, 2011 Order constitutes unprofessional conduct. Respondent's prior record of non-compliance with chiropractic licensing law and his current failure to comply with the terms and conditions of the August 11, 2011 Order constitute conduct imperiling the public health, safety, and welfare.
<p>NOTE: Wanda Erdman, D.C. and James Schiavo, D.C. are not represented in the "Closures" document (Closed Formally) because the disciplines represented in this document are the result of non-compliance with Board Orders issued in 2011.</p>		

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