

**CHIROPRACTIC EXAMINING BOARD  
MEETING MINUTES  
MARCH 17, 2011**

**FINAL 4/27/11**

**PRESENT:** Steven Conway, Wendy Henrichs, James Koshick, Steven Silverman

**BY PHONE:** Mania Moore

**EXCUSED:** Kathleen Schneider

**STAFF:** Denise Aviles, Bureau Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; other DRL staff

**GUESTS:** Kristen Finnel, Vivek Swaminathan, Dr. Robin Swaminathan, Dave Michel, Morna Foy, Sue Turowski, Paul Turowski and Mike Torowski

**CALL TO ORDER**

Chair Wendy Henrichs called the meeting to order at 8:36 a.m. A quorum of five (5) members was confirmed.

**APPROVAL OF AGENDA**

**MOTION:** James Koshick moved, seconded by Steven Conway, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JANUARY 27, 2011**

**Corrections:**

- Change motions for cases 10 CHI 037 and 09 CHI 013 to remove the word “no” from in front of prosecutorial discretion.

**MOTION:** Mania Moore moved, seconded by Steven Conway, to approve the minutes of January 27, 2011 as corrected. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

Denise Aviles provided updates related to travel and minutes.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

DOE attorneys presented a Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against the following:

- 1) 08 CHI 027 Renee Nodorft, D.C.
- 2) 08 CHI 027 Randall W. Nodorft, D.C.
- 3) 09 CHI 016 John T. Riegleman, D.C.
- 4) 09 CHI 020 Richard D. Zahorik, D.C.
- 5) 10 CHI 012 Michael J. Court, D.C.
- 6) 10 CHI 013 Colleen M. Hathaway, D.C.
- 7) 10 CHI 015 Jennifer R. Downing, D.C.
- 8) 10 CHI 022 Joshua J. Heimerl, D.C.

These matters will be deliberated in closed session.

**DISCUSSION REGARDING DISCIPLINARY ISSUES RELATED TO JURISPRUDENCE**

Discussion.

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**CLASS I HEARING**

Martha Pakan withdrew her request for appearance before the Board.

**PRECEPTOR APPROVALS OR ANY RECEIVED AFTER PRINTING OF AGENDA**

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><b>Chiropractor Lic.</b></u>	<u><b>Granted</b></u>
Northwestern ( <i>pregrad</i> )	Nyhus Schaffer	02/10/2005
	Bobbi Voermans	12/19/2003

**MOTION:** James Koshick moved, seconded by Mania Moore, to approve all the pregrad and postgrad preceptors as presented. Motion carried unanimously. Steven Conway and Steven Silverman abstained.

**EDUCATION AND EXAMINATION MATTERS**

The Board discussed the following matters:

- Workshop Related Exam Development

**MOTION:** Steven Conway moved, seconded by Mania Moore, to delegate authority to Jim Koshick to serve as Examination Liaison on behalf of the Board. Motion Rescinded.

**MOTION:** Steven Conway moved, seconded by Mania Moore, to delegate authority to the Examination Workgroup to work with Department staff in finalizing all aspects of the state exam. Motion carried unanimously.

- Communication from Western Technical College District Board Association as related to CT/CRT
- Communication from Northwestern Sciences University as related to Nutritional Counseling

**LEGISLATION/ADMINISTRATIVE RULE MATTERS**

The Board discussed the draft of CHIR 5.

**MOTION:** Mania Moore moved, seconded by Steven Silverman, to approve the rule draft, as published in today's agenda packet, for submission to the Legislative Clearinghouse. Motion carried unanimously.

The Board decided to move the date of the next meeting from May 26 to either April 27 or May 5, preferably the earlier.

**CREDENTIAL MATTERS**

The Board discussed "Licensure of Endorsement Candidates."

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**PRACTICE ISSUES**

The Board agreed to table discussion related to “Massage Therapy as an Adjunctive Service” until a future meeting.

**CLOSED SESSION**

**MOTION:** Mania Moore moved, seconded by James Koshick, to adjourn to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to 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.). Roll Call Vote: Steven Conway - yes Wendy Henrichs – yes; James Koshick – yes; Mania Moore – yes; Steven Silverman – yes. Motion carried unanimously.

Open session recessed at 1:10 p.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Steven Conway moved, seconded by Steven Silverman, to reconvene in open session at 2:00 p.m. Motion carried unanimously.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**PROPOSED ADMINISTRATIVE WARNING**

**10 CHI 014**

**MOTION:** Steven Conway moved, seconded by Steven Silverman, to issue the administrative warning in the matter of 10 CHI 014 - M.W. Motion carried unanimously.

**MOTION:** Steven Conway moved, seconded by Steven Silverman, to table action in the matter of 10 CHI 042 (D.B.) Motion carried unanimously.

**PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

**08 CHI 027**

**MOTION:** Steven Conway moved, seconded by James Koshick, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 08 CHI 027 – Renee Nordorft, D.C. and Randall W. Nordorft, D.C. Motion carried unanimously.

**09 CHI 016**

**MOTION:** Steven Silverman moved, seconded by Steven Conway, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 09 CHI 016 – John T. Riegleman, D.C. Motion carried unanimously.

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**09 CHI 020**

**MOTION:** James Koshick moved, seconded by Steven Silverman, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 09 CHI 020 Richard D. Zahorik, D.C. Motion carried unanimously.

**10 CHI 012**

**MOTION:** James Koshick moved, seconded by Steven Silverman, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 012 - Michael J. Court, D.C. Motion carried unanimously.

**10 CHI 013**

**MOTION:** Steven Conway moved, seconded by Steven Silverman, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 013 – Colleen M. Hathaway , D.C. Motion carried unanimously.

**10 CHI 015**

**MOTION:** Steven Conway moved, seconded by Steven Silverman, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 015 – Jennifer R. Downing, D.C. Motion carried unanimously.

**10 CHI 022**

**MOTION:** Steven Conway moved, seconded by Steven Silverman, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 022 – Joshua J. Heimerl, D.C. Motion carried unanimously.

**CASE CLOSINGS**

**MOTION:** James Koshick moved, seconded by Steven Silverman, to close case 10 CHI 024 for no violation. Motion carried unanimously.

**CONTINUING EDUCATION EXTENSION REQUEST**

**MOTION:** Steven Conway moved, seconded by James Koshick, to deny the continuing education extension request from Brian Hansen, D.C. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Mania Moore moved seconded by Steven Conway, to adjourn the meeting at 2:05 p.m. Motion carried unanimously.