

**INDIANA BOARD OF CHIROPRACTIC EXAMINERS
Indiana Government Center South
402 West Washington St., Room W064
Indianapolis IN 46204**

MINUTES OF APRIL 14, 2022

Marian Klaes, D.C., Chair, called the meeting to order at 9:00 a.m. and declared a quorum in accordance with IC 25-10-1-1.5(f), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present: Marian Klaes, DC, Chair
John Bernzott, DC
Derek Dyer, DC
Diane Vuotto, DC

Staff Present: Cindy Vaught, Board Director
Professional Licensing Agency
Dana Brooks, Assistant Director
Professional Licensing Agency
Clarence Leathurbury, J.D., Deputy Attorney
General, Office of the Attorney General
Jody Edens, Incoming Board Director
Professional Licensing Agency
Erin Sutton, Incoming Assistant Board
Director, Professional Licensing Agency

The Board voted to adopt the agenda.

Bernzott/Dyer, 4/0/0
Motion carries

The following board members voted aye:
John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto
The following board members objected: none
The following board members abstained: none

The Board voted to adopt the July 12, 2021 minutes.

Bernzott/Dyer, 4/0/0

Motion carries

The following board members voted aye:

John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto

The following board members objected: none

The following board members abstained: none

PERSONAL APPEARANCES

Ronald Sheppard, D.C., License No. 08000647A – Probation:

Dr. Sheppard appeared in person without counsel regarding his probationary appearance scheduled before the Board. He stated he has been following the requirements of his final order and was doing well. His next appearance is scheduled for July 21, 2022.

Madisyn Walter, D.C., Application by Examination:

Dr. Walter did appear and was not represented by counsel regarding her application by examination.

She did not respond “yes” to the question regarding an arrest or completion of a diversion program. On December 15, 2015, she was arrested for underage drinking with a BAC of .019. She entered a pretrial diversion program, and the matter was dismissed on February 3, 2017, after completing the diversion program.

Dr. Walter indicated that she thought the matter was expunged when it was dismissed.

After discussion, the Board moved to APPROVE Dr. Walter’s application.

Bernzott/Dyer, 4/0/0

Motion carries

The following board members voted aye:

John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto

The following board members objected: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

Jacob Roberts, D.C., License No. 08002515A Cause No. 2021 IBCE 0005

Respondent did not appear in person and was not represented by counsel regarding an Administrative Complaint & Motion to Dismiss Without Prejudice scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh with Accurate

Reporting Services.

Mr. Eldridge informed the Board that he filed a motion for dismissal on April 6, 2022 and is requesting that the Board dismiss this matter without prejudice.

He explained to the Board “without prejudice” means that action can be brought to the Board if they get another complaint regarding advertising issued on this licensee.

The complaint and dismissal will be on record.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to DISMISS the Administrative Complaint without prejudice.

Vuotto/Bernzott, 4/0/0
Motion carries

The following board members voted aye:
John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto
The following board members objected: none
The following board members abstained: none

Det James, D.C., License No. 08001191A, Cause No. 2020 IBCE 0002

Respondent did not appear in person and was not represented by counsel regarding an Administrative Complaint/Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh with Accurate Reporting Services.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The proposed settlement agreement included INDEFINITE PROBATION for not less than three (3) years and a FINE of \$4,000 with terms and conditions.

After reviewing the proposed settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE the Settlement Agreement.

Bernzott/Vuotto, 4/0/0
Motion carries

The following board members voted aye:
John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto
The following board members objected: none
The following board members abstained: none

**Anita Katherine Blessinger-Jackson, D.C., License No. 08001088A, Cause No. 99
IBCE 0003**

Respondent appeared in person and was represented by counsel, Michael Garte regarding a Petition for Reinstatement scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh with Accurate Reporting Services.

Dr. Blessinger-Jackson explained to the Board that back in 1987 through 1994 she was licensed in both Kentucky and Indiana practicing in both states. In 1994 she only practiced in the State of Kentucky. In 1994 she believed she had renewed her license on inactive status for Indiana. She was included in a CE audit for Indiana for the period of 1994-1996 and she did not respond to the audit, therefore her license was placed on Suspension.

She didn't know about the suspension until she recently went to renew her Indiana license back to active status and found that she was suspended.

Her Kentucky license has remained on active status during the entire time without discipline. She also indicated that she had not had any patient complaints.

Respondent's Exhibits:

A – copy of KY license

B – CE Copies from the last 22 years

C – Letter from 1998

The Board reviewed the CE submitted as evidence and indicated that she has met her CE requirements.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to REINSTATE the Respondent's license to expired status. She must then submit a reinstatement renewal, \$200 fee and retake the law exam to obtain active status.

Dyer/Bernzott, 4/0/0
Motion carries

The following board members voted aye:
John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto
The following board members objected: none
The following board members abstained: none

CONTINUING EDUCATION

Fetterman Events:

Fetterman Events submitted the following continuing education programs for review and approval by the Board:

- Outcome Assessments: Acute V's Chronic – 8 hours – March 19, 2022
- After COVID – 8 hours – March 3, April 9, and June 16, 2022
- Science Based Nutrition – Foundational Laboratory Analysis – 8 hours – March 12, and April 23, 2022
- State of the Art Imaging – 8 hours – May 12, 2022
- Neurology & Vagus Nerve Stimulation – 8 hours - March 5, May 7, October 15, and December 2, 2022

The Board reviewed and approved all above listed CE programs at the hours listed.

Vuotto/Dyer, 4/0/0
Motion carries

The following board members voted aye:
John Bernzott, Marian Klaes, Derek Dyer, Diane Vuotto
The following board members objected: none
The following board members abstained: none

The Board requested to move their next meeting date to July 21, 2022.

There being no further business, the Board ADJOURNED at 10:47 a.m.

Marion Klaes, D.C., Chair