

**INDIANA BOARD OF CHIROPRACTIC EXAMINERS**

**MINUTES**

**JANUARY 7, 2021**

**I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

**8:00 a.m.**

Dr. Klaes called the meeting to order at 8:00 a.m. through virtual video and audio conferencing and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

**Board Members Present:**

Marian Klaes, D.C., Board Liaison  
Diane Vuotto, D.C.  
Derek Dyer, D.C.

**Board Members Not Present:**

John Bernzott, D.C.  
Vacant, Consumer Member

**State Officials Present:**

Cindy Vaught, Board Director, Professional Licensing Agency  
Dana Brooks, Assistant Board Director, Professional Licensing Agency  
Phillip Gordon, Deputy Attorney General, Office of the Attorney General

**II. ADOPTION OF AGENDA**

A motion was made and seconded to adopt the agenda.

Vuotto/Dyer  
Motion carried 3-0-0

**III. ADOPTION OF THE MINUTES FROM OCTOBER 8, 2020**

A motion was made and seconded to accept the minutes as edited for the October 8, 2020 meeting.

Vuotto/Dyer  
Motion carried 3-0-0

**IV. ADMINISTRATIVE HEARINGS**

There were no administrative hearings scheduled today.

**V. PERSONAL APPEARANCES**

**A. Probation**

- 1. Ronald G. Sheppard, D.C., License No. 08000647A**  
Cause No. 2018 IBCE 0003

Dr. Sheppard appeared as requested with his counsel, Mark Sullivan. Dr. Sheppard last appeared before the Board on October 8, 2020 for an Administrative Hearing in response to his request to withdraw the Probation status of his license, and the State's request for an Order to Show Cause. The Board determined that a possible violation of his probation occurred, and his probation was extended an additional two years with quarterly appearances before the Board. Dr. Sheppard informed the Board that the advertising of the Castleton Clinic has been corrected to show he no longer provides the COVID testing services. He also stated that he is current case load is personal injury clients that are paying him through cash. Dr. Sheppard stated that only he is in control of what is published on the website, and that none of his employees have access to change or update the site. His next appearance is set for April 8, 2021.

**2. Matthew Schulz, D.C., License No. 08002297A**  
Cause No. 2015 IBCE 0003

Dr. Schulz appeared as requested with his counsel, Mr. Sullivan. Dr. Schulz last appeared on January 10, 2019. Dr. Schulz explained currently he is working well despite the irregularity that COVID has impacted his scheduling. The clients that have reviewed his clinic have left good reviews. Currently Dr. Schulz is creating internal processing videos using YouTube and other social media outlets. He is developing external processing lectures to expand his platform as he has received positive feedback on the presentations. He has found that by using the social media platforms he is able to expand his client base. He has seen his psychiatrist, Dr. Nida Syeed, twice since his divorce and has currently scheduled two additional appointments. He is still attending his counseling sessions and at this time it is going well.

**B. Reinstatement**

**1. Christopher Calarco, D.C., License No. 08002788A**

Dr. Calarco did not appear as requested. The Board had concerns on what type of work Dr. Calarco has been doing since his Indiana license expired in 2016 as it does not appear that he holds an Active license in another State. The also wanted clarification on the CE that Dr. Calarco had submitted.

**Board Action:** A motion was made and seconded to deny Dr. Caraco's license for reinstatement due to nonappearance before the Board.

Dyer/Vuotto  
Motion carried 3-0-0

**C. Application**

**1. Michael W. Hanley**

Dr. Hanley appeared as requested due to his yes response to question number 4 on the application "Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?" Dr. Hanley stated he had an incident of DUI in 2003 when he attended college. He was required at the time of the incident to complete an evaluation and pay fines, which he completed per the court's requirements. Dr.

Hanley informed the Board that he moved around to various locations as part of his employment at Doc for a Day. He has recently started doing more solo work. Currently he has been doing work in Illinois. Dr. Hanley is 2005 graduate of the Palmer College of Chiropractic and has taken and passed Part I, II, III, IV and Physiotherapy of the National Boards. He is currently licensed in the state of Illinois and holds an expired license in the state of Michigan, Virgin Islands, and Ireland.

**Board Action:** A motion was made and seconded to approve Dr. Hanley's application pending completion of the jurisprudence exam.

Dyer/Vuotto  
Motion carried 3-0-0

## 2. H. Princeton Russell

Dr. Russell appeared due to his yes response to question number 4 on the application "Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?" Dr. Russell explained to the Board that he received a DUI in 2018. The incident occurred while he was in school. He and a group of students attended events on campus where alcohol was provided. At the time of the incident, he and a friend were driving home, and were pulled over for speeding. Dr. Russell stated that he was speeding as his friend was sick from the alcohol and he was trying to get home quickly so his friend would not get sick in the car. The officer had noticed the smell of alcohol and asked if he had been drinking, and he had told the officer no. At the recommendation of legal counsel Dr. Russell stated that he plead guilty to driving under the influence. He completed all terms of the Court and the incident was removed from his driving record. Dr. Russell informed the Board that this is the only incident in his background, and his intention is to work with personal injury clients. Dr. Russell is a 2019 graduate of Logan University and has taken and passed Part I, II, III, IV and Physiotherapy of the National Boards. He does not hold a license in any state.

**Board Action:** A motion was made and seconded to approve Dr. Russell's application pending completion of the jurisprudence exam.

Dyer/Vuotto  
Motion carried 3-0-0

## 3. Matthew Trinidad

Dr. Trinidad appeared as requested due to his no response to question number 4 on the application "Except for minor violations of traffic laws resulting in fines, and arrests or convictions that have been expunged by a court, have you ever been arrested; have you ever entered into a prosecutorial diversion or deferment agreement regarding any offense, misdemeanor, or felony in any state; have you ever been convicted of any offense, misdemeanor, or felony in any state; have you ever pled guilty to any offense, misdemeanor, or felony in any state; or have you ever pled nolo contendere to any offense, misdemeanor, or felony in any state?" Dr. Trinidad reported to the Board that in 2013 he was celebrating New Years Eve with some friends in Las Vegas. He was pulled over by the Las Vegas Highway Patrol and was arrested for drunk driving. He stated that no one was injured during the incident and he willingly attended their group counseling and DUI

course. Since that incident he has had no other incidents in his past. He stated that it was not his intention to deceive the Board, but he thought that the incident was removed from his record once he completed the DUI course. Dr. Trinidad is a 2020 graduate of Palmer College and he has taken and passed Parts I, II, III, IV and Physiotherapy of the National Boards. He does not hold a license in any state.

**Board Action:** A motion was made and seconded to approve Dr. Trinidad's application pending completion of the jurisprudence exam.

Dyer/Vuotto  
Motion carried 3-0-0

## **VI. DISCUSSION**

Emily Slaven of the Indiana Physical Therapy Association wanted to inform the Board that there was new legislation passed in 2019. The new law states that you may only advertise physical therapy services if you are licensed as a Physical Therapist. There have been reports to the Indiana Board of Physical Therapy that there are Indiana chiropractors who are advertising of providing physical therapy services and are not licensed as a Physical Therapist. If a Chiropractor is performing such advertising physical therapy services, they can be disciplined. It is upon the professional to be aware of these changes and the Physical Therapy Board will begin filing complaints against practioners who are not following the new statute regarding advertising. The Board discussed the possibility of sending a mass email to all chiropractors of the legislative change. advised that we send a mass email to practioners and add this advertising issue for further discussion on their April Meeting. This matter shall be placed on the Board's agenda for further discussion at their next meeting scheduled for April 8, 2021.

## **VII. APPLICATION REVIEW**

There were no applications for review.

## **VIII. PROBATIONARY REPORT**

There were no probationary reports.

## **IX. CONTINUING EDUCATION**

There were no Continuing Education applications for review.

## **X. OLD/NEW BUSINESS**

There was no old/new business to address.

## **XI. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 10:30 a.m. by general consensus.

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**Marian Klaes, D.C. – Chairman**

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**Date**