

MINUTES

INDIANA BOARD OF CHIROPRACTIC EXAMINERS

JANUARY 11, 2007

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Dyer called the meeting to order at 9:00 a. m. in Conference Center Room 1 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 25-10-1-1.5(d).

Board Members Present:

David Dyer, D.C., Chairman
Charles Cochran, D.C., Vice Chair
Marian Klaes-Lanham, D.C.
David Frischman, D.C.
David Davis, D.C.

Board Members Absent:

John Bernzott, D.C.
Michael Riley, Consumer Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Kristine Yarde, Assistant Director, Professional Licensing Agency
Kelly Lewis-Walls, Case Manager, Professional Licensing Agency
Jason Thompson, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda

COCHRAN/DAVIS
Motion carried 5-0-0

III. ADOPTION OF THE MINUTES FROM THE NOVEMBER 2, 2006 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes, as presented, from the November 2, 2006 meeting of the Board.

COCHRAN/KLAES-LANHAM
Motion carried 5-0-0

IV. APPEARANCES

A. PROBATIONARY

- 1. State of Indiana v. Michael A. Vandersluis, D.C., License No. 08001442A
Administrative Cause No. 97 IBCE 001**

Dr. Vandersluis appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Vandersluis presented the Board with ten (10) patient

files to review and advised he is still using Quantum for his billing. He responded to the board that his Michigan license has not been reinstated and that he is complying with Illinois's probation order. Dr. Vandersluis stated he has done community service since August 3, 2006 as he is a board and committee member of Reformed Youth Services. He stated he is also going to look into doing something with Logan to complete his last two (2) hours. The Board did not have any issues with the patient files he presented and informed him his Probationary Order states that he can request a hearing to lift the probation order after April 7, 2007.

B. APPLICATION

1. Samson Keefe Cahill, D.C.

Dr. Cahill appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Cahill has successfully completed the law examination. Dr. Cahill is a 2002 graduate of National University of Health Sciences and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Cahill holds a license in Illinois.

Board Action: A motion was made and seconded to grant Dr. Cahill chiropractic licensure.

DAVIS/FRSICHMAN
Motion carried 5-0-0

2. Justin Mathew Gilmore, D.C.

Dr. Gilmore appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Gilmore has successfully completed the law examination. Dr. Gilmore is a 2006 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Gilmore does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Gilmore chiropractic licensure.

DAVIS/FRISCHMAN
Motion carried 5-0-0

3. Jared Nicholas Himsel, D.C.

Dr. Himsel appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Himsel has successfully completed the law examination. Dr. Himsel is a 2006 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Himsel does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Himsel chiropractic licensure.

DAVIS/FRISCHMAN
Motion carried 5-0-0

4. Christi Jean Houtz, D.C.

Dr. Houtz appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Houtz has successfully completed the law examination. Dr. Houtz is a 2006 graduate of Parker College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Houtz holds a license in Texas.

Board Action: A motion was made and seconded to grant Dr. Houtz chiropractic licensure.

FRISCHMAN/DAVIS
Motion carried 5-0-0

5. Teresa Louise Hulme, D.C.

Dr. Hulme appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Hulme was unsuccessful in completing the law examination and was given a law date selection sheet to retake the exam at a later date. Dr. Hulme is a 2005 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Hulme holds a license in Illinois and Michigan.

Board Action: A motion was made and seconded to grant Dr. Hulme chiropractic licensure upon passing the law examination.

FRISCHMAN/DAVIS
Motion carried 5-0-0

6. Heidi Marshall Kline, D.C.

Dr. Kline appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Kline has successfully completed the law examination. Dr. Kline is a 2006 graduate of National University of Health Sciences and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Kline does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Kline chiropractic licensure.

FRISCHMAN/DAVIS
Motion carried 5-0-0

7. Jeffrey B. Lauffer, D.C.

Dr. Lauffer appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Lauffer has successfully completed the law examination. Dr. Lauffer is a 1995 graduate of Cleveland Chiropractic College and has taken and passed National Boards Parts I, II, III, IV, and Physiotherapy. Dr. Lauffer holds a license in Florida.

Board Action: A motion was made and seconded to grant Dr. Lauffer chiropractic licensure.

COCHRAN/KLAES-LANHAM
Motion carried 5-0-0

8. Richard L. Liggett, II, D.C.

Dr. Liggett appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Liggett has successfully completed the law examination. Dr. Liggett is a 2001 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Liggett holds a license in Arizona, Missouri, Oregon, and New Hampshire.

Board Action: A motion was made and seconded to grant Dr. Liggett chiropractic licensure.

COCHRAN/KLAES-LANHAM
Motion carried 5-0-0

9. Brett Alan McPeak, D.C.

Dr. McPeak appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. McPeak has successfully completed the law examination. Dr. McPeak is a 2006 graduate of Logan College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. McPeak does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. McPeak chiropractic licensure.

COCHRAN/KLAES-LANHAM
Motion carried 5-0-0

10. Joseph James Paun, D.C.

Dr. Paun appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Paun has successfully completed the law examination. Dr. Paun is a 2006 graduate of National University of Health Sciences and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Paun does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Paun chiropractic licensure.

KLAES-LANHAM/COCHRAN
Motion carried 5-0-0

11. Douglas John Sharp, D.C.

Dr. Sharp appeared before the Board, as requested, regarding his application for chiropractic licensure. Dr. Sharp has successfully completed the law examination. Dr. Sharp is a 1997 graduate of Palmer College of Chiropractic and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Sharp holds a license in Kentucky.

Board Action: A motion was made and seconded to grant Dr. Sharp chiropractic licensure.

KLAES-LANHAM/COCHRAN
Motion carried 5-0-0

12. Dawn Melissa Webster, D.C.

Dr. Webster appeared before the Board, as requested, regarding her application for chiropractic licensure. Dr. Webster has successfully completed the law examination. Dr. Webster is a 2006 graduate of Cleveland Chiropractic College and has taken and passed National Boards Parts I, II, III, IV, and physiotherapy. Dr. Webster does not hold a license at this time.

Board Action: A motion was made and seconded to grant Dr. Webster chiropractic licensure.

KLAES-LANHAM/COCHRAN
Motion carried 5-0-0

C. RENEWAL

1. Edward Springhorn, D.C.

Dr. Springhorn appeared before the Board to discuss the renewal of his chiropractic license which expired July 1, 2002. Dr. Springhorn needs to submit copies of continuing education certificates totaling seventy-two (72) hours and twenty-four (24) of those hours needs to be in the area of risk management and/or public health. Dr. Springhorn explained to the Board that he worked at a JCI hospital in Saudi Arabia and took continuing education through that hospital which he told the Board is accredited by the Joint Commission on Accreditation of Hospitals. He presented the list of courses he had attended, letters of recommendation, and the hospital photo ID's he used in Saudi Arabia. Dr. Springhorn told the Board of his many accomplishments while in Saudi Arabia but said that he wants to live and work in Indiana again. Since he has returned he attended one (1) twelve (12) hour continuing education course offered by the Indiana State Chiropractic Association. Dr. Springhorn asked the Board to review and accept the continuing education he received overseas to fulfill the continuing education requirement he needs to renew his license. Ms. Vaught explained to the Board that she did research and the JCI hospital he worked at is not accredited by the Joint Commission on Accreditation of Hospitals and is not an approved organization under any category in the statute. The Board determined that it is up to Dr. Springhorn to present proof to the Board that the JCI hospital is an approved organization under the statute IC 25-1-4-0.2. The Board informed Dr. Springhorn that the Indiana State Chiropractic Association certificate is acceptable and suggested just in case he cannot prove the hospital is an approved sponsor he should consider working towards getting the remaining sixty (60) hours of continuing education of which twenty (20) hours must be in the area of risk management and/or public health.

Board Action: A motion was made and seconded to table the matter until the March 1, 2007 meeting of the Board.

FRISCHMAN/KLAES-LANHAM
Motion carried 5-0-0

V. ADMINISTRATIVE HEARING

A. State of Indiana v. John Dettmer, D.C., License No. 08000607A

Administrative Cause No. 96 IBCE 0016
Re: Request to Withdraw Order of Probation

Parties and Counsel Present:

Respondent was present and was not represented by counsel
Tracey Fitz, Deputy Attorney General for the State of Indiana
Carrie Owens, Court Reporter

Participating Board Members:

Dr. Dyer (Hearing Officer)
Dr. Cochran
Dr. Klaes-Lanham
Dr. Davis
Dr. Frischman

Case Summary: The Respondent's license was placed on indefinite suspension for a minimum of three (3) years on or about March 26, 1998 A Findings of Fact and Order was filed September 17, 2003 placing the Respondent's license on indefinite probation with terms and conditions. On October 3, 2006 the Respondent submitted a written request to the Board for a hearing on November 2, 2006 to withdraw his probation order. That hearing was continued by a motion and a vote of the Board to the January 11, 2007 meeting. The continuance came about as a result of surveys that were submitted to the Board by a professor whose class evaluated a talk given by Dr. Dettmer as part of his community service requirement. Several of the evaluations gave poor remarks regarding Dr. Dettmer and the Board wanted him to review the surveys and prepare a response by the January 11, 2007 hearing. At the January 11, 2007 hearing Dr. Dettmer testified that there had been a class discussion the day before his talk regarding the issue he was going to address and after speaking to one female in the class she indicated there were several males who had preconceived notions due to a debate the previous day. The State was not concerned with the individual evaluations and determined that he had complied with the terms and conditions of his probation order.

Board Action: A motion was made and seconded to grant the Respondent's request and withdraw the probation order.

COCHRAN/FRISCHMAN
Motion carried 5-0-0

- B. State of Indiana v. James A. Hollern, D.C., License No. 08002024A**
Administrative Cause No. 2006 IBCE 0002
Re: Complaint

This hearing was continued to a later date.

VI. SETTLEMENT AGREEMENTS

There were no settlement agreements before the Board.

VII. NOTICE OF PROPOSED DEFAULT

There was no notice of proposed defaults before the Board.

VIII. OLD/NEW BUSINESS

There was no old/new business before the Board.

IX. DISCUSSION

A. Proposed Administrative Rule Changes

1. Proposed Rules for Continuing Education

The Board discussed the use of videos and the conflict it may have with not allowing distance learning. It was determined that the Board will accept videos for continuing education credit as long as certain conditions are met. These conditions preliminarily are that the video has a live monitor who can verify attendance and that it is shown at a specific location.

B. Continuing Education Audit for 2006

Ms. Vaught presented to the Board a spreadsheet of results for continuing education submitted by chiropractors chosen in the random audit for the 2004 to 2006 biennium. There were fifty (50) practitioners chosen and all but five (5) successfully complied. The practitioners were notified by mail three (3) different times that they needed to submit proof of continuing education. Those practitioners who failed to successfully comply will be sent a letter advising what is necessary to rectify the deficiency. Of the one hundred and eighty (180) programs attended it was noted that 51 programs were sponsored by the Indiana Chiropractic Association of Indiana (ICAI) and 46 programs were sponsored by the Indiana State Chiropractic Association (ISCA).

C. James Dean Cory, D.C.

Dr. Cory wrote a letter to the Board asking to surrender his license. Dr. Cory no longer resides in Avon, Indiana and is no longer in the field of chiropractic. The Board determined there is no litigation pending against him. This would not be a disciplinary action by the Board.

Board Action: A motion was made and seconded to accept the surrender of Dr. Cory's license.

DAVIS/KLAES-LANHAM
Motion carried 5-0-0

X. APPLICATION REVIEW

A. Endorsement Applications

There were no endorsement applications to review.

B. Examination Applications

There were no examination applications to review.

C. Temporary Permits

There were no temporary permits to review.

D. Professional Corporation Applications

There were no Professional Corporation applications to review

XI. PROBATIONARY REPORT

There were no probationary reports

XII. REPORTS

A. Indiana State Chiropractic Association

There was no representative present to give a report for the ISCA.

B. International Chiropractic Association of Indiana

Dr. Ron Woods informed the Board that the spring seminar will be held March 17-18, 2007. The ICAI is also discussing having a series of risk management seminars on Medicare/Medicaid.

C. Consumer Complaints

Dr. Bernzott was not present to discuss consumer complaints.

D. Continuing Education

There were no programs that needed to be reviewed and approved by the Board. All programs submitted were given by sponsors who have automatic approval.

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 12:00 p.m.

David Dyer, D.C. - Chairman

Date

Charles Cochran, D.C. - Vice Chairman

Date