

MINUTES

UTAH CHIROPRACTIC PHYSICIAN LICENSING BOARD MEETING January 14th, 2010

Room 210 (Second Floor) 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:03 a.m.

ADJOURNED: 11:12 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Penny Vogeler

Board Members Present:

James D. Knight, DC, Chairman
Gordon M. McClean, DC
Craig D. Campbell
Carlyle Bret Whitaker, DC
Edmund L. Sperry, arrived at 10:25 a.m.

Board Members Excused:

None

Board Member Absent

None

Guests:

Lew Wheelwright, DC
Tim Appgood, UCPA
Neena Bowen, DOPL

DOPL Staff Present:

Debbie Harry, Compliance Specialist

TOPICS FOR DISCUSSION
ADMINISTRATIVE BUSINESS:
MINUTES:

DECISIONS AND RECOMMENDATIONS

The minutes from the October 8th, 2009 meeting were reviewed. A motion was made by Dr. McClean, seconded by Dr. Whittaker, to approve the minutes as written. The motion passed unanimously.

**BUSINESS FROM PREVIOUS
MEETING: Dates of Board Meetings**

Ms. Stewart discussed changing back to Thursdays.

APPOINTMENTS:
Debbie Harry, Compliance Specialist

Ms. Harry presented the status report for the probationers being seen today. All but one of the probationers scheduled for today's meeting are compliant.

Derek Wayne Birch

Dr. McClean interviewed Dr. Birch. Dr. Birch is still interested in the position discussed at the last meeting; however it would pay commission only. The hours available are also an issue as he would be working a rotating schedule as an exam Doctor. He thinks this would make it hard to develop a practice. He is concerned about paying his bills. He feels he has stability with his job at Wal-Mart. This is an extremely hard decision for him. He is also working for UPS part time. Dr. Birch would like to be able to get back into the profession.

He discussed his family situation including the person he was and who he is now. He stated if he were able to get some help for his family financially he could work at getting his practice going. He will continue to look for the best situation to arise. He also needs to complete his CE but doesn't feel he has the time or money at present. Ms Stewart reminded him of the renewal date of May, 2010.

Dr. Birch stated he had previously submitted the CE required of him under his probation and asked if a portion of those hours would be applicable towards renewal CE. Dr. Wheelwright asked how many hours were required for him under his MOU. Ms. Stewart stated no minimum was stated in the MOU. He has documentation of 60 hours. A motion by Dr. Whittaker, seconded by Dr. McClean to accept part of those hours as CE was made. The motion passed unanimously. He now has sufficient CE to renew in May, 2010. Ms. Stewart told Dr. Birch if he is audited he will need to contact Ms. Harry and she will see that documentation is provided to him. He will next be seen April 8th, 2010. **Compliant**

Bruce C. Nielson

Dr. Whittaker interviewed Dr. Nielson. He was informed to use the newest chaperone log form with the age included. He was asked about procedures being listed on his log. He submits the forms only for female patients. He is submitting his logs on a voluntary basis. He is currently looking for another Chiropractic Physician to join his practice but is doing fine. Dr. Whitaker commended Dr. Nielson on his attitude and how cooperative he had been with the Board. He has only one more meeting with Board on April 8th, 2010. **Compliant**

Kip C. Porter

Dr. Knight stated he has reviewed Kip Porter's file and found everything in order. Dr. Porter was excused from the meeting. He will be seen April 8th, 2010. **Compliant**

Ed Sperry joined the meeting at 10:25 a.m.

Keith Sterling Hansen

Dr. Campbell interviewed Dr. Hansen. He is working with Dr. Rawlings approximately 8 hours per week. He is working on completing his CE. He stated he has learned how important having a chaperone is. He has a great support system with family and friends. He is still involved in reading scans via e-mail. He will be seen July 8th, 2010. **Compliant**

Daniel D. Knechtel

Dr. McClean interviewed Dr. Knechtel. He stated since the last meeting he has been working with his brother and that the relationship is being taxed. He has been looking for a new position. He has not landed any jobs and wonders if this is due to his probationary status. His goal is to go out on his own. He will remain with his brother until he can go out on his own. He stated he is personally doing very well. He is working on his CE and should be finished by May for renewal.

Dr. McClean discussed the employer report and the fact that his being out of compliance is becoming a real problem. The Board was adamant about him taking responsibility. The therapy report was discussed. He stated the therapist left it up to him as to when he will next be seen. Dr. Knechtel appears to have finally realized that he must take responsibility.

A motion was made by Dr. Whitaker, seconded by Dr. Mclean that if Dr. Knechtel is out of compliance again the Board will seek an Order to Show Cause. He will be seen April 8th, 2010. **Non-compliant**

Gregory Deforest Futrell

Dr. Knight interviewed Dr. Futrell. He stated his wife is working as his chaperone and said things are down due to the economy. He was reminded to use the new form with the age. Dr. Futrell is not required to submit reports. He has a contracted Massage Therapist in his office. He has not had a problem with his wife as a chaperone. He is working on his CE and feels he will be ready to renew by May. His probation

ends on April 30th, 2010. Dr. McClean mentioned the maturity he has shown over the time of his probation. He will be seen April 8th, 2010. **Compliant**

CORRESPONDENCE

D'Youville College

The Board had some concern about whether they would meet the requirements of Utah Law. They would be required to comply. Ms. Stewart presented information that CCE is looking for people to do on-site visits.

Ms. Stewart stated that the FCLB dues have been paid. FCLB annual meetings will be held in May, 2010, in Hollywood. The Baltimore Meeting beginning April 30th was also discussed. Dr. McClean indicated some interest in that meeting.

The chaperone log was discussed. It was decided the form on the internet is the current form containing the age of patient additional field.

Next Scheduled Meeting:

Thursday, April 8th, 2010

ADJOURN:

11:12 a.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

April 8th, 2010
Date Approved

(ss) James D. Knight Chairman
Utah Chiropractic Board

April 8th, 2010
Date Approved

(ss) Sally A. Stewart, Bureau Manager
Division of Occupational & Professional Licensing