

**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
DECEMBER 22, 2015**

PRESENT: Kelly Brown; John Church, D.C.; Jeffrey Mackey, D.C.; and Patricia Schumacher, D.C.

STAFF: Tom Ryan, Executive Director; Nilajah Hardin, Bureau Assistant; and other Department Staff

CALL TO ORDER

Patricia Schumacher, Chair, called the meeting to order at 8:30 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Additional memo received for item E.1*
- *Moved page 51 (relating to item H.1) to Closed Session materials*

MOTION: Jeffrey Mackey moved, seconded by John Church, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Kelly Brown moved, seconded by Jeffrey Mackey, to approve the minutes of July 2, 2015 as published. Motion carried unanimously.

ELECTIONS, NOMINATIONS, AND APPOINTMENTS

Board Secretary Election

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to postpone the Board Secretary Election to the first meeting of 2016. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Consideration of Wis. Admin. Code Chapters Chir 4 and 10 Draft Relating to Courses of Study for and Delegation to Chiropractic Technicians and Chiropractic Radiological Technicians

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to table consideration of Wis. Admin. Code Chapters Chir 4 and 10 draft relating to Courses of Study for and Delegation to Chiropractic Technicians and Chiropractic Radiological Technicians pending receipt of additional information as to how the course of study protects the public and comparative information from neighbor states. Motion carried unanimously.

Report from Assembly Health Committee Public Hearing – November 18, 2015

MOTION: Kelly Brown moved, seconded by Jeffrey Mackey, to begin a comprehensive review of the Board's rules. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

APPEARANCE – Ryan Zeinert, DSPS Licensing Education Specialist – Discussion of National/American College of Chiropractic Consultants (ACCC) Continuing Education Course Denial

MOTION: Kelly Brown moved, seconded by Jeffrey Mackey, to clarify that the application for continuing education program approval, submitted by National/American College of Chiropractic Consultants was denied because the application was incomplete and contained improper delegation information pursuant to Wis. Admin Code ch. Chir 5. Motion carried unanimously.

Review of Proposed Revisions to Herzing University’s Chiropractic Technicians and Chiropractic Radiological Technicians Courses of Study

MOTION: John Church moved, seconded by Kelly Brown, to approve the changes to Herzing University’s ASCT and DCT courses of study. Motion carried unanimously.

SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATIONS REQUEST(S)

National Board of Chiropractic Examiners (NBCE) Annual Business Meeting of State Delegates – April 29, 2016 in Phoenix, Arizona

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to designate Patricia Schumacher and John Church as alternate to attend the National Board of Chiropractic Examiners (NBCE) Annual Business Meeting of State Delegates on April 29, 2016 in Phoenix, Arizona and to authorize travel. Motion carried unanimously.

CLOSED SESSION

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Patricia Schumacher read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Kelly Brown-yes; John Church-yes; Jeffrey Mackey-yes; Patricia Schumacher-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:13 a.m.

RECONVENE TO OPEN SESSION

MOTION: Kelly Brown moved, seconded by Jeffrey Mackey, to reconvene in Open Session at 12:52 p.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

CREDENTIALING MATTERS

Application Review

9:15 A.M.: VIRTUAL/TELEPHONIC APPEARANCE – Joshua Cirilli, D.C. – Chiropractic Application

MOTION: Kelly Brown moved, seconded by Jeffrey Brown, to deny the Chiropractic application of Joshua Cirilli, D.C. **Reason for Denial:** Denial of full licensure per Wis. Stat. §§ 446.03(2) and 446.03(5) and Wis. Admin. Code § Chir 6.02(24). Motion carried unanimously.

Jeremie Schwartz – Chiropractic Application

MOTION: Jeffrey Mackey moved, seconded by John Church, to deny the request for an exception to the licensing requirements for Jeremie Schwartz. **Reason for Denial:** The Board does not have the authority to waive the requirements. Motion carried unanimously.

Bryn Bradley – Chiropractic Application

MOTION: Kelly Brown moved, seconded by Jeffrey Mackey, to approve the Chiropractic application of Bryn Bradley once all requirements are met. Motion carried unanimously.

Corey Schuler – Nutritional Counseling Certification Application

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to approve the Nutritional Counseling Certification application of Corey Schuler once all requirements are met. Motion carried unanimously.

DELIBERATION ON ORDERS FIXING COSTS

Karl Naujock, D.C., Respondent (ORDER0004119)(DHA Case SPS-15-0004)(DLSC Case 13 CHI 013)

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Karl Naujock, D.C., (ORDER0004119)(DHA Case SPS-15-0004)(DLSC Case 13 CHI 013). Motion carried unanimously.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)
MATTERS**

Administrative Warnings

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to issue an Administrative Warning in the matter of the following DLSC case numbers:

1. 15 CHI 004
2. 15 CHI 021

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Kelly Brown moved, seconded by Jeffrey Mackey, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the following matters:

3. 12 CHI 001 – Aaron J. Arfstrom, D.C.
4. 14 CHI 001 – Kenneth S. Heinen, D.C.
5. 14 CHI 007 – Stacy L. Shropshire, D.C.
6. 14 CHI 014 – Jeremy P. Stender, D.C.
7. 15 CHI 010 – Jason S. Denn, D.C.

Motion carried unanimously.

14 CHI 016 – John T. Aderholdt, D.C.

MOTION: Jeffrey Mackey moved, seconded by John Church, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of disciplinary proceedings against John T. Aderholdt, D.C., DLSC case number 14 CHI 016. Motion carried unanimously.

Case Closings

15 CHI 013 – N.E.D.

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to close DLSC case number 15 CHI 013 against N.E.D. for **Prosecutorial Discretion (P2.)** Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

APPEARANCE – Ryan Zeinert, DSPS Licensing Education Specialist – 2013-2014 Chiropractic Continuing Education Audit – Final Report

MOTION: Jeffrey Mackey moved, seconded by Kelly Brown, to refer S.W., D.C. to the Division of Legal Services and Compliance for possible failure to complete the continuing education requirements for the 2013-2014 biennium. Motion carried unanimously.

RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: Jeffrey Mackey moved, seconded by John Church, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Kelly Brown, seconded by Jeffrey Mackey, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:53 p.m.