

# **MONTANA BOARD OF CHIROPRACTORS**

**MONTANA DEPARTMENT OF LABOR & INDUSTRY**

**BUSINESS STANDARDS DIVISION**

**HEALTH CARE LICENSING BUREAU**

**301 SOUTH PARK, 4<sup>TH</sup> FLOOR**

**P O BOX 200513**

**HELENA MT 59620-0513**

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<http://www.discoveringmontana.com/dli/chi>

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## **2003 NEWSLETTER**

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### *.....MEMBERS OF THE BOARD.....*

**PRESIDENT**

GREGORY HOELL DC  
BOZEMAN MT  
TERM: 01/01/1998 - 01/01/2004

**VICE PRESIDENT**

PAMELA BLANCHARD DC  
GREAT FALLS MT  
TERM: 01/01/2000 - 01/01/2006

**SECRETARY**

JO AUSK, PUBLIC MEMBER  
TERRY MT 59349  
TERM: 01/01/2000 - 01/01/2006

**BOARD MEMBER**

DANIEL PRIDEAUX, D.C.  
MISSOULA MT  
TERM: 01/01/2002- 01/01/2005

**CONTACT PERSON: CHERYL SMITH BOARD ADMINISTRATOR**

**(406) 841-2393**

**FAX (406) 841-2305**

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*ηη OVERVIEW ηη*

It is the duty of the Montana Board of Chiropractors to assure that chiropractic is practiced within the scope of Montana law and in a manner that does not harm the public. Therefore, the Board deals with statutory and regulatory issues such as scope of practice, licensing, and disciplinary action.

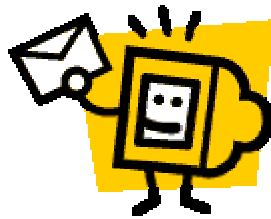
The Board consists of four individuals appointed by the Governor, three of whom are chiropractors and one public member. The terms are three years in duration and there is a limit of two consecutive terms. The Board administrator, who is an employee of the state of Montana, handles day-to-day activities of the Board.

The Montana Board takes its duties very seriously and welcomes your input.

*ηη ON-LINE LICENSE RENEWAL ηη*

*It's hard to believe renewal time is here again.*

**REMEMBER YOU CAN RENEW YOUR LICENSE ON LINE!**



*Try it you'll like it! You'll find your PIN number under your license status in the upper right hand corner of the renewal form.*

*Be sure to read the enclosed brochure regarding on-line renewal.*

**ADVANTAGES OF RENEWING ON-LINE**

1. *Takes less time than filling out the form*
2. *All questions have to be answered, so there are*

- no mistakes that require a renewal to be sent back*
3. *Renewal cannot get lost in the mail*
  4. *No postage (saves you a \$.37 stamp)*
  5. *You can print your license immediately – no chance of it getting lost in the mail*
  6. *There is no doubt that your license is renewed and you are legal to practice*
  7. *You can change your address*

### **DISADVANTAGES**

1. *If you are changing your license status (active to inactive) or (inactive to active) you must mail your renewal form in to the office with the proper form – this cannot be done on-line. The forms for changing license status can be downloaded from the Boards Website and need to be submitted with the completed renewal form.*
2. **CAN'T THINK OF ANY OTHER DISADVANTAGES!**

**REMEMBER:** You have until September 1, 2003 to renew your license. On September 1, 2003, if your license has not been renewed, your license will automatically terminate and a late fee will be assessed when you do renew. **DO NOT SEE PATIENTS ON SEPTEMBER 2<sup>ND</sup> IF YOU HAVE NOT RECEIVED YOUR LICENSE AND HAVE IT IN HAND OR HANGING ON YOUR WALL!** Call the office to see if your renewal has been received.

### **HOW SHOULD I ANSWER THE DISCIPLINARY QUESTION ON THE BOTTOM OF THE RENEWAL FORM?**

If you have ongoing legal actions against you, you need to check the answer **“YES”**.

If a final action has been taken against you, you need to check the answer **“YES”**

If any legal issue has been brought against you that might affect your license then you must check the answer **“YES”**.

If you have a complaint against you in the Screening Panel, you must check the answer "YES".

If you have had a complaint brought against you that the Screening Panel dismissed you may answer the question "NO"

## ηη IMPAIRMENT EVALUATORS ηη

Those of you who have Impairment Evaluator status will need to renew your license next year and will need to be sure you have received the required four hours of continuing education credit specific to impairment evaluation as required.

## ηη BOARD STATISTICS ηη

### 09/01/2002 TO 06/30/2003

Applications Received 32  
Non-Renewed License: 20

New Licenses issued: 24  
Licenses Denied 0

Active In-State Licenses: 281  
Active Probation Licenses: 2  
Out-of-State Active Licenses: 58  
TOTAL ACTIVE LICENSEES 341

Inactive In-State: 22  
Inactive Out-of State: 190  
TOTAL INACTIVE 212

**TOTAL LICENSEES 553**

### **FY 2003 - July 1, 2002 to June 30, 2003**

<b>FY '03 COMPLAINTS:</b>	3	<b>PRIOR YEAR COMPLAINTS</b>
	20	<b>NEW COMPLAINTS RECEIVED</b>
	11	<b>CONTESTED CASES</b>

### **COMPLAINTS CLOSED: (BROKEN OUT BY LATEST BOARD DECISION)**

5 DISMISSED (with prejudice)  
1 DISMISSED (without prejudice)  
7 MULTIPLE SANCTIONS/PROBATION

**13 TOTAL CLOSED COMPLAINTS**

## ηη INTERNET ηη

Board statutes, rules, applications and additional forms and approved continuing education are now on the Internet. Please take a minute to look at the Board's

Website: <http://www.discoveringmontana.com/dli/chi>

## ηη CONTINUING EDUCATION ηη



### APPROVED CONTINUING EDUCATION COURSES ARE NOW ON-LINE

You can now review all of the approved continuing education courses on-line. Just go to the Board's website. Using the drop down arrow by Select a Board Topic, choose Approved Cont. Education. Here you can search four different ways for the course you are wondering about. You can search by Sponsor, Course date, Course name or Location. Simply put in the first letter of the course name, sponsor or location it begins with and the database will pull up everything that begins with that letter. When searching by date and you don't know the exact date but know the month you can simply put in **04/%/03** and it will pull all of the seminars being held in April of '03. Call the office if you have questions.

### REQUIREMENTS

12 continuing education credits are required for renewal. Be sure that the continuing education course or seminar has been pre-approved by the Board.

In order for the Board to approve continuing education courses and seminars, they generally must have the backing of one of the accredited chiropractic colleges. There may be a few exceptions to this rule but they are rare.

The Board keeps a list of approved courses. Each provider of continuing education courses must apply to the Board for approval. Each course is given a Course ID Number and if the course has been approved the provider will be able to give you this number.

What if a provider has not requested approval? You can inform them that the application form is on the Board's Website and they must have the course approved for it to be accepted for CE credit towards renewal. Or have them contact the Board's Office.

**WARNING: DO NOT submit your license renewal until you have taken your required CE. CE must have been taken between 09/01/2002 and 08/30/2003 to be eligible for this renewal period. Place your license on inactive status before the 1<sup>st</sup> of September if you have not been able to get the required hours. By doing this you won't have to pay the late fee and it will give you extra time to get the required hours. Just remember that while**

your license is on inactive status you cannot practice.

**CONTINUING EDUCATION AUDIT**

After renewal, generally around the end of September, the Board randomly audits 10% of the active licensees to verify compliance with the continuing education requirements. The computer randomly chooses the licensees and if your name is one of those selected you will receive an audit letter from the Board.

**THE FOLLOWING PROCEDURES AND DISCIPLINARY ACTIONS MAY BE IMPOSED WHEN THE RANDOM AUDIT SHOWS A LICENSEE DID NOT HAVE THE REQUIRED CE.**

Based upon the random audit, the Screening Panel will file a complaint giving the licensee the opportunity to respond. If the licensee cannot produce proof of the required CE, the Screening Panel will then Notice the licensee for disciplinary action.

Standard disciplinary action taken against a licensee that renewed without the proper CE is:

- 1-year probation
- \$500. fine
- 12 additional credits of CE

ηη **IMPORTANT INFORMATION** ηη

***DIRECT CONTACT OF BOARD MEMBERS:*** *The Board members are always willing to visit with licensees regarding general issues. However, Board members, as individuals, are not allowed to speak for the Board unless a Board decision has been reached between all Board members at a regularly scheduled Board meeting.*

*Therefore, anytime a licensee or a member of the public wishes to know the Board's decision regarding a particular issue, they need to write a letter to the Board and request a response from the Board at its earliest convenience. This usually means at its next scheduled meeting.*

**NEVER** *contact a Board member regarding a complaint (new, pending or even being considered) or any issue that might, in the future, be cause for disciplinary action against a licensee.*

*The reason for this is that there are only four members on the Board and it may cause them to be recused from any discussion regarding that complaint or issue. This greatly jeopardizes the efficiency of the Board.*

.ηη **DISCIPLINARY ACTION** ηη

*Disciplinary action taken in previous years can be viewed on the Board's website in previous newsletters.*

*The Montana Board of Chiropractors took disciplinary action against the following licensees:*

<u>YEAR</u>	<u>LICENSEE</u>	<u>DATE OF FINAL ORDER</u>
<u>2002</u>	<b>BENJAMIN H. CLACK #921</b> DOCKET NO. CC-02-0144-CHI Violation of MCA §37-1-316(18), ARM §8.12.606(2) Licensee failed to provide proof of having obtained the required CE for renewal of chiropractic license. Licensee's license was placed on one-year probation, a fine of \$500 was assessed and the licensee was issued a public letter or reprimand.	<b>03/28/2002</b>
	<b>THOMAS C. DONAHUE #734</b> DOCKET NO. CC-03-0115-CHI Violation of §45-2-101, and §37-1-316 (18)MCA, and ARM 8.12.607 (2), (3),(6) and (11). Licensee's license was placed on Summary Suspension effective 11/20/2002. License is still on summary suspension pending the Hearing Examiner's recommendation and Final decision of the Adjudication Panel.	
	<b>LAIRD, LAWRENCE B. #187</b> DOCKET #CC-02-0168-CHI Violation of §37-1-316 (18) and ARM 8.12.607 (8) and (15). A fine of \$250.00 was assessed and the licensee's chiropractor license was suspended upon the signing of the Final Order on 08/29/2002. Licensee shall not apply for reinstatement of licensure until licensee completes and passes the Special Purposes Examination, a national examination administered by the National Board of Chiropractic Examiners.	<b>08/29/2002</b>
	<b>RODGERS, MARTIN W. #738</b> DOCKET #CC-01-152-CHI Violation of §37-1-316 (18) and ARM 8.12.607(8). One-year probation of license beginning 03/28/2002, and an administrative fine of \$500.00.	<b>03/28/2002</b>
<u>2003</u>	<b>BRIDGE, ALAN #641</b> DOCKET #CC-03-0149-CHI Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003	<b>02/06/2003</b>

*and administrative fine of \$500.00 and 12 credits of board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.*

**RACHIE, THOMAS G. #368 02/06/2003**

*DOCKET #CC-2006-6 CHI AND CC-03-0090-CHI  
Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003 and administrative fine of \$500.00 and 12 credits of board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.*

**ADKINS, MONICA #933 02/06/2003**

*DOCKET #CC-03-0133-CHI Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003 and administrative fine of \$500.00 and 12 credits of board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.*

**NETLEY, WAYNE #815 02/06/2003**

*DOCKET #CC-03-0152-CHI Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003 and administrative fine of \$500.00 and 12 credits of board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.*

**RIDDEL, JOEL #907 02/06/2003**

*DOCKET #CC-03-0154 Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003 and administrative fine of \$500.00 and 12 credits of board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.*

**BROVOLD, CLAYTON #392 02/06/2003**

*DOCKET #. CC-03-0150-CHI Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003 and administrative fine of \$500.00 and 12 credits of*



board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.

**HAMILTON, TERRI #716 02/06/2003**  
DOCKET #CC-03-0134-CHI Violation of §37-1-317, MCA, §37-12-301 and ARM 8.12.607(3) and (11). Licensee's license was placed on probation for a one-year period beginning on 02/06/2003 and administrative fine of \$500.00 and 12 credits of board-approved continuing education in addition to the already requisitioned 12 hours continuing education required in the standard policy.

## ηη **FEDERATION OF CHIROPRACTIC LICENSING BOARD'S** ηη

The 77<sup>th</sup> Annual Federation of Chiropractic Licensing Board's Congress was held in Orlando Florida April 29 – May 4, 2003. The Montana Board of Chiropractors sent two board members and the board administrator. Issues discussed help us to be better informed with the hope of being a more proactive board rather than reactive. Conference speakers discussed issues of Ethically Challenged providers, rehabilitating wayward practices along with fraud and sexual abuse issues. Inter-jurisdictional mobility continues to be an ongoing discussion as most states realize the desire of doctors to practice in other states than they are currently licensed.

Of special interest to our board is watching the PACE program evolve. Pace stands for Providers of Approved Continuing Education, which is a service of the FCLB. Sifting through material for approval or disapproval for continuing education is a cumbersome process for boards. The state licensing boards asked the FCLB for a national way of accepting C.E. In response to this request, the FCLB formed a committee to come up with Policies, Procedures and Criteria for approving continuing education. This has been a busy and time consuming process, but the committee continues to work with all parties involved to be sure this will be a good program for everyone involved. It will probably be 1 ½ to 2 years yet before everything is "fine toothed". The PACE approved education is entirely voluntary for the state boards' use and each state will continue to review C.E. on a case by case basis. PACE is still quite new and will continue to see a lot of changes. Therefore, we will continue to follow the programs process and keep the licensees informed.

Complete conference agenda and program as well as PACE are available on the Federation's website at [www.fclb.org](http://www.fclb.org).

**ASSOCIATION OF CHIROPRACTIC BOARD ADMINISTRATORS**

*The Board's Administrator also attended the Association of Chiropractic Board Administrators annual meeting while in Orlando.*

*This association began in 1986 and was officially established in 1989 with the adoption of bylaws. The purpose of the ACBA is "to provide networking and communication opportunities for Chiropractic Member Board Administrators/Regulators to meet and discuss issues, and to work with the FCLB and NBCE to provide input, when appropriate on issues that affect the regulation of the chiropractic profession."*

*This year, the Montana Board of Chiropractors' Administrator, Cheryl Smith, was elected President of this Association. Cheryl has been a member of the Association since 1991 and has served as Secretary and Vice President over the past four years.*

*Montana is one of the leading state boards in technology with license renewal on line and licensee lookup online as well as its licensee database.*

ηη **BOARD MEMBER FAREWELL** ηη

*The Board will be saying farewell to Dr. Greg Hoell as a member of the Board at its meeting on September 25, 2003.*

*Dr. Hoell's second three-year term ends January 1, 2004.*

*The Board wishes to extend its appreciation to Dr. Hoell for his six years of service to the Board and the State of Montana and its citizens. Dr. Hoell has been an exemplary member and has always strived to protect the public. Filling Dr. Hoell's spot on the Board will take a person dedicated to the protection of the public as is required of all the Board members.*

*Dr. Greg Hoell, you will be missed!*

ηη **BOARD MEETINGS** ηη

**BOARD MEETINGS ARE OPEN TO THE PUBLIC**

The Board will continue to meet at least two times per year. It will call other meetings as the need arises. Meeting dates and times can be found on the Board's Website. Minutes that have been adopted from previous meetings can also be viewed in this section.

