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FLORIDA | Board of Chiropractic Medicine

MEETING MINUTES

June 5, 2015

Omni Orlando Resort at ChampionsGate

1500 Masters Blvd

ChampionsGate, FL 33896



Kevin Fogarty, D.C., F.I.C.A. (hon)

Chair

Danita Heagy, D.C.

Vice-Chair

Anthony B. Spivey, DBA

Executive Director

1 **General Board Business started: 8:38 a.m.**

2
3 I. The meeting was called to order by Dr. Fogarty, Chair. Those present for all or part of the meeting included the following:

4
5 **MEMBERS PRESENT:**

6 Kevin Fogarty, D.C., F.I.C.A. (hon), Chair
7 Danita Heagy, D.C., Vice-Chair
8 Christopher Fox, D.C.
9 Julie Hunt, D.C., DICCP
10 Kenneth Dougherty, D.C.
11 David Colter
12 Ruth Pelaez

5 **STAFF PRESENT:**

6 Anthony B. Spivey, DBA, Executive Director
7 Joseph Lesho, Program Operations Administrator
8 Towanda Burnett, Compliance Officer

13
14 **BOARD COUNSEL:**

15 Deborah Loucks, Assistant Attorney General
16 Office of Attorney General

17
18 **COURT REPORTER:**

19 American Court Reporting
20 (407) 896-1813

21
22 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from this*
23 *meeting can be found online: <http://floridaschiropracticmedicine.gov/meeting-information/past-meetings>*

24
25 **SPECIAL RECOGNITION:**

26 The board recognized Dr. David W. Mayer, the father of Dr. Julie Hunt. Dr. Fogarty described Dr. Mayer as an integral part
27 of the profession of chiropractic.

28
29 **Section II began: 8:40 a.m.**

30
31 **II. APPROVAL OF MINUTES:**

32
33 **a. April 10, 2015**

34
35 Minutes of the April 2015 Full Board Meeting were reviewed.

36
37 Dr. Dougherty, referring to page 12, line 44, noted that he recalled his motion to deny the petition for waiver/variance
38 from Lisa Verna, D.C. should have included a one-year extension to complete the Continuing Education (CE)
39 requirements. The board tabled the discussion at 8:44 a.m. while Mr. Lesho researched the issue.

40
41 The board returned to the issue at 8:53 a.m. when Mr. Lesho told the board that he reviewed the original order, and it did
42 not contain any language regarding a CE extension.

43
44 Dr. Dougherty asked if Dr. Verna would be considered out of compliance without the extension. Ms. Loucks explained
45 that because the petition was submitted in conjunction with an attempt to change the status of the license from inactive to
46 active, as opposed to a renewal, she would not be considered out of compliance.

47
48 **Action:** Motion to accept the minutes as presented in the addendum was made by Dr. Heagy. Seconded by Mr. Colter.
49 Vote: 7 yeas / 0 opposed; motion carried

50
51 **Section II tabled: 8:44 a.m.; Resumed: 8:53 a.m.; Concluded: 8:55 a.m.**

52 **Section III began: 8:44 a.m.**

53
54 **III. APPLICANTS PRESENTED FOR BOARD REVIEW:**

55
56 **a. Asa Andrew, D.C.**

57 Dr. Andrew was present, and was represented by counsel, Ed Bayo, Esq.
58

1 Dr. Andrew submitted an application for licensure as a Chiropractic Physician, which was received by the board on
2 March 27, 2015. Dr. Andrew's application was brought before the board because he answered "yes" to the disciplinary
3 history question, stemming from two violations that occurred in the state of Tennessee. In 2009, Dr. Andrew was fined
4 for failure to properly maintain or submit sufficient education credits, and in 2011, Dr. Andrew voluntarily surrendered
5 his Tennessee license in lieu of discipline after being accused of false or misleading advertising. Dr. Andrew also holds a
6 license as a Chiropractic Physician in the state of Georgia, upon which no disciplinary actions have been imposed.
7

8 **Discussion:**

9 Mr. Bayo explained to the board that the penalty for an advertising violation in the state of Tennessee is minimal, but Dr.
10 Andrew simply surrendered his license voluntarily rather than proceeding with the disciplinary process. He also
11 explained that the state of Georgia granted Dr. Andrew a license with no conditions after considering his past discipline.
12

13 After additional discussion regarding the circumstances of the discipline and voluntary surrender, a motion was made.
14

15 **Action:** Motion to approve the application for licensure was made by Dr. Fox. Seconded by Dr. Heagy.

16 Vote: 7 yeas / 0 opposed; motion carried
17

18 **b. Michael Irwin O'Daniel, D.C.**

19 Dr. O'Daniel was not present, and was not represented by counsel.
20

21 On June 2, 2015, Dr. O'Daniel e-mailed the board office to explain that he would not be able to attend this meeting due
22 to prior obligations. He agreed to waive the 90 days required in s. 120.60, F.S., in the event that the board wished to table
23 his application.
24

25 **Discussion:**

26 Due to the nature of the criminal history and past discipline, Dr. Heagy was uncomfortable taking action on the
27 application without having the opportunity to question the applicant.
28

29 **Action:** Motion to table the discussion was made by Dr. Heagy. Seconded by Dr. Hunt.

30 Vote: 7 yeas / 0 opposed; motion carried
31

32 **Section III concluded: 8:53 a.m.**

33 **Section IX began: 8:55 a.m.**
34

35 **IX. COMMITTEE REPORTS:**

36 **e. Disciplinary Compliance – Dr. Fogarty**

37 **i. Petition for Reinstatement:**

38 **1. Edward Tanza, D.C. – Case Number 2014-07239**

39 Dr. Tanza was present, and was represented by counsel, Ed Bayo, Esq.
40

41 A Final Order filed on December 5, 2014 placed Dr. Tanza's Chiropractic Physician license on indefinite
42 suspension. The Final Order also required Dr. Tanza to pay an administrative fine in the amount of \$7500;
43 costs in the amount of \$120.26; complete six (6) hours of continuing education (CE) in the area of
44 recordkeeping, documentation and coding; and complete fifty (50) hours of community service. The Final
45 Order indicated that Dr. Tanza will be eligible to submit a Petition for Reinstatement on or after June 1, 2015,
46 provided he pay the costs and complete the required CE and community service. Dr. Tanza has submitted a
47 Petition for Reinstatement requesting an appearance before the board to demonstrate compliance with the
48 terms of the Final Order so that his license may be reinstated.
49
50
51
52

53 **Discussion:**

54 Ms. Burnett confirmed that all terms of the original Final Order have been fulfilled.
55
56

1 After discussion regarding the circumstances of the health care fraud issue that lead to Dr. Tanza's initial
2 discipline, and discussion regarding what Dr. Tanza has learned from his community service experience, a
3 motion was made.
4

5 Action: Motion to grant the Petition for Reinstatement was made by Dr. Dougherty. Seconded by Dr. Fox.
6 Vote: 7 yeas / 0 opposed; motion carried
7

8 **2. Sean Paul Trujillo, D.C. – Case Number 2013-12482**

9 Dr. Trujillo was present, and was represented by counsel, Ed Bayo, Esq.

10 A Final Order filed on December 5, 2014 placed Dr. Trujillo's Chiropractic Physician license on indefinite
11 suspension. The Final Order also required Dr. Trujillo to pay an administrative fine in the amount of \$7500
12 (\$2500 of which must be paid before filing a Petition for Reinstatement); costs in the amount of \$142.74;
13 complete six (6) hours of continuing education (CE) in the area of recordkeeping, documentation and coding
14 two (2) hours in the area of ethics, and two (2) hours in the area of laws and rules governing the practice of
15 chiropractic medicine in the state of Florida; and complete fifty (50) hours of community service. The Final
16 Order indicated that Dr. Trujillo will be eligible to submit a Petition for Reinstatement on or after June 1,
17 2015, provided he pay the required amount of the fine and costs, and complete the required CE and
18 community service. Dr. Trujillo has submitted a Petition for Reinstatement requesting that he appear before
19 the board to demonstrate compliance with the terms of the Final Order so that his license may be reinstated.
20
21

22 **Discussion:**

23 Mr. Bayo pointed out that the original discipline from this case stemmed from the same health care fraud case
24 with which Dr. Tanza was involved.
25

26 After discussion regarding what Dr. Trujillo learned during his community service, a motion was made.
27

28 **Action:** Motion to grant the Petition for Reinstatement was made by Dr. Heagy. Seconded by Dr. Dougherty.
29 Vote: 7 yeas / 0 opposed; motion carried
30

31 **UNTIMED ITEM:**

32 **a. Nikki Vaugniaux, D.C.**

33 Mr. Bayo explained to the board that Dr. Vaugniaux was in attendance to fulfill the requirement of attending a meeting at
34 which disciplinary cases are heard within the first 12 months following initial licensure. She flew down from Illinois to attend
35 the meeting, and had planned the trip before the agenda was created, so she was unaware that no discipline would be heard at
36 this meeting. Mr. Bayo recommended that she attend the meeting and then submit affidavit to the board stating she
37 understands the laws and rules.
38
39

40 Dr. Dougherty suggested that she instead submit an affidavit stating that she has read the minutes from the last three board
41 meetings during which disciplinary cases were heard.
42
43

44 Dr. Spivey pointed out that out-of-state licensees are not obligated to fulfill this requirement until they move to Florida. Dr.
45 Vaugniaux stated that she intends to move to Florida eventually, and Mr. Bayo clarified that this request is to have the board
46 consider the requirement fulfilled for when she does move to Florida.
47

48 **Action:** Motion to allow Dr. Vaugniaux to submit an affidavit affirming that she has read the minutes of last three board
49 meetings during which disciplinary cases were heard in lieu of attending such a meeting was made by Dr. Dougherty.
50 Seconded by Dr. Hunt.
51

52 Vote: 7 yeas / 0 opposed; motion carried
53

54 **ii. Appearance Request by Board Chair:**

55 **1. Kathy Anne Ragone, D.C. – Case Number 2003-23494**

56 Dr. Ragone was present and was not represented by counsel. Dr. Barry Adler, her probation monitor, was
57 present and spoke on her behalf.
58

1 An order filed on July 6, 2010 reinstated Dr. Ragone's license from suspension with the condition that she be
2 placed on a life-long probationary period. The order allowed for Dr. Ragone to request a re-evaluation of the
3 probationary period after five (5) years, and also allowed the board chair to request an in-person appearance
4 before the board at any time. Though nearly five years of probation have been served, a compliance report
5 generated on April 6, 2015 showed that Dr. Ragone failed to submit her respondent (self-monitor) reports as
6 required by the order reinstating her license from suspension. When the reports were eventually received by
7 Ms. Burnett, she asked that Dr. Fogarty approve them. In turn, Dr. Fogarty requested that Dr. Ragone appear
8 before the board.
9

10 **Discussion:**

11 Ms. Burnett stated that all other terms of the order have been fulfilled.

12
13 Dr. Ragone explained that her reports were sent timely, but they were not passed down to Ms. Burnett, and
14 therefore not processed.
15

16 Discussion ensued regarding the timing of the reports, including Dr. Ragone stating that she could provide the
17 board with copies of e-mails proving that they were sent in on time. After discussion, the board agreed to
18 approve the reports. No motion was necessary.
19

20 Dr. Ragone then requested that the board terminate her probation.
21

22 **Action:** Motion to deny the request to terminate probation was made by Dr. Dougherty. Seconded by Dr.
23 Hunt.

24 Vote: 7 yeas / 0 opposed; motion carried
25

26 **iii. Termination of Probation**

27
28 **1. Monica A. Kim, D.C. – Termination of Radiographic Studies Review Case Number 2013-13102**

29 Dr. Kim was present, and was not represented by counsel.
30

31 A Final Order filed on December 5, 2014 placed Dr. Kim's Chiropractic Physician license under probation,
32 including a period of one year in which she is required to have all radiographic diagnostic studies reviewed
33 and monitored by her supervisor and a board-approved monitor. The Final Order allowed for Dr. Kim to file a
34 Petition for Early Termination of Probation following six (6) months of her Radiographic Studies Review
35 period upon the advice, consent and support of her supervisor and monitor, provided that she also pay the
36 required administrative fine of \$2000, and costs of \$2901.32. Payments of the fine and costs were received on
37 January 1, 2015, and on April 28, 2015, Dr. Kim contacted Ms. Burnett to request the early release of her
38 probation, and included letters from both her supervisor and monitor indicating their support of the request.
39

40 **Discussion:**

41 Ms. Burnett confirmed that all terms of the Final Order have been met.
42

43 After discussion regarding what Dr. Kim has learned during her radiographic studies period, a motion was
44 made.
45

46 **Action:** Motion to approve the early release of probation made by Dougherty. Seconded by Heagy.

47 Vote: 7 yeas / 0 opposed; motion carried
48

49 **2. Mindy B. Senter, D.C. – Termination of Probation/Last Appearance Case Number 2012-12038**

50 Dr. Senter was present, and was not represented by counsel.
51

52 A Final Order filed on June 20, 2014 placed Dr. Senter's Chiropractic Physician license under probation for a
53 period of one (1) year. The Final Order required Dr. Senter to appear before the board at the last meeting
54 preceding the scheduled termination of the probation, which is the reason for her appearance at this meeting.
55 Dr. Senter has complied with all other terms of the Final Order.
56

57 **Discussion:**

1 After discussion regarding her community service experience and what she learned during her probation
2 period, a motion was made.
3

4 **Action:** Motion to approve / deny the termination of probation made by Heagy. Seconded by Fox.
5 **Vote:** 7 yeas / 0 opposed; motion carried
6

7 **Break @ 9:48**
8

9 **Section IX concluded: 9:48 a.m.**

10 **The board took a short break and 9:48 a.m.**

11 **Section IV began: 10:11 a.m.**

12
13 **IV. RATIFICATION OF LICENSURE:**
14

15 **a. Chiropractic Physicians**

16
17
18
19 Action: Motion to ratify Chiropractic Physician license numbers 11472 through 11514 was made by Dougherty
20 Seconded by Heagy
21 **Vote:** 7 yeas / 0 opposed; motion carried
22

23 **b. Registered Chiropractic Assistants**

24
25 Action: Motion to ratify Registered Chiropractic Assistant license numbers 13887 through 14014 was made by Heagy.
26 Seconded by Fox.
27 **Vote:** 7 yeas / 0 opposed; motion carried
28

29 **c. Certified Chiropractic Physician Assistants**

30
31 Action: Motion to ratify Chiropractic Physician license numbers 786 through 787 was made by Fox. Seconded by
32 Pelaez.
33 **Vote:** 7 yeas / 0 opposed; motion carried
34

35 **Section IV concluded: 10:13 a.m.**

36 **Section VII began: 10:13 a.m.**
37

38 **VII. EXECUTIVE DIRECTOR'S REPORT:**
39

40 **a. Delegation of Authority**

41 Dr. Spivey presented the 2015-2016 Annual Delegation of Authority to the board.
42

43 **Discussion:**
44

45 **Action:** Motion to accept the Annual Delegation of Authority was made by Dr. Dougherty. Seconded by Dr. Heagy.
46

47 Dr. Fogarty noted that he would like to have the “authority to grant extension requests of payments of fines/costs or
48 completion of CE, etc., resulting from discipline” delegated to the Disciplinary Compliance Chair, as opposed to the
49 Executive Director. The board agreed, and Dr. Dougherty amended his motion.
50

51 **Action:** Motion to accept the Annual Delegation of Authority, with the noted change to delegate authority to grant
52 extensions to the Disciplinary Chair as opposed to the Executive Director, was made by Dr. Dougherty. Seconded by Dr.
53 Heagy.
54 **Vote:** 7 yeas / 0 opposed; motion carried
55

56 **V. PROSECUTION REPORT:**

1 Dr. Spivey presented the prosecution report. He explained to the board that prosecution had 37 cases older than one year, 6 of
2 which were dismissed, 9 were issued a Letter of Guidance, and 17 were dismissed with no Probable Cause found. He said to
3 expect least 3 Administrative Complaints at the next meeting.
4

5 Drs. Fogarty and Heagy expressed concerns about case backlog and being overwhelmed. Other members expressed that they
6 wish to receive paper materials instead of or along with the electronic materials. Dr. Spivey and Mr. Lesho told the board that
7 they will relay the information to Prosecution Services.
8

9 **Section V concluded: 10:27 a.m.**

10 **Section VI began: 10:27 a.m.**

11
12 **VI. CHAIR/VICE-CHAIR REPORT:**

13
14 **a. Future Agenda Items:**

15
16 Dr. Fogarty discussed an e-mail that he received from Dr. Stu Hoffman from ChiroSecure with some suggested changes
17 regarding requirements for malpractice insurance. Ms. Loucks explained that the malpractice laws also apply to a
18 number of other boards, and stated that she will work with those board's attorneys and bring more information to the
19 next meeting.
20

21 Dr. Fogarty then introduced an issue regarding complaints that he's heard about Blue Cross/Blue Shield and their
22 contract with American Specialty Health, Inc. (ASH). He explained that the issue revolves around ASH and their
23 standards of care policies, which he explained are essentially attempting to dictate how chiropractic physicians should be
24 practicing by denying to pay out for certain treatments. Various members of the board expressed discomfort with the
25 practice of insurance companies dictating patient care. After additional discussion, Dr. Hunt and Ms. Loucks were
26 directed to conduct more research on the issue and present a report at the next meeting.
27

28 Finally, Dr. Fogarty informed the board that Lili Montoya from Florida Chiropractic Conferences (FCC) has requested
29 that the board meet in conjunction with one of their meetings, similar to how they have done in the past with the Florida
30 Chiropractic Association (FCA) and Florida Chiropractic Society (FCS). Ms. Montoya stated that FCC is prepared to
31 host a meeting in 2016, and board staff was directed to work with Ms. Montoya to coordinate a specific date. Dr. Fogarty
32 also directed board staff to begin the process of scheduling all meeting dates for 2016.
33

34 **b. Federation of Chiropractic Licensing Board (FCLB) Report**

35 Dr. Heagy presented a report from the FCLB meeting, which was attended by Drs. Fogarty and Heagy in New Orleans
36 on May 7-9, 2015.
37

38 The board then discussed future FCLB meetings.
39

40 **Action:** Motion to recommend that two board representatives attend the September 2015 FCLB meeting was made by
41 Dr. Heagy. Seconded by Dr. Dougherty.

42 **Vote:** 7 yeas / 0 opposed; motion carried
43

44 **Action:** Motion to recommend that two board representatives and the Executive Director attend the April 2016 FCLB
45 meeting was made by Dr. Heagy. Seconded by Dr. Dougherty.

46 **Vote:** 7 yeas / 0 opposed; motion carried
47

48 **Section VI concluded: 10:54 a.m.**

49 **Section VIII began: 10:54 a.m.**

50
51 **VIII. BOARD COUNSEL'S REPORT:**

52
53 **a. Rules Status Report – May 2015**

54 Ms. Loucks asked the board about the continuing education hours awarded to continuing education course presenters.
55 She explained that the hours awarded are considered Risk Management hours, but that the rule does not specifically
56 identify them as such. She asked if the board wished to change the rule to specify the type of hours, or if they wished to
57 leave it as is.

1
2 The board agreed to leave it as is.
3

4 **b. Annual Regulatory Plan**

5 Ms. Loucks presented the 2015-2016 Annual Regulatory Plan. She also explained to the board that the original deadline
6 for completion of the Annual Regulatory Plan was July 1, 2015, but recent legislation was passed that would move this
7 deadline to October 1, 2015. In light of that fact, the report was presented as just an FYI, and will need to be revised and
8 presented again at a later meeting.
9

10 **Section VIII concluded: 10:58 a.m.**

11 **Section IX resumed: 10:58 a.m.**

12
13 **IX. COMMITTEE REPORTS:**

14
15 **j. Rules – Dr. Hunt:**

- 16
17 **i. Rule 64B2-11.001, F.A.C.** – Ms. Loucks explained that the purpose of the draft was to update the web links within
18 the rule and update language pertaining to the development and administration of the Florida Laws and Rules
19 Examination.
20

21 **Action:** Motion to approve the proposed language was made by Dr. Dougherty. Seconded by Dr. Fox.
22 **Vote:** 7 yeas / 0 opposed; motion carried
23

24 The board determined that the proposed changes would not require a Statement of Estimated Regulatory Cost or
25 ratification from the legislature.
26

- 27 **ii. Rule 64B2-11.015, F.A.C.** – Ms. Loucks suggested that this rule be repealed.
28

29 **Action:** Motion to repeal the rule was made by Ms. Pelaez. Seconded by Dr. Hunt.
30 **Vote:** 7 yeas / 0 opposed; motion carried
31

32 The board determined that the proposed changes would not require a Statement of Estimated Regulatory Cost or
33 ratification from the legislature.
34

- 35 **iii. Rule 64B2-12.0155, F.A.C.** – Ms. Loucks explained that the purpose of the draft was to update the web links within
36 the rule.
37

38 **Action:** Motion to approve the proposed language was made by Dr. Dougherty. Seconded by Dr. Fox.
39 **Vote:** 7 yeas / 0 opposed; motion carried
40

41 The board determined that the proposed changes would not require a Statement of Estimated Regulatory Cost or
42 ratification from the legislature.
43

44 The board discussed the possibility of raising the registration fee. Ms. Loucks stated that the fee cap established by
45 statute is \$25 and cannot be changed without a legislative change. Dr. Fogarty directed Dr. Spivey to perform a cost
46 analysis to determine the benefits of raising the fee. The board also discussed certain budget items as part of this
47 discussion.
48

- 49 **iv. Rule 64B2-12.022, F.A.C.** – Ms. Loucks explained that the purpose of the draft was to update the web links within
50 the rule.
51

52 **Action:** Motion to approve the proposed language was made by Dr. Hunt. Seconded by Dr. Fox.
53 **Vote:** 7 yeas / 0 opposed; motion carried
54

55 The board determined that the proposed changes would not require a Statement of Estimated Regulatory Cost or
56 ratification from the legislature.
57

- 58 **v. Rule 64B2-13.008, F.A.C.** – Ms. Loucks explained that the purpose of the draft was to update language pertaining
to the development and administration of the Florida Laws and Rules Examination.

1
2 **Action:** Motion to approve the proposed language was made by Dr. Dougherty. Seconded by Dr. Hunt.
3 Vote: 7 yeas / 0 opposed; motion carried
4

5 The board determined that the proposed changes would not require a Statement of Estimated Regulatory Cost or
6 ratification from the legislature.
7

- 8 **vi. Rule 64B2-18.002, F.A.C.** – Ms. Loucks explained that the purpose of the draft was to update the web links within
9 the rule.

10
11 **Action:** Motion to approve the proposed language was made by Dr. Dougherty. Seconded by Dr. Heagy.
12 Vote: 7 yeas / 0 opposed; motion carried
13

14 The board determined that the proposed changes would not require a Statement of Estimated Regulatory Cost or
15 ratification from the legislature.
16

- 17 **a. Budget – Mr. Colter:** Certain budget items were discussed during the rules report. Mr. Colter had nothing else new to
18 report.
19
20 **b. CCPA – Dr. Dougherty:** Nothing to report
21
22 **c. Continuing Education – Drs. Heagy/Hunt:** Taken later in the agenda
23
24 **d. Credentials – Dr. Fogarty:** Nothing to report
25
26 **e. Disciplinary Compliance – Dr. Fogarty:** Taken earlier in the agenda
27
28 **f. Examination – Dr. Heagy:** Dr. Heagy told the board that she and Dr. Fox helped administer Part IV of the national
29 examination in Palmer, FL. She also said that Dr. Hunt will be going to Greeley, CO to assist with question development.
30 Mr. Lesho provided the board with an update on transferring the Florida Laws and Rules Examination from the
31 Department to the Nation Board of Chiropractic Examiners.
32
33 **g. Healthiest Weight – Dr. Hunt:** Nothing to report
34
35 **h. Legislation – Dr. Heagy/Mr. Colter:** Nothing to report
36
37 **i. Probable Cause – Drs. Dougherty/Fox/Heagy**
38
39 **i. Stats**
40 Probable Cause was discussed during the prosecution report.
41
42 **j. Rules – Dr. Hunt:** Taken earlier in the agenda
43
44 **k. Unlicensed Activity – Ms. Pelaez:** Ms. Pelaez explained to the board that 3 Cease & Desist orders were issued from
45 February-April 2015. She stated that only one was issued to a practicing chiropractor, and the other two were for aiding
46 and abetting.
47
48 **l. Outstanding Service Award – Dr. Heagy:** Dr. Heagy told the board that the Outstanding Service Award will be
49 presented awards to two chiropractic physicians: Bobby L Hutchinson, D.C. and William C. Horsley III, D.C.
50
51 **c. Continuing Education – Drs. Heagy/Hunt:**
52
53 Dr. Hunt sought guidance regarding a CE course that she had reviewed but did not have enough time to place it on the
54 agenda for full board review. She explained a number of issues that she identified with the course, and asked the other
55 board members for their opinions.
56

57 The board agreed that there are issues with the course, and suggested Dr. Hunt work with board staff and the course
58 provider to get the course to the point where she can recommend approval.

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i. **Providers and Courses Approved by CE Committee Chairs**

Action: Motion to ratify providers and courses approved by CE committee chairs was made by Dr. Dougherty. Seconded by Dr. Heagy.
Vote: 7 yeas / 0 opposed; motion carried

Section IX concluded: 11:46 a.m.

Section X began: 11:46 a.m.

X. OLD BUSINESS:

Section X concluded: 11:47 a.m.

Section XI began: 11:47 a.m.

XI. NEW BUSINESS:

Dr. Fogarty and Ms. Burnett called attention to an additional compliance issue. The Final Order in case number 2011-15248 placed the license of Tanya Rae Kahl, D.C. on probation, and required her to practice under the supervision of a monitor. Her monitor, Dr. Gentile, contacted Dr. Fogarty to inform him that Dr. Kahl has not been seeing patients aside from performing physicals for the Department of Transportation. Dr. Fogarty explained that Dr. Gentile does not feel like he can monitor Dr. Kahl sufficiently based on these physicals with no other type of patient care. Dr. Fogarty proposed that the board toll the probation until Dr. Kahl begins seeing patients in a greater capacity. The board agreed to toll the probation.

XII. NEXT MEETING DATE – August 21, 2015 – Orlando

XIII. ADJOURNMENT

Action: Motion to adjourn the meeting was made by Dr. Dougherty. Seconded by Dr. Hunt.
Vote: 7 yeas / 0 opposed; motion carried

The meeting was adjourned at 11:52 a.m.