

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF CHIROPRACTIC**

TIME: 9:18 A.M.

PENNSYLVANIA DEPARTMENT OF STATE  
Board Room B  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

July 18, 2019

State Board of Chiropractic

July 18, 2019

BOARD MEMBERS:

- Joseph Gerard Halloran, D.C., Chair
- Kalonji Johnson, Acting Commissioner, Bureau of Professional and Occupational Affairs - Absent
- John E. McCarrin, D.C., Secretary
- William D. Aukerman, D.C.
- Michael S. Swank, D.C.
- Nikole N. Brock, Deputy Attorney General, Consumer Protection
- Miriam Merry Woods, Public Member - Absent

BUREAU PERSONNEL:

- Kenneth J. Suter, Esquire, Board Counsel
- Paul J. Jarabeck, Esquire, Senior Prosecutor in Charge
- David N. Smith, Esquire, Board Prosecutor
- Carolyn DeLaurentis, Esquire, Deputy Chief Counsel, Prosecution Division
- Carol Niner, Board Administrator

ALSO PRESENT:

- Ted Mowatt, Wanner Associates, on behalf of the Chiropractic Fellowship of Pennsylvania
- Edward L. Nielsen, MHS, Executive Vice President, Pennsylvania Chiropractic Association
- Andrew LaFratte, William Penn Fellow at Office of Pennsylvania Governor
- Bruce Warninger, D.C., First Choice Chiropractic

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

1 \*\*\*

2 State Board of Chiropractic

3 July 18, 2019

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Chiropractic was held on Thursday, July 18,  
7 2019.

8 \*\*\*

9 Official Call to Order

10 [Joseph Gerard Halloran, D.C., Chair, called the  
11 meeting to order at 9:18 a.m.]

12 \*\*\*

13 Report of Board Prosecutor

14 [David N. Smith, Esquire, Board Prosecutor, presented  
15 three Consent Agreements for File No. 18-43-007013,  
16 File No. 17-43-05312, and File No. 19-43-008608.]

17 \*\*\*

18 Appointment

19 [Carolyn DeLaurentis, Esquire, Deputy Chief Counsel,  
20 Prosecution Division, presented before the Board to  
21 provide an end of the fiscal year update. She  
22 introduced herself to the Board and provided a brief  
23 summary of her professional background.

24 Ms. DeLaurentis noted, in the last fiscal year,  
25 the Chiropractic Board had 89 cases opened, and that

1 as of 2019 83 files were opened. Also in the last  
2 fiscal year, 17 warning letters were sent out. There  
3 were three suspensions; no reprimands; and two  
4 probation cases.

5 Ms. DeLaurentis explained that a petition would  
6 be submitted to a Probable Cause screening committee  
7 following a licensee's criminal conduct. If approved,  
8 the license would immediately be taken, followed by a  
9 hearing within 30 days.

10 She stated, in the Prosecution Division, 69  
11 immediate temporary suspensions were performed in the  
12 last fiscal year. There was a total of 11,359 open  
13 cases as of July 1, 2019; 83 being chiro cases. In  
14 the last fiscal year, 14,030 files were opened and the  
15 year before, 12,604.

16 Ms. DeLaurentis commented that there were not as  
17 many cases being closed as were coming in, but the  
18 review processes are being quickly completed.

19 Ms. DeLaurentis detailed a voluntary mediation  
20 program that is in place at no cost to either party  
21 and involves a neutral third party. The mediation  
22 would be noted in the consent agreement for the Board  
23 to consider.

24 Ms. DeLaurentis spoke briefly about JNET, the  
25 Pennsylvania Justice Network database that runs

1 through the Governor's Office of Administration to  
2 monitor licensees. Board members had questions  
3 regarding the requirements of suspended chiropractors  
4 as it pertains to their licenses being returned, how  
5 situations are addressed regarding a chiropractor who  
6 is "in the news" for a criminal matter, and when  
7 recusals would be required when a criminal case would  
8 come before the Board as well as submission of  
9 complaints. Deputy Chief DeLaurentis recommended  
10 PALS.pa.gov as the best way to advise people to submit  
11 complaints and remain anonymous.]

12 \*\*\*

13 Appointment

14 [Paul Jarabeck, Esquire, Senior Prosecutor, presented  
15 before the Board and provided a summary of his  
16 professional background.

17 Mr. Jarabeck recognized the 29 professional  
18 Boards at the Pennsylvania Department of State with  
19 the goal to ensure the health, safety and welfare of  
20 the citizens of the Commonwealth. He referred to a  
21 chart for further discussion of the number of  
22 licensees and licensed professions.

23 Mr. Jarabeck discussed two specific areas of  
24 enforcement, including Title 63 of the Pennsylvania  
25 Statute and the Board's regulations under Title 49 of

1 the Pennsylvania Code. He commented on the  
2 Professional Health Monitoring Program (PHMP), which  
3 is a program that would be available for a  
4 professional suffering from a drug impairment.

5 Mr. Jarabeck also discussed the Criminal History  
6 Record Information Act that would authorize the  
7 prosecution of an individual convicted of a felony or  
8 a misdemeanor as it relates to the profession.

9 Mr. Jarabeck addressed the appropriate actions  
10 moving forward upon the filing of a complaint. He  
11 stated notice could be received from the JNET  
12 reporting system when a criminal complaint was filed,  
13 including the resolution of criminal charges in the  
14 Commonwealth of Pennsylvania. Investigators or  
15 inspectors conducting investigations could also open a  
16 complaint. Self reports and the National Practitioner  
17 Databank are also sources of information for a  
18 complaint process.

19 Mr. Jarabeck noted, after a complaint has been  
20 established and filed, a code would be recorded in the  
21 system, a year would be assigned to the case, as well  
22 as a Board numerical number and a numerical value  
23 based on the time when the complaint was received.  
24 The case would be sent out for investigation in order  
25 to gather evidence and conduct interviews. A letter

1 would be generated to the complainant advising of the  
2 commencement of the complaint process.

3 He referred to four regions of the Bureau of  
4 Investigations, including Pittsburgh, Harrisburg,  
5 Philadelphia and Scranton, which would conduct the  
6 investigations. He mentioned what staff members and  
7 attorneys would then become involved, and reviewed the  
8 processing of additional evidence from experts.

9 An Order to Show Cause would then be filed  
10 notifying the Respondent of the charges and of the  
11 opportunity to be heard and to present their case in  
12 their defense. Mr. Jarabeck answered questions from  
13 Board members.]

14 \*\*\*  
15 [A Formal Hearing was held from 10:05 a.m. until  
16 11:13 a.m. in the matter of the Application for a  
17 License by Examination to Practice Adjunctive  
18 Physiotherapy of Bruce Warninger, D.C.]

19 \*\*\*  
20 [The Board recessed from 11:14 a.m. until 11:24 a.m.]

21 \*\*\*  
22 Approval of Minutes of the May 16, 2019 meeting

23 CHAIR HALLORAN:

24 We've had a chance to review the  
25 Minutes of the last board meeting. Does

1                   anybody have any corrections?

2                   That being said, Dr. McCarrin,  
3                   could I get a motion to accept?

4 DR. MCCARRIN:

5                   Motion to accept the Minutes.

6 CHAIR HALLORAN:

7                   And who will second that?

8 DR. AUKERMAN:

9                   I'm make a motion to second it.

10 CHAIR HALLORAN:

11                   The Minutes are accepted.

12   \*\*\*

13 Report of Commissioner - No Report.

14   \*\*\*

15 Report of Board Counsel

16 [Kenneth Suter, Esquire, Board Counsel, noted that  
17 Item Nos. 5 and 6 would be discussed in Executive  
18 Session.]

19   \*\*\*

20 Miscellaneous

21 [Kenneth Suter, Esquire, Board Counsel, noted that  
22 with regard to Item 7, the Board had passed a motion  
23 at the last meeting directing that a letter be sent to  
24 the Secretary of Health requesting chiropractic to be  
25 considered as an alternative to opioids. He requested



1 that members review the letter also enclosed in the  
2 agenda packet.

3 Mr. Suter noted that House Bill No. 1172 was now  
4 Act 41 of this year. He explained this would amend  
5 the Act of July 2, 1993, which would empower the  
6 General Counsel or designee to issue subpoenas for all  
7 board activities and provide for licensure by  
8 endorsement. He was setting up meetings with all  
9 Board Administrators to review the licensing scheme.

10 Mr. Suter further noted that a provision in the  
11 bill allows for a provisional license while  
12 information is being gathered. Mr. Suter answered  
13 questions from Board members.]

14

\*\*\*

15 Correspondence of Ed Nielsen

16 [Ed Nielsen, MHS, Executive Vice President,  
17 Pennsylvania Chiropractic Association, presented  
18 before the Board regarding a letter/advertisement  
19 regarding a spinal manipulation program not yet  
20 offered in Pennsylvania but being advertised and  
21 taught by PTs at various seminars in seven states.

22 Mr. Nielsen noted concerns in chiropractic to  
23 include infringements on the scope of practice. He  
24 noted these seminars are not currently being held in  
25 Pennsylvania but are being marketed to PTs and many

1 DCs in the state.

2 Chair Halloran stated the Board encourages  
3 complaints and does follow up on all matters. Mr.  
4 Nielsen stated part of his reason for reaching out to  
5 the Board was to receive clarity on matters.

6 Mr. Nielsen and Board members discussed  
7 surrounding states that allow physical therapists to  
8 perform grade five manipulations.

9 Mr. Smith was encouraged to discuss the spinal  
10 manipulation matter with prosecution. There was  
11 discussion about the possibility of issuing warning  
12 letters concerning the scope of practice in  
13 Pennsylvania. It was noted that programming at the  
14 University of Pittsburgh was currently being reviewed  
15 to obtain clarification on the scope of practice  
16 between PTs and DCs.

17 Mr. Nielsen will discuss additional concerns  
18 during the public comment portion of the meeting.]

19 \*\*\*

20 Report of Board Chair

21 [J. Gerard Halloran, D.C., Chair, read his  
22 Pennsylvania Chiropractic State Board Chairman's  
23 Report into the record as follows:

24 1. The National Board of Chiropractic Examiners  
25 has announced a scoring policy change with our

1 National Board exams. In January 2019, the National  
2 Board decided to display a single combined score for  
3 the Part I and Part II exams. This was called global  
4 scoring. This replaced the previous policy of  
5 displaying six different domain level scores. The  
6 problem that occurred was that, if a chiropractic  
7 national board student passed four out of the six of  
8 the domain tests, they were entitled to retake only  
9 the tests they had failed. Global scoring confused  
10 the student and chiropractic universities. Global  
11 scores will remain on the transcript from January to  
12 June 2019.

13 As of July 8, 2019, the National Board will  
14 revert back to six separate domain scores. State  
15 Board Administrators can still accept a passing single  
16 score for the first six months of 2019 from the  
17 National Board since a passing global score of 375 or  
18 better means that the student candidate did pass all  
19 six domains.

20 2. The National Board of Chiropractic Examiners  
21 asked me to participate in their Part IV testing  
22 committee meeting in Greeley, Colorado, from June 20th  
23 to June 23rd. As we have discussed in previous  
24 meetings, the National Board is looking for sitting  
25 board members to participate in evaluating Part IV

1 tests. Forty-eight (48) states sent board members to  
2 these meetings on a rotating basis. We did ask  
3 Commissioner Johnson to do a review for us to see if  
4 we can participate in such meetings in the future.  
5 Unfortunately, all boards and commissions in the State  
6 of Pennsylvania under BPOA are expressly forbidden by  
7 statute to participate in any such test evaluation and  
8 planning meetings. We are to stay independent of the  
9 test preparation functions of the National Board of  
10 Chiropractic Examiners.

11 I will now proceed to ask the National Board if  
12 our state can still be represented by previous board  
13 members that are not currently sitting on the Board  
14 and who can represent our state in these important  
15 meetings. So we will not by statute be allowed to do  
16 that very important meeting, we'll have to rely on our  
17 colleagues that have come before us.

18 3. On June 7, 2019, our chiropractic board sent  
19 a letter to Dr. Thomas Garg, Chairman of the State  
20 Board of Veterinary Medicine. I hope that we can work  
21 on the issues surrounding animal chiropractic  
22 treatment in conjunction with our counterparts on the  
23 Veterinary Board. The Pennsylvania Veterinary Board  
24 was scheduled to have their meeting July 12, 2019.  
25 Hopefully our letter made it to their agenda for

1 discussion. The Pennsylvania Chiropractic State Board  
2 hopes that letter will open a line of communication  
3 between our boards concerning the issue of animal  
4 chiropractic. I do have some proposals on how to best  
5 coordinate between our professions on this issue but I  
6 will reserve these proposals for when and if the  
7 Pennsylvania Veterinary Board decides they want to  
8 work with us on this issue.

9         4. Our State Board sent a letter to Dr. Rachel  
10 Levine on June 27, 2019, expressing the Pennsylvania  
11 State Board's desire to continue to work with her on  
12 promoting conservative treatment approaches in view of  
13 the continuing opioid crisis. I gave out to the Board  
14 members a letter from Dr. Levine's office that she had  
15 sent us noting her desire to work with us. And that  
16 letter was dated May 30th, 2017. And she wanted to  
17 work with the chiropractic community on this issue.

18         In New Business, we'll discuss extending another  
19 invitation to Dr. Levine to visit our chiropractic  
20 State Board in regard to the issue of how conservative  
21 chiropractic care can help our state's opioid crisis.

22         Chair Halloran noted for the record that Dr.  
23 Levine did visit the Board two years ago on the  
24 matter.

25         5. I have begun to compile a book of the

1 preceptorship programs from the chiropractic colleges  
2 and universities in the United States. I have had  
3 several contacts with administrators at the  
4 chiropractic colleges. (Chair Halloran commented that  
5 he will have a book with information from each college  
6 going forward.)

7 There are minor differences in each program but  
8 the common rules for preceptorships are as follows:

9 1. Late trimester chiropractic students who have  
10 completed their basic clinical training in the  
11 chiropractic university connected clinicals can  
12 apply to their clinical dean of students  
13 department for permission to get into a  
14 preceptorship. The chiropractic college or  
15 university sets the standards for which students  
16 are eligible.

17 2. The preceptor supervising chiropractor must  
18 be in good standing with their chiropractic state  
19 board.

20 3. The preceptor supervising chiropractor must  
21 have graduated from a chiropractic college or  
22 university that is accredited with the  
23 Chiropractic Council on Education (CCE).

24 4. The supervising preceptor chiropractor must  
25 provide the chiropractic student with at least 20

1 hours of supervised chiropractic activity per  
2 week. This would include exams, patient history,  
3 evaluation of laboratory and x-ray, chiropractic  
4 diagnosis or analysis verified by the supervising  
5 preceptor chiropractor and an opportunity to  
6 perform supervised chiropractic adjustments and  
7 adjunctive therapies.

8 5. The supervising preceptor chiropractor must  
9 have at least three to five years clinical  
10 experience, depending on the chiropractic school  
11 and depending on the rules of the particular  
12 chiropractor college or university. (Dr.  
13 Halloran noted there are some other minor things  
14 required but that's the basic rule).

15 6. The supervising preceptor chiropractor must  
16 have a minimum of 1,000,000/3,000,000  
17 chiropractic malpractice coverage and inform  
18 their malpractice carrier that they will be  
19 accepting a student doctor for the agreed upon  
20 time frame. Note that some chiropractic colleges  
21 will add a supervising preceptor chiropractor as  
22 an adjunct faculty member. (Chair Halloran noted  
23 they would make sure that that preceptor  
24 chiropractor as an adjunct faculty member is  
25 covered under their particular malpractice

1 coverage).

2 7. A proposed preceptor chiropractor must apply  
3 to the particular chiropractic college or  
4 university and supply their chiropractic college  
5 transcripts, curriculum vitae, clearance from the  
6 state board as a chiropractic license in good  
7 standing and for some programs a criminal  
8 background check.

9 8. For some states, our Pennsylvania  
10 Chiropractic Board may have to inform the  
11 Chiropractic State Board of the chiropractic  
12 school location that the preceptor doctor has  
13 been vetted by our state.

14 9. Not all states allow preceptorships but the  
15 trend nationally is in passing legislation to  
16 allow chiropractic preceptorships such as  
17 recently happened in Pennsylvania and now in the  
18 State of Washington.

19 6. Because of the interest in preceptorships in  
20 the state, we the board must come up with  
21 reasonable guidelines or regulations to preserve  
22 the safety of the public, the supervising  
23 preceptorship doctor and the preceptor students.  
24 (Chair Halloran referred to the handout from the  
25 State of Ohio he had given to members listing its



1 rules and regulations).

2 These are the following points for our  
3 Chiropractic State Board to consider:

4 1. Do we consider a vetting process for the  
5 preceptorship doctor and preceptor student  
6 through the Pennsylvania State Board similar to  
7 the State of Ohio? (Chair Halloran asked members  
8 to consider Ohio's basic rules and regs, basic  
9 fees and fairly extensive regulations).

10 2. Do we as a board ask for a criminal  
11 background check on the part of the preceptorship  
12 doctor and preceptorship student?

13 3. As a part of the vetting process do we ask  
14 for a reasonable fee to certify that  
15 preceptorship can take place? (Chair Halloran  
16 commented that Ohio charges \$75).

17 4. We must in our guidelines or regulations  
18 stress that the preceptorship doctor personally  
19 supervise the preceptorship student, especially  
20 in the areas of diagnosis or analysis,  
21 chiropractic adjustment and adjunctive therapies.

22 Therefore the preceptorship doctor must be on  
23 premises during the time that the preceptorship  
24 student is working in the chiropractic office.

25 5. Some chiropractic colleges and universities

1 are expecting an active role of published  
2 guidelines or regulations by the Pennsylvania  
3 State Board of Chiropractic concerning  
4 preceptorships.

5 6. There is a possibility that current  
6 preceptorships are in violation of a failure to  
7 notify the Pennsylvania Department of Education  
8 of an active preceptorship. I am attempting to  
9 get more information about any required reporting  
10 processes from the Pennsylvania State Department  
11 of education through my educational contacts at  
12 the Pennsylvania Department of Education. (Dr.  
13 Halloran stated the NYCC had a meeting on this  
14 whole process which included their investigation  
15 of the reporting requirements in Pennsylvania).

16 7. Any preceptorships through Federal Veterans  
17 Administration must be called clerkships in  
18 keeping with federal guidelines. (The Board had  
19 further discussion. Mr. Suter suggested that the  
20 Board be place on the agenda for the September  
21 meeting for further discussion. He will supply a  
22 copy of the actual Act being discussed and will  
23 also have a report of what chiropractors can  
24 legally do or not do, depending on the law.)

25 Stem cell practices in which a chiropractor

1 is in partnership with a regenerative medicine  
2 physician will be under closer scrutiny by the  
3 Federal Food and Drug Administration. New  
4 regulations will be posted in the fall concerning  
5 which types of regenerative practice are  
6 considered legal and which will be considered  
7 illegal. According to the FDA only a narrow band  
8 of stem cell products have been approved by the  
9 FDA. They do admit that the field of  
10 Regenerative Medicine is changing and advancing  
11 rapidly but new stem cell treatments have to be  
12 approved by the FDA before these procedures can  
13 be used on patients. There have been reports of  
14 several complications from stem cell therapy. It  
15 would be wise for any chiropractor currently in a  
16 Regenerative Medicine partnership to review the  
17 information supplied by the FDA to make sure that  
18 their practice is following current FDA  
19 guidelines and to make sure their malpractice  
20 carrier supports their type of regenerative  
21 practice partnership.

22 8. Governor Wolf signed into law Pennsylvania's  
23 Insurance Marketplace Exchange. This will  
24 eventually supersede the Federal Marketplace  
25 under Obamacare. The money savings to the state

1           could be substantial helping keep premiums lower  
2           and getting federal dollars back to help run the  
3           exchange. The exchange should be fully  
4           functional by 2021. (Chair Halloran commented  
5           that he hopes some of the rules and regs from  
6           Obamacare regarding discrimination factors  
7           between providers will stay as part of the  
8           language).]

9   \*\*\*

10       Report of Regulatory Counsel - No Report

11   \*\*\*

12       Report of Board Administrator - No Report

13   \*\*\*

14       Review of Applications - None

15   \*\*\*

16       Old Business - None

17   \*\*\*

18       New Business

19       [Chair Halloran suggested inviting Dr. Levine to a  
20       future meeting for discussion on Board matters as well  
21       as chiropractic and opioid abuse. Mr. Nielsen  
22       commented, at the former meeting with Dr. Levine and  
23       Eric Haggerty, the Governor's Deputy Chief of Staff,  
24       Dr. Levine reiterated her support, but it was Mr.  
25       Haggerty who wanted to know more information about

1 chiropractic care from a policy point of view. Mr.  
2 Nielsen noted he would forward the list of economic  
3 links he had sent to Mr. Haggerty.]

4 CHAIR HALLORAN:

5                   Can I entertain a motion for someone to  
6                   have us send an invite letter to Dr.  
7                   Levine for a future chiropractic board  
8                   meeting?

9 DR. MCCARRIN:

10                   I'll motion to invite Dr. Levin.

11 CHAIR HALLORAN:

12                   Who's going to second that?

13 DR. SWANK:

14                   I'll second.

15 CHAIR HALLORAN:

16                   All in favor say aye?

17 [The motion carried unanimously.]

18   \*\*\*

19 Public Comment Period

20 [Ed Nielsen, MHS, Executive Vice President,  
21 Pennsylvania Chiropractic Association, commented that  
22 big issues of discussion were scope of practice  
23 infringements, advertising, and legislative issues  
24 with regard to delegation and parity. He urged the  
25 Board to consider his complaint from the PCA in

1 relation to PIAA.]

2

\*\*\*

3 Board Meeting Dates

4 [Chair Halloran stated the remaining Board meeting  
5 dates are September 19, 2019 and November 21, 2019.

6 CHAIR HALLORAN:

7 Can I entertain a motion that we approve  
8 the remaining Board meeting dates in 2019  
9 and the projected meeting dates for 2020?

10 MS. BROCK:

11 I move to approve the remaining 2019  
12 meetings as well as the 2020.

13 CHAIR HALLORAN:

14 Do I have a second?

15 DR. AUKERMAN:

16 I'll second it.

17 CHAIR HALLORAN:

18 All in favor say aye?

19 [The motion carried unanimously.]

20

\*\*\*

21 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
22 12:29 p.m. the Board entered into Executive Session  
23 with Kenneth J. Suter, Esquire, Board Counsel, for  
24 receipt of legal advice and the purpose of conducting  
25 quasi-judicial deliberations. The Board returned to

1 open session at 1:41 p.m.]

2 \*\*\*

3 MOTIONS

4 MR. SUTER:

5 The purpose of Executive Session was to  
6 discuss Item Nos. 2, 3 and 4 on the  
7 agenda. And they are respectively File  
8 No. 17-43-05312; File No. 18-43-007013;  
9 and File No. 19-43-008608.

10 In addition to that, the Board  
11 discussed Item No. 5 which is File No.  
12 17-43-12601 and the Waxter matter which  
13 is Item No. 6 on the agenda, File No. 11-  
14 43-01855.

15 The Board also discussed other  
16 quasi judicial matters in Executive  
17 Session.

18 We also discussed the hearing that  
19 was held today, Dr. Warringer, and it's  
20 File No. 19-43-00522.

21 CHAIR HALLORAN:

22 Let us start with No. 2, File No. 17-43-  
23 05312. Dr. McCarrin?

24 DR. MCCARRIN:

25 A motion to approve the Consent

1 Agreement for File No. 17-43-05312?

2 MS. BROCK:

3 Nicole Brock seconds that motion.

4 MR. SUTER:

5 A motion to approve the Consent  
6 Agreement?

7

8 John E. McCarrin, aye; Nikole N. Brock,  
9 aye; William D. Aukerman, aye; Michael  
10 S. Swank, aye; and Joseph Gerard  
11 Halloran, aye.

12 [The motion carried unanimously. The Respondent's  
13 name is John Clark Macaulay, D.C.]

14

\*\*\*

15 CHAIR HALLORAN:

16 File No. 18-43-007013. Dr. Swank?

17 DR. SWANK:

18 I make a motion to have approval of the  
19 Consent Agreement and Order for File No.  
20 18-43-007013.

21 DR. AUKERMAN:

22 I make a motion to second it.

23 CHAIR HALLORAN:

24 We'll do a voice vote on this.

25





1 name in this case is Alan B. Gewanter, D.C.]

2 \*\*\*

3 CHAIR HALLORAN:

4 File No. 17-43-12601. Dr. McCarrin?

5 DR. MCCARRIN:

6 Motion to approve Adjudication as  
7 directed on File No. 17-43-12601.

8 CHAIR HALLORAN:

9 There's a motion to approve the  
10 Adjudication and Order for that file.

11 DR. SWANK:

12 Second.

13 CHAIR HALLORAN:

14 Let's put this onto a voice vote for  
15 approval. Dr. McCarrin?

16

17 John E. McCarrin, aye; Nikole N. Brock,  
18 aye; William D. Aukerman, aye; Michael  
19 S. Swank, aye; and Joseph Gerard  
20 Halloran, aye.

21 [The motion carried unanimously.]

22 \*\*\*

23 CHAIR HALLORAN:

24 File No. 11-43-01855. I'm going to make  
25 a motion to direct the Board Counsel to

1 delegate this matter to a Hearing  
2 Examiner for a proposed Adjudication and  
3 Order. Could I have a second on that?

4 MS. BROCK:

5 Second.

6 CHAIR HALLORAN:

7 Let's put it to a voice vote. Dr.  
8 McCarrin?

9

10 John E. McCarrin, aye; Nikole N. Brock,  
11 aye; William D. Aukerman, aye; Michael  
12 S. Swank, aye; and Joseph Gerard  
13 Halloran, aye.

14 [The motion carried unanimously.]

15

\*\*\*

16 CHAIR HALLORAN:

17 File No. 19-43-0058227 I'm going to  
18 direct Board Counsel to do an  
19 Adjudication and Order as discussed in  
20 Executive Session.

21 DR. MCCARRIN:

22 Second.

23 CHAIR HALLORAN:

24 Can we have a voice vote starting with  
25 Dr. McCarrin?

1

2

John E. McCarrin, aye; Nikole N. Brock,

3

aye; William D. Aukerman, aye; Michael

4

S. Swank, aye; and Joseph Gerard

5

Halloran, aye.

6

[The motion carried unanimously.]

7

\*\*\*

8

Adjournment

9

CHAIR HALLORAN:

10

Do I have a motion to adjourn?

11

DR. AUKERMAN:

12

I'll make a motion to adjourn the

13

meeting.

14

MS. BROCK:

15

I'll second that motion

16

CHAIR HALLORAN:

17

Can I have a voice vote?

18

19

John E. McCarrin, aye; Nikole N. Brock,

20

aye; William D. Aukerman, aye; Michael

21

S. Swank, aye; and Joseph Gerard

22

Halloran, aye.

23

[The motion carried unanimously.]

24

\*\*\*

25

[There being no further business, the State Board of

1 Chiropractic Meeting adjourned at 1:48 p.m.]

2

\*\*\*

3

4

CERTIFICATE

5

6 I hereby certify that the foregoing summary  
7 minutes of the State Board of Chiropractic meeting,  
8 was reduced to writing by me or under my supervision,  
9 and that the minutes accurately summarize the  
10 substance of the State Board of Chiropractic meeting.

11

12

13

*Bridget Hochenbroch*

14

Bridget Hochenbroch,

15

Minute Clerk

16

Sargent's Court Reporting

17

Service, Inc.

18

19

20

21

22

23

24

25

STATE BOARD OF CHIROPRACTIC  
REFERENCE INDEX

July 18, 2019

| TIME  | AGENDA                                 |
|-------|--|
| 9:18  | Official Call to Order                 |
| 9:21  | Report of Board Prosecutor             |
| 9:23  | Appointment - Carolyn DeLaurentis      |
| 9:40  | Appointment - Paul Jarabeck            |
| 10:05 | Formal Hearing - Bruce Warninger, D.C. |
| 11:13 |  |
| 11:14 | Recess                                 |
| 11:24 | Return to Open Session                 |
| 11:26 | Report of Board Counsel                |
| 11:26 | Miscellaneous                          |
| 11:48 | Report of Board Chair                  |
| 12:22 | New Business                           |
| 12:25 | Public Comment Period                  |
| 12:27 | Board Meeting Dates                    |
| 12:29 | Executive Session                      |
| 1:41  | Return to Open Session                 |
| 1:48  | Adjournment                            |