

Ohio State Chiropractic Board  
77 South High Street, 16th Floor  
Columbus, OH 43215  
**Tel** (614) 644-7032  
**Fax** (614) 752-2539  
[www.chirobd.ohio.gov](http://www.chirobd.ohio.gov)



# ANNUAL REPORT

FY 2014

*July 1, 2013 – June 30, 2014*

# TABLE OF CONTENTS

## Contents

About the Board_____	1
Board Staff, Members & Meetings _____	2
Memberships, Meetings & Conferences _____	3
Budgetary Matters _____	4
Administrative Rules _____	5
Continuing Education_____	6
Examination & License Activity _____	7
Enforcement Statistics & Discipline _____	8

# ABOUT THE BOARD

## About the Board

### **MISSION OF THE BOARD**

As servants of the public, our purpose is to protect public health, safety and welfare. Our mission is to proactively protect the health and welfare of Ohio's citizens and to regulate the chiropractic profession with vision by setting high standards for licensure and by fairly and consistently enforcing those standards through examination of new doctors, biennial license renewal, clinic inspections, and timely investigation and disciplinary action when indicated.

### **HISTORY OF THE BOARD**

The State Board of Chiropractic Examiners was created by the legislature with the enactment of Amended Senate Bill 75 passed on July 15, 1975 and effective on November 3, 1975. This legislation enacted Sections 4734.01 to 4734.19 of the Ohio Revised Code and established a five member Chiropractic Examining Board. Prior to 1975, the Medical Board regulated chiropractors as limited medical practitioners.

### **DUTIES OF THE BOARD**

The Board fulfills numerous duties to make certain that the citizens of the state of Ohio are afforded care from competent and qualified chiropractic physicians. Those duties include licensing chiropractic physicians, licensing chiropractic physicians to perform acupuncture, biennial chiropractic and acupuncture license renewal, approving continuing education, issuing temporary licenses, investigating complaints, compliance initiatives and discipline and monitoring. The Board also performs numerous other activities and services such as developing and maintaining a jurisprudence exam, license verification, clarifying and interpreting the laws and rules, administrative rules filings and development, filling public records requests, legislative activities, and administrative functions such as fiscal, human resources, payroll processing, records retention, inventory management and website management.

# BOARD STAFF, MEMBERS & MEETINGS

## Board Staff, Members & Meetings

The Board currently employs six full time employees to carry out its duties and responsibilities.

**Kelly Caudill, Executive Director**

**Liz Moore, Executive Assistant**

**Mari Walker, Certification/Licensure Examiner**

**Kendra Hudson, Paralegal**

**M. Kate Borloglou, Investigator**

**Rex Waldenmyer, Enforcement Investigator**

The Board is comprised of four chiropractic physicians and one public member. The Governor, with the advice and consent of the Senate, appoints members to four-year terms. Members are eligible to be re-appointed once. Board members are compensated hourly for actual time devoted to the Board's affairs and are reimbursed for their travel expenses. During Fiscal Year 2014 the Board consisted of the following members:

**Gregory P. Palkowski, D.C., President**

Beavercreek, OH

Appointed: 11/26/2010

Term Expires: 11/01/2014

**Brian S. Wilson, D.C.**

Wintersville, OH

Appointed: 7/19/2012

Term Expires: 11/01/2015

**Jeffrey O. Brown, Esq., Public Member**

Steubenville, OH

Appointed: 03/28/2014

Term Expires: 11/01/2017

**John P. Kennedy, Esq., Public Member**

Columbus, OH

Appointed: 10/18/2007

Re-appointed: 12/31/2009

*Resigned 09/01/2013*

**Norman J. Gloekler, D.C., Vice-President**

Ashtabula, OH

Appointed: 11/17/2010

Term Expires: 11/01/2014

**Otto J. Schmidt, D.C.**

Parma, OH

Appointed: 11/02/2013

Term Expires: 11/01/2017

**Ronald J. Farabaugh, D.C.**

Westerville, OH

Appointed: 12/30/2009

*Term Expired: 11/01/2013*

## Board Meetings

The Board conducted 6 meetings during Fiscal Year 2014 on the following dates: August 22, October 10 and December 5, 2013, February 13, April 10 and June 12, 2014. All scheduled meetings of the Board are posted on the Board's website and open to the public. Upon request, any person may obtain advance notification of the time, place and purpose of all meetings of the Board.

# MEMBERSHIPS, MEETINGS & CONFERENCES

## Memberships, Meetings & Conferences

### **Federation of Chiropractic Licensing Boards (FCLB)**

The Board is an active member of the Federation of Chiropractic Licensing Boards, a non-profit organization established in 1926 as the professional association for governmental regulatory boards responsible for chiropractic licensure. Membership is comprised of chiropractic licensing boards from the United States and Territories, Canada, Australia, Mexico, United Kingdom and New Zealand.

As a member of the FCLB the Board receives free online searches and reporting to the Chiropractic Information Network/Board Action Databank (CIN-BAD) an on-line computer database that tracks the disciplinary actions taken against chiropractic physicians in all jurisdictions, PowerPoll surveys regarding interpretative scope of practice issues, and educational conference communication.

### **EDUCATIONAL MEETINGS & CONFERENCES**

October 17-20, 2013: Vice-President Dr. Gloekler attended the FCLB District II Meeting in Fort Walton Beach, FL.

November 8-10, 2013: Vice-President Dr. Gloekler Participated in the NBCE Part IV Exam in Chesterfield, MO and Dr. Wilson participated in the NBCE Part IV Exam in Dallas, TX.

April 30-May 4, 2014: President Dr. Palkowski and Director Caudill attended the FCLB Annual Conference in Myrtle Beach, SC.

May 16-18, 2014: Dr. Wilson participated in the NBCE Part IV Exam in Davenport, IA.

**NOTE:** Participation in the NBCE Part IV Exam and Test Committees is at no cost to the Board. The NBCE invites two board members to participate in these activities and pays for all related travel expenses.

# BUDGETARY MATTERS

## Budgetary Matters

The Board is self-supported primarily through revenue generated from application and renewal fees. The Board does not receive any funds from the State's General Revenue Fund. As required by ORC 4734.54, all receipts of the Board are deposited into the Occupational and Professional Licensing Fund (4K9). This is a joint fund in which the revenue from various other licensing boards is deposited.

### FISCAL SUMMARY

The following table illustrates the Board's revenues and expenditures for FY 2014.

REVENUES	
DESCRIPTION	REVENUE
Licenses & Renewal Fees	\$1,226,105
Rosters & Records	\$0
Fines & Penalties	\$16,100
<b>TOTAL</b>	<b>\$1,242,205</b>

  

EXPENDITURES	
DESCRIPTION	EXPENSE
500 & 510 Account (e.g.: payroll, hearing examiner, experts, court reporters, membership dues)	\$495,361
520 Account (e.g.: state maintenance fees, rent, supplies, travel, credit card processing, printing)	\$103,992
530 Account (e.g.: computers, equipment)	\$4,515
<b>TOTAL</b>	<b>\$603,868</b>

  

APPROPRIATIONS	
FISCAL YEAR	APPROPRIATION
2012	\$584,925
2013	\$584,925
2014	\$617,829

# ADMINISTRATIVE RULES

## Administrative Rules

The Board formulates rules to govern its actions and adopts rules governing the practice of chiropractic in accordance with ORC § 4734.10. Rules adopted under Chapter 4734 must be according to the procedures of ORC § 119. All rules are filed electronically with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State's Office pursuant to ORC § 103.0511. Public hearings regarding rule changes are held in accordance with ORC § 119.

In addition to the above process, if a rule is determined to have an adverse impact on business, the rule must also be filed with the Common Sense Initiative (CSI) Office. The Board must follow the processes required by the CSI office and respond to any recommendations made by CSI.

### **FIVE YEAR RULE REVIEW**

In accordance with ORC § 119.032, the Board reviews each of its rules every five years to determine whether to continue without change, amend, or rescind a rule. Prior to the scheduled review date of a rule, the Board first must review the rule to determine whether the rule is a CSI reviewable, requiring stakeholder comment. The Board will then consider whether the rule should be continued without amendment, be amended or be rescinded, taking into consideration the purpose, scope, and intent of the statute under which the rule was adopted.

The rules below were reviewed during FY 2014 and the following actions were taken:

#### **Amended**

4734-5-02\* Board relationship with the council on chiropractic education  
4734-5-04\* Initial approval of chiropractic educational institutions or programs  
4734-5-06\* Revocation of approval of chiropractic educational institutions or programs  
4734-6-01\* Application for licensure  
4734-6-02\* Licensure by endorsement  
4734-6-04\* Preceptorships  
4734-6-08\* Pre-chiropractic educational requirements  
4734-8-04\* Documentation and record keeping  
4734-9-03\* Signage and display of license  
4734-9-07\* Billing practices

4734-9-08\* Professional ethics  
4734-9-10\* Conduct following action against a license

#### **Rescinded**

4734-5-03\* Site visitations procedures  
4734-8-07\* Terminating the doctor-patient relationship

#### **New**

4734-5-03\* Site visitation procedures  
4734-8-01\* Dismissing a patient from a chiropractic practice  
4734-8-07\* Notice of leaving, selling or retiring from practice  
4734-9-11\* Prepayment plans

\* An asterisk denotes that the rule was reviewed by the CSI Office prior to filing.

# CONTINUING EDUCATION

## Continuing Education

Chiropractic licenses and acupuncture certificates must be renewed by April 1 of every even numbered year. The CE requirement for a chiropractic license is 36 hours per biennium and 12 hours per biennium for acupuncture certificates. In accordance with OAC § 4734-7-02, a program offered within the state of Ohio for CE credit must be sponsored by a Board-approved CE Sponsor. (All Board-approved chiropractic colleges are automatically deemed Board-approved CE Sponsors.)

It is the responsibility of the Board to review and approve CE sponsors and programs held within the state of Ohio. All programs registered and approved are posted on the Board's website.

The Board approved one new CE Sponsor during FY 2014: The Ohio Foot and Ankle Medical Association.

### BOARD-APPROVED CE SPONSORS

Central Ohio Chiropractic Association	Life University
Cleveland Clinic Educational Foundation	Life Chiropractic College West
Chiropractic Association of Ohio	Logan College of Chiropractic
Metro Health System of Cleveland	Southern California University of Health Sciences
Miami Valley Chiropractic Society	Summa Health Western Reserve Hospital
Motion Palpation Institute	National University of Health Sciences
New Albany Surgical Hospital Foundation	New York Chiropractic College
North Central Academy of Chiropractic	Northwestern Health Sciences University
Northeast Ohio Academy of Chiropractic	Palmer College of Chiropractic
Northwest Ohio Chiropractic Association	Parker University
Ohio State Chiropractic Association	Sherman College of Chiropractic
Ohio Public Health Partnership	Texas Chiropractic College
The Metro Health System	University of Bridgeport
Canadian Memorial Chiropractic College	University of Western States
Cleveland Chiropractic College	Ohio Foot and Ankle Medical Association
D'Youville College	
International Chiropractic Pediatric Assoc.	
Adena Health Systems	

# EXAMINATION & LICENSE ACTIVITY

## Examination & License Activity

The Board requires all applicants for licensure to successfully take and pass an online Jurisprudence examination. Applicants are permitted to take the exam once they have met all of the Board's filing requirements and their application is approved.

### LICENSE ACTIVITY AS OF JUNE 30, 2013

TYPE OF LICENSE	ISSUED DURING FY 14	TOTAL ACTIVE
Chiropractic	64	2393
Acupuncture Certificates	7	144
Preceptorship	16	16

**ADDITIONAL CHIROPRACTIC LICENSE DATA:** Inactive 111; Forfeited 37; Retired 11; Deceased 6

# ENFORCEMENT STATISTICS & DISCIPLINE

## Enforcement Statistics & Discipline

The Executive Director serves as the Chief Enforcement Officer and enforces the laws and rules governing the practice of chiropractic. All complaints are reviewed to determine preliminary disposition: closure, referral to another agency, investigation, or hold open pending further information. Voluntary compliance inspections are conducted by Board investigators to ensure compliance with the Board's laws and rules. The Board regularly works with law enforcement agencies statewide to investigate misconduct by chiropractic physicians and prosecute the unlicensed practice of chiropractic.

### INVESTIGATIONS

Investigations opened: 74

Investigations completed: 95

FY 2014 investigations completed during FY 2014: 40

FY 2013 investigations completed during FY 2014: 37

FY 2012 investigations completed during FY 2014: 8

FY 2011 investigations completed during FY 2014: 7

FY 2010 investigations completed during FY 2014: 3

### NUMBER OF INVESTIGATIONS BY CATEGORY IN FY 2014

Advertising:	11	Miscellaneous:	14
Billing:	9	Records:	2
Conviction/Criminal:	6	Sexual Misconduct:	4
Solicitation:	13	Treatment:	7
License Denial:	2	Unlicensed Practice:	3
Aiding & Abetting:	1	Consent Violation:	1
Scope:	1		

### MISCELLANEOUS ACTIONS

Minor Violation Letters Issued:	13	Cease & Desist Letters Issued:	2
Compliance Inspections/Site Visits:	15	Warning Letters Issued:	28
Investigative Subpoenas Issued:	46	Consent Agreement Modifications:	1

# ENFORCEMENT STATISTICS & DISCIPLINE

## FORMAL ACTIONS

Adjudication Orders:	1	Letters of Admonition:	3
Consent Agreements:	9	License Revocations:	1
Disciplinary Hearings Held:	2	Mental & Physical Exams:	2
Formal Charges (Citations):	7	Order of Suspension:	1

## QUALITY INTERVENTION PROGRAM

The QIP is a confidential alternative to formal disciplinary proceedings. The program is a voluntary program designed to address practice and communication complaints which do not appear to warrant intervention by formal disciplinary action, but may indicate that the licensee involved has developed poor practice patterns or has failed to keep up with current standards of chiropractic and/or acupuncture practice.

- During FY 2014 there were no licensees invited to participate in the QIP. One licensee completed participation as of the end of the fiscal year.



77 SOUTH HIGH STREET, 16TH FLOOR  
COLUMBUS, OHIO 43215  
PHONE (614) 644-7032 • FAX (614) 752-2539  
TOLL FREE COMPLAINT HOTLINE: (888) 772-1384  
WEBSITE • [WWW.CHIROBD.OHIO.GOV](http://WWW.CHIROBD.OHIO.GOV)  
EMAIL • [OSCB.CHIROBD@CHR.STATE.OH.US](mailto:OSCB.CHIROBD@CHR.STATE.OH.US)