

# Alaska State Board of Chiropractic Examiners Newsletter

November 2003

## ALASKA BOARD OF CHIROPRACTIC EXAMINERS

Carol J. Davis, DC  
Gregory M. Culbert, DC  
R. Clark Davis, DC  
David J. Mulholland, DC  
Sean C. Siegel, Public Member

### Division of Occupational Licensing Staff:

Cindy Roccodero, Licensing Examiner	907-465-2543
Julia Winchell, Investigator	907-269-8185
Maggie McQuaid, Investigator	907-269-8189

Most recent State Board of Chiropractic Examiners meeting was on August 22, 2003 in Fairbanks. Present were Board Members: Dr. Carol Davis, President (Fairbanks), Dr. Greg Culbert, Vice President (Eagle River), Dr. Clark Davis, Secretary (Ketchikan), Dr. David Mulholland (Anchorage), and Sean Siegel, Public Member (Anchorage). Present from the Division of Occupational Licensing was Licensing Examiner Cindy Roccodero. Present telephonically were Director Rick Urion, Senior Investigator Quinten Warren, Investigator Maggie McQuaid, and Regulation Specialist Kurt West. Visitors' attending was Mr. Brian Larson. Visitors' are welcome.

## FEDERATION OF CHIROPRACTIC LICENSING BOARDS –PACE PROGRAM

The Federation of Chiropractic Licensing Boards (FCLB) is in the process of developing the **Providers of Approved Continuing Education (PACE) program**. The Board will continue to monitor progress of this developing plan.

## CONTINUING EDUCATION PROGRAM

A continuing thank you to Dr. Fred Risch for his ongoing review of request for Board approval of continuing education courses. Requests for approval are received by the licensing examiner, who indexes the courses and forwards them on to Dr. Risch. Dr. Risch reviews the "Continuing Education Program Request for Approval" forms, course schedules and descriptions, credentials of the instructors, number and type of credit hours, and makes a recommendation to the Board. The Board, in a mail ballot, or at a meeting, then reviews Dr. Risch's recommendations and votes on course approval. Approved courses are listed on the Division's web site: <http://www.dced.state.ak.us/occ/pchi.htm>.

This process may be assisted in the future by the upcoming PACE program. **It is the INDIVIDUAL CHIROPRACTOR'S RESPONSIBILITY to check the web site or with Licensing Examiner, Cindy Roccodero [cindy\\_roccodero@dced.state.ak.us](mailto:cindy_roccodero@dced.state.ak.us), PRIOR to taking a course REGARDING it's APPROVAL. Requests are to be submitted in advance in a legible handwriting or type.**

## TRAVEL TO TREAT

Having a "Travel to Treat" courtesy license would allow out-of-state and foreign chiropractic physicians to practice on athletes, performers, and staff who are in Alaska to compete at a variety of venues (Olympics, Arctic Winter Games, etc.). The chiropractic physician would only work on the athletes and staff, not spectators. Regulations regarding streamlining and clarifying these special temporary licenses are in the final stages of being drafted and approved. The board reviewed draft wording submitted by Dr. Clark Davis and Kurt West, State Regulation Specialist for "travel to treat" courtesy licenses (AS 08.01.062). After discussion, amendments, and deletions, Kurt West stated that he would write the wording of the proposed regulation for the board to review at their next meeting. Further information will be available in the near future.

## BOARD POSITION ON VENIPUNCTURE

The board discussed and agreed on wording regarding their position on venipuncture. Dr. Clark Davis will type up the board's position. It was resolved to accept the board position statement as written regarding lab venipuncture. The final draft will be available in the near future.

## PEER REVIEW

The Peer Review Committee is advisory to the State Board of Chiropractic Examiners. Current members of the Peer Review Committee are Dr. Mark Kufel, Dr. James Heston, and Mr. Alfred Tamagni, Sr. (public member). At the August 22, 2003 meeting the Board appointed Dr. A. Nick Williams to the Peer Review Committee.

## CONTINUING EDUCATION ON-LINE HOURS: INCREASE TO BE ALLOWED

The board discussed and reviewed Dr. Birger Baastrup's request to increase the amount of Continuing Education permitted computerized on-line. The Board amended 12

AAC 16.350 from one-fourth to one-third of Continuing Education hours permitted. This soon will allow eight hours on-line of the total 24 required hours per two-year renewal period once going through the state regulation change process. Further information will be forth coming.

### STUDENT SPORT PHYSICALS

The board requested that Dr. Mulholland inform the Alaska Student Athletic Association (ASAA) that chiropractic physicians do have the authority to perform student athletic physical examinations.

Alaska Statute (AS) 08.20.100(b)(5)(B), clearly shows that chiropractors have the right to perform student athletic physical examinations.

Alaska Statute 08.20.100(b)(5)(B), "A person licensed under this chapter may sign within the scope of chiropractic practice, certificates of physical examinations for children before they enter school; reports for excuses from employment and from attendance at school or participation in sports activities.

There is no contrary legal authority, statute, or regulation.

The Alaska Student Athletic Association (ASAA), however, has a policy contrary to the state law above, advising school districts that student athletic physicals need to be signed by a M.D., D.O., nurse or similar medical practitioner. This policy has NO basis in law.

The Board was asked for an opinion on the above and the "Board" requested a meeting with the Department of Law, Attorney General's Office. At the May 16, 2003 board meeting, Mr. David Brower, Assistant Attorney General advised the board that it is clear in the chiropractic statute that a licensed chiropractor can perform these functions. However, the state does not have the authority to override any school boards bylaws regarding any type of physicals.

The Board has decided to take no further action regarding the sport physicals at this time. The Board is urging local D.C.'s and their patients/parents to get involved and educate their school boards as to the qualifications that D.C.'s have, in that they are fully capable, and legally permitted by State law to perform student sports physicals. Please personally get involved.

### ALASKA STATE DIVISION OF OCCUPATIONAL LICENSING

The state investigators stated that there are eight open cases and eight closed cases since the last report. There are approximately 200 active licenses. **All complaints must first go through the Division's Investigator (907) 269-8189 or 8185 and not through the Board.** Anyone may make a complaint against a chiropractor. The Division's Investigative Staff investigates all complaints. The cost of investigations is

directly reflected in the licensing renewal fees for chiropractors. **Licensing information is public record.** Information regarding current licensees, including mailing addresses, license actions are available on the Board of Chiropractic Examiner's website: <http://www.dced.state.ak.us/occ/pchi.htm> Click on "Occupational License Search" and fill in the boxes necessary for the individual licensee.

### PUBLISHING OF NEWSLETTER

Ms. Roccodero, Licensing Examiner informed the board that the Division would no longer be mailing to licensees the three newsletters that are published yearly. The Division will be publishing the newsletters on the Board of Chiropractic Examiners web page.

### PUBLIC COMMENT

Mr. Brian Larson presented to the board the difficulty Western States Chiropractic College (WSCC) and other college students have, when applying for NBCE Part IV examinations due to curriculum scheduling and NBCE examination scheduling for Part IV.

Mr. Larson stated that there are Alaska students wishing to return to Alaska and work but are unable to, causing a hardship, because the wording of 12 AAC 16.200, the conflict between curriculum scheduling and NBCE examination scheduling.

Mr. Larson asked the board if they would consider accepting an amendment to 12 AAC 16.200 in order to help future students obtain a temporary license. The Board thanked Mr. Larson for his input. This issue will be discussed further upon receipt of additional information obtained by Mr. Larson and Dr. Culbert.

### MEETINGS/EXAMINATIONS SCHEDULE 2004

In order to save travel costs the Board has made the decision to no longer hold meetings/examinations in Fairbanks.

#### MEETING DATES/LOCATION

January 16, 2004  
Atwood Building  
550 West 7<sup>th</sup> Avenue, Suite 1270  
Anchorage

April 16, 2004- Board Meeting  
State Office Building  
Conference Room 'A'  
333 Willoughby Ave., 9<sup>th</sup> Floor  
Juneau

August 2004-not yet determined

#### EXAMINATION DATES

January 17, 2004

April 17, 2004

## EXAMINATIONS

The following took the Alaska State Examination on August 23, 2003 passed the exam, and were eligible for licensure pending all other requirements:

Mr. Brian Larson