

**SOUTH CAROLINA BOARD OF CHIROPRACTIC EXAMINERS
BOARD MEETING MINUTES
110 CENTERVIEW DRIVE, ROOM 202-02, COLUMBIA, SC
THURSDAY, November 5, 2009 – 9:30 A.M.**

Public Notice of this meeting was properly posted at the Board office and provided to any requesting person, organizations, or news media in compliance with Section 30-4-80 of the S.C. Freedom of Information Act.

MEMBERS PRESENT: Michael L. Coon, D.C., Chairman; W. Dean Banks, D.C., Vice-Chairman; Joseph Carew, D.C.; Beth R. Ehlich, D.C.; Harvey Garcia, D.C.; Mark G. Kimble, D.C.; Richard D. Lacey, D.C.

MEMBERS ABSENT: E.J. Mercer, Esquire.

OTHERS PRESENT: Patricia Glenn, Board Administrator; Sheliah Jones, Administrative Assistant; Sharon Dantzler, LLR Legal Counsel; Suzanne Hawkins, LLR Legal Counsel; Jocelyn Andino, LLR Legal Counsel; LLR Legal Counsel Georgia Lewis; Kathy Meadows, LLR OIE; Larry Atkins, OIE.

Dr. Coon called the meeting to order and noted that a quorum was present to conduct business.

APPROVAL OF MINUTES: The minutes from the April 2, 2009 and August 27, 2009 Board Meetings were approved.

IRC REPORT: The Board voted to accept the recommendation of the IRC and approve the October 29, 2009 IRC Report:

The Board voted to dismiss the following complaints:

**Complaint #1 –
Complaint #2
Complaint #3
Complaint #4 .**

The Board voted to proceed with a Formal Complaint for the following complaints:

Complaint #5-

The Board voted to issue a Letter of Concern for the following complaints:

**Complaint # 6
Complaint #.7**

Dr. Banks made the motion to accept the IRC Report. Dr. Ehlich seconded the motion. The motion carried.

APPLICATION HEARINGS:

Jerry D. Odom, DC an applicant for licensure appeared before the Board to discuss his “yes” answer to question number five on the application, “Have you ever been arrested, charged or convicted, including nolo contendere plea or guilty plea in any State or Federal Court other than minor traffic violation, whether or not sentence was imposed or suspended?”

After his testimony and review of the information he presented, the Board unanimously voted to approve Dr. Odom’s application and to grant him a Chiropractic license.

Lincoln J. Cole, DC an applicant for licensure appeared before the Board to discuss his “yes” answer to question number five on the application, “Have you ever been arrested, charged or convicted, including nolo contendere plea or guilty plea in any State or Federal Court other than minor traffic violation, whether or not sentence was imposed or suspended?”

After his testimony and review of the information he presented, the Board unanimously voted to approve Dr. Cole’s application and to grant him a Chiropractic license.

Joseph Kuna, DC an applicant for licensure appeared before the Board to discuss his “yes” answer to question number five on the application, “Have you ever been arrested, charged or convicted, including nolo contendere plea or guilty plea in any State or Federal Court other than minor traffic violation, whether or not sentence was imposed or suspended?”

After his testimony and review of the information he presented, the Board unanimously voted to approve Dr. Kuna’s application and to grant him a Chiropractic license.

Jarrod D. Haselden, DC an applicant for licensure appeared before the Board to discuss his “yes” answer to question number five on the application, “Have you ever been arrested, charged or convicted, including nolo contendere plea or guilty plea in any State or Federal Court other than minor traffic violation, whether or not sentence was imposed or suspended?”

After his testimony and review of the information he presented, the Board unanimously voted to approve Dr. Haselden’s application and to grant him a Chiropractic license if he has an evaluation and signs a Contract for 5 years with the Recovering Professionals Program (RPP) or RPP says no Contract is needed. See attached Order.

DISCUSSION TOPICS:

FCLB/NCBE District IV MEETING-Dr. Coon and Dr. Banks briefed the Board on their attendance at the Oct. 2009 Meeting. They noted the importance of participation and networking with other state’s Board members because of the similar issues faced. Other topics discussed included decompression, issues faced by offices with multiple disciplines, DCs providing DOT physicals, etc.

AGREEMENT TO RELINQUISH LICENSE:

2008-55- Ms. Lewis, LLR Attorney presented an Agreement to Relinquish License signed by Dr. Robert E. Powers voluntarily relinquishing his license to practice in SC in lieu of facing a disciplinary hearing.

CONSENT AGREEMENT:

2006-21 -Ms. Andino, LLR Attorney presented a Consent Agreement signed by Dr. Michael A. Addison acknowledging failure to document records, failure to maintain records properly, submitting false claims for services not rendered and failure to provide medical records to patient in a timely manner. The Board voted to accept the signed Consent Agreement to allow respondent's license to be placed on probation for 3 years, obtain 10 hours of c.e. in record keeping and professional ethics and pay a monetary fine.

CONSENT AGREEMENT:

2008-50 -Ms. Andino, LLR Attorney presented a Consent Agreement signed by Dr. Larry E. Simon acknowledging that he attempted to administer care to a patient while impaired. The Board voted to accept the signed Consent Agreement for a Public Reprimand. Dr. Simon is required to be an active participant in the Recovering Professionals Program (RPP) for a minimum of 5 years during which he is subject to random drug screenings, etc.

FINAL ORDER HEARING:

2005-1

Ms.Hawkins, LLR Attorney summarized Case # 2005-1 and presented the Hearing Examiner's Report and Recommendations. The Board voted to accept the Hearing Examiner's Report and Recommendations for a Private Reprimand. The licensee is to complete 6 hours of Board approved coursework related to child abuse. See attached Order

FINAL ORDER HEARING:

2005-4

Ms.Andino, LLR Attorney summarized Case # 2005-4 and presented a Memorandum of Agreement signed by the respondent Dr. David Richard Gooldy admitting to filing multiple false insurance claims, failure to maintain and document records properly. An Order was issued by the Board for a Public Reprimand, 3 years probation, monetary fines/court costs, successful completion of the NBCE Ethics Course and 12 hours of Board approved coursework in documentation. See attached Order.

FINAL ORDER HEARING:

#2007-12 & 2008-40

Ms. Andino, LLR Attorney summarized Cases # 2007-12 & 2008-40 and presented a Memorandum of Agreement signed by the respondent Dr. Stephen A. Conicello admitting that he gave unsubstantiated and misleading statements in advertisements and statements that he was a "Master Level Upper Cervical Chiropractor." An Order was issued by the Board for a Public Reprimand, 3 years probation, monetary fines and successful completion of the SC Board Rules & Regulations Examination.

****The next meeting of the South Carolina Board of Chiropractic Examiners will be held on Thursday, April 1, 2010.

The Board adjourned at 2:00 PM.

Respectfully Submitted,

Patricia F. Glenn, Administrator

(Administrator)

(date)