

**INDIANA BOARD OF CHIROPRACTIC EXAMINERS**  
**Indiana Government Center South**  
**402 West Washington St., Room W064**  
**Indianapolis IN 46204**

**MINUTES OF JANUARY 12, 2023**

Diane Vuotto, D.C., Chair, called the meeting to order at 9:00 a.m. and declared a quorum in accordance with IC 25-10-1-1.5(f), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present: Diane Vuotto, D.C., Chair  
John Bernzott, D.C., Member  
Derek Dyer, D.C., Vice Chair  
Richard Mason, D.C., Member

Staff Present: Jody Edens, Board Director  
Professional Licensing Agency  
Erin Sutton, Assistant Board Director  
Professional Licensing Agency  
Clarence Leathurbury, J.D., Deputy Attorney  
General, Office of the Attorney General  
Jennifer Ortman, J.D., Deputy Attorney General  
Office of the Attorney General

The Board voted to APPROVE the Amended Agenda; the Board further amended the agenda to add Erik Hanson, D.C. to the personal appearances as he appeared as the meeting requesting to be heard:

Bernzott/Dyer, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

The Board voted to APPROVE the October 13, 2022, minutes as written.

Mason/Dyer, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

### **PERSONAL APPEARANCES**

#### **Ronald Sheppard, D.C., License No. 08000647A, Cause No. 2018 IBCE 0003 – Probation Appearance:**

Dr. Sheppard appeared in person without counsel regarding his probationary appearance scheduled before the Board. He stated he has been following the requirements of his final order and was doing well. His next appearance is scheduled for April 2023.

#### **Matthew Schultz, D.C., License No. 08002297A, Cause No. 2015 IBCE 0003 – Probation Appearance:**

Dr. Schultz appeared in person and was represented by counsel, Mark Sullivan regarding his probationary appearance scheduled before the Board.

Dr. Schultz discussed how to obtain the professional/patient boundaries CE he is required to obtain according to his order. The Board suggested he could review DC Hours website and ISCA website.

He informed the Board he is remarried, and they now have a four (4) month old baby boy. He also indicated that he is doing well.

Dr. Schultz is required to appear one time before the Board in 2023. Staff will email him the date prior to the meeting.

#### **Stephen McAdoo, D.C., License No. 08003093A, Cause No. 2020 IBCE 0002 – Probation Appearance:**

Dr. McAdoo appeared in person and was not represented by counsel regarding his probationary appearance scheduled before the Board.

Dr. McAdoo indicated that he has not had any changes. He is currently not working as a chiropractor; he currently works in a laboratory.

In their discussion with Dr. McAdoo the board indicated he can request to withdraw the order or probation at any time.

**Erik Hanson, D.C., License No. 08002061A, Reinstatement Application:**

Dr. Hanson appeared in person and was not represented by counsel regarding his request to address the Board regarding his reinstatement application.

Dr. Hanson has submitted his reinstatement application and fee to reinstate his license in Indiana.

He requested the Board to allow him to reinstate without the total number of CE hours required to reinstate, which is 144 hours with 48 in risk management. The Board indicated he can use CE that he obtained in other states to renew his licenses in those states and that they would not waive the CE requirements.

During the conversation, Dr. Hanson indicated he was arrested in Florida last year, but on his reinstatement application he indicated “No” to the following question:

3. Since you last renewed, and except for minor violations of traffic laws resulting in fines and arrests or **convictions that have been expunged by a court, have you been arrested, entered into a diversion agreement, been convicted of, pled guilty to, or pled nolo contendere to any offense, misdemeanor, or felony in any state or U.S territory?**

The Board informed Dr. Hanson, that not only does he need to submit the CE, but he needs to revise his answer on the above question and submit an explanation on what happened, and copies of the court documents pertaining to the arrest.

Dr. Hanson explained that the matter was expunged from his record, the Board then requested copies of the expungement papers.

**Joshua Pattengale – Initial Application:**

Mr. Pattengale submitted an initial application to obtain a license again after his Indiana Chiropractic license 08002719A was revoked by the Board in July 2015.

He subsequently withdrew his application and he indicated that there are some things he needs to do before reapplying. His application at this time has been withdrawn.

**ADMINISTRATIVE HEARINGS**

The following administrative hearing was continued:

- **Darcy Crowder, D.C., License No. 08002431A, Cause No. 2022 IBCE 0006**

**Preston Peachee, D. C. License No. 08002141A, Cause No. 2022 IBCE 0003**

Respondent appeared in person and was not represented by counsel regarding a request

to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Dr. Peachee was required to complete the Batterers Intervention Program through the courts. He submitted proof of completion.

Dr. Peachee also indicated he is not on non-reporting probation with the courts since he completed the program.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation from Dr. Peachee's license.

Mason/Bernzott, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

**Nathan Bontrager, No License, Cause No. 2022 IBCE 0004**

Respondent did not appear in person and was not represented by counsel regarding a Default hearing scheduled before the Board. The State of Indiana was represented by Carah Rochester, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Mr. Bontrager submitted a motion to dismiss this matter.

The Board reviewed the motion to dismiss and moved to DENY the motion to dismiss.

Bernzott/Dyer, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to hold the respondent in DEFAULT.

Bernzott/Dyer, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

Brittany Snow, investigator with the AG's office was sworn in as a witness.

Ms. Snow testified that she is an investigator with the Attorney General's Office and she investigated the matter with Nathan Bontrager.

Mr. Bontrager does not hold a Chiropractic license but according the Advanced Biostructural Correction (ABC)/Genesis Wellness website he is performing duties only a licensed Chiropractor may do.

States Exhibits:

A – Copy of ABC website

B – Screen shot of ABC website after update on 1/11/23.

A consumer complaint was filed against ABC and the providers listed.

The Board moved to have a complaint for deceptive acts be filed on ABC as they fell it is a threat to the public safety and the training of unlicensed people.

Bernzott/Mason, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

After having considered the evidence presented, testimony of the witness, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to ISSUE a CEASE-and-DESIST order.

Bernzott/Mason, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

**Det James, D.C., License No. 08002297A, Cause No. 2020 IBCE 0002**

Respondent appeared in person and was not represented by counsel regarding an Order

to Show Cause scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Dr. James entered into a settlement agreement with the Attorney General's office for Indefinite Probation for not less than three (3) years. The Board approved the settlement agreement on at their April 14, 2022, meeting. The indefinite probation was effective May 31, 2022.

Dr. James appeared before the Board for what he thought was his probationary appearance. The Board explained to him why he was appearing for a hearing versus a probationary appearance.

He gave the Board his new address and informed them that he closed his office back in July 2022. The Board discussed his probationary order terms with him and recommended if he has further questions to contact Ms. Edens.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board found that the Respondent did violate his probationary order and moved to RESTART the INDEFINITE PROBATION TIME FRAME. The three (3) years will start from the time the order for his hearing is file stamped.

Bernzott/Dyer, 4/0/0  
Motion carries

The following board members voted aye:  
John Bernzott, Derek Dyer, Diane Vuotto, Richard Mason  
The following board members objected: none  
The following board members abstained: none

## **DISCUSSION**

### **Continuing Education Audit:**

At the Board's October 13, 2022, meeting, they choose 5 percent for the random continuing education renewal audit. Ms. Edens asked who would like to volunteer to assist her with any questions she may have on the audit documents.

Dr. Mason volunteered to assist if needed.

There being no further business, the Board ADJOURNED at 11:36 a.m.

