

**INDIANA BOARD OF CHIROPRACTIC EXAMINERS
MINUTES**

OCTOBER 8, 2020

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Klaes called the meeting to order at 8:20 a.m. through virtual video and audio conferencing and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Marian Klaes, D.C., Board Liaison

John Bernzott, D.C.

Diane Vuotto, D.C.

Derek Dyer, D.C.

Board Members Not Present:

Vacant, Consumer Member

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency

Dana Brooks, Assistant Board Director, Professional Licensing Agency

Laura Turner, J.D, Board Director, Professional Licensing Agency

Phillip Gordon, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

Bernzott/Vuotto

Motion carried 4-0-0

III. ADOPTION OF THE MINUTES

A motion was made and seconded to accept the minutes as edited for the January 9, 2020 and July 9, 2020 and August 18, 2020 meetings.

Dyer/Bernzott

Motion carried 4-0-0

IV. ADMINISTRATIVE HEARINGS

A. Ronald G. Sheppard, D.C., License No. 08000647A

Administrative Cause No. 2018 IBCE 0003

Re: Petition for Withdraw of Probation and **Order to Show Cause**

Parties Present:

Respondent was present with counsel Mark Sullivan

Ryan Eldridge, Deputy Attorney General for the State of Indiana

Participating Board Members:

Dr. Klaes, DC (Hearing Officer)

Dr. Bernzott, DC

Dr. Dyer, DC

Dr. Vuotto, DC

Case Summary: On or about September 29, 2020 an Order to Show Cause was issued to Dr. Sheppard with allegations that he has not complied with the Findings of Fact Order issued to him on May 23, 2019. Dr. Sheppard has attested that he has complied with the Findings of Fact and has submitted a request on March 14, 2020 to withdraw his probation.

Mr. Sullivan called Dr. Sheppard as his first witness. Dr. Sheppard stated that he is currently working at Castleton Integrative Health. His daughter is now listed as the owner. Dr. Sheppard has been an employee there since January 2020. He stated that he was not working in August 2018 when the Board suspended his license after his guilty plea to the federal charges. He did not go into the clinic during that time and hired an office manager to run the clinic. He did not see any clients and referred all his clients to the other chiropractors on staff. He informed the Board that he had difficulties with his office manager. Once his license was placed on probation status in May of 2019, he was at the clinic a few times a week. Mr. Sullivan submitted Exhibit 1 with no objections from the State. Exhibit 1 shows a receipt that he submitted his renewal fee for 2020 prior to the expiration of his license on July 1, 2020. A tax hold was placed on his license at that time and he was not aware of the hold until the end of July. It is alleged that Dr. Sheppard prescribed lotions and treatments to patients regardless of their medical needs. Dr. Sheppard attested that he did not prescribe those treatments, and that it was up to the Nurse Practitioner to ensure that all medications prescribed applied to the client's medical needs. Dr. Sheppard stated that she did not do much prescribing of medications and kept injections down to a minimum. Mr. Sullivan asked Dr. Sheppard if he had ever accepted alcohol as form of payment from clients. Dr. Sheppard stated that he has joked about it, but he has not. He stated that at the clinic they offer pain management treatments; however, he does not perform any pain management treatments. He stated that the clinic had advertised on their website that they did stem cell treatments and COVID testing; however, they have since taken that advertising down. He stated that he does not accept Medicaid or Medicare patients since he is banned. The clinic can accept those clients, but he cannot. Notice was sent to his clients regarding this change of payments through his office manager. Exhibit 2 was submitted from Mr. Sullivan showing a letter that was given out to patients and posted up in the clinic that Medicare and Medicaid were no longer being performed by him. The State accepted the Exhibit with the notation that there is no date on the letter and no verification of when this letter was sent to patients.

Mr. Sullivan called Elizabeth Sackers as his second witness. Ms. Sackers has been employed by Ascension Health since June of 2016. She was hired to be the office manager of the Castleton Clinic in June of 2019. She stated that she was under the supervision of Dr. Sheppard and has known him for many years. She was aware that his daughter was now the owner of the clinic and a new Chiropractor was hired to help with the clients while he was suspended. She stated that she only saw Dr. Sheppard 12 times during his suspension. She worked 40 hours a week

and was aware if Dr. Sheppard would be potentially be in the office using equipment during his suspension. When she left the practice in June 2019, she was not aware of who took over as office manager. During her time as office manager Dr. Sheppard did not do any Medicare or Medicaid billing and those clients who had that payment were referred to other clients. The system would not allow anybody to place those clients to Dr. Sheppard.

The State called Zach Lee as their first witness. Mr. Lee works in the Office of the Attorney General as an investigator. Mr. Lee works primarily with medical licensing and has been with the Attorney General for 1 year and 9 months. Mr. Lee reviewed the website, records and witnesses at the time Dr. Sheppard was suspended. The State submitted Exhibit A which is a copy of Findings of Fact for Dr. Sheppard that was issued in August 2018. Mr. Sullivan had no objections. Exhibit B Copy of Judgement in Criminal Case, US District Court filed January 30 2018 entered with no objections; Exhibit C Findings of Fact filed May 2019. Mr. Sullivan objected stating that it detracted from the direction of the hearing; Exhibit D 1-7 submitted:

1. Affidavit of Custodian Records
2. Employee list of services from January 2020 to present
3. Schedule of Employees from January 2020 to August 21, 2020
4. Cash receipts log January 2020 to August 26, 2020
5. Credit card ledger from January 2020 to August 2020
6. COVID-19 finger blood tests policy
7. COVID-19 test results

No objections by Mr. Sullivan on submission on Exhibits D 1-7 and noted that no Nurse Practitioner or phlebotomist was on call in order to perform COVID testing. Mr. Lee stated that the advertisements were made for pain management and posting stem cell treatments on the website. Exhibit E entered which were screenshots of the website during the investigation. Mr. Sullivan had no objections. Mr. Lee stated that the advertisements on the different services occurred between January 2020 and August 2020 with the exception of the month of July when the credit card machine was down. During that time frame Dr. Sheppard's Chiropractic license was expired. Exhibit F1 and F2 were submitted showing screenshots of the mylicense.gov lookup with no objections by Mr. Sullivan. Mr. Lee stated that Dr. Sheppard's license was expired for the month of July and the receipts and employee schedules show that Dr. Sheppard saw clients during that time. Mr. Lee stated that the advertisements of the clinic show that they accept Medicaid and Medicare clients. The State then submitted Exhibit G which is a screenshot of the Office of Inspector General, with no objections from Mr. Sullivan. The screenshot shows that Dr. Sheppard is still on the exclusion list for Medicaid and Medicare; however, the advertisements on the Clinic are not showing that exception. The State submitted Exhibit H which is a copy of the Settlement Agreement with letter of reprimand that the Board issued to Dr. Sheppard with no objections from Mr. Sullivan. Mr. Lee stated that he took the employee list and cross referenced it using the mylicense.gov lookup. The State entered Exhibits I 1-5:

1. Screenshot showing blank result
2. Screenshot showing Gwend Jame with pending license
3. Screenshot of Cat Keith for CNA license
4. Screenshot of Russell Billy with blank result
5. Screenshot of blank result

Mr. Lee stated that based upon these results only 1 in 5 of Dr. Sheppard's staff members hold any type of license. Mr. Sullivan had no objections regarding the Exhibits. Mr. Lee stated that

the Castleton Clinic during the time period of Jun 5, 2020 were providing blood prick COVID-19 tests. During the month of July Mr. Keith was unlicensed and could not provide those types of services. The State entered Exhibits N1 and N2 with no objections from Mr. Sullivan. Exhibit N1 is a copy of the Administrative standards of the Indiana Department of Health. Exhibit N2 is a copy of the scope of practice from the Nurse Aid School. According to the Exhibits, nurse aids may only practice unless they are trained appropriately. They then undergo monitoring and are generally a support role with any procedures. They should not be in the practice of doing the COVID testing themselves, but rather a support role of the testing.

State then called Kathy Leatherman as witness. Ms. Leatherman was employed through a home healthcare agency as an HR manager. She informed the Board that she was with the Castleton Clinic from February 2002 to February 2018. During her employment at the Clinic she stated that she held a number of different roles. She left the clinic when Dr. Sheppard was convicted. Ms. Leatherman stated during her time with Dr. Sheppard she was aware that he did patient adjustments in his own home. Most of those patients were friends of the practice and those visits occurred on an as needed basis. It was not a common occurrence, but it was understood. Those patients were never recorded in their patient records and to Ms. Leatherman's knowledge Dr. Sheppard was paid for his services with alcohol, perfumes, and other forms of merchandise. She stated that she was aware of the alcohol as those payments were given at the Clinic and because Dr. Sheppard had talked about it to her at the clinic. Ms. Leatherman stated that the hand creams were given to patients even if they didn't need them, and also if the patient tried to decline the cream. Ms. Leatherman stated that Dr. Sheppard could sometimes not display professional demeanor with staff. He could be overly flirtatious to female staff and be very tactile. She knew of one employee who left because they were uncomfortable with his professionalism. Ms. Leatherman stated that she knew Dr. Sheppard gave ownership of the clinic to his daughter who is currently living in Colorado. She elaborated that after that transfer, Dr. Sheppard would still come to the clinic and perform duties normally done by the owner. Mr. Sullivan asked Ms. Leatherman how she knew what was going on in the office if she left in 2018. Ms. Leatherman explained that she kept in contact with some of the staff still at the clinic, and they conveyed to her what was going on in the clinic.

The State then called Heather Moore as witness. Ms. Moore is currently working at a Behavioral Health Clinic. She had worked at the Castleton Clinic in 2018 as a billing liaison under Ms. Sackers. She had originally worked part-time and then was given the job of Office Manager when Ms. Sackers left. She also took over as Stem Cell Coordinator at the Clinic. She had left the Clinic on January 3, 2020. During that time, she was told by Dr. Sheppard that he would close the office due to financial constraints and notify her on when they would reopen. Ms. Moore stated that the whole office was unemployed during the month of January 2020. Dr. Sheppard informed the staff individually in his car, and if a staff member did not join him in the car then he would yell at that individual in front of the rest of the staff. To her knowledge Dr. Sheppard submitted a letter to the unemployment office in June of 2020 stating that he never let them go. She stated that she is currently going through the appeal process at the unemployment office. The State asked if Dr. Sheppard would help patients after hours and add payments for them in the record book. Ms. Moore stated that in 2018 when another Doctor was out ill, Ms. Sackers would put on the jacket and do the adjustments. To her knowledge those clients were billed after their appointment. Ms. Moore stated that this began around early 2019. Ms. Moore stated that she was unaware of Dr. Sheppard's history when she was hired. Ms.

Moore stated that while he was on suspension he did appear in office as he wanted to be aware of all office operations at the office during that time. Ms. Moore was unaware if he saw any clients at that time, but she stated that he did assist with family, friends, and employees throughout 2019. Ms. Moore stated that those individuals were led to a client room, treated, and never billed or placed in the patient records. Ms. Moore informed the Board that the stem cell treatment never came to the clinic. It was debated at the clinic as a potential service, but one of the Doctors on staff did not want to implement it so they did not. Instead they did consultation on the service, and then referred those clients to others. Dr. Sheppard did try to have at least training done for all the Doctor's on staff, but they did not want to complete the training. Ms. Moore stated that Dr. Sheppard pushed x-rays, hand creams, back braces, and other additional services that Dr. Sheppard believe all patients should get. If a note of a diagnosis was not pushed by one of the Doctors, then Dr. Sheppard would give that Doctor a difficult time at the office and be overly critical. Some employees to Ms. Moore's knowledge did not want to push products as they were concerned with the client's financial needs, however they were told by Dr. Sheppard to still push those services. The State submitted Exhibit L which is a copy of the prescriptive forms. Mr. Sullivan had no objections to the Exhibit. The prescriptive forms were a list of all products that the staff were pushed to sell. The State inquired to the Physician that was on staff. To Ms. Moore's knowledge he was never at the clinic. She just knew that he was given the forms to sign and was given money.

Linda Calli appeared as witness for the State. Ms. Calli is currently retired but was employed by Castleton Integrative Health from January 2, 2017 to January 2, 2020 as a Nurse Practitioner. She stated that her focus was personal injury patient and worked primarily with Dr. Dominick and Dr. Sheppard at the Castleton Clinic. She stated that her work mainly was treatment plans, surgery referral, and x-rays. She did perform stem cell injections. Prior to any treatments she would talk to the surgeons about the procedure and consult with Ms. Moore and Dr. Sheppard about how uncomfortable she felt doing the procedures. During the time that Dr. Sheppard had closed the office and she was unemployed, she found a job at Ascension. When the office reopened, she returned to the Castleton Clinic but had some medical issues and could not start right away. She is currently going through some issues at the unemployment office as they have her down as a voluntarily quit when she was under the impression she was let go. Currently her appeal is still pending. The Physician on staff was called Dr. Dilley and she only saw him once when he was first hired. After that she never saw him again. Ms. Calli stated that she never prescribed controlled substances. She did have the authority to prescribe Class 2 substances, but never did. On the rare occasion she would prescribe Class 3 substances. If she did need to prescribe any higher medications it would have to be signed off by both the Office Manager and Dr. Sheppard. The normal practice she would do to relieve pain were mild muscle relaxers and mild pain relief. Ms. Calli stated that she did not feel topicals worked well and she never worked with stem cell creams before. If she did give them to a patient, she would ask them before she would issue them to the patient. She never pushed the product. The last time that she prescribed any of the creams was in 2017. After that time frame she only dealt with compounded or oral medications. Ms. Calli stated that there was one incident with a patient that was traveling overseas to Europe. Dr. Sheppard asked if Ms. Calli would mind if the client could call her at home to authorize a refill of her prescription due to the time difference. Ms. Calli stated that the patient had ADHD and the prescription was highly regulated, so she knew there were high risks regarding the medications. Ms. Calli stated that she felt uncomfortable with that situation and

did not prescribe the medication for that patient who was a friend of Dr. Sheppard. Ms. Calli relayed another incident that made her uncomfortable with Dr. Sheppard. She stated that the son of one of Mr. Sheppard's Doctor friends had come to obtain a prescription of a narcotic medication. Ms. Calli stated that she did not believe either one of those patients were properly evaluated. Dr. Sheppard did not show any hesitation in asking her to authorize the refill of either patient's medications, but she was unsure of authorizing the refill since she did not know the medications as well as the patient's primary doctor. Her additional reasoning was she was not comfortable giving narcotics to a teenager. Ms. Calli stated that the services Dr. Sheppard had at his office were physical therapy services; however, there was not a licensed Massage Therapist on staff. The office also did not have any trained x-ray technicians. Instated she informed the Board that the staff would get on the job training and certificates showing training completion. All patients were given x-rays, even if they did not require it. Ms. Calli stated that she did not do pain management. Ms. Calli informed the Board that Dr. Sheppard was known to perform services outside the office if patients could not make it through the week. He would have additional office hours and have them stop by and do the procedures. This adjustment would happen once a month and he would not charge clients for these services.

Mr. Sullivan called Nadine Sheppard as witness. Mrs. Sheppard stated that she has been married to Dr. Sheppard for 33 years. She has been employed at the clinic and has worked with Ms. Moore before. Mrs. Sheppard stated that there has never been discord in the office until Ms. Moore drafted a letter signed by Dr. Sheppard that he would be out of town. She stated that they did try to get the staff back. Mrs. Sheppard alluded that part of the financial issues the clinic was having was due to unauthorized use of the company charge accounts that Ms. Moore had access to. Mrs. Sheppard stated that during Dr. Sheppard's suspension when they discussed his day, he would inform her if he went to the clinic or not. He had informed her that he never visited the clinic. Mrs. Sheppard stated that he only assisted one individual at their home who was a friend.

In closing Mr. Sullivan stated that all that has been attested has been hearsay and that Dr. Sheppard has not violated any of his probation and has had no issues working in his office since his license was on probation. Denies allegations of disgruntled employees. The State closed to state that Mr. Sullivan has not presented anything that shows the allegations as untrue and attacked Ms. Moore. The Exhibits show that money was accepted for services during expiration of his license. Dr. Sheppard has already been given a letter of reprimand by this Board in 2016, has employed an unlicensed CNA who performed duties outside her scope, did services while under suspension of his license, and while his license was expired. While under probation Dr. Sheppard had pushed products without a legitimate medical need and pressured the Nurse Practitioner to prescribe medications. Dr. Sheppard is still listed as owner the Castleton Clinic as listed on the Inspector General website. He was also working under an expired license, which he as a licensed professional should always know the status of his license. Dr. Sheppard also had issues with advertising that he was able to bill Medicare and Medicaid when he was unauthorized to bill and had issues with appropriate procedures for COVID testing. Dr. Sheppard has been seen accepting other forms of payment for services and has displayed poor record keeping of those incidents. Since 2016 he has failed to follow the restrictions and statute and rules of the Chiropractic Board. He has disregarded the authority of the Board and the State recommends that a minimum sentence of suspension be implemented.

Board Action: A motion was made and seconded that the State has shown cause that Dr. Sheppard has violated his probation.

Vuotto/Dyer
Motion carried 4-0-0

Board Action: A motion was made and seconded to extend Dr. Sheppard's probation status with the requirements that he cannot request to come off probation for another 2 years. Dr. Sheppard must still attend quarterly appearances before the Board to update them on his status.

Bernzott/Dyer
Motion carried 4-0-0

B. Stephen McAdoo, D.C., License No. 08003093A

Administrative Cause No. 2020 IBCE 0004

Re: Administrative Complaint

Parties Present:

Respondent was present with counsel Ben Weigel
Ryan Eldridge, Deputy Attorney General for the State of Indiana

Participating Board Members:

Dr. Klaes, DC (Hearing Officer)
Dr. Bernzott, DC
Dr. Dyer, DC
Dr. Vuotto, DC

Case Summary: On or about August 14, 2020 an administrative complaint was filed against Dr. McAdoo with allegations that Dr. McAdoo failed to disclose discipline imposed on his Kentucky license when he applied for initial license and renewal of his Indiana Chiropractic license. Mr. Weigel stated that the discipline indicated in the administrative complaint was submitted to the Board in Dr. McAdoo's initial license application. Mr. Weigel also stated that the Board did address the Kentucky discipline when Dr. McAdoo was requested to appear on July 9, 2020 to discuss his Indiana license renewal responses. The State moved to submit Exhibit A which is a copy of the license application Dr. McAdoo submitted to PLA. Mr. Weigel has no objections to the Exhibit. The State also submitted Exhibit B which are copies of the discipline documents the Kentucky Board had provided regarding Dr. McAdoo. Mr. Weigel had no objections to their submission. The State submitted Exhibit C which is a letter from Dr. McAdoo's counsel responding the administrative complaint. Mr. Weigel had no objections to the Exhibit. The State submitted Exhibit D which are a copy of the July 9, 2020 Board minutes. Mr. Weigel had no objections. Dr. McAdoo affirmed that he had tried to be open and provide all documents regarding the discipline in Kentucky when he initially applied for licensure and that he has not tried to hide what occurred. Dr. McAdoo stated that at the time of his application he thought the Board was concerned with the current discipline issues in Kentucky, and not the past discipline which was addressed and concluded. Dr. McAdoo stated that he did have a 2003

incident which involved issue of advertisement. Dr. McAdoo failed to place a disclaimer at the bottom of his advertisement and was issued a \$100 fine by the State Board of Kentucky. In 2006 he stated that there was an incident of boundary issue with a patient. Dr. McAdoo completed a treatment that was misconstrued by the patient. After that incident he changed his procedures and was placed on 20-day suspension by the Board of Kentucky. Dr. McAdoo stated that he was under the impression the Kentucky Board forwarded this information to the Indiana Board during his application process. Dr. McAdoo stated that when he renewed his Indiana license, he marked yes to be transparent regarding his current Kentucky discipline. He also stated that during his appearance for his Indiana license renewal those incidents were discussed before the Board. The State clarified that the initial Indiana Administrative complaint that was filed against him for failure to disclose the 2003 and 2006 incidents was filed before his appearance to discuss his Indiana license renewal. The Board asked Dr. McAdoo to describe the procedure he used that caused the 2006 boundary issue. Dr. McAdoo stated that he employed an active, soft issue release procedure which typically occurs near the shoulders. The procedure was then misinterpreted by the patient and that he did not touch her chest. The State concluded that the 2006 administrative complaint filed against Dr. McAdoo in Kentucky showed that he had at least four patient complaints against him regarding inappropriate touching, and that the Kentucky Board had imposed discipline on him regarding the complaints. The State continued that Dr. McAdoo has not been as open as he is stating regarding the discipline against his Kentucky license, and he did not provide any information in lieu of a statement or documents regarding the 2003 and 2006 incidents. Dr. McAdoo has shown a pattern of boundary issues with the 2006 complaint and then the more recent 2016 complaint addressed during his Indiana license renewal. The current discipline in Kentucky has restricted him to a suspended license for a minimum of 3 years. The State recommended that discipline be imposed. Mr. Weigel closed by stating that the Indiana Board did not make any effort to ensure that they had all documentation of the past discipline against Dr. McAdoo and that the State is trying to find a reason to revoke Dr. McAdoo's license after the fact. Mr. Weigel did state that Dr. McAdoo should have been more precise regarding providing all information, but he was not trying to hide the information. He continued that the Board did discuss the information regarding the 2003 and 2006 incidents during the July meeting as shown in the minutes, and the Board voted to grant licensure renewal 3-1 at that time.

Board Action: A motion was made and seconded to place Dr. McAdoo on probation with the following terms and conditions:

1. Respondent's Indiana chiropractor license is placed on probation for a minimum of two (2) years.
2. While on probation, Respondent shall complete quarterly reports detailing his personal circumstances, job duties, and relevant work.
3. While on probation, Respondent shall appear **every SIX (6) MONTHS** for personal appearances before the Board.
4. Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a **FEE of FIVE DOLLARS (\$5.00)** to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order payable to the State of Indiana, and submitted to the following address:
Office of the Indiana Attorney General

Attn: Executive Assistant, Consumer Protection
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

5. A violation of the Final Order, any non-compliance with the statutes or regulations regarding the practice of chiropractic, or any violation of this final order may result in Petitioner requesting a summary suspension of Respondent's license, an Order to Show Cause as may be issued by the Board, or a new cause of action pursuant to Ind. Code § 25-1-9-4, any or all of which could lead to additional sanctions, up to and including a revocation of Respondent's license.

Vuotto/Dyer
Motion carried 4-0-0

V. PERSONAL APPEARANCES

A. Renewal

1. Glenn Jay Pedersen, D.C., License No. 08000852A

Appeared as requested to discuss his yes response to question number 3 on his renewal "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?" Dr. Pedersen submitted a statement and supporting documents of his OWI incident that occurred in December of 2019. He informed the Board that he was originally stopped for speeding, and the officer requested he complete roadside DUI test. He was found to have a .12 alcohol level and was charged. The cause numbers of his case do not match the form he submitted to show that his charges are dismissed. Without the clarification of the cause number it appears that Dr. Pedersen is still on criminal probation.

Board Action: A motion was made and seconded to renew Dr. Pedersen's license upon receipt of clarification of cause numbers showing that his criminal probation and charges are dismissed or completed.

Bernzott/Dyer
Motion carried 4-0-0

B. Reinstatement

1. Stephen Allen, D.C., License No. 08000877A

Dr. Allen appeared as requested to discuss the reinstatement of his license that expired on July 1, 2018. Dr. Allen stated that he did not renew his license in 2018 due to the death of his daughter. He submitted all required continuing education and a letter of explanation for the Board to review. He has been licensed since 1982 and has had no incidents against his license except this lapse.

Board Action: A motion was made and seconded to reinstate Dr. Allen's chiropractic license pending passing the jurisprudence examination.

Bernzott/Vuotto
Motion carried 4-0-0

2. Gregory Thomas, D.C., License No. 08002223A

Dr. Thomas appeared as requested to discuss his reinstatement of his license that expired on July 1, 2006. Dr. Thomas stated that he is currently licensed in the state of Kentucky and has a contract opportunity in southern Indiana. He submitted more than the required continuing education and is planning to practice in Jeffersonville or New Albany. His license is currently in good standing in the state of Kentucky.

Board Action: A motion was made and seconded to reinstate Dr. Thomas's chiropractic license pending passing the jurisprudence examination.

Dyer/Bernzott
Motion carried 4-0-0

3. Timothy M. Shultz, D.C., License No. 08001706A

Dr. Shultz appeared as requested to discuss his reinstatement of his license that expired on July 1, 1998. Dr. Shultz stated that he received an opportunity to work at the VA which required the reinstatement of his chiropractic license. Dr. Shultz requested the Board to accept his degree and courses he completed to become a physical therapist from Governors State University on December 12, 2010 in lieu of continuing education. He stated that he has not become licensed as a PT due to not passing the physical therapy examination. The Board stated that he must show that he is current in the chiropractic field as his physical therapy degree was issued in 2010. Dr. Shultz stated that he does not have any current continuing education and that while he has held chiropractic licenses in Iowa and Illinois, they are not current. He has not practiced chiropractic since 2010. The Board advised him that if they vote on his application for reinstatement he would be denied and suggested that they can revisit his reinstatement if he submits current continuing education.

Board Action: The application was tabled to allow Dr. Shultz to complete 264 hours of approved chiropractic continuing education of which 88 hours must be in the area of risk management.

C. Application

There were no application appearances before the Board.

VI. DISCUSSION

There were no discussion items to discuss.

VII. APPLICATION REVIEW

There were no new applications to review

VIII. PROBATIONARY REPORT

There were no probationary reports before the board.

IX. CONTINUING EDUCATION

There were no continuing education applications before the board.

X. OFFICE OF THE ATTORNEY GENERAL REPORT

Currently there are 26 open complaints and they have closed 26 complaints this year. The average age of a complaint is 10.75 months old and 2 new administrative complaints have been filed. The average completion of the administrative complaints is 16 months.

XI. OLD/NEW BUSINESS

There was no new/old business to discuss.

XII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Board of Chiropractic Examiners adjourned at 3:21 p.m. by general consensus.

Marian Klaes, D.C. – Chairman

Date