

INDIANA BOARD OF CHIROPRACTIC EXAMINERS
Indiana Government Center South
302 West Washington St.
Conference Center, Room C
Indianapolis IN 46204

MINUTES OF APRIL 10, 2025

Diane Vuotto, D.C., Chair, called the meeting to order at 9:09 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.

Member(s) Present:	Diane Vuotto, D.C., Chair Richard Mason, D.C., Member Emily Shoemaker, Consumer Member Derek Dyer, D.C., Vice Chair
Staff Present:	Jody Edens, Board Director Professional Licensing Agency James Green, Assistant Board Director Professional Licensing Agency Bradley Repass, Litigation Specialist Professional Licensing Agency Clarence Leatherbury, J.D., Deputy Attorney General, Office of the Attorney General

The Board voted to APPROVE the Agenda.

Dyer/Mason, 4/0/0
Motion carries

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

The Board voted to APPROVE JANUARY 16, 2025; minutes as written.

Mason/Dyer, 4/0/0
Motion carries

The following board members voted aye:
Diane Vuotto, Richard Mason, Richard Mason, Emily Shoemaker
The following board members objected: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

Derek Jordan, D.C., License No 08002750A, Cause No. 2023 IBCE 0004

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default 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.

Jody Edens, Board Director, was sworn in as a witness.

Ms. Edens testified that she has not received a response from Dr. Jordan regarding the Notice of Proposed Default.

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 hold the Respondent's license in DEFAULT.

Mason/Dyer, 4/0/0
Motion carries

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

Cassie McDaniel, Investigator with the Attorney General's Office was sworn in as a witness. Ms. McDaniel testified that she did the investigation into this matter.

February 2017, he entered into a diversion agreement with Kentucky when he was charged with two (2) counts of Assault in the third (3rd) degree, Class D Felony. He entered into a pretrial diversion agreement for three (3) years.

On his 2018 license renewal he did not report the above arrest.

March 11, 2023 he was charged with the following:

- Battery against a Public Safety Officer – Felony 6
- Battery on a Person less than 14 years old – Felony 6
- Domestic Battery – Misdemeanor A
- Resisting Law Enforcement – Misdemeanor A

On July 25, 2023 a warrant was issued for his arrest as he failed to appear in court to face the above charges.

July 14, 2023 he was charged in Florida with the following:

- Count 1: On July 14, 2023 in the State of Florida without lawful authority did forcibly, secretly or by threat, confine, abduct or imprison F.S.J. and/or A.J., against that person's will, with the intent to inflict bodily harm or terrorize the victim or another person, contrary to Florida Statute 787.01(l)(a)3. (1 DEG FEL, (10)
- Count 2: On July 14, 2023 in the State of Florida, did actually and intentionally touch or strike against the will of , a person 65 or older,. , and in doing so used a motor vehicle, a deadly weapon, contrary to Florida Statute 784.045(1)(a)2 and 784.08. (1 DEG FEL)
- Count 3: On July 14, 2023 in the State of Florida did knowingly enter or remain in a dwelling, with the intent to commit an offense therein and in the course of committing the burglary, Derek Jordan committed assault or battery (1 DEG FEL)

On June 5, 2024, he was sentenced in Florida to Forty (40) months in Department of Corrections, with credit of three hundred thirty-two (332) days followed by five (5) years' probation and must complete several classes as well as a mental health exam.

She indicated that in the body camera recording received from the Franklin Police department you can hear Dr. Jordan admitting that he takes all kinds of drugs.

States Exhibits:

- 1 – Complaint
- 2 – KY Court Documents
- 3 – 2018 IN License Renewal
- 4 – Chronological Case Summary
- 5 – Court Documents from Johnson County
- 6 – Hospital Report
- 7 – Florida Criminal Documents

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 REVOKE the Respondent's license.

Dyer/Shoemaker, 4/0/0
Motion carries

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

Edward Scott Kawecki, D.C., License No. 080202501A, Cause No. 202501 CHI 0002

Respondent did not appear in person and was not represented by counsel regarding a Motion to Cease and Desist/Motion to Dismiss 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.

Ms. Rochester explained to the Board that Dr. Kawecky has now renewed his license, therefore she is requesting that this matter be dismissed.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Board moved to REVOKE the Respondent's license.

Dyer/Shoemaker, 4/0/0
Motion carries

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

PERSONAL APPEARANCES

Brittin Beaulieu, License No. 08002280A, Reinstatement Renewal Application

Dr. Beaulieu did not appear and was not represented by counsel regarding a reinstatement application.

Due to the timeline the Board has to act upon reinstatement renewal applications, the Board had to act upon Dr. Beaulieu's application.

After discussion, the Board moved to DENY Dr. Beaulieu's reinstatement renewal application.

Shoemaker/Mason, 4/0/0
Motion carries

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

Philip Sewell, D.C., License No. 08000618A, Reinstatement Renewal Application

Dr. Sewell appeared in person and was not represented by counsel regarding a reinstatement renewal application.

He stated he had practiced for forty (40) years and had severe Vertigo and ear issues so he had to give up his practice in 2008.

His license expired in 2018. He submitted ninety-six (96) hours of continuing education,

which the Board reviewed and approved.
The Board did have some concern regarding his hands on.

After discussion, the Board moved to APPROVE Dr. Sewell's reinstatement renewal application.

Dyer/Mason, 4/0/0
Motion carries

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

Matthew Wise, Initial Application – Positive Response

Dr. Wise appeared in person and was not represented by counsel regarding a positive response on his initial application.

Dr. Wise answered all questions on his initial application "no". In 2022, he had received two (2) DUI's in Missouri. He was placed on court probation on November 26, 2024 for twenty-four (24) months. He had to do the SATOP program as an outpatient, has to have random alcohol/drug screens, complete twenty (20) hours of continuing education and attend AA meetings twice weekly.

After discussion, the Board moved to place Mr. Wise's license on INDEFINITE PROBATION, must complete his criminal probation and must submit quarterly reports on how he is doing in IL and MO and how his court probation is going.

Dyer/Shoemaker, 4/0/0
Motion carries

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

PROBATION APPEARANCE(S)

James Pucka, D.C., License No.08001350A, Cause No. 2021 IBCE 0004

Dr. Pucka appeared in person for his probation appearance and was not represented by counsel.

His order states the following:

- James Pucka is ordered to complete his four (4) hour continuing education

requirement in public health or risk management, as specified under 846 Ind. Admin. Code 1-8-1, focusing on courses that address professional boundaries.

- James Pucka shall appear for QUARTERLY appearances before the Board.
- James Pucka is ordered to never treat female patients without a non-family female staff member being present in the treating room at all times. The staff member shall sign a document created by the Spine Worx Company that affirms their oversight for each female patient James Pucka treated. The affirmations for each treatment shall be available for the board to review at each quarterly appearance.
- Any complaint associated with inappropriate comments or touching by James Pucka made on the Spine Work Patient Experience form or the Employee Complaint Form or analogous form shall be submitted to a neutral party not associated with the Spine Worx business and said neutral party shall submit the Complaint to IPLA Board Director Jody Edens. Any complaint can be emailed to clerk@pla.in.gov or mailed to the Indiana Board of Chiropractic Examiners, Indiana Government Center South, 402 West Washington Street, Room W072, Indianapolis, IN 46204.

Dr. Pucka brought in a binder of completed forms for all female patients he has seen since his last appearance. The form has been updated to what the Board requested. He stated that he does have a female employee with him at all time he sees a female patient.

The Board asked the Board Director, Jody Edens if she has received any complaints regarding Dr. Pucka. She stated she has not received any.

Dr. Pucka said he sees about 60-70 patients per day.

The Board asked Dr. Pucka about his Acupuncture license if he received it back from the Medical Board. He indicated he did not as they wanted to see what the Chiropractic Board did. He is not practicing acupuncture.

After discussion, the Board determined that Dr. Pucka was in compliance with his probation order.

DISCUSSION

Det James, D.C., License No. 08001191A, Cause No. 2020 IBCE 0002 – Probation Appearance:

Dr. James did not appear in person and was not presented by counsel regarding his probationary appearance scheduled before the Board.

Dr. James has been informed that he no longer needs to appear but must email in reports for the Board to review.

The Board reviewed his report. The report indicated that he has not had any changes, he is still working with his brother. Things are going well.

Discussion on tracking certification for Dry Needling:

Clarence Leatherbury indicated he will review the Boards statute and rules to see if he can determine what if anything they can do and we will then discuss it at the next meeting.

The Board thanked Clarence.

There being no further business, the Board ADJOURNED at 10:55 a.m.

Diane Vuotto, D.C., Chair