



Texas Chiropractic Board Report

January 2017
Issue One

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Summary of Actions

A regular meeting of the Texas Board of Chiropractic Examiners (TBCE) was held November 16, 2016, in Austin. The following is a summary of Board actions taken during this meeting.

The Board voted to propose Rule Review:

- Chapter 75 – the Board voted to publish notice of rule review for Chapter 75 pursuant to the Government Code §2001.039 in order to ensure consistency with the law and reach a determination of present need for the rule.

The Board voted to propose amendments to the following rules:

- [78.1](#) - The rule is proposed for amendment to more specifically distinguish violations that constitute unprofessional conduct.
- [78.10](#) - The rule is proposed for amendment to reflect the reorganization of violations found in the Maximum Sanctions Table, into categories related to risk level.

All proposed and adopted rules are submitted for publication in the [Texas Register](#) after each Board meeting and within a scheduled timeframe.

Current and past issues of the Texas Register are available here: <http://www.sos.state.tx.us/texreg/index.shtml>. If you'd like to be notified by email whenever the TBCE proposes, adopts or withdraws a rule or schedules an open meeting, contact the Texas Register at (512) 463-5561 or email register@sos.state.tx.us.

We encourage all licensees to monitor proposed rules published in the *Texas Register* and to regularly comment on these proposed rules. Comments must be in writing and sent to the TBCE General Counsel *via* mail or email at rules@tbce.texas.gov within a specified time period.

Current rules can always be viewed at www.tbce.state.tx.us.



Texas Board of Chiropractic Examiners

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Bryan

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Licensure & Education,
Chair
Dallas

Michael P. Henry, DC
Rules
Austin

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Secretary-Treasurer
Licensure & Education
Mansfield

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Midland

Nicholas Baucum, DC
Licensure & Education
Corpus Christi

John Steinberg
Enforcement
Marion

Gus Ramirez
Rules
Tyler

Attention New Licensees

Your first renewal cycle is pro-rated and is usually not a full twelve months, so completion of your Continuing Education (CE) requirements is not required until after your first license renewal.

When you renew your license for the second time, you should have completed sixteen (16) hours of approved CE, including the four (4) hours in Board-required topics and the one-time, eight (8) required hours for Medicare.



Board Disciplinary Actions Taken

September – November 2016

David Ayer, D.C. Lic. No. NA, Pflugerville.
Cease and Desist for practicing without a license.

Phyllis Books, D.C. Lic. No. 4321, Austin.
Shall pay the amount of \$250 and pass the Jurisprudence Exam for failing to comply with a request from the Board.

Lawrence Dioh, Fac. No. F008548, Houston.
Suspension of Facility registration for a Criminal Conviction.

Leslie Dodoo, Fac. No. F008596, Dallas.
Cease and Desist Order, and pass the Jurisprudence Exam within 30 days for practicing chiropractic without a license.

Robert Dorn, D.C. Lic. No. 6987, Killeen. Cease and Desist, pass the Jurisprudence exam within sixty (60) days, and pay \$2,500 for not registering his facility and practicing with an expired license.

Neal Hawkins, D.C. Lic. No. 6371, Ovilla.
Pass the Jurisprudence exam; upon passing, be granted a license that is probated for 5 years; pass the EBAS Exam within 6 months; and be restricted from owning a chiropractic facility.

Julio Jimenez, D.C. Lic. No. 12639, San Antonio.
Pay the amount of \$500 for deceptive advertising and advertising outside of scope of practice.

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Board Disciplinary Actions



Kole Kopnicky, D.C. Lic. 11485, Austin.
Revocation of his license for noncompliance with a Board Order.

Lourdes Labrada, D.C. Lic. No. 10086, Houston.
Cease and Desist Order and pass the Jurisprudence Exam for not registering her facility.

David Luquette, D.C. Lic. No. 6230, Nacogdoches.
License probated for two years, Pass the Jurisprudence Exam, billing records audited, and refund patients for grossly unprofessional conduct and deceptive advertising.

Daniel Martinez, D.C. Lic. No. 11396, Austin.
Pass the Jurisprudence Exam and pass the EBAS within 180 days for not complying with a Board Order.

September – November 2016

Nestor Martinez, D.C. Lic. No. 7166, Houston.
Cease and Desist Order, Pass the Jurisprudence Exam, and pay \$1,000 within 60 days for not registering his facility.

Luan Nguyen, D.C. Lic. No. 10819, Houston.
Cease and Desist Order for practicing with an expired chiropractic license.

Cezar Reyna, Lic. No, NA, Grand Prairie.
Cease and Desist Order for practicing chiropractic without a license.

Don Salyer, D.C. Lic. No. 8176, Austin.
Pay \$250 within 60 days for failure to furnish records.

Adam Tran, D.C. Lic. No. 11779, Sugar Land.
Pay \$1,250 within 30 days for failure to display public interest information and not responding to Board inquires.

Tara Tuttle, D.C. Lic. No. 12288, Austin.
Cease and Desist Order; pass the Jurisprudence Exam within 120 days; and Letter of Reprimand for expired facility registration and not responding to Board inquires.

Dung Vu, D.C. Lic. No. 7082, Houston.
License probated for one year; pay \$5,000 within thirty days; and pass the EBAS Exam within 180 days for gross unprofessional conduct and inefficient practice of chiropractic.

President's Message



Greetings! Over thirty-one years ago on January 18, 1985, this agency loaned me a license to practice chiropractic in Texas. My license certificate is proudly displayed in my clinic for all to see. I am forever grateful for the nine signatures on the document which represent the board members (and all who came before and after them) who gave their time and hard work to regulate me in this profession. Now, by appointment from Governor Greg Abbott, I have the privilege of returning the favor. The honor of serving on this board comes with great expectations and I pledge to keep our mission in clear focus.

Our profession provides a higher quality of life for millions of people. The standards of the profession today are higher than ever in history. The standards next year will be higher than they are today. Patients deserve to be treated fairly with dignity and respect and with safe and effective methods. Ultimately, we must respect our patients' needs and never violate the public trust. Here are a few steps toward this goal.

Just as a patient's overall health can be adversely affected by minor injuries or dysfunctions, our entire profession suffers when one or a few chiropractors behave unprofessionally or unethically. This is the part of being a new board member that I least enjoy. None the less, I have worked closely with the enforcement committee in order to learn firsthand where problems arise and corrections are needed. It grieves me to see colleagues involved in wrongdoing, but I find solace in knowing that each correction brings us a little closer to optimum health as a profession.

We have held two stakeholder meetings this fiscal year with more planned for the coming year. Thank you to those who have participated in this process. With your input we are transforming our investigation and enforcement process, providing better public protection through sensible licensing requirements and bringing positive changes to continuing education requirements.

Neither complainants nor respondents like to wait. Changes to our investigative and enforcement process have reduced complaint resolution time frames. By delegating administrative violation cases to agency staff and assigning priority to investigations involving higher public risk, case resolution time has been cut in half over the last year.

In marketing to the public, it is important for licensees to accurately represent their practice without making misleading statements. Misleading advertising is the most common complaint heard by this agency and the complaints are most often filed by chiropractic colleagues. Complaints might be reduced if the parameters were clearer to licensees. Future stakeholder meetings will include focus on drawing a clearer line between acceptable ads and those considered misleading.

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President's Message

One of the Sunset Advisory Commission recommendations will require fingerprint-based criminal background checks of all licensure applicants and licensees. Licensees not already fingerprinted will need to do so with the Department of Public Safety, which agency cross-references through a national database. The TBCE will be working with stakeholders to determine how to best implement this requirement.

As portal-of-entry healthcare providers, we must be continually educated in differential diagnosis and we must be familiar with current treatment options for our patients, including procedures offered by other healthcare professionals. Opening up continuing education credits to a broader base of courses has been a topic discussed in recent stakeholder meetings. Patients expect their chiropractor to make decisions regarding appropriate care and treatment for their conditions. A broader base of continuing education credits could enhance your base of knowledge and provide opportunity to network with professionals of other disciplines. Such knowledge will enhance a patient's informed consent and improve the referral process to and from chiropractic providers.

The Sunset Advisory Commission has completed its review of our agency for efficiency and structure. The evaluation process is valuable to the State and the public and we are grateful for this work in order to maintain efficiency in our agency. We remain concerned, however, of proposal for consolidation under the Texas Department of Licensing and Regulation (TDLR). In this scenario, the board would assume an advisory role for rulemaking, without authority for licensing and enforcement. The Sunset Advisory Commission is in the deliberation phase and scheduled to make its recommendation to the legislature, January 11, 2017. We will continue to keep you updated and informed.

In service,

Mark R Bronson, DC, FACO
Board President

TBCE Holidays

The office of the Texas Board of Chiropractic Examiners will be closed on:

Martin Luther King, Jr. Day
Monday, January 16, 2017

President's Day
Monday, February 20, 2017

TBCE Contact Information

OFFICE HOURS: 8:00 a.m. until 5:00 p.m.
Monday through Friday, except for holidays.

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Governor Abbott Appoints New Board Member

Governor Greg Abbott has appointed Dr. Michael P. Henry to the Texas Board of Chiropractic Examiners for a term set to expire on February 1, 2019.

Michael P. Henry, D.C. is a doctor of chiropractic and the clinic director of TexStar Chiropractic Clinic in Austin. He is a member of the Texas Chiropractic Association, American Chiropractic Association and the Austin chapter of Ducks Unlimited. He is a former volunteer for the North Texas Make-A-Wish Foundation, Boy Scouts of America and Young Men’s Business League. He received a Bachelor of Science in Kinesiology from The University of Texas at Austin and a Doctor of Chiropractic from Parker University.



Agency Licensing & Registration Information through November 2016



Number of Chiropractic Doctors	
Active License	5202
CE-Conditional License	401
Expired License	216
Inactive License	624
Non-Renewable License*	2637
Probated License	18
Suspended License	3

Number of Chiropractic Facilities	
Active Registration	4191
Expired Registration	338

* Includes license expiration after one year, closure at DC’s request or closure for non-compliance with CE.

Number of Radiologic Technologists	
Active Registration	83
Expired Registration	29

Publication Date: January 2017

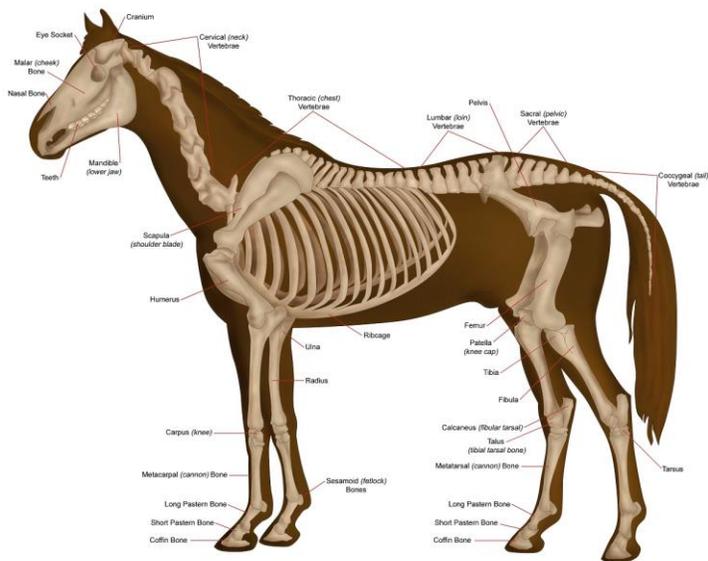
The **Texas Chiropractic Board Report** is the official publication of the Texas Board of Chiropractic Examiners. Newsletters are published following Board meetings, which are typically held in February, May, August, and November.

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In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the Board's office, (512) 305-6906 (Voice) or by faxing a request to (512) 305-6705 (FAX).

Animal Chiropractic—Hold Your Horses!



Animal chiropractic is becoming a popular area of practice within the chiropractic community; however, what may not be well known is that the **Texas Chiropractic Act does not authorize DCs to practice animal chiropractic** or use their DC credentials while performing adjustments on animals.

The Texas Chiropractic Act limits chiropractic to the *human* body. Thus, performing adjustments on animals falls outside the chiropractic scope of practice in Texas. Advertising yourself as an animal chiropractor under your DC credentials, including in your signature line in email or other correspondence, constitutes advertising services outside the scope of practice. The majority of the complaints the board receives regarding DC's advertising animal chiropractic is by their chiropractic peers.

How can I perform animal chiropractic in Texas?

Animal chiropractic *can* be practiced in Texas if prescribed by a Doctor of Veterinary Medicine (DVM). The Texas Veterinarian Board Rules allow a non-veterinarian employee or an independent contractor to perform animal chiropractic under the direct or general supervision of a DVM if three conditions are met: (1) A veterinarian-client/patient relationship has first been established; (2) an examination has been made by the veterinarian to determine that animal chiropractic will not likely be harmful to the patient; and (3) the veterinarian obtains a signed acknowledgment by the owner or other caretaker of the patient that animal chiropractic is considered by Texas law to be an alternate therapy.

And remember, while performing animal chiropractic, you cannot refer to yourself as a "doctor of chiropractic" or "DC." You can, however, advertise your training or certifications (*i.e.* "graduate of Texas Chiropractic College," "trained by Parker Chiropractic College").

For any questions pertaining to this article, please contact TBCE General Counsel at courtney@tbce.texas.gov.

TBCE Welcomes New DC Licensees

Issued September through November 2016

Susan Aurich, D.C.
Harrison Campbell, D.C.
Katherine Melot, D.C.
Allison Stafford, D.C.
Seth Austin, D.C.
Justin Hartman, D.C.
Charissa DeMara, D.C.
Zachary Braff, D.C.
Michael Allison, D.C.
Jacob Maurer, D.C.
Audrey Hilliard, D.C.
Sean Hembree, D.C.
Christopher Breon, D.C.
Aaron Bridwell, D.C.
Jessica Szady, D.C.
Joshua Couvillon, D.C.
Benjamin Hansen, D.C.
Angel Farr, D.C.
Jeong Jun Su, D.C.
Christian Wooldridge, D.C.
Phillip Nguyen, D.C.
Daniel Murray, D.C.
Cory Kopas, D.C.
Joshua Lindstrom, D.C.
Nebile Erdmann, D.C.
Marcel Rivero, D.C.
Kate Carter, D.C.
Robert Ream III, D.C.
William Adcock, D.C.
Adekunle Adewole, D.C.
Bonnie Fuller, D.C.
Steven Chalk, D.C.
Zachary Violanti, D.C.
Robert DeBease, D.C.
Christopher Summers, D.C.
Hagen Schroder, D.C.
Francisco Leon, D.C.
Blake Hudson, D.C.
Cody Cantwell, D.C.
Katina Jimenez, D.C.
Bryan Knipfer, D.C.
Garrett Carpenter, D.C.
Bryan Kretz, D.C.
Kristin Weikel, D.C.

Heaven Londot, D.C.
Braeden Murphy, D.C.
Monica Nguyen, D.C.
Amber Nevels, D.C.
Joel Wilstead, D.C.
Rianne Herron, D.C.
John Brannan, D.C.
Tanner Rodriguez, D.C.
Chad Daniels, D.C.
Ana Bumstead, D.C.
Jordan King, D.C.
Blair Miller, D.C.
Joshua Farmer, D.C.
Jake Price, D.C.
Grant Field, D.C.
Yunjae Park, D.C.
Patrick Linne, D.C.
Brian Gore, D.C.
Kerry Rodocker-Wiarda, D.C.

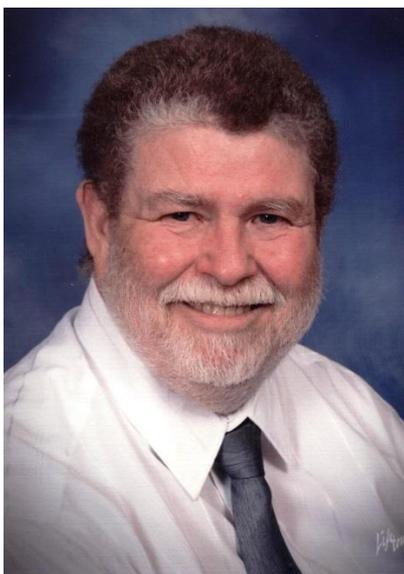
Reinstated:

Nicolas Kellerman, D.C.
Luan Nguyen, D.C.
Kevin Davis, D.C.
Edward Reidt, D.C.
Kamia Knight, D.C.

Texas Chiropractic Board Report Memorials



Dr. Herbert Eyring Turley born February 21, 1926, passed from this life to the next on April 25, 2016. He graduated from Texas Chiropractic College in 1950 when the college was still in San Antonio. Herb taught there for a few years after graduation but teaching was not as much fun to him as it was to his father, Dr. Henry Eyring Turley, who had taught there for 38 years. He was a major partner in the Turley Chiropractic Clinic in San Antonio in Boerne from 1951 to 2013.



Dr. Lester A. Anderson, II, D.C., age 65, passed away March 26, 2016. He was born March 12, 1951 to Dr. Lester and Pearl Anderson in Kingsville, Texas. He graduated from Palmer Chiropractic College in 1974.

Memorials are published at no cost as a tribute to deceased Texas Doctors of Chiropractic. Information included is primarily related to the individual's accomplishments in the chiropractic profession. To submit a memorial, please email tbce@tbce.state.tx.us or call (512) 305-6906 for more information.