

# Texas Chiropractic Board Report



December 2018  
Issue Three

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## Summary of Actions

A regular quarterly meeting of the Texas Board of Chiropractic Examiners (TBCE) was held November 8, 2018, in Austin. The following is a summary of Board actions taken during this meeting.

### The Board voted to adopt amendments to the following rules:

**Rule 78.14** – The old rule relating to acupuncture was repealed and a new rule replacing it was adopted to promote a clear understanding of the practice of acupuncture by chiropractors for the public and to give better guidance to licensees.

**Rules 74.1 and 74.2** – The rules relating to Chiropractic Radiological Technologists were repealed to conform to SB 674, which eliminated dual-registry requirements.

**Rules 77.13, .14, .15, .16, and .17** – The rules regarding "Bribery", "Coercion of a Public Servant or Voter", "Improper Influence", "Tampering with a Witness", and "Obstruction or Retaliation" were repealed because they were unnecessary duplications of Penal Code provisions.

**Rule 75.1** – The rule relating to forms of contact information a licensee provides to the Board and the deadlines for submitting changes to that information were amended to clarify the necessary information and make the deadlines uniform. This rule-making is the result of a petition for the adoption of rules made under Texas Government Code §2001.021 and 22 Texas Administrative Code §71.2.

### The Board voted to propose amendments to the following rule, which will be posted at the Texas Register for a 30-day comment period:

**Rule 73.1** – The rule relating to continuing education requirements was proposed for amendment to update and streamline the Board's continuing education requirements for chiropractors.



## Governor Abbott Appoints New Board Members

Governor Greg Abbott has appointed Scott Wofford to the Texas Board of Chiropractic Examiners for a term set to expire on February 1, 2019. Additionally, the Governor appointed Mindy Neal and Debra White for terms set to expire on February 1, 2023. The board is responsible for regulating the practice of chiropractic.



**Scott Wofford, D.C.** of Abilene is a chiropractor and owner of West Texas Back Clinic. He is a member, past state director, and past president of the Texas Chiropractic Association. He is also a member of the American Chiropractic Association and a fellow International College of Chiropractic. He formerly served as the team chiropractor for the track and softball team at Abilene Christian University and the Abilene Aviators professional hockey team. Wofford received a Bachelor of Science in biology from the University of New York and a Doctor of Chiropractic from Parker College of Chiropractic.



**Mindy Neal, D.C.** of Bovina is a chiropractor and owner of The Bone Joint Chiropractic. She is a member of the Texas Chiropractic Association and the American Veterinary Chiropractic Association. She is the current chairman of Parmer Rhea, LLC. in Parmer County, and the former vice president of the Basketball League of Bovina. She previously served as the vice president for the Bovina Booster Club. Neal received a Bachelor of Science in biomedical science from Texas A&M University and a Doctor of Chiropractic from Parker College of Chiropractic.



**Debra White, D.C.** of Nacogdoches is the owner of Advanced Chiropractic Center. She is a member of the Texas Chiropractic Association and the American Chiropractic Association. She previously served as the vice-state director of the Texas Chiropractic Association. She is a former member and volunteer with the Boy Scouts of America, Big Brother/Big Sisters of America - Nacogdoches, and Lufkin Educational Broadcast Systems. White received a Bachelor of Science in nursing from Iowa Wesleyan College and a Doctor of Chiropractic from Cleveland Chiropractic College.

## President's Message



It has often been said that the key to success of any organization is, well, organization. Under the direction of the executive director and staff, the TBCE is organizing and coordinating agency functions consistent with Sunset provisions and recently adopted new rules. Probably the most noticeable change is the reorganization of Board rules which will allow licensees, general public, legal representatives, and government officials to more easily find items of interest. This will help to create necessary efficiencies as we interact with the Legislature this session. An organized Board allows us to efficiently evaluate collected data along with public comments and complaints which might indicate a need for regulatory change. Then in open meetings we propose and adopt rules that provide our licensees with reasonable and necessary duties along with clear and concise boundaries so that people who choose chiropractic care will be served honestly and efficiently.

Our recently adopted new Rule 78.14, for example, requires the Board to issue acupuncture permits to qualified licensees and to track the required continuing education (CE) for permit holders. We are confident, even with limited resources, that we can provide an efficient framework for this enhanced oversight of acupuncture within our profession. Those seeking an acupuncture permit are encouraged to apply with the required documentation well in advance of the deadline and to remain current with CE. All licensees are encouraged to maintain an organized file for CE and to apply for relicensure well in advance of deadlines.

The Board will hold its next meeting on January 31, 2018, which is a little earlier in the quarter than usual. As always, the general public and our licensees are always welcome to attend and address the Board with comments as time permits.

Meanwhile on behalf of the Board, I wish you a Merry Christmas, Happy Hanukkah, or otherwise a wonderful holiday! We hope that you find Peace, Comfort, and Joy this holiday season and that your New Year is happy and professionally fulfilling!

*Mark R. Bronson, D.C., F.A.C.O.*



## Texas Board of Chiropractic Examiners

### BOARD MEMBERS

**Mark Bronson, D.C.**  
Board President  
Education  
Fort Worth

**Debra White, D.C.**  
Education, Chair  
Nacogdoches

**Mindy Neal, D.C.**  
Rules  
Bovina

**Michael P. Henry, D.C.**  
Rules, Chair  
Education  
Austin

**Kenya Woodruff, JD**  
Dallas

**Nicholas Baucum, D.C.**  
Enforcement, Chair  
Licensure  
Corpus Christi

**John Steinberg**  
Enforcement  
Rules  
Marion

**Gus Ramirez**  
Licensure  
Tyler

**Scott Wofford, D.C.**  
Enforcement  
Abilene

## Attention New Licensees

**Your first renewal cycle is pro-rated** and generally not a full twelve months, thus 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

**Kenneth W. Lester**, Lic. No. 8406  
Houston  
60 day suspension and administrative fine of \$15,000 for failure to respond to Board inquiries, practicing chiropractic with an expired license, and failure to abide by the terms of a Board Order.

**John M. Sullivan**, Lic. No. 5605  
Corpus Christi  
Voluntary surrender of license in lieu of discipline

**Gregory K. Harmon**, Lic. No. 5704  
Grapevine  
Administrative fine of \$500 for providing false information on an application and failure to timely report a criminal conviction.

**Daxton T. Krugman**, Lic. No. 8577  
Corpus Christi  
Two-year probated suspension and required mental health counseling, evaluation, treatment, and controlled substance testing.

**W. Joe Ford, Jr.**, Lic. No. 7844  
Plano  
Letter of Reprimand for defaulting on a student loan.

**Steven M. Catalina**, Lic. No. 8281  
Hearne  
Administrative fine of \$1,750 for failure to timely reply to a request for records and failure to timely respond to a Board complaint.

**Nathan L. Hansen**, Lic. No. 10518  
Prosper  
Administrative fine of \$1,000 and required Jurisprudence Examination for failure to timely report a criminal conviction and providing false information on license renewal.

**Ngoc-Oanh Thi Nguyen-Tong**, Lic. No. 8584  
Dallas  
Administrative fine of \$4,000 for advertising that a non-licensed employee was a doctor of chiropractic.

**Gregory A. Green**, Lic. No. 11465  
Houston  
Administrative fine of \$3,750 and required Ethics and Boundaries Assessment Services (EBAS) Examination for engaging in a consensual romantic affair involving physical and emotional intimacy with a patient.

## ED Update



As I reflected on the end of the first calendar year of my time at the TBCE, I realized that change has been the norm.

Since March of last year, we've:

- prioritized our focus and actions on investigations where patient harm, negligence, fraud, and similar violations have been alleged,
- transitioned to biennial renewals,
- reorganized rules into a more logical place within the administrative code,
- enhanced staff training,
- streamlined the way cases are presented to the Board's Investigations Committee; and
- maximized efficiency by outsourcing budget and strategic plan preparation.

Quite often, agencies can resist and buckle under the stress of organizational change, but it has been my pleasure to witness the resiliency demonstrated by the staff here, despite the workload and a number of manpower changes throughout the year.

It is my continued pleasure to serve the agency and the state.

We're looking forward to 2019.

As a reminder, the agency will be closed Dec. 24-26 and Dec. 31<sup>st</sup> – Jan. 1<sup>st</sup>.

## NBCE: New District IV Director



The National Board of Chiropractic Examiners recently announced the election of Dr. Cynthia L. Tays of Austin, Texas, as District IV Director. District IV includes the states of Arizona, California, Colorado, Hawaii, Kansas, Nevada, New Mexico, Oklahoma, Texas, and Utah.

Dr. Tays was President of the Texas Board of Chiropractic Examiners (TBCE) from 2011-2016, and currently serves as a TBCE Peer Review Consultant.

Dr. Tays graduated with honors from Texas Chiropractic College in 1983. She is a Fellow of the American Board of Chiropractic Orthopedists. Most recently, she served as Board Chair and District IV Director for the Federation of Chiropractic Licensing Boards.

**Agency Licensing & Registration Summary through November 30, 2018**



<b>Number of Chiropractic Doctors</b>	
Active License	5,837
CE-Conditional License	49
Expired License	261
Inactive License	702
Non-Renewable License*	2,795
Probated License	15
Suspended License	4



**Compliance & Investigations Information  
August 1, 2018 – November 30, 2018**

<b>Complaints Opened</b>	
Complaints Received YTD	129
Average Days to Close Complaints	282
Closed with Agreed Orders	8
Cases Closed with Voluntary Surrender	2
Cases to Be Scheduled for State Office of Administrative Hearings	15

<b>Top 3 Closed Complaints by Violation Type</b>	
Failure to Respond to Board Inquiry	2
Failure to Report Criminal Conviction /Providing False Information on Application for License Renewal	2
Default on Student Loan	2

<b>Current On-going Investigations</b>	
Category I Cases: Lack of Diligence, Practice outside the Scope, Sexual Misconduct	61
Category II Cases: Over-treating/Over-charging, Practice while license expired	10
Category III Cases: Violation of Patient Confidentiality, Fail to use "D.C." in Advertising	20



**TBCE Welcomes New DC Licensees****Issued September 2018, through November 2018.**

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Stephanie Bartuch, D.C.  
Adriana Perez, D.C.  
Alejandro Osuna, D.C.  
Katherine Pohlman, D.C.  
Anthony Camp, Jr., D.C.  
Amber Sorcic, D.C.  
Ty Rodriguez, D.C.  
Julie Nitschke D.C.  
Trey Rodriguez, D.C.  
Alexandria Pankoke, D.C.  
Keilah Brown, D.C.  
Corey Strunk, D.C.  
Chase Faldmo, D.C.  
Shay Lindsey, D.C.  
Ashley Leverich, D.C.  
Adam Stewart, D.C.  
Brian Murer, D.C.  
Adam Hansen, D.C.  
Kaleb Valdez, D.C.  
Brienne Schroeder, D.C.  
Tanner Odom, D.C.  
Chelsea Williams, D.C.  
Carley Costner, D.C.  
Seth Ozasa, D.C.  
Navid Niktabe, D.C.  
Gerald Galvin, D.C.  
Spencer Bruce, D.C.  
David Laferney, D.C.  
Thaddeus McConkey, D.C.  
Daryn McCarter, D.C.  
Nicole Hornak, D.C.  
Chelsey Dodd, D.C.  
P'sha Bell, D.C.  
Taylor Miracle, D.C.  
Rahkia Walerius, D.C.  
Holley Heyert, D.C.  
Tanner Hays, D.C.  
Michael Solomon, D.C.  
Christian Poldrack, D.C.  
Flint Sparks, D.C.  
Julia Havis, D.C.  
Robin Long, D.C.  
Marcie Bruner, D.C.  
Marzeyeh Mousavi, D.C.  
Jamie Kinlen, D.C.  
Elizabeth Villarreal Barcenas, D.C.  
Diem Le, D.C.

Sammie Mees, D.C.  
Landon Merchant, D.C.  
Mark Mathis, Jr., D.C.  
Saundra Bedient, D.C.  
Amanda Stewart, D.C.  
David Escalante, D.C.  
Michael Phillips, D.C.  
Darrel Jones, D.C.  
Jawana Scott, D.C.  
Justina Yaung, D.C.  
José Martinez Rivera, D.C.  
Chase Oliver, D.C.  
Leslie Jackson, D.C.  
Marie Derilus, D.C.  
Katrina Gallagher, D.C.  
Laura Ariyo, D.C.  
Sukjai Choi, D.C.  
Jesse Nix, D.C.  
Erika Lee, D.C.  
Paige Anderson, D.C.  
Ashley Ahouse, D.C.  
Nicholas Kirton, D.C.  
Eric Homa, D.C.  
Jessika Parham, D.C.  
Jordan Mackner, D.C.  
William Foshee, D.C.  
Jonathan Woolston, D.C.  
Ashley Neal, D.C.  
Monique Harris, D.C.  
John Dugie, II, D.C.  
Steven Bordunov, D.C.  
Kegan Lepretre, D.C.  
Victoria Thompson, D.C.  
Oelys Torres, D.C.  
Nathan Maine, D.C.  
Arthur Charette, D.C.  
Stefany Monroy, D.C.  
Teddy Farias, D.C.

**Reinstatements:**

Dana Dodd, D.C.  
Michael Maggio, D.C.  
Andrew Curtis, D.C.  
Won Chang, D.C.  
Christina Cochran, D.C.  
Kalvin Robinson, D.C.

## Fake 'doctor' arrested in Duncanville



On November 1, 2018, in conjunction with an investigation by the Texas Board of Chiropractic Examiners and the National Insurance Crime Bureau (NICB), the Duncanville Police Department arrested Marcellous Tourvoisier Dunbar for operating as a chiropractor without a license. Since January 28, 2018, Marcellous Dunbar had been operating In-Touch Cryo and Wellness located at 920 E. Hwy 67 in Duncanville.

Once it was discovered Marcellous Dunbar was not a licensed chiropractor, TBCE investigators notified the Duncanville Police Department and provided technical assistance in the investigation for his arrest before he could harm anyone.

Dunbar has been charged with practicing without a license, which is a Class A Misdemeanor with a bond of \$1,000 and has since bonded out. Dunbar was arrested without incident. The Duncanville Police Department executed a search warrant of the office after his arrest and additional charges may be forthcoming.

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## Texas Chiropractic Board Report Memorials



Dr. John Raymond Mitchell, DC was born on March 10, 1954 and passed away on October 25, 2018. After serving in the Air Force, Dr. Mitchell joined American Airlines as a commercial pilot where he flew various domestic and international routes during his 27 year career. While working for the airline, Dr. Mitchell's keen interest in health and the human body led him to his interest and study in the chiropractic arts. Dr. Mitchell graduated from Parker University in January of 1997 and retired from private practice in 2017.



Dr. Robert Carl Fritz, DC was born on February 27, 1972 and passed away on September 7, 2018. He received his Chiropractic degree from Parker University in 2004 and started his own practice in Idaho as a Chiropractor. Over the years, he practiced in Idaho, Kansas and Texas committed to bringing the art of chiropractic into people's lives.



Dr. Richard Edward Lindberg, DC was born on November 20, 1959 and passed away on December 8, 2017. Dr. Lindberg attended Texas Chiropractic College where he graduated in 1987. He owned and operated San Jacinto Chiropractic Wellness Center in Baytown where he served many members of the community.



Dr. G. Hal Lewis, DC was born on October 31, 1939 and passed away on August 6, 2018. Dr. Lewis was known to many as "Coach." Dr. Lewis left coaching and went back to school to become a chiropractor. He graduated from Texas Chiropractic College in 1990 and had multiple clinics in Fort Worth, Abilene and Lubbock, Texas.



Dr. Behjat Syed, DC was born on May 9, 1970 and passed away on September 7, 2018. Dr. Syed attended the University of Bridgeport Chiropractic College and graduated in 1994. He obtained a license to practice in the state of Texas in 2009.



Dr. Mikel James Anderson, DC was born on December 29, 1971 and passed away on October 9, 2018. Dr. Anderson attended Parker University and graduated in 2000. He loved what he did and he loved those he treated even more.



Dr. James Crenshaw, DC was born on October 15, 1947 and passed away on November 14, 2018. Dr. Crenshaw attended Palmer Chiropractic College and graduated in 1974. Dr. Crenshaw held a chiropractic license in Texas from 1974 to 2018.

Memorials are published by the TBCE 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](mailto:tbce@tbce.state.tx.us), or call (512) 305-6906 for more information.