



Summer 2013

★ ★ ★ Government of the District of Columbia  
Vincent C. Gray, Mayor



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**SAVE THE DATE**  
**FCLB DISTRICT III**  
**REGIONAL MEETING**  
**September 19-21, 2013**  
**MEET & GREET Reception**  
**on September 20**  
**with The Honorable**  
**Yvette Alexander**

**UPCOMING MEETINGS**  
**September 10, 2013**  
**November 12, 2013**  
**The Board of**  
**Chiropractic**  
**meets on the second**  
**Tuesday every other**  
**month.**  
**Open Session is 2:30 pm.**

## LETTER FROM THE CHAIR

May 1-5, 2013 marked the 87th Anniversary of our annual FCLB/NBCE Conference, held in San Francisco, CA, where regulators across the United States and Canadian province were represented to educate, inform and discuss a wide range of topics from regulatory compliance and certifying chiropractic assistants to advertising and outreach.

Amongst other activities, I am pleased to announce my nomination and election as District III Alternate Director for the FCLB (Federation of Chiropractic and Licensing Board) and to sit on the minute's committee of the NBCE, (National Board of Chiropractic Examiners). It is an honor, and I am extremely proud, to serve in such a manner that elevates the profession as a whole in creating policy and excellence both across the District of Columbia and the nation.

Dr. Keith Overland, President of the ACA (American Chiropractic Association), delivered the keynote address titled, "A Vision for the Future of Chiropractic: The Role of the Regulator" which was well received. A few topics and cases in point include but not limited to:

- The board in the public eye – (5-8% of the population accesses chiropractic care; creating greater access)
- Regulatory enforcement – (improving professional conduct)
- Creating a strong public presence (outreach)
- International collaboration
- Chiropractic testing
- Regulating advertising
- CE compliance issues
- Specialty training

May 3, 2013 marked the FCLB's annual conferences first



*Keita Vanterpool, DC  
Chair, DC Board of Chiropractic*

"Black Tie Gala and Auction" to benefit its new program (CCCA) Certified Clinical Chiropractic Assistant program. This event was a great success.

As we continue to update policy and regulations within the District of Columbia, attending these meetings allows the board the opportunity to gain insight

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**MISSION STATEMENT: To serve and protect the public and ensure high standards of chiropractic care and professionalism through best-practices in regulation, education and outreach.**

## FROM WHERE I SIT

by Jacqueline A. Watson, DO, MBA, Executive Director

**THE HEAT IS ON!** It's summer and the Board has been hard at work since the last publication in July 2012. The renewal cycle of 2012 had the new challenge of implementing the criminal background check (CBC) requirement mandated by the DC city council in 2011 (DCMR3-1205.22).

Of the 91 eligible chiropractors for renewal, 75 renewed—82%. Thanks for your patience during the renewal period. Please take a few minutes to give us your feedback on the renewal process by completing our survey monkey questionnaire at: <http://www.surveymonkey.com/s/bocrenew12>

### WHATS NEW!

#### • BOC STAFF

Welcome to our new Board attorney, Brian Kim, Esq. Brian joined the Board in October 2012 and has been a welcome addition to the team. Since his appointment, he has helped to guide the board to formulate policy guidelines on:

- preceptorship
- marketing and advertising
- traveling to treat - non DC licensed visiting chiropractors.

Meet Brian on page 6 and review the policies online at [www.doh.dc.gov/boc](http://www.doh.dc.gov/boc).

#### • CEU 2012 AUDIT

100% CEU audit was conducted and we received a 92% response rate. Those noncompliant with the Board will be disciplined and fined accordingly. Please note that all licensed chiropractors with an active license are required to provide 24 CEU's each renewal cycle. **Only Board approved CEU's are accepted.**

#### • BOC OUTREACH

The Board participated in a DOH sponsored health fair held in Ward 7 in October 2012. Members of the public learned more about the chiropractic profession, the role of the board and the services that chiropractors provide. The Board will continue to seek out opportunities for educating the public and licensees.

#### • STRATEGIC PLANNING RETREAT

The Board held its strategic planning retreat at the John Wilson Building in January 2013. Members were sworn in for their new terms of service by Office of Boards



Dr. Jacqueline A. Watson

and Commissions Director, Darryl Gorman, Esq. Dr. Keita Vanterpool was formally sworn in as the board chair. The meeting was facilitated by Robert Fitch, Jr. of Cain Consulting Group, and the board built on the work done during their 2011 retreat.

#### • FCLB ANNUAL CONFERENCE

The 87th Annual FCLB conference was held in May 2013 in San Francisco. Dr. Vanterpool represented the Board where they discussed such hot button topics as **regulation of chiropractic assistants, chiropractic practice and the world, and social media best practices.**

Congratulations to our Chair, Dr. Keita Vanterpool. Dr. Vanterpool

was nominated and appointed as the District III Alternate Coordinator during the FCLB conference in San Francisco. Dr. Vanterpool has been an enthusiastic and committed leader for the DC Board. Her willingness to participate on a national level is applauded.

#### • FCLB DISTRICT III REGIONAL CONFERENCE

The District III conference will be held September 19-22, 2013 at the Hyatt Regency on Capitol Hill. **SAVE THE DATE! September 20, 2013.** We encourage all DC Chiropractors to register and join the Board for a special Meet and Greet reception with the Honorable Yvette Alexander, Councilmember, DC City Council, and Chair of the Committee on Health at 12:30 pm. The conference is approved by the Board for four CEUs. Register at [www.fclb.org](http://www.fclb.org). Fee is \$295.



**WE'RE GETTING SOCIAL!** BOC will launch its facebook page by the end of this fiscal year. We know the importance of using the various communication channels available to us today to stay in touch with licensees and the public. Please like us—learn more by visiting our website [www.doh.dc.gov/boc](http://www.doh.dc.gov/boc).

Our next issue will be in January 2014. The Board will continue to fulfill its mission to serve and protect the public and ensure high standards of chiropractic care and professionalism through best-practices in regulation, education and outreach.

**Until next year, Do Good and Be Well!**

## LETTER FROM THE CHAIR *(continued)*

on what other states and provinces are doing across the nation and world, in helping to structure and develop meaningful regulations. As I sit on the Model Practice Act Committee, we are developing a template reference guide for regulatory language that other states may utilize and modify at their pleasure.

The Board is working on creating greater access to health care through policy and regulatory language inclusion, transparency through enforced CBC (criminal background checks), and through partnering with DOH on annual health fair activities.

The Board of Chiropractic strives to educate, inform and protect the public. As we continue to develop and improve our regulatory language, your comments and suggestions are appreciated. We welcome you to join us for open session meetings held the 2nd Tuesday every other month unless otherwise noted.

Regards,  
Keita Vanterpool, DC  
Chairperson  
DC Board of Chiropractic

## BOC OUTREACH AT DISTRICT LIBRARY



*Left: Health Licensing Specialist Deniz Soyer, Executive Director Dr. Watson, and Chair Dr. Keita Vanterpool.*



*Right: Ms. Soyer and Dr. Vanterpool share board brochure about chiropractic practice.*

On Saturday, October 13, 2012, Board of Chiropractic members and staff participated in the Department of Health Community Health Administration's Primary Care Fair at Dorothy I. Height Library. The event provided District residents information about the Board, preventive health practices and chiropractic services. The Fair was very well-attended and provided the Board an opportunity to meet the local community. The Board is excited to participate in more outreach events in the upcoming calendar year.

## Counsel's Column

# A CHIROPRACTOR'S GUIDE TO THE REGULATIONS

By Brian G. Kim, Esq.,  
Assistant Attorney General & Board Advisor

Among the many questions frequently asked is, "What are the regulations that chiropractors must adhere to." Typically, the regulations that govern chiropractors coincide with ideals of placing the health and welfare of the patient ahead of economic or personal self-interest and not to jeopardize the patient-chiropractor relationship. This later principle is the corner stone of the Board of Chiropractic's regulatory function, and it is to that end that this article will address, in the format of FAQs, some of the rules and regulations with which a chiropractor must comply in order to remain in good standing with the Board. Of course, each chiropractor is encouraged to review the regulations directly, as this article does not address all of them. The regulations are published at title

17, District of Columbia Municipal Regulations, chapter 4800, and are available at <http://doh.dc.gov/node/145992>.

### THE PATIENT CHIROPRACTOR RELATIONSHIP

#### When does a patient-chiropractor relationship end?

Once a patient-chiropractor relationship is established, it may be unclear as to when that relationship ends. The patient-chiropractor relationship ends when: a) professional services are terminated and the chiropractor issues, and the patient receives, a notice of termination of services; b) the patient has been appropriately referred to another health professional in writing; c) the patient has accepted treatment by another health professional and chiropractor

documents the patient's chart prior to closing the file; or d) the patient has not received professional service for six consecutive months and has not contacted the chiropractor for treatment.

### SEXUAL CONDUCT

#### When does sexual conduct occur during treatment and how do I avoid it?

One of the most sensitive areas of concern in a chiropractic practice is that line that distinguishes touching a part of the patient's body considered to be a private area for the purpose of treatment and touching that is not intended for treatment. While it is clear that a chiropractor may not engage in sexual conduct with a patient, what is less clear is what constitutes sexual conduct. The Board has identified sexual conduct to include: a) any behavior, gesture, or verbal or non-verbal expression, which may reasonably be interpreted as seductive or sexual in nature; b) sexual comments or discussions about a patient or a former patient that are not related to chiropractic care or treatment. Accordingly, sexual conduct includes both physical contact, as well as mere comments of a sexual nature.

#### What is the term of my license and when do I have to renew it?

A chiropractic license expires at 12:00 am midnight December 31 on

## WELCOME NEW LICENSEES!

Amirreza Azad, D.C. – Chiropractic & Physiotherapy

Aldwin Martin, D.C. - Chiropractic & Physiotherapy

Corey Malnikof, D.C. – Chiropractic & Physiotherapy

David M. Hicks, D.C. - Chiropractic & Physiotherapy

Damon Anthony, D.C. - Chiropractic & Physiotherapy

Cara Zellner, D.C. - Chiropractic & Physiotherapy

Adriana Backus, D.C. - Chiropractic

Jane Huh, D.C. - Chiropractic

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each even-numbered year. The Board issues notices for renewal well in advance of this date, but it is the responsibility of each chiropractor to renew a license before it expires. Otherwise, the chiropractor may be practicing without a license after the expiration date.

#### **How many hours of continuing education must a chiropractor complete?**

Whether you are renewing, reinstating or reactivating your license, you must complete 24 hours of approved continuing education during the two-year period a license remains valid. Failure to comply with this requirement may result in the imposition of fines or disciplinary sanctions.

Should you fail to complete the requisite number of continuing education hours during the two-year period, the Board may sanction you by imposing a fine and through either a non-public negotiated settlement agreement or a public consent order. If you are deficient, in addition to the fine, the Board will order you to complete the deficiency in continuing education credits. Completion of any deficiency in continuing education credits is in addition to the then current requisite number of credits to maintain your license in good standing.

#### **What can a chiropractic assistant do under the supervision of licensed chiropractor?**

A chiropractic assistant may

perform the following under the supervision of a licensed chiropractor: (a) obtain case histories, if properly trained by the supervising chiropractor; (b) perform diagnostic testing after receiving specialized training to do so; (c) perform ancillary procedures, after receiving specialized training to do so, and with specific written instruction from the supervising chiropractor with ancillary privileges; and (d) take x-rays, after receiving specialized training to do so, and with specific written instruction from the supervising chiropractor.

#### **What is it that a chiropractic assistant may not do?**

A chiropractic assistant may not: (a) perform any task requiring manipulative or adjustment techniques; (b) render diagnostic results or interpretations; and (c) give treatment advice without the direct written orders from the supervising chiropractor.

#### **Who determines the standards of acceptable practice in the District?**

Under District law, a licensed chiropractor must conform to the prevailing standards of acceptable practice as determined by the Board of Chiropractic.

The foregoing are just some examples of compliance requirements for physicians who are licensed by the D.C. Board of Chiropractic. A violation of these requirements may lead to initiation of disciplinary proceedings, which may result in reprimand, suspension or revocation of the license under the

Health Occupation Revisions Act of 2009 (HORA). The HORA enumerates additional reasons for disciplinary sanctions, which will be discussed in future articles in this section. Both the HORA and the regulations that govern the practice of chiropractic in the District are available on the D.C. Department of Health's website at: <http://doh.dc.gov/node/145992>. We invite you to peruse the HORA, as well as the regulations that govern your practice in the District.

### **KNOW YOUR HORA**

#### **CONTINUING EDUCATION CREDITS & APPROVED PROGRAMS AND ACTIVITIES**

**4806.4** An applicant for renewal of a license shall submit proof upon request of the Board pursuant to § 4806.7 of having completed twenty-four (24) hours of approved continuing education credit during the two-year (2) period preceding the date the license expires.

**4807.1** The Board shall accept for credit continuing education programs provided or sponsored by the following:

- (a) A chiropractic college accredited by the CCE;
- (b) The America Chiropractic Association;
- (c) The Federation of Straight Chiropractic Organizations;
- (d) The International Chiropractors Association; or
- (e) Approved by the District of Columbia Board of Chiropractic.

**4808.1** The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

**Failure to meet the above requirements may result in disciplinary action being taken.**

## BOARD WELCOMES NEW ATTORNEY ADVISOR BRIAN G. KIM, ESQ.



**BRIAN G. KIM, ESQ.**, joined the Board of Chiropractic in October, 2012. Immediately before joining the BOC, Mr. Kim was a trial attorney in the Civil Litigation Division of the D.C. Office of the Attorney General. Prior to joining the OAG, Mr. Kim served as a trial judge in the District

Court of Maryland. Mr. Kim retired from the Bench after serving his term, to return to the practice of law. Mr. Kim received his Juris Doctorate degree from Boston College Law School and received his Bachelor of Arts from Tulane University. Mr. Kim is a member of the Bar of the District of Columbia, Maryland, Massachusetts, as well as the federal courts of the District and Maryland, the United States Court of Appeals for the Fourth Circuit, and the United States Supreme Court. In addition to practicing

law, Mr. Kim currently serves on the adjunct faculty of the University of Maryland School of Law and the University of Baltimore School of Law, and has also served on the adjunct faculty of the George Mason University School of Law. Mr. Kim has been active in the Bar, having served as the president of the Judicial Council of National Asian Pacific American Bar Association (NAPABA), and having served as a board member of NAPABA as the Southeast Regional Governor. He is a founding member of the Asian

Pacific American Bar Association of Maryland, and has served on that board as well as on the Asian Pacific American Bar Association of Greater Washington, D.C. Outside of the practice of law, Mr. Kim plays the violin and is the concertmaster of the Montgomery Symphony Orchestra, as well as a member of the Trinity Chamber Orchestra and the Montgomery Philharmonic Orchestra. He is a runner, having completed 95 marathons, and several triathlons, including a half-ironman triathlon.

## BOARD OF CHIROPRACTIC STRATEGIC PLANNING RETREAT



Board Members take oath to serve: Keita Vanterpool, DC, Miya Bazley, DC, and Statutory Member Sajeed Popat, JD



Board members and staff discuss their FY2013 accomplishments, strategic goals, and action steps for FY2014 and beyond.

## FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB)

The Federation of Chiropractic Licensing Boards hosted its 87th Annual Educational Congress on May 1-5 in San Francisco, California. The conference focused on connecting regulators with each other and with cost-effective resources. Approximately 140 attendees from North America represented chiropractic licensing boards, testing, associations, and chiropractic colleges. District III was well-represented by jurisdictions from eastern Canada and northeastern United States.



The highlights of this year's conference included the 23rd Annual Joseph Janse Lecture, delivered by Dr. Brian McAulay, President of Parker University. Additionally, Dr. Keith Overland, ACA President and former CT board member, presented the Keynote address titled "A Vision for the Future of Chiropractic: The Role of the Regulator."

On May 2, 2013 a number of attendees were treated to a tour of Life Chiropractic College—West where they discovered innovations in chiropractic education.

Attendees enjoyed an evening of sophistication at the Black Tie Gala and Benefit Auction to raise funds for the Certified Chiropractic Clinical Assistants program. Guests bid on vacations, autographed memorabilia, seminars, and more.

Next year's meeting is scheduled for April 30—May 4, 2014 at the Myrtle Beach Marriott Resort at Grande Dunes in Myrtle Beach, SC.

The FCLB board looks forward to seeing all of our friends at our Fall Regional meetings. District III will again be meeting with District V, this year in Washington, DC on September 19-22. Please visit our website and click on the Districts link at the top of the page to get more information.



## WORLD FEDERATION CHIROPRACTIC CONFERENCE DURBAN SOUTH AFRICA



Board chair Dr. Keita Vanterpool attended the World Federation Chiropractor Conference in Durban South Africa in April. Regulators, Researchers, Chiropractors and Students from around the world heard lectures on:

- \* Creating policy and regulation internationally
- \* Philosophy- the role of the profession today, and its role in healthcare
- \* Evidence based practice
- \* Chiropractic advances
- \* Ethics and Boundaries

Attendees discussed strategies for setting up and organizing boards around the world (certain parts of Africa do not have Chiropractors and or boards).

## SAVE THE DATE!

SEPTEMBER 20, 2013

### FCLB DISTRICT III REGIONAL CONFERENCE

SEPTEMBER 19 - 22, 2013

HYATT REGENCY CAPITOL HILL

SPECIAL DC BOC PRESENTATION AND

MEET AND GREET RECEPTION WITH

COUNCILMEMBER YVETTE ALEXANDER ON SEPTEMBER 20TH

12:30 PM - 1:30 PM

REGISTRATION FEE: \$295 REGISTER AT [WWW.FCLB.ORG](http://WWW.FCLB.ORG)

THE CONFERENCE IS APPROVED BY THE BOARD FOR 4 CE CREDITS.

### FILING A COMPLAINT WITH THE BOARD

To file a complaint against a licensed DC Chiropractor, go to [www.doh.dc.gov/boc](http://www.doh.dc.gov/boc) to download and complete the complaint form and mail to:

DC Board of Chiropractic  
899 North Capitol Street NE  
First Floor  
Washington, DC 20002

You can also fax the complaint to the Board at (202) 442-8117.

**Please Note: Complaints may take up to 120 business days (5 months) to be resolved.**

Please be advised that the health professional licensing boards do not have jurisdiction over fee disputes, except for billing for services that were not provided. If you have a fee dispute with a health professional, you can seek redress through the civil courts.

**If your complaint alleges unlicensed activity, you should address your complaint to:** Timothy Handy, Esq., Supervisory Investigator, Health Regulation and Licensing Administration, 899 North Capitol Street NE, First Floor, Washington, DC 20002. You can also fax the complaint to (202) 442-4924.

## BOC STATS

September 1, 2012 - July 31, 2013

# of Chiropractors	87
- PT privileges	65
- ACU privileges	0
# of applications received	9
# of licenses issued	8 (since July 2012)
# of complaints received	0
# of disciplinary actions	0 (since July 2012)

### Health Professional Licensing Administration

#### Address

DC Board of Chiropractic  
899 North Capitol Street, NE  
First Floor  
Washington, DC 20002

Board phone number  
(202) 724-8800

Fax number  
(202) 442-8117

BOARD OF CHIROPRACTIC  
WEB PAGE  
[www.doh.dc.gov/boc](http://www.doh.dc.gov/boc)

### DC Board of Chiropractic Members

#### Keita Vanterpool, DC

Chairperson

#### Miya Bazley, DC

Board Member

#### Sajeed Popat, JD

Statutory Member

### Acting Director, Department of Health Joxel Garcia, MD, MBA

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Jacqueline A. Watson, DO, MBA

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