

Government of the District of Columbia
Department of Health
Health Regulation and Licensing Administration

BOARD OF CHIROPRACTIC

Annual Report

FY 2009

PROMOTE, PREVENT, PROTECT

As Senior Deputy Director, I am once again, excited to present to you the District of Columbia Department of Health, Health Regulation and Licensing Administration, Board of Chiropractic Annual Report for FY2009. This FY2009 report reflects provide a comprehensive review of how the Department of Health continues to provide regulation and oversight to Chiropractic health professionals in the District. This report reflects much of the committment and effort we have in put forth in protecting the public health, welfare and ensuring the safety of the residents in the District of Columbia.

The HRLA welcomed a new Executive Director, Jacqueline A. Watson, DO, MBA and this report also reflects the high level of service: activities, outcomes and goals for the future for the DC Board of Chiropractic.

As we move forward, the Board will continue to fulfill its obligations to the public by providing the highest level of regulatory oversight as possible.

*Feseha Woldu, PhD
Senior Deputy Director*

The Board of Chiropractic (BOC) is pleased to present its Annual Report in a new and improved format, which we hope is more user-friendly, while still being informative.

The Board faced several challenges this year, such as the loss of two members, however I am very proud to say that the remaining members and the staff continued to function in an exemplary manner, serving the citizens of the District in our best capacity. Regulation regarding visiting practitioners was resolved, as well as the swift resolution of an investigation regarding the Board's advertising and discounted-fees regulation. We thank our Board attorney for his research and action on those matters.

Moving forward, the BOC expects to continue improving its public outreach, fine tuning any regulation issues that still need attention, and being meticulous in processing applicants and disciplining licensees, as appropriate.

*Anthony J. Mirando, MS, DC
Board Chair*

As Executive Director, it gives me great pleasure to present this FY2009 Annual Report for the D.C. Board of Chiropractic. The Board's primary purpose is to protect the public by enforcing the laws and regulations that govern the practice of chiropractic health care delivery in the District. This report will provide readers with highlights into the board's activities in 2009 and the ongoing work that will continue throughout Fy2010.

I applaud the diligent work being done by all board members, and the staff that support them, to keep the residents of the District of Columbia safe. I look forward to the opportunities that await us in Fy2010.

*Dr. Jacqueline A. Watson
Executive Director
Boards of Medicine and & Chiropractic*

TABLE OF CONTENTS

OVERVIEW.....	I
BOARD COMPOSITION.....	1
LICENSEES.....	2
BOARD ACTIVITIES.....	2
CHALLENGES.....	3
ACCOMPLISHMENTS.....	3
OPPORTUNITES AND PLANS FOR FY2010.....	3
APPENDIX.....	4
APPENDIX A.....	5
APPENDIX B.....	6
APPENDIX C.....	7

I. OVERVIEW

The DC Board of Chiropractic (BOC), a health profession Board within the DC Department of Health, Health Regulation and Licensing Administration (HRLA), has the responsibility to regulate the practice of Chiropractic in the District of Columbia. (See Appendix A)

Regulation is achieved through the application process, the disciplinary process, and through outreach/educational activities.

- The application process is the process in which applications are reviewed for compliance with the applicable statutes and regulations in terms of required credentials in education, experience, and examination.
- The disciplinary process is the process in which applicants and licensees are disciplined for violations of the statute. Disciplinary action can result in denial of a license, revocation, suspension, probation, a reprimand or remediation.
- Outreach and educational activities include publication of newsletters, information available through our website, and replies to public inquiries.

Applicants for licensure in the District are required to pass the National Board of Chiropractic Examiners (NBCE) in addition to the District of Columbia Chiropractic exam. The Board administers the Chiropractic licensure exam twice a year-in June and December.

All applicants for licensure must establish, to the Board’s satisfaction, that they possess the appropriate skills, knowledge, judgment, and character to practice chiropractic in the District of Columbia. In addition, applicants must demonstrate to the Board that they are proficient in understanding and communicating chiropractic concepts and information in English.

II. BOARD COMPOSITION

The Board, as required by statute (Section 3-1202.16), shall consist of five members: three chiropractic physicians, one Director of the Department of Health, or his/her designee; and one shall be a consumer member. A term is for three years and each member may serve three consecutive terms.

There are currently two (2) chiropractic doctors and a statutory member, serve on behalf of the Director of the Department of Health, serving on the Board (see chart 1 below). The Board voted to reduce board meeting frequency to every othermonth, on the second Tuesday of the month. The Board does not meet in the month of August.

During Fiscal Year 2009 the Board met three (3) times, in May, July, and September.

CURRENT BOARD MEMBERSHIP STATUS		
Member (Chairperson)	Anthony J. Mirando, DC	Chiropractor*
Member	David Bronat, DC	Chiropractor
Member	Vacant	Chiropractor
Consumer Member	Vacant	Consumer Member
DOH Designee	Vance Farrow, MPH	Statutory Member **
*Currently serving until replaced.		
**Appointed in July 2009.		

III. LICENSEES

At the end of FY 2009 there were a total of 78 chiropractors licensed in the District of Columbia. Of this total, 45 were also licensed to perform ancillary procedures (ANC). Ancillary procedures are defined as any physiotherapy procedure used on a patient prior to, and complementary with, a chiropractic treatment. A chiropractor who is certified by the board to perform ancillary procedures may perform any physiotherapy for which the chiropractor has received specialized training at a program or institution listed in DC Chiropractic Municipal Regulations Section 4802.1.

The District of Columbia issued six (6) new chiropractic licenses during FY 2009. Four (4) of the six obtained additional licensure for ANC privileges.

Physiotherapy is defined as any external modality that the chiropractor uses on a patient prior to receiving a chiropractic adjustment/manipulation, that creates a physiological change in the human tissue condition, and that contributes to the overall improvement of the condition for which the patient is being treated.

IV. BOARD ACTIVITIES

During FY09, the board welcomed the new Executive Director, Jacqueline A. Watson, D.O., MBA.; in March 2010 and Vance Farrow, MPH, the new Statutory Member from the Director's office in July 2009.

The Board re-evaluated its current meeting schedule, and voted to reduce the frequency of meetings from monthly to every other month (*November, January, March, May, July, September*).

- The Board reviewed and discussed draft regulations in the areas of **advertising**, the **chiropractic treatment of animals**, and the **duty of chiropractors to maintain records** for a specific length of time and the conditions under which records shall be released to patients or patient representatives. The Board will come to resolution on the draft provisions early in FY2010.
- The Board also addressed the issue of travel-to-treat and under what conditions non-DC licensed chiropractors may come into the District to be "in affiliation with" another chiropractor, for short periods of time, to treat a patient or group, or to give a clinic or demonstration.
- The Board considered revising the current requirement in the District for applicants to take a local DC examination, in addition to the national examination, to be eligible for a license to practice. In both of these areas, the Board has requested Board counsel to draft applicable rule-making or policy positions for board consideration.
- The Board asked the attorney to provide a legal opinion or language for including Acupuncture in the Chiropractic section of the Health Occupations Revision Act (HORA), so that the Board can have its own control over licensure, as an ancillary procedure, and receive the reduction in required hours to sit for Acupuncture exams. Further legal research is ongoing.
- The Board was represented at the Federation of Chiropractic Licensing Boards (FCLB) Regional conference in Buffalo, NY on October 1-3, 2009.

Disciplinary Actions

In FY09 the Board placed one new chiropractic applicant under a private consent order for substance abuse issues.



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V. CHALLENGES

A major challenge for the Board continued to be the lack of a full compliment of board members. This often resulted in a lack of quorum and cancelled meetings. The Executive Director & Board will work with the Office of Boards and Commissions to have all vacant slots filled.

The Board examined the relevance and cost-effectiveness of continuing to administer a local DC Exam as a requirement for licensure in the District of Columbia.

VI. ACCOMPLISHMENTS

The Board published its first online newsletter in July 2009. The newsletter will be published annually (July) and posted to the website.

The Board of Chiropractic website (BOC) was updated and given a new address www.hpla.doh.dc.gov/BOC. The site is now more user-friendly and contains all the relevant information a licensee and the public need to access.

The Board conducted a random CCE audit in FY09. Out of 7 audit requests, 2 were noncompliant, and the respective licensees were disciplined accordingly.

VII. OPPORTUNITIES AND PLANS FOR FY2010

The Board will continue to work to have vacant Board member slots filled in FY2010, so that disciplinary actions and approval of new licenses are carried out in a timely manner.

The Board plans to reach out to licensees and the public through hosting a symposium. Plans will be developed in FY2010 and a date will be determined. The Board feels that this an excellent opportunity to educate and increase the visibility of their profession with the public. In addition, it is also an opportunity to bring the small community of District chiropractors together to discuss best practices and recommendations for improving access to chiropractic care throughout the District.

The Board plans to finalize the regulatory changes needed to enforce new rules with respect to patient record-keeping, the truthful advertising of fees and discounted services, permitting the chiropractic care of animals and implementing the statutory provision for exemption from licensure for those chiropractors licensed outside of the District who come for short periods of time to treat patients here or to give a clinic or demonstration.

The Board will continue to evaluate the content of, and frequency of, scheduled meetings, and will determine if it is appropriate to reduce meetings to a quarterly schedule in the future.

The Board will determine if it is appropriate to eliminate the administration of the local practical Examination as a requirement for licensure in the District of Columbia. However, administering the local jurisprudence exam would remain a requirement for licensure. The NBCE I-IV exam is the standard exam used for licensure throughout the majority of states. The Board will make a final decision by the end of fiscal year 2010.

APPENDIX

APPENDIX A

Organizational Structure

APPENDIX B

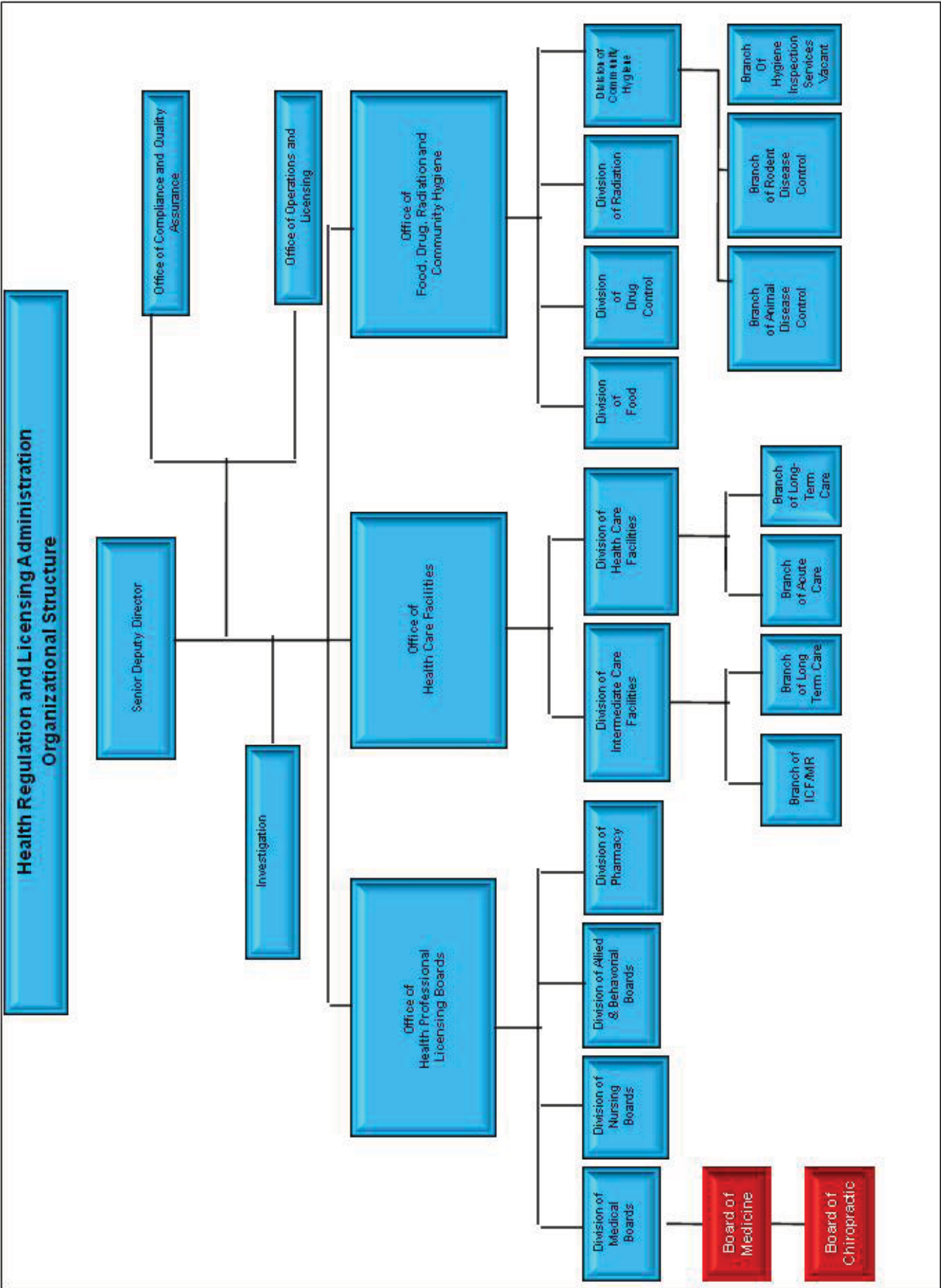
Board of Chiropractic Members

APPENDIX C

Board of Chiropractic Staff

FY 2009

FY 2009



Appendix A

BOARD OF CHIROPRACTIC

ANTHONY J. MIRANDO, DC
Chairperson

DAVID BRONAT, DC
Member

VANCE FARROW, MPH (DOH Designee
(Statutory Member)

CONSUMER MEMBER
(Vacant)

MEMBER
(Vacant)

BOARD OF CHIROPRACTIC STAFF

EXECUTIVE DIRECTOR

Jacqueline A. Watson, DO, MBA

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FY 2009

