



D.C. Board of Chiropractic

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



July 2011

LETTER FROM THE INTERIM CHAIR

Many events have taken place since the beginning of the year. The DC Board of Chiropractic (BOC) has begun the task of laying down the groundwork for obtaining goals set forth at the beginning of the year, and has made positive strides toward opening dialogue with city officials and various organizations within the District.

As an update, we have begun the task of reviewing and updating regulations, auditing licensees and reviewing a number of practicing licensees within the District.

Meetings have taken place with DC Department of Health Care Finance (DHCF), as it pertains to inclusion of Chiropractic within the Medicaid program, with the goal being to allow greater access to health care and to bridge the gap between professions. At the moment, as stated by representatives of DHCF, there have been budgetary constraints that would not allow the inclusion of any other programs at this time.

The DC Board of Chiropractic will be working diligently to present and inform DHCF and city officials with documentation that would show causality and the importance of inclusion as it relates to Health Care reform, access to EMR/E.H.R., and reimbursement. The addition of Chiropractic will also influence the inclusion with other federal programs such as the Health Professional Loan Repayment Program (HPLRP).

Lastly, the Federation of Chiropractic Licensing Boards (FCLB) and National Board of Chiropractic Examiners (NBCE) hosted its 85th Annual Educational Conference on May 4-8, 2011. The District was represented by Dr. Miya Bazley, newly appointed member, Eugene Irvin, Board Attorney and myself. Discussions included many topics related to expanding the profession internationally and maintaining the highest standards as it pertains to regulating the profession as a whole.

Again, we look forward to your comments and suggestions, and welcome you to join us during Open Session of our Board meetings.

Have a Great Year!

Keita Vanterpool, DC
Interim Chairperson
DC Board of Chiropractic



Keita Vanterpool, DC

BOARD MEETING SCHEDULE

UPCOMING MEETINGS

September 13, 2011
(Board Strategic Planning
Retreat—no Open Session)

November 8, 2011

January 10, 2012

The Board of Chiropractic
meets on the
SECOND TUESDAY
every other month.

Open Session is
2:30 pm.

FROM WHERE I SIT

by Jacqueline A. Watson, DO, MBA
Executive Director

The Heat is On!

The summer heat is here and since our last issue in January we have moved into our new location on North Capitol St. NE. The Board has been very busy addressing some significant regulatory areas such as; the scope of practice of chiropractors; examination requirements for licensure; as well as how to increase the public's access to quality chiropractic care. Dr. Vanterpool, as interim chair, has set forth an ambitious agenda and we have been deliberatively charging forward and making progress.

- In February, the Board welcomed Dr. Miya Bazley to their team and she has already proven to be an invaluable addition. *(Meet her on page 6.)* The Board also held a special open session stakeholder meeting in February and invited chiropractors from the community to participate in providing recommendations on areas in the regulation that may need updating or amending. The meeting was very productive and issues that ranged from whether chiropractors can perform adjustments on animals, to should chiropractors use injectables or pharmaceuticals, were discussed. The Board will consider all matters brought before them in more detail during their strategic planning retreat scheduled for September, where they will set goals and priorities for FY2012 and beyond.
- The 2010 renewal cycle officially ended on February 28 and CE Audits will be conducted during August and September. We will be auditing all licensees and asking for proof of documented CE's on your renewal application. Please be prepared to submit supporting documentation within 14 days once your notice is received.



Dr. Jacqueline A. Watson

- Dr. Vanterpool and Dr. Bazley have both been attending National Board of Chiropractic Examiners (NBCE) and Federation of Chiropractic Licensing Boards (FCLB) related conferences and meetings in an effort to interface with colleagues across the country, share strategies, and recommend best-practices that can be implemented in the District. Board attorney, Gene Irvin, joined them in May in Marcos Island, Florida, for his first FCLB conference and came back with a greater appreciation for the unique regulatory concerns impacting the chiropractic profession. Representatives from the board will also attend the regional FCLB conference in Nova Scotia, Canada, in September.
- The Board voted to establish a Chiropractic Medicaid Access Taskforce (CMAT). CMAT will focus on developing the necessary supporting documentation to justify including chiropractors as medicaid providers

in the District of Columbia. Currently, the District is one of the few states that does not allow chiropractors access to Medicaid panels. *(See page 5 for more information).*

- Efforts are still ongoing to work with the new Mayor's Office of Boards and Commissions (OBC) to have a full complement of board members appointed to the Board. The Board is still in need of one chiropractic member and a public member. If you are interested in volunteering to serve as a member of the Board, or if you would like to recommend someone, please visit <http://obc.dc.gov>, or call (202) 727-1372 for information.
- Examinations were administered in March and June. *(All new licensees are listed on page 4.)*

Throughout the remainder of FY2011, we will continue to fulfill our mission to protect the safety and welfare of the public, while improving the services we provide to our licensees.

Our next issue will be in January 2012. Until then, Be Well and Live Well DC!

BE PREPARED TO BE AUDITED!

The Continuing Education Audit will be conducted during August and September. All licensees will be required to provide proof of documented CEs on your renewal application. Please be prepared to submit supporting documentation.

COUNSEL'S COLUMN

STANDARDS OF CONDUCT – PART I

By Eugene E. Irvin, Esq., Assistant Attorney General & Board Advisor

So you have successfully completed the requisite number of continuing education hours (24 during the course of the two years preceding the time of renewal) prescribed by the regulations for Chiropractors and you feel confident in your right to hold yourself out as having fully earned the designation of being a certified professional. Chances are you have dedicated the lion's share, if not all, of your continuing education allotment toward honing or improving your technical proficiency in skills basic to the practice of your heal art. In truth, most chiropractors seem to view this requirement as a directive to stay current in areas that will bolster one's professional competency in chiropractic skills. It is certainly important for such practitioners to capably attend to the ills and aches of their patients. Yet being technically proficient is only one component of the building blocks of professionalism. Chapter 17 DCMR 48 (District of Columbia Municipal Regulations) encourages chiropractors to achieve. How one discharges the technical proficiency one has achieved is equally important to the successful practice of the healing arts.

It was with this thought in mind that the Board of Chiropractic formulated 17 DCMR Subsection 4809, Standards of Conduct. By their reasoning, a truly sound professional must also be well anchored in the guiding principles that set out a clear yardstick of proper interaction between patients and chiropractors and between chiropractors and co-workers. These serve as the rules of professional ethics that should guide the day-to-day interactions of every practicing chiropractor in the District of Columbia. So it is important that every chiropractor be equally as diligent in being well versed in the rules and guidance provided by the Standards of Conduct.

Certainly most prominent among the Standards of Conduct is the emphasis placed on establishing and maintaining clear, inviolate boundaries between personal interactions and professional interactions. Once a chiropractor enters into a professional relationship with an individual that individual is transformed into a patient, which imposes on the chiropractor the absolute obligation to be solely focused on treating that patient's medical needs. The practitioner must always see him or her as a patient and extend to them the respect and courtesy attendant to that status. Under no circumstance must the chiropractor ever view the patient in a romantic or sexual context. Once a patient-chiropractor relationship is established absolutely no sexual conduct

of any kind is permitted between the two of them. The burden to hold the line regarding interactive propriety is squarely upon the professional in the relationship, i.e., the chiropractor. Involvement in sexual conduct in any form is strictly forbidden. The regulations at 17 DCMR 4809.3 broadly define impermissible sexual conduct to include behavior, gestures, and verbal or nonverbal expressions which may reasonably be perceived as seductive; or sexual comments or discussions unrelated to the patient's care or treatment. The chiropractor should ensure that his or her efforts are singularly focused on addressing the medical needs of the patients, as any deviation could easily be interpreted as crossing the boundary into the impermissible. In that

same vein, a chiropractor may not suggest that in exchange for sexual contact chiropractic services will be provided to a patient.

The prohibitive scope of sexually harassing conduct is even wider than that of sexual conduct, in that chiropractors are specifically forbidden by regulation from directing such harassment toward not only patients, but also coworkers, employees, students and anyone the chiropractor may supervise. Under the terms of 17 DCMR 4809.5 it does not matter whether the work related members are in a position subordinate to the chiropractor, as sexual harassment with or without leverage over the recipient is considered so insidious as to undermine the level of professionalism the regulations seek to foster in chiropractic environments.

Good intentions will not suffice to excuse sexually impermissible conduct by a chiropractor. It will not matter that the chiropractor had sincere romantic intentions toward his or her patient, or that the patient initiated the activity or willingly indulged in the activity. Section 48 obligates each and every chiropractor to preserve professionalism above all else. Any deviation from this ethical standard is totally unacceptable.

The Board encourages each chiropractor to take time to familiarize themselves with their obligations under the Standards of Conduct outlined in 17 DCMR 4809. Each of you might also consider including some presentations on ethics and professional boundaries in the training you attend in satisfaction of your continuing education requirement. Being well versed on these rules, as a complement to your technical proficiency, bestows on you the well-deserved badge of true professionalism.

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YOUR BOARD AT WORK

MEDICAID ACCESS



Dr. Elam is Medicaid Director in the Department of Health Care Finance (DHCF).

Linda Elam, PhD (left), answered questions from the Board regarding Medicaid access for chiropractic care during a recent meeting. Dr. Elam advised the Board that for the DC Department of Health Care Finance (DHCF) to consider adding another profession to the Medicaid panels would require an amendment to the State Plan.

All changes to the State Plan require a fiscal impact statement, and chiropractors would have to provide evidence-based research that convincingly proves that the quality of care for District residents is being compromised as a result of citizens not having access to chiropractic care.



Above: The Board of Chiropractic deliberating over policy issues that the Board must address.



CHIROPRACTORS SPEAK

Above: The Board welcomes chiropractors Dr. Alan J. Lichter, Dr. Bryant C. Harris, and Dr. William Fullmer, during Open Session.



FCLB 85TH ANNUAL CONGRESS IN MARCO ISLAND, FL.

Board of Chiropractic member Dr. Miya Bazley, Board Chair Dr. Keita Vanterpool, and Board Legal Advisor Mr. Eugene Irvin, Esq. at the May 2011 FCLB annual conference.

WELCOME NEW LICENSEES

NDIDI I. HARLEY, DC

BRIAN A. LANCASTER, DC

SARAH E. CHUNG, DC

E'RICKA R. BROCK, DC

CHIROPRACTORS WANTED: SERVE ON CHIRO MEDICAID ACCESS TASKFORCE (CMAT)

Are you interested in ensuring that all citizens in the District of Columbia have access to quality chiropractic care? The Board of Chiropractic is now seeking chiropractors interested in serving on the Chiropractic Medicaid Access Taskforce (CMAT). If you are interested in joining the CMAT, please contact Antoinette Stokes at (202) 724-8799.

BOARD ORDERS

January 1, 2011
through
June 30, 2011

There have been no reportable Board actions against Board of Chiropractic Licensees during this period.



CHIROPRACTIC CARE FOR ANIMALS

DIRECTOR OF VETERINARY EXAMINERS BOARD MEETS WITH BOARD OF CHIROPRACTIC

Veterinary Board Executive Director, Vito Del Vento, DVM (pictured with Veterinary Board Legal Advisor Tonia Bair, Esq.), spoke with the DC Board of Chiropractic at a recent meeting about their request for authority to perform chiropractic adjustments on animals. The Board was informed that District law prohibits non-licensed veterinarians from providing care to animals. Dr. Del Vento says, also, that "It has been brought to the [Veterinary] Board's attention that some of the schools for human chiropractic medicine and human acupuncture are including an animal module in their overall curriculum. The District of Columbia Board of Veterinary Examiners is currently working on addressing these issues" with the District of Columbia Board of Chiropractors as well as the board that regulates the practice of acupuncture.

VERIFICATION OF LICENSURE

Licensing authorities and some health facilities often require a letter of verification of the licenses you currently hold or have held in the past. These letters of verification are sometimes called "letters of good standing," even though your DC license may have expired. If the jurisdiction or institution to which you wish the letter sent gave you a form, simply forward the form and include a check or money order payable to "DC Treasurer" in the amount of thirty-four dollars (\$34.00) to:

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

On the form, be sure to include your name, and the address where the form is to be sent. If the jurisdiction or institution did not give you a form, please send us a short note requesting a letter of verification. The note should include your name, and the name and address of the institution where you want the letter of verification sent.



Miya Bazley, DC

MEET BOARD MEMBER MIYA BAZLEY, DC

“DC is unique in that it is a city that shares borders with jurisdictions that it doesn’t have reciprocity with. Also, a good deal of residents do not have cars, and the fact that Medicaid is widely used but chiropractic care isn’t covered does pose some unique situations, in my opinion, when it comes to providing access of quality holistic care.”

When were you appointed to the Board?

I was appointed in early February of this year.

Why and how did you first get involved with the Board? What sparked your interest in serving as a Board member?

I received a phone call a year before I was appointed and was told that my name had been passed along as someone who qualifies to serve on the Board. Earlier that year I had decided to put down roots in Washington, DC, so I thought serving on the Board would help anchor me more to the community. I didn’t see any harm in applying, it felt like an honor.

Is there any aspect of your service as a Board member thus far that has surprised you (or has the experience been what you expected it to be)?

The time commitment so far has been more than I expected, but I am a new Board member and there is a good deal of material to

review, so I am assuming it will ease. I was also pleasantly surprised with how closely the Board consults the National Board of Chiropractic Examiners (NBCE) and how the NBCE reaches out to state boards. This relationship does seem to make the profession more uniform in regulatory matters and, to date, working with the NBCE has been very rewarding.

What unique perspective do you bring to the Board?

As a relatively young chiropractor who has spent most of my career working for/with someone, I hope that I can help the Board regulate in a way that makes things very clear to young doctors as to what is to be expected, so they don’t have to rely on older/established doctors in regards to understanding laws and statutes. Also, early interactions with the licensing Board can set the tone for what a doctor expects from the Board. Hopefully, those early interactions are pleasant and informative.

What issues, related to regulation of your profession, interest you the most?

After attending the Federation of Chiropractic Licensing Boards (FCLB) convention, I became more aware of the dangers of over-regulation, where chiropractors are not even sure of what is allowed in their statutes, and doctors who are incredibly qualified but earned a degree abroad could have difficulties obtaining a license to practice due to poorly written regulations.

Is there anything about the District of Columbia or the DC population that poses a unique challenge to your profession?

DC is unique in that it is a city that shares borders with jurisdictions that it doesn’t have reciprocity with. Also, a good deal of residents do not have cars, and the fact that Medicaid is widely used but chiropractic care isn’t covered does pose some unique situations, in my opinion,

when it comes to providing access of quality holistic care.

What future goals do you have as a Board member?

To truly protect the residents and guests of the District of Columbia without over-burdening chiropractors in regulatory minutia.

Are there any issues regarding your profession that pose special challenges for establishing regulations?

I was pleasantly surprised to find out how little chiropractors have been publicly disciplined in the District in the past. That is something very unique because it is not like that across the country or even in other professional disciplines in the city.

Based on your familiarity with the Board, what do you feel is the greatest recent accomplishment of the Board or its greatest challenge?

(continued on page 7)

APPLY TO SERVE ON THE BOARD!

If you are a resident of the District of Columbia, in practice for 3 years or more and in good standing with the Board, you may apply to serve on the Board of Chiropractic.

WE ARE SEEKING:

- One (1) Chiropractic Member
- One (1) Consumer Member

For full instructions on how to apply, please contact the Mayor's Office of Boards and Commissions (OBC):

OBC Website: www.obc.dc.gov

Phone: (202) 727-1372

Fax: (202) 727-2359

Address: Office of Boards and Commissions
Executive Office of the Mayor
1350 Pennsylvania Ave., NW, Suite 302
Washington, DC 20004

(continued from page 6)

We have great leadership in Dr. Watson and Dr. Vanterpool, so I am not overly concerned. I think the greatest challenge will be filling the remaining seats on the Board.

What would you say to a licensee or consumer who is thinking about applying to serve on the Board?

Being a Board member is a very interesting way to perform "community service." There is something very humbling and intimate about serving on a licensing Board in a relatively small community of residents and doctors.

Any message you would like to convey to your Board's licensees?

If you have questions or concerns, please ask and have them addressed during the Board's Open Session.

Even in a small city, we don't operate in a vacuum.

Anything else you would like to add?

I have been pleasantly surprised to find out that there are numerous ways to serve the profession and not only the residents (and guests) of the District of Columbia by being active on the licensing board. So far, in my short tenure, I have had the opportunity to help the National Board of Chiropractic Examiners (NBCE) pick the questions and answers that would be used on the upcoming Part IV exams. Even though the process took time away from my practice and a weekend with my friends and family, I feel it was by far the most rewarding thing I have done for the chiropractic profession. Since Part IV has only been in existence

for a few years, many of the doctors reviewing the questions at the NBCE headquarters had not taken it, and had only taken their respective state boards. Thus, the NBCE staff was happy to have more doctors in the test review component who had taken the exam. The experience also reiterated that the NBCE is a world-class institution and, as a profession, we should have great faith in its ability to test and evaluate our (future) colleagues.

I wholeheartedly encourage doctors to apply for the vacant board member seat, and would like to thank the doctors who have served in the past. The decisions made by the Board do have real consequences and the ability to affect individuals, patients and the profession as a whole.

WHEN YOU MOVE (OR CHANGE YOUR NAME)

All name and address changes must be submitted in writing to our office **within 30 days of the change**. Please include your name, address, Social Security number and license number, and email address. If you have a name change, you must also enclose a copy of your certificate of marriage, divorce decree, or court order that authorizes the change. Fax your request to (202) 724-8677, or mail your name and address change to the Board.

VISIT OUR WEBSITE: WWW.HPLA.DOH.DC.GOV/BOC

TO NOTIFY US OF YOUR INTEREST IN SERVING ON THE BOARD OR TASKFORCE, SEND AN EMAIL TO: DCDOCSSPEAK@DC.GOV

FILING A COMPLAINT WITH THE BOARD

To file a complaint against a licensed DC Chiropractor, simply write a letter that describes your complaint. The letter must be signed, and you should attach copies of any pertinent documents that you may have. The letter must also include your address, so we may contact you as necessary and notify you of any findings.

Note: You can print a complaint form from our website at www.hpla.doh.dc.gov/boc

You should mail the complaint 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) 724-8677.

If your complaint alleges unlicensed activity, you should address your complaint to:

Supervisory Investigator
899 North Capitol Street, NE
First Floor
Washington, DC 20002

You can also fax your complaint about unlicensed activity to (202) 724-8677.

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.



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



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) 724-8677

Health Professional
Licensing Administration

www.hpla.doh.dc.gov

BOARD OF CHIROPRACTIC
WEB PAGE

www.hpla.doh.dc.gov/boc

Current Members of The District of Columbia Board of Chiropractic

Keita Vanterpool, DC
Interim Chairperson

Miya Bazley, DC
Board Member

Vance Farrow, MPH
Statutory Member

Acting Director,
Department of Health
Mohammad N. Akhter, MD, MPH

Board Staff

Executive Director
Jacqueline A. Watson, DO, MBA

Health Licensing Specialists

Lisa Robinson
Antoinette Stokes
Aisha Williams

Assistant Attorney General

Eugene E. Irvin, Esq.

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