



The Ohio State Chiropractic Board's...

Annual Newsletter

January 2007

NEW

Inside this issue...

Proposed Changes to the Laws & Rules

The Annual Newsletter is the Board's method of communicating many important issues and topics to you and your staff. Included in this year's Newsletter is an insert pertaining to the proposal of a new administrative rule and proposed amendments to several existing rules. The Board developed these changes and amendments over the course of several months. We believe that the proposed changes will enhance public protection as well as the practice of chiropractic in the state of Ohio.

For Your Information...



2007 License Renewal

The Board has processed and renewed licenses for calendar year 2007. If you submitted an application for license renewal and have not received your 2007 License Renewal Card printed on lavender colored paper, please contact the Board office immediately.

If you are currently practicing and you have not renewed your license for 2007, please contact the Board office immediately. Practicing chiropractic in the state of Ohio without a valid, current license is a criminal offense.

Substance Abuse Warning Signs

- o Decline in Job Efficiency
- o Physical/Emotional Problems
- o Inconsistent Work Patterns
- o Impaired Interpersonal Relationships
- o Absenteeism and/or On-the-Job Absenteeism

If you have an alcohol or drug problem, please contact the Board office to inquire about our confidential monitoring program.

Legislative Update



Board Consolidation

In last years' newsletter the Board reported that it was scheduled to be consolidated into the Department of Health effective July 1, 2006. Due to intense lobbying and much hard work by all the affected Boards, their respective associations and YOU this consolidation was quashed. Many thanks for your phone calls, letters and support.

Physical Therapy Legislation HB 403 Effective May 2007

The Physical Therapy Board has made assurances that this bill is simply a restructuring bill. However, our Board has concerns that the Physical Therapy Board will try to enforce the bill in a manner that will affect our licensees' ability to advertise, bill and perform physical therapy.

If you receive any communication from the Physical Therapy Board regarding advertising, billing or performing physical therapy, please alert the Chiropractic Board so that we may address the situation appropriately.

Acupuncture Legislation, Sub. S.B 246

While Substitute Senate Bill 246 passed both the House and Senate, last minute amendments held up passage of the bill. The bill, which is expected to be reintroduced sometime this month, will allow the Board to issue licenses to qualified chiropractic physicians to practice acupuncture and to supervise the performance of acupuncture by acupuncturists licensed by the State Medical Board.

If you would like information regarding your State Representative and Senator and/or are interested in legislation that affects you, please visit the state of Ohio's website at www.ohio.gov and click on Government then click on Ohio Legislative Branch. These links will provide you with important information pertaining to the state of Ohio's legislature and legislative leaders.

A Board Investigation – Your Questions Answered

A Board Investigator showing up in your office for anything other than a routine inspection is certainly distressing.

To help alleviate your concerns, listed below is an *example* of the sequence of events that occur when a complaint is received that alleges a violation of the Board's laws and rules:

The complaint is assigned to an investigator.

Most cases require that the patient's records be obtained. These records are obtained either via a records release form signed by the patient or via subpoena. Many of the Board's subpoenas are served by the local Sheriff to contain costs.

The investigator typically visits the chiropractic physician to interview him or her regarding the allegations. The investigator does not "schedule" a time to meet with the doctor to discuss a complaint. However, the investigator will be sensitive to your patients and your schedule.

Depending on the nature of the complaint and the allegations, the investigator may also interview the individual who filed the complaint, a member(s) of your staff and/or other individuals as necessary.

Once the investigator has gathered all pertinent records and has interviewed all necessary parties, he or she will prepare a Report of Investigation that includes their findings and recommendations for review by the Executive Director. The Executive Director may close the case if there is no evidence of a violation or forward the file to a Board Member (called a Board Designate) for his or her review and recommendation.

The Board Designate may recommend: Close the case due to insufficient evidence of a violation; refer to the Quality Intervention Program; close with a Warning or Letter of Admonition; or formally charge the doctor for violating a law and/or rule.

It is important to remember that the Board members are not aware of the names of doctors under investigation. If input is necessary from the Board, one member is chosen as the Board Designate. This Board Designate is prohibited from participating in any formal disciplinary matter and is prohibited from divulging information gained to any other Board member. It is not proper to contact a Board member regarding any investigation or disciplinary matter.

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Please keep in mind that the Board conducts numerous investigations each year, many of which are extremely complex and time consuming. It is not unusual for an investigation to take several months to investigate and/or resolve.

Obviously the Board expects your cooperation in conducting an investigation and in fact, you are required by law to cooperate in an investigation. While being investigated may be stressful, it is important to keep in mind that a majority of the Board's investigations are closed with no disciplinary action.

Investigations of the Board are confidential and not subject to public disclosure. Unless an investigation results in formal charges, no information will be released regarding the existence of an investigation.

Since each complaint and investigation is different, there are a variety of events that can occur during an investigation, all of which cannot be addressed in this article. This information attempts to answer basic questions. You are always welcome to contact the Board office should you have any questions or concerns regarding an investigation.



Welcome New Board Member and Staff Member – Goodbye to Dr. Bleser

On December 8, 2006, Richard J. Maynard, D.C. of Lancaster was appointed by Governor Taft to a four year appointment to the Board. Dr. Maynard fills the vacancy of Dr. Steven M. Bleser of Cincinnati. Dr. Bleser is the Board's longest serving member with nearly 12 years of service on the Board. Dr. Bleser was deemed Board Member Emeritus status by the Board in recognition of his distinguished service to the citizens of the state of Ohio and the chiropractic profession.

On November 27, 2006 Kate Borloglou began her employment with the Board as our Paralegal. Kate is a graduate of OSU and the Capital Law University Paralegal program. Kate assists the Board's enforcement staff, conducts basic investigations, monitors licensees on probation and serves as the Board's Quality Intervention Program Coordinator.