



Chiropractic Quality Assurance Commission Newsletter April - August 2015 Edition

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Welcome to the Chiropractic Quality Assurance Commission Newsletter

Our newsletter's purpose is to help inform the chiropractic community of issues related to Washington State chiropractic statutes and [rules](#), and the work of the [Chiropractic Quality Assurance Commission](#) (Commission).

Message from the Chair – Gabe Smith, DC, DACBR

We have nearly completed two years of the Commission's pilot program. We've had an interesting year with the development of four workgroups that have developed 33 priorities. These priorities need to be put in place to become more efficient and cost-effective in the way the Commission does business.

The four workgroups include the **Administrative** Workgroup that works closely with the Department of Health (department) service units that affect the Commission's day-to-day business, such as licensing; the **Budget** Workgroup works closely with the financial office to explore ways to be more fiscally responsible and to possibly reduce licensing fees; the **Investigative** Workgroup works closely with the department's investigative unit to determine ways to be more efficient; and the **Legal** Workgroup works with the staff attorneys, again, to be more efficient. The data collected will also be used to help develop the Commission's Operating Agreement with the department.

In our February meeting, the Commission opened [WAC 246-808](#) to review all the rules in order to bring the chapter to a more contemporary status. We will also add new rules to address issues that have developed since the chapter was last updated. This will be intense work and will take some time to work through all the rules. The Commission will work the second Thursday of every other month beginning on May 14, 2015 to get the process started. Each rule change will go through the standard rulemaking process prior to any changes being finalized. This process is expected to take several years.

Welcome New Commission Program Staff

Jessica Jorgensen started working with the Commission on May 16, 2015 as an administrative assistant. She will support the work of the Commission and program staff. She is new to state government and is excited for the opportunity to work with the Commission. She brings many valuable qualities to her new role.

Governor

The Honorable Jay Inslee

Department of Health

John Wiesman, DrPH, MPH, Secretary

Bob Nicoloff
Executive Director

[Leann Yount](#)
Program Manager

Jessica Jorgensen
Program Representative

Commission Members

Gabe (Gary) Smith, DC
Chair

Matthew Waldron, DC,
Vice Chair

Aaron Chan, DC

David Folweiler, DC

Winfield Hobbs, DC

Bryson Langel, DC

Douglas Long, DC

Ronwynn Pratt, DC

Harold Rasmussen, DC

Robert Schmitt, DC

Kimberly Corbin-Waters, DC

Judy Colenso,
Public Member

James Slakey,
Public Member

Louise Stephens
Public Member

Classification of Chiropractic Procedures and Instrumentation List

Winfield Hobbs, DC, DABCO

We have a new form! The CQAC frequently receives requests, in accordance with WAC 246-808-505, to add treatment techniques, diagnostic instruments or diagnostic procedures to diagnostic procedures chiropractors in the state of Washington use. (I'll refer to these as 'it' from here on.) These requests may include documents detailing how 'it' works, research supporting how effectively 'it' works, and/or why 'it' should be allowed to be used. These requests are preliminarily evaluated by the Instrumentation and Procedures Committee during a normal bi-monthly meeting of CQAC.

I have seen packets of 50-plus pages of material that must be evaluated by the committee members for a single technique, instrument or procedure. In the past, these have been submitted as late as the day before the meeting. Can you imagine making six copies of that many pages along with all the other materials that need to be collected and collated for a meeting "tomorrow?"

To help the staff in being able to effectively prepare the documents, and to give the doctors and public members of the committee ample time to evaluate the documents, we have created a form. This form must be completed by the person or company making the request and received by the CQAC staff at least 30 days before the next Commission meeting. A requirement of completing the form is submission of all supporting documents. If there are more than four pages of supporting documents, a minimum of six copies must accompany the application form.

The form includes five questions:

<http://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/Chiropractor/Policies>

1. Describe your request for an addition or change to the Commission Classified List of Chiropractic Procedures and Instrumentation;
2. What is the relationship of the procedure or instrument to chiropractic care in the State of Washington;
3. Describe the scientific basis and research relevant to the procedure or instrument. Please cite and include a copy of your references;
4. Identify and describe evidence of the potential risks and benefits of the procedure or instrument to chiropractic patients;
5. Is the procedure or instrument taught in accredited chiropractic colleges? If yes, identify the colleges, when was it was added to their curricula, and the hours of education and training provided.

Following evaluation of the request at an open, public meeting, the committee chair presents a recommendation to the entire Commission. The Commission then discusses the recommendation. This is followed by a vote to determine whether 'it' will be accepted to be used without restrictions, available to be used as an investigational device, procedure or assessment tool, or be classified as non-approved for use by chiropractors in Washington state. The applicant is then notified of the Commission's decision.

We are all busy, be it with treating patients, running our offices, or engaging in our familial and civic duties. To both make certain that requests to CQAC are addressed in an efficient, timely manner and to help our staff prepare, this form has been created. Please help us help you!

LEGISLATION UPDATE – HB1424 - New Continuing Education Hour Requirement in Suicide Screening and Referral (Three hours)

Program Staff

Legislation passed in 2014 under [HB 2315](#) requiring health professionals to obtain continuing education (CE) in patient suicide prevention. This bill required disciplinary authorities, such as the [Chiropractic Quality Assurance Commission](#) (Commission), to adopt rules to implement this legislation.

The Commission previously determined that all Washington State licensed chiropractors must obtain a minimum of three CE hours in patient suicide screening and referral one time. The Commission also previously amended [WAC 246-808-150](#) accordingly.

HB 1424, which passed during this legislative session, provides that the one-time training must be completed by the end of the first full reporting period after January 1, 2016 or during the first full continuing education reporting period after initial licensure, whichever is later. The bill clarifies that training completed between June 12, 2014 and January 1, 2016 will be accepted as meeting the requirement. HB 1424 takes effect on July 24, 2015.

The Department of Health has developed a model list of vendors that offer this type of CE training. The list is available at:

<http://www.doh.wa.gov/LicensesPermitsandCertificates/ProfessionsNewReneworUpdate/MentalHealthProfessions/SuicideAssessmentTreatmentandManagementCE/FrequentlyAskedQuestions>.

Courses on this model list are only **examples** of courses that meet the requirement. Under HB 2315 courses need not be on this model list in order to satisfy the CE requirement. However, beginning July 1, 2017, the training must be on the model list under HB 1424, which passed this year. Thus, any suicide screening and referral CE that is at least three hours in length, and is taken by June 30, 2017, will count as meeting the one-time training requirement. CE taken on or after July 1, 2017 will have to be from a vendor on the approved model list as specified in HB 1424.

The Commission doesn't pre-approve CE courses or providers as established in [WAC 246-808-155](#).

The Commission will open the CE rule under [WAC 246-808-150](#) again to recognize the approved model list as directed in HB 1424. The CE requirement doesn't change. It remains a three-hour, one-time requirement in suicide screening and referral. All valid suicide CE hours taken will be counted toward the licensure renewal CE hour requirement of 25 hours.

Commission Member Spotlight

Doug Long, DC

My name is Doug Long. I have been a practicing Chiropractor in Washington State since 1993. I have had the great fortune to be under chiropractic care my entire life and live a healthy chiropractic lifestyle. I attended the University of Washington and received my doctor of chiropractic degree at Life Chiropractic College West in California. My dad practiced for 35 years until he retired in 2002. It was his passion for Chiropractic and the love that he had for his patients that led me to be a chiropractor. I have a large family of chiropractors including my uncle, cousin, two sisters, my brother and my wife, Dena. I practice at Renaissance Chiropractic Center in Tacoma with my brother and cousin as my business partners. I have a family practice that involves the care of pregnant women, infants, children, athletes, elderly patients and all ages in between. My oldest patient recently passed away at the age of 95. I practice Pettibon upper cervical and full spine adjusting, Activator Methods Technique, and also cranial adjustments.

I have been on the Chiropractic Quality Assurance Commission for six years and I am serving my second term as a Commission member.

I believe that it is the responsibility of every chiropractor in our state to give back to the profession in some way. Some doctors volunteer their time, others give their support financially, and many support the profession by being members of the Washington State Chiropractic Association. (WSCA)

In my more than 21 years of practice, I have participated in all three categories. I was a board member for the WSCA and served a term as president. I've financially supported the Washington Chiropractic Trust to help with the legislative agendas and lobbying efforts. I have also served on the board of the Chiropractic Education Council, which was active in the late 1990s.

Being a Commission member has been a rewarding experience. I have worked with many great chiropractors and public members in helping to clarify and clean up the rules and laws that govern the practice of chiropractic. As a disciplinary board, we are charged with investigating complaints that are made against practicing chiropractors. It is very apparent by the complaints we receive that many chiropractors don't have a good understanding of the rules and regulations of the chiropractic practice act. It has also been made very clear that some practitioners blatantly break the rules and put their patients in harm's way. All of the chiropractic rules are intended to protect the public health and safety. I would encourage anyone who needs to review the rules and regulations to do so.

I would also encourage anyone who wants to be more involved in the profession to submit an application to be a Commission member or find another way to contribute and participate. Our profession is only as strong as the chiropractors who support it, so make a point to get involved.

Yours in Chiropractic,

Doug Long, DC

Disciplinary Actions

Information about healthcare providers is on the Department of Health's website. Select [Provider Credential Search](#) on the Department of Health home page (www.doh.wa.gov). The site includes information about a healthcare provider's license status, the expiration and renewal date of his or her credential, disciplinary actions, and copies of legal documents issued after July 1998. You may also get this information by calling 360-236-4700. Consumers who think a healthcare provider acted unprofessionally are also encouraged to call and report their [complaint](#).

The Chiropractic Quality Assurance Commission has taken the following disciplinary actions.

King County:

November 2014: Ended probation for chiropractor **Mark T. Dang** (CH00033803).

Kitsap County

November 2014: Modified an agreement with chiropractor **Blake J. Wagner** (CH00003095) that gives him until September 16, 2015 to pay a \$1,000 fine, and to complete continuing education in boundaries and ethics. In September 2013 Wagner agreed to fulfill those requirements within one year. Wagner had asked a patient to lend him \$600, called her and went to her house. His license remains suspended.

Mason County:

October 2014: The license of **Norman Collins**, a Mason County chiropractor that had been immediately suspended in August has been reinstated and placed on probation.

He stole a patient's lorazepam, methadone, morphine, and oxycodone on multiple occasions between May and June 2014. He took controlled substances belonging to two of his friends for personal use. Collins has been criminally charged in Mason County Superior Court with third-degree theft and unlawful possession of a controlled substance.

His license will be placed on probation and his practice will be monitored. Collins is required to complete continuing education and can only provide chiropractic treatment in a clinic setting during the term of his probation. And Collins must be assessed by a drug and alcohol monitoring program and comply with any requirements.

Spokane County:

October 2014: Charged chiropractor **Michael Allen Baker** (CH00001832) with unprofessional conduct. In 2012 Baker's license was suspended for at least four years. Charges say that in 2014 Baker told one investigator that he was accepting new patients, and agreed to provide treatment to another investigator.

November 2014: Permanently revoked the credential of chiropractor **Michael Allen Baker** (CH00001832). In 2012, the Commission suspended Baker's license to practice as a chiropractor for at least four years. Baker provided chiropractic treatment during his suspension.

January 2015: Charged chiropractor **David M. Birdsall** (CH00034882) with unprofessional conduct. Birdsall allegedly advertised and provided knee injections at clinics he owned despite being licensed only as a chiropractor. An employee at one of his clinics allegedly was directed to perform patient care services for which she was improperly trained and supervised.

Snohomish County:

December 2014: Ended probation for chiropractor **Michael T. Breneman** (CH00001293).

Accepting New Commissioner Applications

The Commission is currently [recruiting](#) to fill four upcoming chiropractor vacancies and/or reappointments for terms that expire on June 30, 2015.

Commission Composition

The Commission is made up of 11 chiropractors and three public members all appointed by the governor. Commissioner members may serve a maximum of two four-year terms. If you are interested in [applying for a position](#) on the Commission, or in learning more about Commissioner duties, please read the information on the website <http://www.doh.wa.gov/hsqa/Professions/Chiropractic/default.htm> or contact the program manager at 360-236-4856 or leann.yount@doh.wa.gov.

2015 Commission Meeting Dates and Locations

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|--------------------------------|---|
| July 9, 2015 Rules Workshop | Department of Health – Creekside Two 20425 72 nd Ave. S., Room 307 Kent, WA 98032 |
| August 13, 2015 | Department of Health – Point Plaza East 310 Israel Road S.E., Room 152/153 Tumwater, WA 98501 |
| October 8, 2015 | Department of Health – Point Plaza East 310 Israel Road S.E., Room 152/153 Tumwater, WA 98501 |
| December 10, 2015 | Department of Health – Creekside Two 20425 72 nd Ave. S., Room 309 Kent, WA 98032 |

Do you have ideas or suggestions for future Commission newsletters? Is there something specific that you think we should address or include? Please submit suggestions to leann.yount@doh.wa.gov.