



2004 Newsletter

MONTANA BOARD OF CHIROPRACTORS
MONTANA DEPARTMENT OF LABOR & INDUSTRY, BUSINESS STANDARDS DIVISION
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Board statutes, rules, applications and additional forms and approved continuing education are now on the Internet. Please take a minute to explore the Board's Website:
<http://www.discoveringmontana.com/dli/chi>

OVERVIEW

It is the duty of the Montana Board of Chiropractors to assure that chiropractic is practiced within the scope of Montana law and in a manner that does not harm the public. Therefore, the Board deals with statutory and regulatory issues such as scope of practice,

licensing, and disciplinary action.

The Board consists of four individuals appointed by the Governor, three of whom are chiropractors and one public member. The terms are three years in duration and there is a limit of

two consecutive terms. The Board administrator, who is an employee of the state of Montana, handles day-to-day activities of the Board.

The Montana Board takes its duties very seriously and welcomes your input.

NEW BOARD MEMBER

Governor Martz appointed Dr. Thomas Fullerton, D.C. to the Board effective January 1, 2004.

The Board officially welcomed Dr. Fullerton at its meeting in February.

Dr. Fullerton graduated from Hamilton High School with honors in 1967. He then enlisted in the U.S. Navy and received an honorable discharge for his service from 1967 - 1971.

In 1973 he began his studies in physical therapy at the University

of Montana. Then in 1976 he matriculated Western States Chiropractic College and graduated from WSC in 1979 with his D.C. degree. He became a National Board of Chiropractic Examiners Diplomat in 1980

The Montana Board of Chiropractors issued his Montana Chiropractic license in 1980 and he has been a member of the MCA for 24 years.

Dr. Fullerton also holds an Impairment Evaluators license issued by the Board in September of 1994.

He was in private practice in Libby, Montana from March 1981 to March 1989. He then entered into a partnership in Kalispell, Montana from March 1989 to July 1991, and has been in private practice in Kalispell since July 1991 to present.

His marriage of 22 years has blessed he and his wife with three children and one grandchild.

Dr. Fullerton currently serves as a Board member of his church and is a former member, past secretary, and past president of the Kiwanis Club.

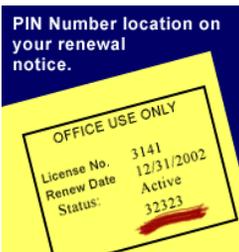
ONLINE LICENSE RENEWAL



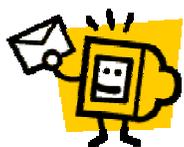
REMEMBER:

You have until September 1, 2004 to renew your license.

PIN NUMBER LOCATION:



You can renew online up to 90 days after the September 1st deadline.



Renewal time will be here before we know it.

REMEMBER YOU CAN RENEW YOUR LICENSE ON LINE! Try it you'll like it! You'll find your PIN number under your license status in the upper right hand corner of the renewal form.

ADVANTAGES OF RENEWING ON-LINE

Quick and easy!

All questions have to be answered, so there are no mistakes that require a renewal to be sent back

Renewal cannot get lost in the mail

No postage (saves you a \$.37 stamp)

You can print your license immediately – no chance of it getting lost in the mail

You get an immediate confirmation your license is renewed. There is no doubt that you are legal to practice

You can change your address

Lost your renewal and don't have your PIN? Simply call the office I can look it up for you!

You can renew online up to 90 days after the September 1 deadline. The online renewal automatically adds the late renewal fee. After November 30, the renewal must be mailed in with the correct fees.

DISADVANTAGES

If you are changing your

license status (active to inactive) or (inactive to active) you must mail your renewal form in to the office with the proper form – this cannot be done on-line. The forms for changing license status can be downloaded from the Boards Website and need to be submitted with the completed renewal form.

CAN'T THINK OF ANY OTHER DISADVANTAGES!

Still want to mail in your renewal but have lost your renewal form, a renewal form can be printed from the website.

("Select a Board Topic" then- "Additional Forms for Licensees" then "License Renewal Form.")

REMEMBER: You have until September 1, 2004 to renew your license. On September 1, 2004, if your license has not been renewed, your license will automatically terminate and a late fee will be assessed when you do renew. Licenses can be renewed online up to 90 days after the renewal deadline of September 1. This means that you will not be able to renew online after Midnight on November 30.

DO NOT SEE PATIENTS ON SEPTEMBER 2ND IF YOU HAVE NOT RECEIVED YOUR LICENSE AND HAVE IT IN HAND OR HANGING ON YOUR WALL!

Call the office to see if your renewal has been received.

HOW SHOULD I ANSWER THE DISCIPLINARY QUESTION ON THE BOTTOM OF THE RENEWAL FORM?

If you have ongoing legal actions against you, you need to check the answer "YES".

If a final action has been taken against you, you need to check the answer "YES"

If any legal issue has been brought against you that might affect your license then you must check the answer "YES".

If you have a complaint against you in the Screening Panel, you must check the answer "YES".

If you have had a complaint brought against you that the Screening Panel dismissed you may answer the question "NO"

RENEWALS ARE PROCESSED DAILY, except for Saturday and Sunday! If it has been more than two weeks since you sent in your renewal be sure to call the office to see if it was received! Occasionally mail gets lost between being sent and being received! **DON'T ASSUME** your renewal has been received! **CHECK!!!!**

Board Statistics

07/01/2003 TO 05/26/2004

Applications Received:	33	New Licenses issued:	25
Non-Renewed License:	35	Licenses Denied:	0
Active In-State Licenses:	297	Inactive In-State:	21
Active Probation Licenses:	1	Inactive Out-of State:	176
Out-of-State Active Licenses:	51	TOTAL INACTIVE:	197
Chiropractic Intern license:	3	TOTAL ACTIVE LICENSEES:	349

TOTAL LICENSEES: 547

COMPLAINTS: FY 2004 - July 1, 2003 to May 26, 2004

FY '04 COMPLAINTS:	8	PRIOR YEAR COMPLAINTS
	13	NEW COMPLAINTS RECEIVED
	0	CONTESTED CASES
	1	INVESTIGATION COMPLETED

COMPLAINTS CLOSED: (BROKEN OUT BY LATEST BOARD DECISION)

1	DEFAULT ORDER
7	DISMISSED (with prejudice)
2	DISMISSED (without prejudice)
1	MULTIPLE SANCTIONS/PROBATION
1	REVOCAION

12 TOTAL CLOSED COMPLAINTS

IMPORTANT INFORMATION



DISCIPLINARY ACTION

Disciplinary action taken in previous years can be viewed on the Board's website in previous newsletters.

Copies of disciplinary actions taken against licensees are available to the public upon written request to the Board.

The Montana Board of Chiropractors took disciplinary action against the following licensees:

<u>YEAR</u>	<u>LICENSEE</u>	
2003	THOMAS C. DONAHUE #734	REVOKED
	DOCKET NO. CC-03-0115-CHI Violation of §37-1-316 (8) AND (18) MCA. The Licensee's license was placed on Summary Suspension effective 11/20/2002 and remained on suspension until 09/24/2003. The Board revoked Dr. Donahue's license on 09/25/2003	
2003	TRACY GABBERT #361	PROBATION
	DOCKET NO. CC-03-0263-CHI Violation of 37-1-316(10), 37-1-316(18) MCA, and ARM 8.12.607(3) Licensee's license was placed on probation for an undetermined amount of time.	

IMPAIRMENT EVALUATORS

Those of you who have Impairment Evaluator status, need to renew your IE license this year. Be sure you have received the required four hours of continuing education credit specific to impairment evaluation as required. This four hours is in addition to the required 12 hours needed for renewal of your chiropractic license.

DIRECT CONTACT OF BOARD MEMBERS:

The Board members are always willing to visit with licensees regarding general issues. However, Board members, as individuals, are not allowed to speak for the Board unless a Board decision has been reached between all Board members at a regularly scheduled Board meeting.

Therefore, anytime a licensee or a member of the public wishes to know the Board's decision regarding a particular issue, they need to write a letter to the Board and request a response from the Board at its earliest convenience. This usually means at its next scheduled meeting.

NEVER contact a Board member regarding a complaint (new, pending or even being considered) or any issue that might, in the future, be cause for disciplinary action against a licensee.

The reason for this is that there are only four members on the Board and it may cause them to be recused from any discussion regarding that complaint or issue. This greatly jeopardizes the efficiency of the Board.

Continuing Education

APPROVED CONTINUING EDUCATION COURSES

You can now review all of the approved continuing education courses on-line. Just go to the Board's website. Using the drop down arrow by Select a Board Topic, choose Approved Cont. Education. Here you can search four different ways for the course you are wondering about. You can search by Sponsor, Course date, Course name or Location. Simply put in the first letter of the course name, sponsor or location it begins with and the database will pull up everything that begins with that letter. When searching by date and you don't know the exact date but know the month you can put in **04%/04** and it will pull all of the seminars being held in April of '04. Call the office if you have questions.

Looking for online courses only? Online courses can be searched by going to the "Location" search and typing in "Online".



≡WARNING≡

DO NOT SUBMIT YOUR LICENSE RENEWAL UNTIL YOU HAVE TAKEN YOUR REQUIRED CE.

CE must have been taken between 09/01/2003 and 08/30/2004 to be eligible for this renewal period.

Place your license on inactive status before the 1st of September if you have not been able to get the required hours.

By doing this you won't have to pay the late fee and it will give you extra time to get the required hours.

Just remember that while your license is on inactive status you cannot practice.



Continuing Education Requirements

12 continuing education credits are required for renewal. Be sure that the continuing education course or seminar has been pre-approved by the Board.

In order for the Board to approve continuing education courses and seminars, they generally must have the backing of one of the accredited chiropractic colleges. There may be a few exceptions to this rule but they are rare.

Unless already approved as a CE provider by PACE, each provider of continuing education courses must

apply to the Board for approval. Each course is given a Course ID Number and if the course has been approved the provider will be able to give you this number.

What if a provider has not requested approval? You can inform them that the application form is on the Board's Website and they must have the course approved for it to be accepted for CE credit towards renewal. Or have them contact the Board's Office.

Continuing Education Audit

After renewal, generally around the end of September, the Board randomly audits 10% of the active licensees to verify compliance with the continuing education requirements. The computer randomly chooses the licensees and if your name is one of those selected you will receive an audit letter from the Board.

THE FOLLOWING PROCEDURES AND DISCIPLINARY ACTIONS MAY BE IMPOSED WHEN THE RANDOM AUDIT SHOWS A LICENSEE DID NOT HAVE THE REQUIRED CE.

Based upon the random audit, the Screening Panel will file a complaint giving the licensee the opportunity to respond. If the licensee cannot produce proof of the required CE, the Screening Panel will then Notice the licensee for disciplinary action and imposition of any of the sanctions or combinations thereof as set out in 37-1-312, MCA.

PACE

PACE - Policies & Procedures Criteria for Quality Continuing Education

PACE was adopted April 2003, by the FCLB Board of Directors. The FCLB is now accepting applications from the providers of continuing education.

Following is a Q & A sheet that will hopefully answer some of your questions about the PACE program.

PACE: You've got questions, we've got answers!

QA

"Will PACE replace board approval of CE hours?"

No. The PACE program model allows for licensing boards to continue to approve individual providers and/or programs *in addition to* recognizing providers approved by PACE. Participation by providers is voluntary.

QA

"Will FCLB dictate all the costs and educational material for CE credits?"

No. To qualify to use the PACE logo, the *Criteria* simply require that participating programs "address topics and subject matter which are pertinent to the contemporary practice of chiropractic and well-balanced in presentation. Subject matter must be evidence-based, professionally credible, and educationally sound."

Programs that do not meet the above *Criteria* for whatever reason can still apply individually to state boards for approval.

QA

"Is this mandatory testing for relicensure?"

No. The FCLB has never advocated testing for relicensure. To use the PACE logo, an evaluation mechanism must be provided for participants to assess themselves - to measure their own achievements in accord with the program's learning objectives. It is NOT for the course to assess the students. This is not mandatory testing for relicensure.

Providers must also offer attendees the opportunity for feedback on the CE program.

These two provisions help guarantee attendees that they will get the CE experience for which they paid.

QA

"Will the cost for my CE be very high and will my future choices be reduced?"

No. PACE does not change the availability of CE programs, nor does it dictate the cost of programs.

QA

"Will this hurt my state association?"

No. There should be no change for state associations. They can continue to seek individual state board approval just like they do now, or they can partner with a PACE-approved provider to get even wider, multi-state acceptance for their programs.

QA

"How is the CCE involved in PACE?"

The CCE is not involved in PACE. Final authority for adopting the *PACE Criteria* remains with the FCLB board of directors.

The PACE program does consult with the CCE to ensure integration and congruence between the Doctor of Chiropractic program and postgraduate study.

The member colleges in the Association of Chiropractic Colleges will nominate members to the PACE Review teams.

QA

"Does anyone really want PACE?"

Yes! Chiropractic regulatory boards are often frustrated by the time and expense of approving CE programs, while CE providers complain about the cost of applying for program recognition to numerous state boards.

With PACE, providers agree that programs for which the PACE logo is used will comply with the published *Criteria*, for automatic approval.

In essence, the *Criteria* include having a well-organized program, teaching what is promised, having qualified staff, fully disclosing what the attendee will get for their CE hour and dollar, and guaranteeing a feedback mechanism for continued quality improvement.

In turn, boards are assured that attendance is verified, the number of hours awarded are reasonable for time spent, contemporary education is taught by qualified instructors, and that attendees get something of value for their participation.

Working together just makes sense.



CONTACT FCLB

www.fclb.org / E-mail fclb@fclb.org / 970-356-3500

ASSOCIATION OF CHIROPRACTIC BOARD ADMINISTRATORS

The Board's Administrator also attended the Association of Chiropractic Board Administrators annual meeting while in Denver.

The Association's meeting covered topics on administrative law and animal chiropractic.

The administrators also shared each state's best practices and problems areas, which evolved into great discussions.

BOARD MEETINGS ARE OPEN TO THE PUBLIC

The Board will continue to meet at least two times per year. It will call other meetings as the need arises. Meeting dates and times can be found on the Board's Website. Minutes that have been adopted from previous meetings can also be viewed in this section.

SCREENING PANEL MEETINGS

The Screening Panel of the Board meets quarterly to review complaints. The date and time for these meetings are also posted on the Website.

NEXT BOARD MEETING

The Board's next meeting is scheduled for October 29, 2004, in Helena. Watch the website for the meeting time and agenda.



Federation of Chiropractic Licensing Boards Annual Congress Report

The 78th Annual Federation of Chiropractic Licensing Board's annual congress was held May 5th–9th, 2004 in Denver Colorado. The Montana Board of Chiropractors sent two board members and the board administrator. This year's theme of "Tough decisions in Challenging Times" certainly rang true for all those in attendance. The information presented, and discussions that followed, were not only on issues our profession has struggled with for years, but also involved new and evolving concerns, that will be no less challenging in the future.

Ethics, fraud, philosophy and standards of care, were but some of the multitude of topics wrestled with throughout the conference. Of particular interest to the Montana Board, were the issues of treatment of animals by Doctors of Chiropractic, as well as the Providers of Approved Continuing Education, or "PACE" program. On the issue of Animal Chiropractic, we hope to utilize the information gained through the efforts of other state boards, particularly Oklahoma, and become proactive, rather than waiting for a problem to arise before developing a strategy on setting up guidelines in Montana.

PACE, which has been developed over the past 5 years by the FCLB as a centralized continuing education approval process, is now ready to begin accepting applications. PACE is designed to simplify the approval process for CE providers and significantly decrease the workload of state boards. PACE does not approve individual courses, but rather establishes uniform criteria to which CE providers agree to conform. Uniform course requirements, which parallel those currently common to Montana, ensure consistency in standards. Please remember, the Montana Board of Chiropractors will continue to accept applications for CE approval directly from those providers that choose not to enroll in the PACE program, on a case by case basis

For more information on these, and other topics of interest to Chiropractic, please visit the FCLB website at www.fclb.org.

Montana Board of Chiropractors

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We're on the Web!

See us at:

<http://www.discoveringmontana.com/dli/chi>

MEMBERS OF THE BOARD

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■ PAMELA BLANCHARD DC

GREAT FALLS MT
TERM: 01/01/2000 - 01/01/2006

■ SECRETARY

■ JO AUSK, PUBLIC MEMBER

TERRY MT 59349
TERM: 01/01/2000 - 01/01/2006

VICE-PRESIDENT

■ DANIEL PRIDEAUX, D.C.

MISSOULA MT
TERM: 01/01/2002– 01/01/2005

BOARD MEMBER

■ THOMAS FULLERTON, D.C.

KALISPELL MT
TERM: 01/01/2004 - 01/01/2007

■ CONTACT PERSON: CHERYL SMITH BOARD ADMINISTRATOR

(406) 841-2393

FAX (406) 841-2305

E-MAIL dlibsdcchi@state.mt.us

“NEW DOC SEMINAR”

The Board will once again be offering a "New Doc Seminar" at the MCA Convention at Big Sky Resort on June 11th, and again on October 29th, in conjunction with the Board's next scheduled meeting in Helena.

REMEMBER . . .

You are always welcome to stop by, call, or write, the Board office in Helena if you have questions or just to say HI! ☺

Visit the Board's website. It is full of information, miscellaneous forms, this newsletter, proposed rule notices, rule adoptions, minutes, links to other sites, Board statutes, rules, applications, complaint form, additional forms and approved continuing education seminars are now on the Internet. Please take a minute to look at the Board's Website:

<http://www.discoveringmontana.com/dli/chi>

TO FILE A COMPLAINT:

A complaint form can be downloaded from the Board's Website or obtained by calling the office.

Contact person regarding complaints is:

LaVelle Potter, Compliance Unit
P O Box 200513
Helena, Montana 59620-0513
Phone: 406-841-2362

Please make this information available to your patients

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6506
FIRST CLASS