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Chiropractic Quality Assurance Commission Newsletter – 2019; Edition 2

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 – David Folweiler, DC

In July, I had the honor of being elected chair of the Chiropractic Quality Assurance Commission. I am humbled by and in awe of the responsibility.

I am looking forward to helping guide the commission's work over the coming year. We have a lot of planned work ahead of us.

One of the challenges (and opportunities) we will be facing is the addition of many new commission members. We have had eight new members join us as some long-term members have had their terms expire, and several more will be added in 2020. That means that there will be a lot of training to do, but also the opportunity to have new thoughts and ideas.

Recent changes in statute and rule will allow us to be more creative and help train senior chiropractic students. A change in statute from the 2019 legislative session now allows for senior students to provide treatment (including adjustments) to patients under the supervision of a licensed doctor in our state. We are working hard to implement the policies and processes to allow that to happen. We are mindful that one of our largest responsibilities is to protect the public.

We recently adopted a rule that will allow us to do early remediation with licensees for infractions that would appear not to need the type of discipline that might jeopardize the ability to practice. This allows for a licensee to come into compliance while we monitor their progress. It's a way to be collaborative with a licensee while helping raise the standards of practice.

We are also trying to find ways to communicate more clearly regarding interpretation of statutes and rules. We understand that there is frustration when we don't answer questions in a straightforward manner. Look for better guidance on what a licensee can and can't do in the future.

I think that these are exciting times for the commission and I feel honored to help.

Governor

The Honorable Jay Inslee

Department of Health

John Wiesman, DrPH, MPH,
Secretary

Bob Nicoloff
Executive Director

Tammy Kelley
Commission Credentialing and
Disciplinary Manager

Jenny Yeam
Compliance and Projects Manager

Barbara Cleveland
Credentialing Support

Commission Members

David Folweiler, DC, Chair
Judy Colenso, Public Member
Vice-Chair

Michael Bostjancic, DC,
Vice-Chair

Maria Best, DC
Susan Bogni, Public Member

Brian Chan, DC

Stephen Chan, DC

Dana Clum, DC

William Davis, DC

Susan Jensen, JD, Public Member

Douglas Long, DC

Gary (Gabe) Smith, DC

Matthew Waldron, DC


Vanessa Wise, DC

License Renewal – What you need to know!

by Tammy Kelley, Commission Credentialing and Disciplinary Manager

Is your birthday right around the corner? If so, it's time to renew your chiropractic license. Here are a few things to remember to ensure your license is renewed without any delays.

- 1) Don't wait! Your license expires on your birthday. It takes a few days for a renewal to be processed. If you wait until your birthday, your license will show as expired until the renewal process has been completed. Get your renewal in early so you don't have to worry about a lapse in licensure.
- 2) Payment – be sure to submit the correct fee with your renewal. The renewal fee for an active chiropractic license is currently \$566. Inactive renewals are \$273. If you don't submit your renewal on time, you will be required to pay an additional \$190 late fee.
- 3) Continuing education attestation (highlighted in yellow) – You **must** sign and date the continuing education attestation. Failure to complete this means your renewal can't be processed. Your renewal will be delayed and if you don't submit the attestation prior to your license expiration date, you will have to pay the late fee.

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NOTICE TO RENEW Return with Payment											
Return Immediately: Do not let your credential expire; make sure the Department of Health receives your renewal before your license expires. It is a violation of the law to practice without a current license and you may be subject to disciplinary action.		Chiropractor License CH 00001234									
BOB SMITH 123 Lane Avenue Olympia, WA 98504-1234		Your CE Due Date is: 10/05/2019 CE HOURS: 25									
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You may be able to renew your credential online (some restrictions apply; see website referenced below). We accept VISA, MasterCard and ACH (electronic check) payments for online renewal. **NOTE:** There is a \$2.50 convenience fee to use online services.

Two login steps are needed in order to renew your license online. To get started:

At www.doh.wa.gov/hsqa/renewals.htm find online renewal information and instructions.

- Login 1 - Secure Access Washington (SAW) – Your SAW service code is: **7472**
 - New users must create an account. Previous users must use their existing SAW login ID and password. SAW's login ID and password are separate from the Department of Health's.
 - Call the CTS Service Desk at 1-888-241-7597 if you have issues with your SAW account.
- Login 2 – Department of Health HSQA Online Services application
 - Your Department of Health online renewal user ID is: *refer to your renewal notice*
 - Your Department of Health password is your Social Security number (No dashes or spaces).
 - Call our office at 360-236-4822 Online Services support.

License Fee Increase

by Michael Bostjancic, DC and Matthew Waldron, DC

The Department of Health oversees the collection of licensing fees and implements fee increases based on recommendations from the Chiropractic Quality Assurance Commission (Commission). Beginning October 1 of this year, you will notice an increase in your annual license renewal fee. The increased fee is necessary to ensure that the Commission has the funds needed to complete our work. We thought it would be helpful and transparent to provide some information on how and why licensing fees change.

In Washington State, licensing boards and Commissions are required to be funded by the licensing and renewal fees that we all pay. This means that the licensing fees from approximately 2750 chiropractors and chiropractic x-ray technicians fund all of the tasks the Commission is engaged in. The Commission budget is complex, essentially there are three categories of spending: 1) General overhead and payroll, taxes, and benefits for Commission staff; 2) Oversight and maintenance of our regulatory section - [WAC 246-808](#); and, 3) Disciplinary functions associated with the handling of complaints against chiropractors and x-ray technicians received every year.

The Commission budget must also include a reserve fund that provides a buffer in the event expenses increase faster than fees can be adjusted. In 2013-2014 the Commission determined that the reserve fund had become too large and that a fee reduction of \$75 was appropriate. Despite the decrease, the reserve fund continued to increase so the Commission recommended another fee reduction of \$75. An additional reduction of \$50 was taken in 2016. The Commission's goal was to reduce the excess reserve fund to an appropriate level.

For the last several years we've enjoyed reduced licensure fees, and the reserve fund decreased.

Over the last two years, the Commission has experienced increased expenses related to disciplinary functions. This depleted the excess reserve fund quicker than anticipated. We're now at a point where our fees must be adjusted upward in order to sustain the required reserve fund balance. Currently about 4.25% of licensees have suspended or revoked licenses, or are being required to comply with disciplinary actions. When chiropractors engage in activities and behavior that's not compliant with law and rule, complaints and disciplinary action result. This can be very expensive and unfortunately as licensees, we all pay for it.

On March 14, 2019 the full Commission voted unanimously on the recommendation to increase the annual license renewal fee to \$550, an increase of \$170. It's estimated that this increase should sustain the budget and reduce the likelihood of another fee increase thru 2025.

Commission Member Spotlight

By David Folweiler, DC, DACRB

What made you want to be a chiropractor?

I have bachelors and master's degrees in electrical engineering. After working for four years for a defense contractor, I began to wonder if my life's work was going to amount to more than helping design communication equipment for the military.

My chiropractor at that time suggested I go to chiropractic college. I laughed at him and said - "What? Four more years of college?! No way!" About nine months later, I had moved to Portland and started at the University of Western States.

I graduated cum laude from the University of Western States in Portland, OR in 1993. I practiced in Portland for a few years before moving to Seattle and buying a practice from Allen Solemslie, DC in the Northgate neighborhood of Seattle when he retired in 1998.

There were several reasons for me to want to return to school to become a chiropractor. I was, and still am, very curious about anatomy, physiology, and pathology. I wanted a career spent helping others in a very direct way. I also wanted the satisfaction of having patients leave my clinic feeling better than when they walked in; few healthcare professions offer that.

What the most important thing you've learned in your career?

Humility. I started practice with far too much hubris for a recently graduated chiropractor. There is always room to learn from others. I think that there is a reason what we do is called "practice"; I keep learning all the time. Don't be afraid to attend seminars outside of your comfort zone and from instructors in other professions. Don't be afraid to be the dumbest person in the room. Always be working on ways to help your patients with new skills. Don't be afraid to ask for help and refer to other providers.

What one piece of advice would you give to new DCs?

With the cost of chiropractic college approaching half a million dollars, my advice would be to keep your overhead expenses (both personal and professional) as low as possible. You really don't need the latest and greatest stuff.

Tell us an interesting fact about yourself.

I have four contract jobs with the State of Washington. I am a member of the Chiropractic Quality Assurance Commission (CQAC), the Labor & Industries Provider Credentialing Committee, the Industrial Insurance Chiropractic Advisory Committee (IICAC), and am an internal consultant with the Office of the Medical Director (OMD) at Labor & Industries.

I love to cook and try new recipes and cuisines. I've been dabbling with Southeast Asian and South Asian cuisines lately. My family is pushing me to cook more vegetarian meals and I'm learning to embrace that.

About two years ago at the age of 53, I decided to initiate an anti-fragility campaign in my life as aging seemed to be taking a toll on me. Since then, I significantly ramped up my exercise program to get stronger and lose some of my middle-aged pudgy.

Between my wife and kids, professional life, cooking, and exercise, I have a lot to love about life!

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:

Chelan County

In August, 2019 the Chiropractic Quality Assurance Commission immediately suspended the license of Chelan County chiropractor Christie M. Collier (CH.60186568) pending further legal action. Collier's license was suspended based on charges that she is unable to practice with reasonable skill and safety.

Clark County

In February 2019 the Chiropractic Commission modified an agreement with chiropractor **Troy Dreiling** (CH00003052) to give him until 2022 to pay a \$5,000 fine, to require him to submit monthly reports, and to subject his practice to audits. Dreiling's practice was restricted in 2017 in connection with patient treatment issues.

In May 2019 the Chiropractic Commission ended conditions on the chiropractor credential of **John Anthony Lewis** (CH00002998).

Franklin County

In June 2019 the Chiropractic Commission agreed to reinstate the chiropractor credential of **Russell S. Tagg** (CH00002726) and placed him on probation for at least four years. The chiropractor may not provide massage therapy, must treat patients in their street clothes, and for six months may treat male patients only. He must have a female chaperone present during the treatment of all patients. Tagg must undergo a psycho-sexual evaluation and follow treatment recommendations. Tagg's license was suspended in 2012 in connection with inappropriately touching a patient.

King County

In July 2019 the Chiropractic Commission charged chiropractor **Caitlin Marie Czewowski** (CH60603264) with unprofessional conduct. Czewowski allegedly published misleading advertising about cures for diabetes and hypothyroidism, and practiced outside her scope in treating a diabetic patient.

In March 2019 the Chiropractic Commission conditionally granted a chiropractor credential to **Grace Zel Lee** (CH60911095) and ordered her to participate in a substance abuse monitoring program. In 2009 Lee was convicted of persons under the influence of intoxicants/drugs – driving while intoxicated. In 2016 she was convicted in Iowa of public intoxication, and of interfering with an official act. In 2018 she was convicted in Iowa of operating while under the influence first offense.

In August 2018 the Chiropractic Commission modified an agreement with chiropractor **Jeffrey Parton** (CH00033826) that extends his deadline to pay a \$12,000 fine, and to pass a special purposes exam. The chiropractor remains on probation. Parton billed for treatments and services he didn't provide, didn't document, or didn't justify with clinical findings.

In April 2019 the Chiropractic Commission entered an agreement with chiropractor **Christopher Clark Wolff** (CH00003562) that places him on probation for at least five years and fines him \$10,000. Wolff must hire a practice mentor for X-rays and documentation, complete continuing education in documentation of care, undergo a psychotherapy evaluation, pass a jurisprudence exam, and complete an ethics and boundaries program. In 2018 the chiropractor was convicted of fourth-degree assault – domestic violence, and of harassment – domestic violence. He admitted destroying patient records the Department of Health had requested.

Pierce County

In January 2019 the Chiropractic Commission charged chiropractor **Todd Anthony Johnson** (CH00034251) with unprofessional conduct. Johnson allegedly didn't comply with a 2017 stipulation by failing to reimburse the commission for \$2,157.88 in costs, and by failing to provide evidence of having completed 24 hours of continuing education.

In February 2019 the Chiropractic Commission indefinitely suspended the chiropractor credential of **Todd Anthony Johnson** (CH00034251). Johnson didn't comply with a 2017 stipulation by failing to reimburse the commission for \$2,157.88 in costs, and by not providing evidence of having completed 24 hours of continuing education.

In December 2018 the Chiropractic Commission continued the 2017 suspension of the chiropractor credential of **James Calvin LaHoe** (CH60114798) for at least 16 months. LaHoe shared detailed personal information with employees and patients, shared distasteful or pornographic material with employees in circumstances where patients could observe it, shared distasteful or pornographic material with patients through social media, improperly touched and dealt with patients who were also employees, and allowed a patient to see him naked.

In December 2018 the Chiropractic Commission entered an agreement with chiropractor **Richard D. Leone** (CH00000775) that fines him \$5,000, requires him to pass a jurisprudence exam, and subjects him to mentoring by an actively practicing chiropractor. Leone didn't supply proof of having completed required continuing education in radiographic technique, kept inadequate records, and took deficient radiographs.

In August 2018 the Chiropractic Commission entered an agreement with chiropractor **Malik Bjsingh Prihar** (CH00034750) under which his practice will be monitored for at least three years. He must pay a \$1,000 fine. Prihar, who must pass a jurisprudence examination, must also complete continuing education in recordkeeping, billing practices, and radiologic technique. The chiropractor didn't examine or test a patient's shoulder, or didn't document it. He provided unnecessary treatment, ordered a needless back brace, tried to deliver the brace some two months after the patient ended treatment, and provided altered chart notes to the patient's insurance company.

Spokane County

In November 2018 the Chiropractic Commission entered an agreement with chiropractor **Stephen R. Hathaway** (CH00000849) that indefinitely suspends his credential. Hathaway didn't comply with a probationary requirement by refusing to allow a Department of Health investigator to perform an unannounced audit.

Whatcom County

In July 2019 the secretary of health agreed to reinstate the chiropractor and naturopathic physician credentials of **Matthew R. Tellez** (CH00033709, NT00001183) and placed him on probation for at least two years. Tellez's licenses were suspended in 2018 because he engaged in a sexual relationship with a patient.

Out of State

Idaho: In June 2019 the Chiropractic Commission reinstated the chiropractor credential of **Burk Aaron Thomas** (CH60190293), whose license was suspended in 2017 after he was convicted in 2016 on a federal charge of manufacturing hashish oil.

Oregon: In October 2018 the Chiropractic Commission charged chiropractor **Derrick J. Hau** (CH00034415) with unprofessional conduct. Hau allegedly didn't comply with a 2017 stipulation requiring him to complete continuing education in ethics and boundaries, as well as in documentation, and to reimburse the commission for \$1,000 in costs. He allegedly didn't allow a Department of Health investigator to perform a required unannounced audit at his place of employment.

Utah: In July 2019 the Chiropractic Commission ended probation for chiropractor **Chad William Bess** (CH00034347).

Commission Composition

The Commission is composed of 11 chiropractors and three public members, all appointed by the governor. Commission 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>.

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 CQAC@doh.wa.gov

2019 – 2020 Chiropractic Commission TENTATIVE Meeting Dates and Locations

November 14, 2019 Business Meeting	Tumwater	Department of Health Point Plaza East, 152/153 310 Israel Rd. S.E. Tumwater, WA 98501
January 9, 2020 Business Meeting	Tumwater	Facility To Be Determined
March 12, 2020 Business Meeting	Kent	Facility To Be Determined
May 14, 2020 Business Meeting	Tumwater	Facility To Be Determined
July 9, 2020 Business Meeting	Kent	Facility To Be Determined
September 10, 2020 Business Meeting	Spokane	Facility To Be Determined
November 12, 2020 Business Meeting	To Be Determined	Facility To Be Determined

Continuing Education Credit!
Take The Continuing Education Quiz

The Commission is now allowing one hour of continuing education credit for reading this newsletter! To qualify, please take the quiz below. Keep the completed quiz with your other continuing education proof of completion.

If you are audited, provide the quiz along with your other proof of continuing education and you will receive one hour of continuing education under [WAC 246-808-150\(5\)\(p\)](#).

1. When a chiropractor signs the box on the renewal form, he or she is attesting to:
 - a. being in compliance with all state laws and regulations
 - b. holding the required minimum malpractice insurance
 - c. having completed all required continuing education
 - d. maintaining all equipment utilized in practice
 - e. all of the above

2. What information on a licensed health provider can be obtained at the “Provider Credential Search” page at the Department of Health website?
 - a. the provider’s current license status
 - b. the provider’s license renewal date
 - c. any disciplinary actions taken against the provider
 - d. copies of legal documents issued after July 1998 regarding the provider
 - e. all of the above

3. What percent of the costs to operate the Commission come from tax revenues collected by the State of Washington?
 - a. 100%
 - b. 75%
 - c. 50%
 - d. 25%
 - e. 0% - Commission operations are supported exclusively by license fees and fines

4. Approximately what percent of chiropractic licensees in Washington currently have suspended or revoked licenses or are being required to comply with disciplinary actions?
 - a. 14.25%
 - b. 12%
 - c. 9.5%
 - d. 4.25%
 - e. 1.5%