



**Dora**  
Department of Regulatory Agencies

Division of Registrations

# NEWSLETTER

September 2011

**John W. Hickenlooper**  
Governor  
**Barbara J. Kelley**  
Executive  
Director  
**Deann Conroy**  
Program  
Director

## COLORADO BOARD OF CHIROPRACTIC EXAMINERS

### WELCOME OUR NEW PROGRAM DIRECTOR

Please join us in welcoming Deann Conroy as the new Program Director for the Colorado Board of Chiropractic Examiners. Ms. Conroy began her position in the Health Services Section of the Division of Registrations on August 1, 2011. Prior to joining Department of Regulatory Agencies (DORA), Ms. Conroy worked as an attorney for 20 years with the Denver District Attorney's Office and the Office of the Attorney General, as well as in private practice specializing in regulation and litigation in the medical field. Ms. Conroy's experience, education and enthusiasm make her a welcome addition as the new Program Director.

Many thanks to Dino Ioannides for his work as the past Program Director. Mr. Ioannides was recently promoted to the position of Section Director of the Division's Health Services Section. Our thanks also extend to Melissa Garner for her willingness to step into the role as Interim Program Director, and who now returns to her work as an Expedited Settlement Specialist.

Ms. Conroy welcomes the opportunity to work with chiropractors, as well as various chiropractic organizations and associations. In addition, Ms. Conroy looks forward to fulfilling DORA's mission of consumer protection in her new role as Program Director.

### HEALTHCARE PROFESSIONS PROFILING PROGRAM

Senate Bill 10-124 enacted the Michael Skolnik Medical Transparency Act of 2010 (Act). This bill expanded the requirement to submit an online Healthcare Profession Profile to 18 professions including Chiropractor licenses.

The Director of the Division of Registrations has jurisdiction over the Healthcare Professions Profiling Program (HPPP) and has the authority to issue an administrative fine for any individual found to be noncompliant with the requirement.

The requirement states that anyone with an active or retired status license must complete an online profile. This will apply to licensed chiropractor professionals at their next renewal. Effective July 1, 2011 all newly licensed chiropractor professionals will be required to complete online profiles before their applications will be approved. After July 1, 2011, any licensed professional included in the Act can complete a profile and is not required to wait until their next renewal.

All of the required information is available in the Michael Skolnik Medical Transparency Act of 2010. To review the statute, rules, and policies, or to find more information regarding the Healthcare Professions Profiling Program, please visit their website at [www.dora.state.co.us/hppp](http://www.dora.state.co.us/hppp). If you have questions specific to the profiling system and the requirements, please contact their office at [hppp@dora.state.co.us](mailto:hppp@dora.state.co.us) or 303-894-5942.

#### Board Members

**Chad Abercrombie, DC**  
Vice President  
Acting President

**Julie Scott, DC**  
Secretary

**John Hanks, DC**  
Board Member

**Richelle Knowles, DC**  
Board Member

**Marshall A. Snider**  
Public Member

#### Contact us:

#### COLORADO BOARD OF CHIROPRACTIC EXAMINERS

1560 Broadway, Suite 1350  
Denver, Colorado 80202  
Tel.: 303-894-7800

Website:

[www.dora.state.co.us/chiropractic](http://www.dora.state.co.us/chiropractic)



**Consumer protection  
is our mission**

## ATTRACTIVE BEHAVIOR (Reprinted from DORA eUpdate)

To be sure, by the time you have finished reading you will have discovered that this article's title is intentionally misleading. The title is specifically geared to attract your attention. If you have read this far, the title has served its purpose. While everybody has their own idiosyncratic attractions, for the Board of Chiropractic Examiners attraction is frequently a function of the complaints it receives.

Among other things, the Board uses complaints to develop policy, promulgate rules, advance chiropractic professionalism, and promote consumer protection. In particular, the Board uses complaints to determine and impose discipline. No chiropractor actually *desires* disciplinary attention, but there are certain behaviors that attract precisely that.

The following chart shows the top nine types of complaints for which cases were initiated during fiscal year 2010 (July 2009 – June 2010):

Rank	Description	Volume
1	Practice on a suspended or expired license	38
2	Substandard care / negligent practice (e.g., care that causes injury, failure to refer a patient to an appropriate health care practitioner, failure to evaluate patient progress, etc.)	25
3	Abuse of health insurance / insurance fraud	14
4	Falsifying or making incorrect essential entries or failing to make essential entries on patient records	9
5	Sexual acts with a patient during the course of patient care or within six months of terminating the chiropractor-patient relationship	5
6	Inability to practice with reasonable skill and safety due to a physical or mental disability.	4
7	Unethical advertising	4
8	Practice beyond the scope of chiropractic	3
9	Improper use of title (use of the title "Doctor" or "Dr." without the required modifier "Chiropractor" or "D.C.")	2

It is important to contextualize this data: (1) complaints are received from various sources, including consumers, insurance companies, and other practitioners; (2) some complaints are initiated by the Board; (3) not all complaints result in discipline; and (4) a complaint may attract the Board's attention to a violation that a complainant has not noticed. Moreover, the ranking of complaint types will ebb and flow from year to year. Two examples illustrate the ebb and flow: practice on a suspended or expired license spiked during fiscal year 2010 because that year included the license expiration and renewal cycle; when compared to the data above, the Board has seen a recent six-fold spike in the number of complaints for improper use of title and a three-fold increase in unethical advertising—and the fiscal year is not over yet.

So what is a chiropractor to make of this data? How should one proceed if he or she wishes to practice ethically and legally, and to avoid the Board's disciplinary attention? It would be a mistake to merely focus on avoiding, for example, the top five complaint types. As we have already discussed, complaint data changes from year to year and the Board sometimes finds violations not specifically noted by a complainant. Additionally, not all violations are listed in the table above. A complaint about a low-ranking violation, or a violation not listed above, can still get a chiropractor in hot water for an unrelated violation—even if the original complaint is dismissed!

Rather, the better practice is to engage in a continual process of learning the governing statutes and rules. The Board's statutes and rules can both be found on the Board's website, [www.dora.state.co.us/chiropractic](http://www.dora.state.co.us/chiropractic). While the statutes and rules cover the requirements and prohibitions governing the practice of chiropractic in Colorado, they also cover much more ground than the table above would seem to indicate. For example, you may find interesting the possibility of practicing chiropractic on animals. Is this permitted in Colorado? Under what circumstances? Do you need to apply for special authority? If so, what is required? Answers to all these questions can be found in the statutes and rules.

Getting back to complaints and violations, the statutes and rules explicitly govern the chiropractic dos-and-don'ts. You may want to know exactly what the Board expects of you for patient record keeping purposes. Read Rule 22 and compare its requirements to your current recordkeeping practices. You wonder whether you can take a course in public health to satisfy your continuing education requirements. Take a look at § 12-33-116, C.R.S.

If you need assistance, the staff of the Division of Registrations in the Department of Regulatory Agencies (DORA) is available to take your questions. We are happy to assist. And although we cannot answer all questions (for example we are prohibited from providing legal advice), we will do our best to provide you with the answers and resources you need.

Even complaints that are ultimately dismissed can be a hassle for practitioners. Responding to the Board's inquiries and opening your records to a time-consuming investigation can be stressful. It is probably fair to say that nothing can completely insulate you from a complaint or Board investigation. But knowing the State's statutes and the Board's rules can go a long way to avoiding those "attractive behaviors" that invite the Board's attention.

## PROOF OF LAWFUL PRESENCE



Effective January 1, 2007, all persons requesting original licensure, renewal of an active license or reinstatement of an expired license must verify lawful presence in the United States based on the passage of House Bill 06S-1009. This bill applies to all applicants and licensees in the Division of Registrations, with the exception of apprentices, interns, and businesses.

**Licenses will not be issued or renewed without completing the Affidavit of Eligibility form.**

The good news is that you can complete this affidavit online when you renew using Registrations Online Services!

You must possess at least one secure and verifiable document and include information about that document on the Affidavit itself (or provide the information during online renewal). The list of secure and verifiable documents is available to you when you renew online.

More information regarding this law is available on our website at

[www.dora.state.co.us/registrations/Affidavit](http://www.dora.state.co.us/registrations/Affidavit)

## WALL CERTIFICATES



The Division of Registrations is pleased to announce that it has outsourced the production of wall certificates to Wall Certificate Service (WCS) a division of Professional Credential Services, Inc. (PCS). The outsourcing of the certificates provides enhancements to the certificates that both new and existing licensees will find beneficial. Specifically, the certificate provided by WCS is a larger, professionally designed, better quality certificate than what the Division was able to provide. For more information regarding wall certificates, which license types are eligible, and how to obtain one, please visit our website at [www.dora.state.co.us/registrations/wallcert](http://www.dora.state.co.us/registrations/wallcert). You will be able to order and pay the fee online. The fee for U.S. residents is \$25. There is an additional international shipping fee for international residents.

## REPORTING A JUDGMENT OR SETTLEMENT INVOLVING A FRAUDULENT

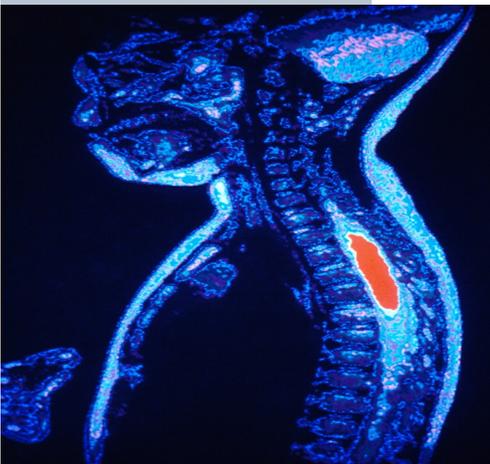
There is a duty to report a judgment or settlement involving a fraudulent insurance act against a person who is licensed by a State of Colorado licensing board and whose services are compensated in whole or in part, directly or indirectly, by insurance claims proceeds. For more information, please see [www.dora.state.co.us/Insurance/regs/B-1.10.pdf](http://www.dora.state.co.us/Insurance/regs/B-1.10.pdf).

## HOW ARE RENEWAL FEES SET?

By law, the Board must operate strictly with funds collected from the persons it regulates, with no support from the State's General Fund. The Colorado Legislature determines the budget for the Board. Once the Legislature sets the budget, the money must be raised through fees. The good news is that these fees are evaluated each year. Therefore, they are modified depending on how much money is anticipated to be received through the licensure and renewal processes and what the anticipated expenditures are expected to be. The primary obligation is to protect consumers and the operations of the Board are focused to ensure it can work diligently to do so.

## STAY INFORMED!

The Division wants to keep you informed of upcoming renewal, legislation, events and other information that impacts your profession. In order to do this more efficiently we have implemented "DORA eUpdates" and we look forward to providing more of these in the future. These eUpdates are sent to the email address in our licensing system for each active licensee. To update or add your email address, log into [Registrations Online Services](http://Registrations Online Services).



## RENEW YOUR LICENSE ON TIME!

You may renew your license online using Registrations Online Services. Renewals are generally made available 6 to 8 weeks prior to the license expiration date. After that there is a 60-day grace period. That means you typically have a time-frame of 16 weeks within which to renew your license!

Any license not renewed prior to the end of the grace period will be considered expired. Once a license is in expired status, a reinstatement application must be completed and returned to our office with the appropriate fee listed on the form.

If you do not renew your license prior to the end of the grace period and continue to practice, you will be practicing on an expired license and may be subject to disciplinary action. The Division sees a number of situations every year of individuals who have failed to renew their license on time and practiced without a license. The reasons that are offered boil down to some common themes: I forgot; I moved and I forgot to notify the Board so I never got the renewal notice; I thought that my assistant/secretary/spouse/boyfriend, et cetera, handled it; it's the Board's fault because I *did* renew my license...or I *thought* I renewed my license. The result is that depending on how long it takes for the individual to "remember" to renew, the Division often takes disciplinary action against the individual because it is against the law to practice without an active license.

So, here's where we need your help. The steps are as easy as 1-2-3!

1. Go to the Division of Registrations website at [www.dora.state.co.us/registrations](http://www.dora.state.co.us/registrations) and click on Registrations Online Services to renew your license.
2. Note the expiration date in your calendar to remind yourself of when it is time to renew your license the next time.
3. Make sure that the address listed on your record is accurate. If it is not, then update your address with the Division. Remember to update your address anytime that you move so that you do not miss out on any important notices from the Division.

Remember, it is each licensee's responsibility to renew his or her license on time. With our online system, you can handle all of this yourself, any time, day or night.

## REGISTRATIONS ONLINE DOCUMENTS

If you would like to view a board action you may use the **Registrations Online Documents (ROD)**. ROD is a website that makes certain scanned documents related to board actions taken on licensees available to the public via the Internet. The document may be found on ROD if a licensee has been disciplined or if the board has taken some other non-disciplinary action against the licensee that restricts or limits the individual's license.

The following documents are available via ROD:

- All Stipulations, Final Agency Orders, and Suspensions that were in effect in February 2000 plus any that became effective since that date. Child Support Suspensions are not available online but may be obtained by contacting the appropriate board/program.
- Any document Revoking or agreeing to a Voluntary Relinquishment/Surrender of license or registration, Cease and Desist Orders and Letters of Admonition from January 1, 1999 to the present.
- All Injunctions.

[Click here](#) for more information about the types of documents provided by this online system and definitions of terms used within the disciplinary documents.

If you are interested in viewing these documents, please visit [www.dora.state.co.us/registrations/ROD](http://www.dora.state.co.us/registrations/ROD).

## HAVE YOU CHANGED YOUR MAILING ADDRESS ?

It is imperative that you keep your contact information updated with the Division. The Division mails renewal notices and other information to you at the last address furnished to us. Failure to receive a renewal notice does not relieve you of your obligation to timely renew.

Once you have logged into Registrations Online Services, check your mailing address and update it if it is not correct. If you received your renewal notice due to a forwarding order it is important that you change your address on file with us, since we cannot change the information based on the forwarding order.

## FEDERAL HEALTH CARE PROGRAMS BULLETIN

The Office of Inspector General (OIG) of the U.S. Department of Health and Human Services has the authority to prevent certain individuals and businesses from participating in federally-funded health care programs. The criminal convictions, sanctions, and other criteria that can result in an individual or business being excluded from such health care programs are outlined in this [memorandum](#).