

ALL IN ONE DAY SEMINAR, CLINICAL EVIDENCE BASED PRACTICE OF CHIROPRACTIC: ETHICS & LAW, BASIC SCIENCE (NUTRITION), & ADVANCED CHIROPRACTIC ADJUSTIVE TECHNIQUE.

Presented by
Mark Cymerint D.C.

California Approval Numbers:
CA-D-24-06-05011 Advanced Adjustive Technique
CA-D-24-06-05010 Basic Science (Nutrition)
CA-D-24-06-05012 Ethics & Law

Arizona Approval Number:
AZCE23494
“All In One Day, Clinical Evidence Based Practice of Chiropractic:
Principles of Practice, Ethics, and Chiropractic Adjustive Technique.”

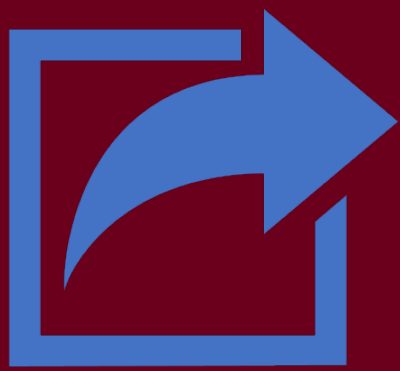


BOARD REGULATIONS REGARDING PROMOTION OF SPECIFIC PRODUCTS AND/OR SERVICES

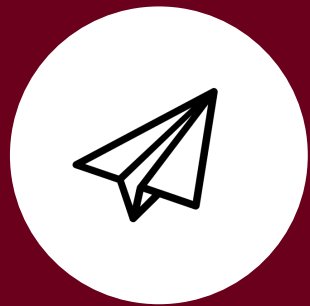
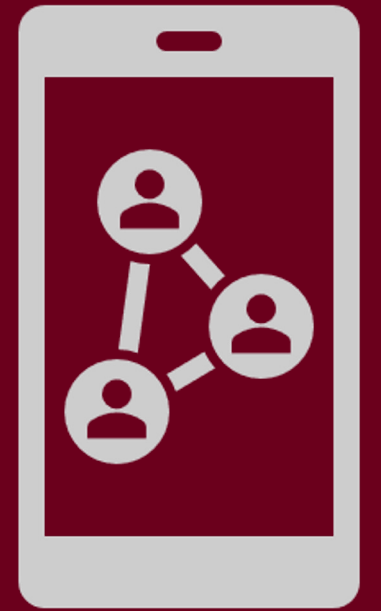
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I may mention specific products or services that I personally use for the sole purpose of Continuing Education. However, I am *not* endorsing any manufacturers, distributors, or other sellers of chiropractic products or services. Everything I mention related to seminar content is solely for educational purposes and *not intended to sell or promote any specific vendors, brands, or companies.*





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TriadSeminars@gmail.com



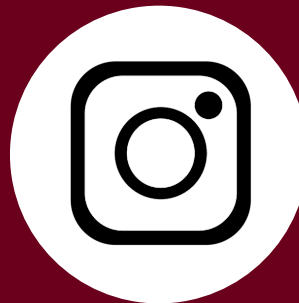
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TO COMPLETE ONLINE DISTANCE LEARNING CE COURSES:

Step 1: Once you have completed the video seminar, go to TriadSeminars.com

Step 2: Select “CE Completion Forms” under the “Seminars” Section of the top menu.

Step 3: California DC’s, select:

California Chiropractors ONLY

California D.C.’s CE Completion Form

For both Seminar #1 and/or Seminar #2 – [CLICK HERE](#)

Non-California DC’s, select:

All Other States (WA, NV, HI, etc)

Seminar #1 Completion Form / Quiz – [CLICK HERE](#)

Seminar #2 Completion Form / Quiz – [CLICK HERE](#)

If you are licensed in another state, in addition to California, please select ”All Other States” Completion Form, then list each one of your License Numbers in the indicated sections.

Step 4: Complete the CE Completion Form that best applies to you and click “Submit”.

Once submitted, please allow 3 business days to receive a PDF copy of your CE Certificate via email.

NOTE: Please make sure to keep a copy of your CE Certificate, as we charge a duplication fee for any copies you might request from our records in the future.



I. BOUNDARIES ISSUES ETHICS & LAW

A. FOR HEALTHCARE PROVIDERS

- a) Documentation & Legal Forms
- b) SBCE Audits

B. STATE BOARD LAWS, RULES, AND REGULATIONS OVERVIEW

- a) Informed Consent, Current Notices from SBCE
- b) State Board Laws, Rules & Regulations Overview
- c) Common Violations of the SBCE

C. PANDEMIC PROTOCOLS FOR HEALTHCARE PROVIDERS USING CDC, STATE, AND FEDERAL GUIDELINES



NEW CALIFORNIA BOARD OF CHIROPRACTIC EXAMINERS MAILING ADDRESS

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS
1625 North Market Blvd. | Suite N-327
SACRAMENTO, CA 95834**

Telephone: (916) 263-5355

Fax: (916) 327-0039

CA Relay Service TT/TDD: (800) 735-2929

Consumer Complaint Hotline: (866) 543-1311

chiro.info@dca.ca.gov

AFTER TODAYS SEMINAR, A CERTIFICATE OF ATTENDANCE WILL BE PASSED OUT TO EACH ATTENDEE, YOU WILL NEED TO KEEP THIS FOR YOUR RECORDS FOR 5 YEARS IN CASE OF AUDIT. IF LOST A DUPLICATE COPY IS AVAILABLE FOR \$35.



BOARD OF CHIROPRACTIC EXAMINERS' UPDATED FEE SCHEDULE



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • CALIFORNIA BOARD OF CHIROPRACTIC EXAMINERS
1625 N. Market Blvd., Suite N-327, Sacramento, CA 95834
P (916) 263-5355 | Toll-Free (866) 543-1311 | F (916) 327-0039 | www.chiro.ca.gov



BOARD OF CHIROPRACTIC EXAMINERS' UPDATED FEE SCHEDULE

EFFECTIVE JANUARY 1, 2023

[Senate Bill 1434 \(Roth, Chapter 623, Statutes of 2022\)](#) amends [Business and Professions Code section 1006.5](#) and implements the following fee schedule for the Board of Chiropractic Examiners beginning January 1, 2023:

Fee Description	Fee Amount
Doctor of Chiropractic License Application	\$345
Doctor of Chiropractic Reciprocal License Application	\$283
Doctor of Chiropractic Initial License	\$137
Doctor of Chiropractic License Renewal (Annual)	\$336
Doctor of Chiropractic License Restoration	\$672
Doctor of Chiropractic Duplicate/Replacement License	\$71
Satellite Certificate Application	\$69
Satellite Certificate Renewal (Annual)	\$50
Satellite Certificate Duplicate/Replacement	\$71
Chiropractic Corporation Certificate Application	\$171
Chiropractic Corporation Certificate Renewal (Annual)	\$62
Chiropractic Corporation Special Report Filing	\$98
Chiropractic Corporation Certificate Duplicate/Replacement	\$70
Petition for Early Termination of Probation or Reduction of Penalty	\$3,195
Petition for Reinstatement of a Revoked or Surrendered License	\$4,185

BCE Fee Schedule Effective January 1, 2023 Page 2

Fee Description	Fee Amount
License Certification	\$83
Continuing Education Provider Application	\$291
Continuing Education Provider Renewal (Biennial)	\$118
Continuing Education Course Application	\$116 per hour of instruction
Preceptor	\$72
Referral Service Application	\$279

FEES A CHIROPRACTOR CAN CHARGE FOR A COPY OF RECORDS \$65-\$95

As of my knowledge cutoff in September 2021, California law allows healthcare providers, including chiropractors, to charge a reasonable fee for copying and providing medical records to patients or authorized individuals. However, the specific fee structure may vary, and it's essential to refer to the most up-to-date information and consult the relevant statutes to determine the exact fees permissible in California.

In general, California law stipulates that the fees charged for copying medical records should reflect the actual costs incurred by the healthcare provider. These costs may include expenses for supplies, labor, postage, and preparation of an explanation or summary if requested by the patient. Additionally, there may be restrictions on the maximum fees that can be charged for certain types of records, such as X-rays.

To obtain accurate and current information on the fees charged by chiropractors in California for copying records, it's recommended to consult the California statutes, such as the California Health and Safety Code or the California Business and Professions Code. Alternatively, you can contact the California Board of Chiropractic Examiners or the California Chiropractic Association for guidance on the specific fee structure allowed in the state.

Effective January 1, 2024, under Business and Professions Code section 27.5, licensees may notify the Board of Chiropractic Examiners (Board) of a name and/or gender change and request confidentiality of the previous name or gender information, when meeting certain specified requirements.

When the licensee submits the documentation identified below demonstrating that their name or gender changed, the Board will recognize the licensee's name or gender change and update the individual's license and the online publicly viewable licensing information by replacing references to the former name or gender with references to the current name or gender. Licensees eligible for a name change and request for confidentiality include:

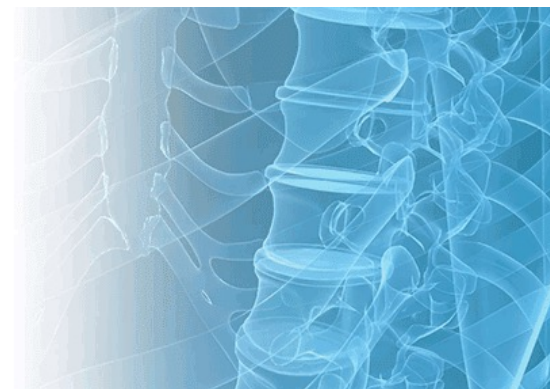
- Individuals participating in the Secretary of State's Safe at Home program who confidentially change their name in a court proceeding based on concerns related to domestic violence, stalking, sexual assault, or human trafficking, pursuant to Code of Civil Procedure section 1277(b).
- Individuals who change their name in a court proceeding to conform to their gender identity, pursuant to Code of Civil Procedure section 1277.5.
- Individuals who obtain a court order to change their name in connection with a court proceeding to change their gender or sex identifier, pursuant to article 7 of chapter 11 of part 1 of division 102 of the Health and Safety Code. Such court orders are typically issued in connection with a change to a birth certificate or marriage license and certificate.

Once a licensee's name or gender is updated, the former name or gender will not be published online, except that if a public search of the online license verification system is performed using the licensee's former name, a statement will appear in connection with the search directing the public to contact the Board for more information about the licensee.

Enforcement records that reference the licensee's former name or gender will not be posted online. Instead, a statement will appear noting that the licensee was previously subject to enforcement action and directs the public to contact the Board for more information about the enforcement action. Enforcement records that are not posted online may be subject to disclosure pursuant to the California Public Records Act. To request a name or gender change under the new law, or to learn more, visit the [Name and Gender Change Notification and Request for Confidentiality webpage](#).

Questions may be directed to the Board's Licensing Unit at (916) 263-5355 and Chiro.Licensing@dca.ca.gov.

Thank you,
Board of Chiropractic Examiners





CALIFORNIA SCHOOL VACCINE EXEMPTION FORM

<https://eziz.org/assets/docs/shotsforschool/IMM-1363.pdf>

DOCUMENTATION & LEGAL FORMS



California Code of Regulations: Title 16; Division 4; Article 2; Section 318.

Chiropractic Patient Records/Accountable Billings

Current through April 8, 2022.

(a) Chiropractic Patient Records. Each licensed chiropractor is required to maintain all active and inactive chiropractic patient records for five years from the date of the doctor's last treatment of the patient unless state or federal laws require a longer period of retention. Active chiropractic records are all chiropractic records of patients treated within the last 12 months. Chiropractic patient records shall be classified as inactive when there has elapsed a period of more than 12 months since the date of the last patient treatment.

All chiropractic patient records shall be available to any representative of the Board upon presentation of patient's written consent or a valid legal order. Active chiropractic patient records shall be immediately available to any representative of the Board at the chiropractic office where the patient has been or is being treated. Inactive chiropractic patient records shall be available upon ten days notice to any representative of the Board. The location of said inactive records shall be reported immediately upon request.

Active and inactive chiropractic patient records must include all of the following:

1. Patient's full name, date of birth, and social security number (if available);
2. Patient gender, height and weight. An estimated height and weight is acceptable where the physical condition of the patient prevents actual measurement;
3. Patient history, complaint, diagnosis/analysis, and treatment must be signed by the primary treating doctor. Thereafter, any treatment rendered by any other doctor must be signed or initialed by said doctor;
4. Signature of patient;
5. Date of each and every patient visit;
6. All chiropractic X-rays, or evidence of the transfer of said X-rays;
7. Signed written informed consent as specified in Section 319.1.

(b) Accountable Billings. Each licensed chiropractor is required to ensure accurate billing of his or her chiropractic services whether or not such chiropractor is an employee of any business entity, whether corporate or individual, and whether or not billing for such services is accomplished by an individual or business entity other than the licensee. In the event an error occurs which results in an overbilling, the licensee must promptly make reimbursement of the overbilling whether or not the licensee is in any way compensated for such reimbursement by his employer, agent or any other individual or business entity responsible for such error. Failure by the licensee, within 30 days after discovery or notification of an error which resulted in an overbilling, to make full reimbursement constitutes unprofessional conduct.



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D.C. Treatment Plan

PATIENT INFORMATION

Name:
Address:

DOB:
Gender:

Treatment Plan

- ☐ Initial Care (M,W,F)
☐ Continuing Care (M,W,F)

Date of First Treatment in this office for condition:

Anticipated Release Date:

Subjective Complaint:

Lost Days of Work:

Days of Work Restriction:

Mechanism of Injury:

- ☐ Acute Trauma
☐ Worsening Of Prior Condition
☐ Repetitive Motion
☐ Gradual Onset
☐ Chronic
☐ Other

Date of Onset:

Date of Initial Evaluation:

Treatment Goals: (Functional improvement and Expected outcome ie-able to sit 30 minutes with pain decreased by 50%)

Treatment Type:

- ☐ Posture Correction/ Neuro
☐ Chiropractic Adjustments
☐ Cold Laser Therapy
☐ Infrared Pain Mgt.
☐ Functional Movement Taping
☐ Electric Massage/ Muscle Stim.
☐ Acute Trauma
☐ Flexion/ Distraction- Disc

Treatment Schedule: (Frequency and time frame)

Anticipated No. of Treatments Until next evaluation:

Objective Findings

Inspection:

Palpation:

Summary of Clinical Findings (Ortho. and neuro. tests used to support diagnosis) :

Home Care:

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> Stretching | <input type="checkbox"/> Supplements |
| <input type="checkbox"/> Exercise | <input type="checkbox"/> Turmeric |
| <input type="checkbox"/> Hot/Cold | <input type="checkbox"/> Minerals |
| <input type="checkbox"/> Dietary instructions | <input type="checkbox"/> Collagen |
| <input type="checkbox"/> Referral: _____ | <input type="checkbox"/> Amino Acids |
| | <input type="checkbox"/> Greens |

Complicating Factors:

- ☐ Surgery
☐ Diabetes
☐ Medications
☐ Obesity
☐ Inflammation

☐ Other: _____
☐ Other Diagnostic Testing Suggested:

Diagnosis:

Doctor Signature: _____ Date: _____

Patient Signature: _____ Date: _____



Waiver of X-Rays & Diagnostic Testing

This is to acknowledge that: _____ D.C. has recommended that X-RAYS and other diagnostic testing be taken so that a complete study and analysis may be made of my present problem (or illness).

I do not feel at this time that it is necessary to warrant the use of X-rays and/or diagnostic testing for personal and/or financial reasons. Therefore, you are hereby authorized and directed to treat my present problem (or illness) to the best of your ability without making a complete study and analysis of my present problem (or illness).

Should any untoward effects or any further illness or injury develop, directly or indirectly, as a result of such treatment, I shall assume full responsibility. In consideration of your treating me at my request without benefit of a complete study and analysis. I do hereby release you from all causes of action, damages, and liabilities arising by reason of said treatment, whether heretofore or hereafter occurring, and whether now known or unknown by the parties here to.

SIGNED: _____

Print Name: _____

Date: _____



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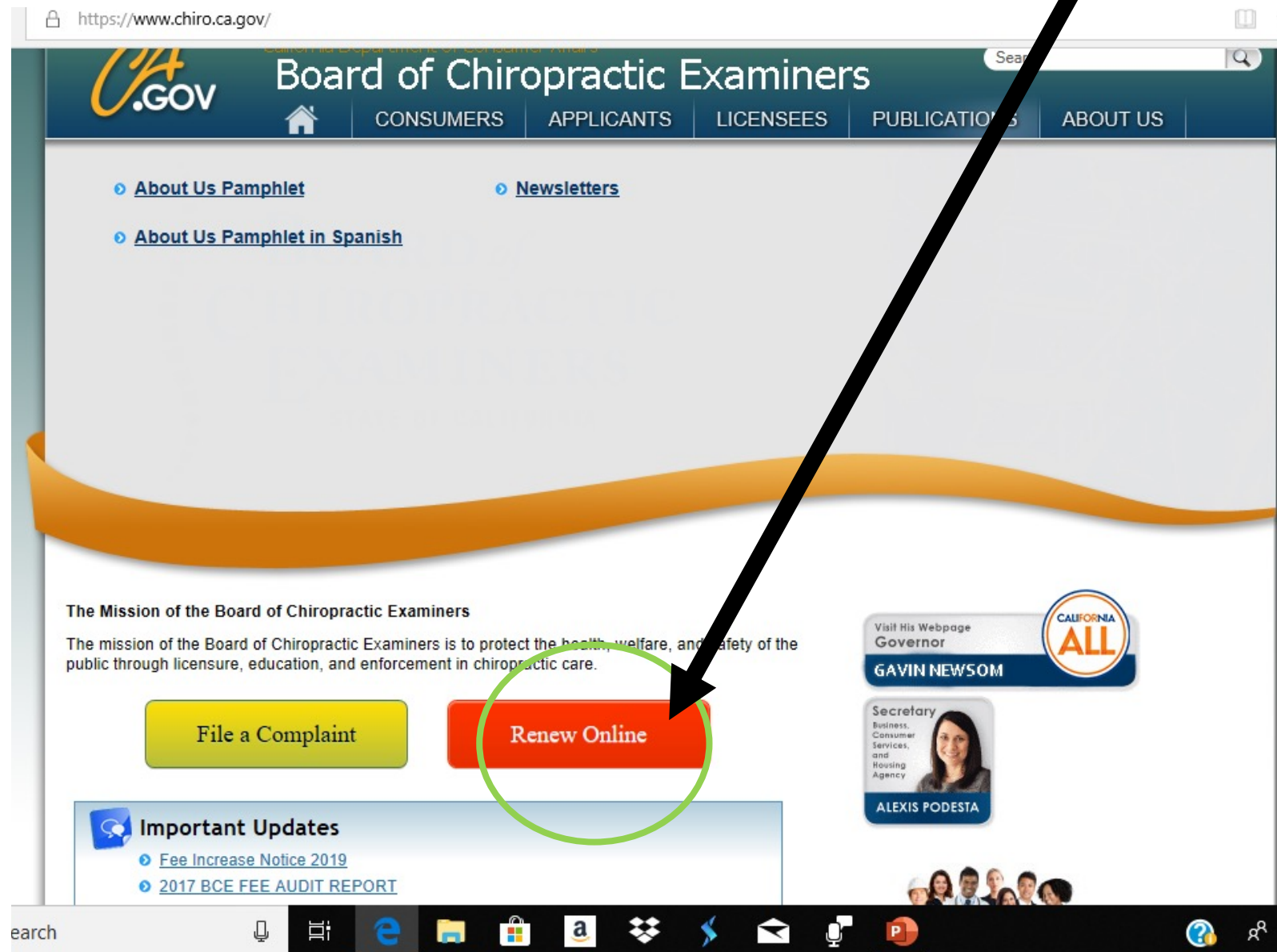
SIGNED: _____

Print Name: _____

Date: _____



LICENSE RENEWAL NOW AVAILABLE ONLINE!!!



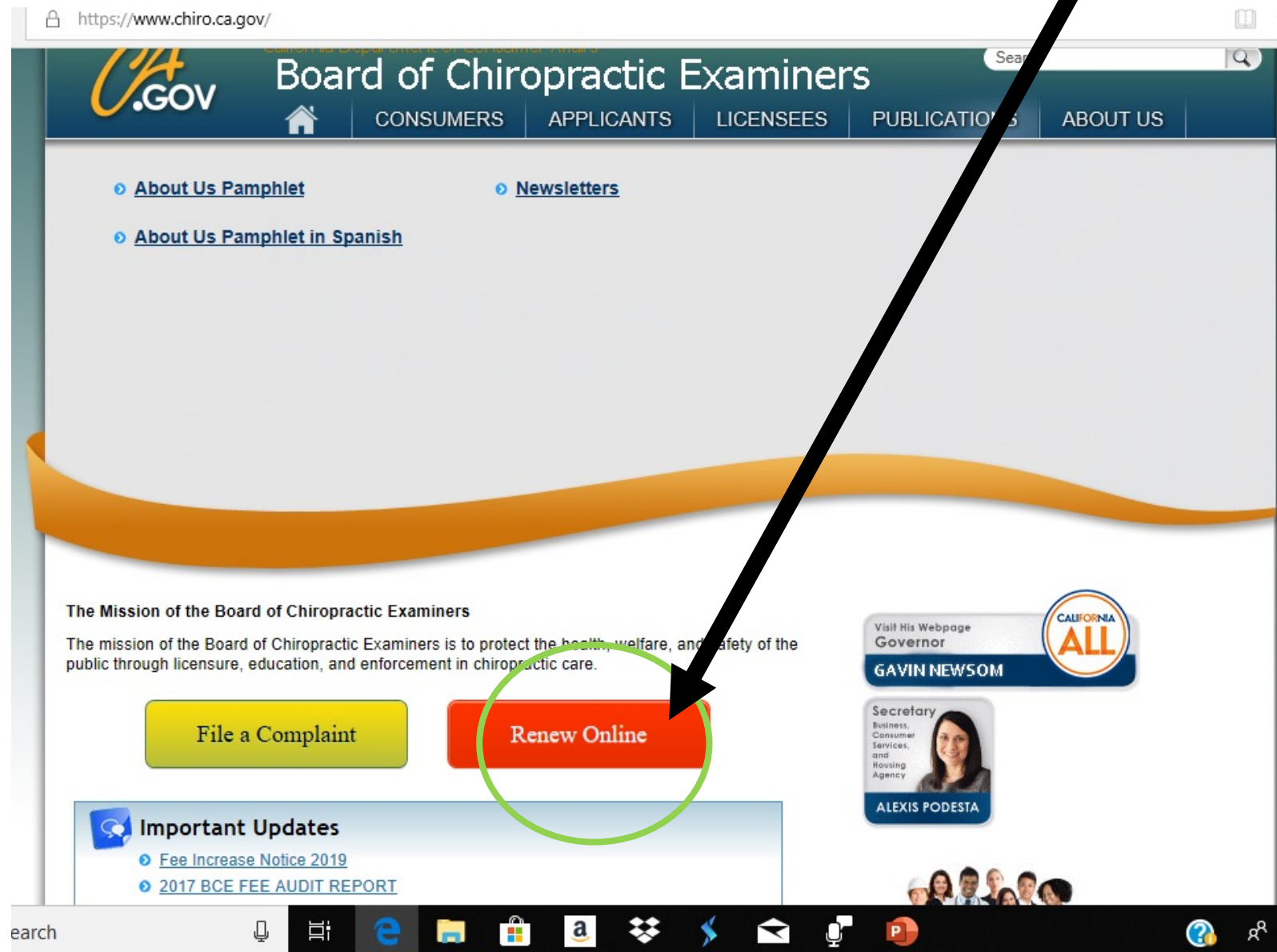
- You can now renew your license online with a credit card & no transaction fee!!!
- Go to the Board website at: chiro.ca.gov
- Click on the red renew online!

You may NOT complete the renewal payment process online if your license status is:

- ❖ *Inactive*
- ❖ *Revoked*
- ❖ *Surrendered*
- ❖ *Delinquent beyond sixty days (Forfeiture)*
- ❖ *Cancelled*
- ❖ *License on hold*



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HOW WILL I KNOW IF I'VE BEEN SELECTED FOR AN AUDIT?

The Board will send a letter to your address of record informing you that you have been selected for an audit. The letter will include instructions on what action is required from you and what CE certificate documents are being requested.

Make sure your address of record is current!





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Make sure your address of record is current!

IF I AM SELECTED FOR AN AUDIT, WHAT DO I NEED TO SUBMIT TO THE BOARD AND WHEN?

You will need to submit copies of all documents verifying completion of the CE requirements. The Board will provide a deadline for submitting documents, and may allow two to three weeks to comply with an audit.

Only submit CE documents if you have been selected for audit; do not submit them with your renewal.



WHAT IF I DON'T HAVE ALL MY DOCUMENTS?

The Board cannot count unverified courses or activities toward meeting the CE requirements. You must provide documentation to verify completion of hours for a successful audit. If you need copies of your CE documents, contact the CE course provider.

Licensees and CE providers are required to maintain CE records for four (4) years.



WHAT IF I NEED AN EXTENSION TO GATHER ALL MY CE DOCUMENTS?

Please contact the Board at (916) 263-5355.
An extension may be granted for gathering
CE documents, but NOT for completing CE
requirements.



WHAT HAPPENS AFTER I SUBMIT MY DOCUMENTS?

A Board staff member will evaluate the materials you submitted and determine whether you met the CE requirements or not. A deficient audit will be sent to the Enforcement unit for further review. Instructions or actions taken by the Enforcement unit will be communicated to licensees via mail.



REMINDER! TOTAL HOURS REQUIRED OF EACH LICENSURE PERIOD:

❖ 24 total hours:

- Two (2) hours in Ethics and Law
- Four (4) hours must be completed in any one subject category, or in a combination of the following subject categories:
History taking and physical examination procedures, OR chiropractic adjustive techniques, OR chiropractic manipulation techniques, OR ethical billing and coding.
- Eighteen (18) hours may be taken in any of the categories listed in California Code of Regulations section 361, including the mandatory categories above.
- A maximum of twelve (12) CE hours may be completed through distance learning.



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STATE LAWS: RULES & REGULATIONS



STATE LAWS: RULES & REGULATIONS

§319.1. Informed Consent.

(a) A licensed doctor of chiropractic shall verbally and in writing inform each patient of the material risks of proposed care. "Material" shall be defined as a procedure inherently involving known risk of serious bodily harm. The chiropractor shall obtain the patient's written informed consent prior to initiating clinical care. The signed written consent shall become part of the patient's record.

(b) A violation of this section constitutes unprofessional conduct and may subject the licensee to disciplinary action.



INFORMED CONSENT TO CHIROPRACTIC CARE

Cymerint Chiropractic Center
25283 Cabot Rd, Ste 109
Laguna Hills, CA 92653
(959) 707-5785
markcymerintdc@gmail.com
markcymerintdc.com

This Informed Consent to Chiropractic Care form is intended to provide you with the necessary information regarding chiropractic care, its potential risks, material risks, and benefits, and to obtain your consent to proceed with treatment. Please read the entire document carefully and ask any questions you may have before signing.

I, _____ (Patient Name), hereby request and consent to chiropractic care and related diagnostic procedures performed by Mark Cymerint, D.C., at Cymerint Chiropractic Center.

1. Chiropractic Care

Chiropractic care involves the diagnosis and treatment of musculoskeletal disorders, primarily through manual manipulation, instrument posture balancing of the spine and other joints. We may employ the use of cold laser, to reduce inflammation and or pain. The goal of chiropractic care is to restore joint mobility, reduce pain, and promote overall health and well-being.

1. Potential Risks and Side Effects

As with any form of health care, there are potential risks and side effects associated with chiropractic care. Although the majority of patients do not experience any significant complications, it is important to be aware of the potential risks, which may include:

- Mild discomfort or soreness at the site of the adjustment, typically lasting no more than a few days.
- Dizziness, lightheadedness, or fainting, which may occur immediately following an adjustment.
- Bruising, swelling, or tenderness at the site of the adjustment or surrounding soft tissues.
- Fractures, dislocations, or other injuries to the bones or joints, which are rare but can occur in cases of severe osteoporosis, and pre-existing joint instability.
- Nerve irritation or injury, which can cause numbness, tingling, weakness, or pain in the arms, legs, or other areas.
- In extremely rare cases, complications such as stroke or spinal cord injury can occur in a chiropractic office but may or may not have a cause and effect as a result of chiropractic adjustments.

In addition to the above-listed risks and side effects, the following list includes other possible adverse situations and extenuating circumstances that may be associated with chiropractic care:

- Aggravation of pre-existing conditions, such as herniated discs or spinal stenosis.
- Temporary increase in pain or discomfort.
- Soft tissue injuries, such as sprains, strains, or muscle tears.
- Incomplete or slow recovery from treatment.
- Inflammation or irritation of the joints or surrounding tissues.
- Loss of sensation or changes in sensation.
- Headaches or migraines.
- Fatigue or tiredness.
- Insomnia or difficulty sleeping.
- Digestive issues, such as constipation or diarrhea.
- Difficulty with balance or coordination.
- Exacerbation of pre-existing neurological conditions.
- Development or worsening of allergies or asthma.
- Worsening of anxiety or depression symptoms.
- Mood swings or irritability.
- Tinnitus or ringing in the ears.
- Changes in vision or eye function.
- Jaw pain or temporomandibular joint (TMJ) dysfunction.
- Changes in menstrual cycle or menstrual pain.
- Difficulties with pregnancy or breastfeeding.
- Adverse reactions to supplements or recommendations provided by the chiropractor.

- Blood clots or deep vein thrombosis (DVT).
- Allergic reactions to chiropractic equipment or materials.
- Adverse interactions between chiropractic care and medications.
- Inability to participate in certain activities or exercises due to treatment.
- Injuries sustained while traveling to or from the clinic.
- Slips, trips, or falls within the clinic.
- Injuries from chiropractic equipment malfunction.
- Miscommunication or misunderstanding regarding treatment recommendations.
- Emotional distress or upset related to treatment.
- Financial difficulties or stress due to the cost of care.
- Inadequate response to treatment, resulting in the need for additional care.
- Increased risk of injury during chiropractic adjustment for patients with certain medical conditions.
- Changes in blood pressure.
- Skin irritation or rash.
- Development of scar tissue.
- Complications related to undiagnosed medical conditions.
- Injuries related to at-home exercises or self-care recommendations.
- Adverse effects on the immune system.
- Exacerbation of autoimmune disorders.
- Effects on blood sugar levels.
- Hormonal imbalances.
- Interference with other ongoing treatments or therapies.
- Injuries related to the use of therapeutic devices, such as electrical muscle stimulation or ultrasound, flexion distraction motorized table, cold laser devices.
- Complications related to the use of spinal traction devices.
- Injuries sustained during the performance of chiropractic adjustments on infants or young children.
- Any other unforeseen or unpredictable adverse events or circumstances that may occur during or after chiropractic care.
- Alternatives to Chiropractic Care

Alternatives to chiropractic care may include, but are not limited to, the following:

- Medical care, including medications for pain relief or muscle relaxation.
- Physical therapy or exercise programs to improve strength, flexibility, and overall function.
- Acupuncture, massage therapy, or other complementary and alternative therapies.
- No treatment, accepting the risk that symptoms may worsen or not improve.
- Acknowledgment and Consent

I have read this document in its entirety and understand the potential risks and benefits associated with chiropractic care. I have had the opportunity to ask questions and have received satisfactory answers. I understand that there are no guarantees regarding the outcome of chiropractic care, and I acknowledge that results may vary among individuals.

I understand that I am free to withdraw my consent and discontinue treatment at any time. By signing below, I voluntarily consent to receive chiropractic care at Cymerint Chiropractic Center.

Patient Name (please print) _____ Patient Signature _____

Date _____

Parent/Guardian Name (if applicable) _____

Parent/Guardian Signature (if applicable) _____

Date _____

DC Name and Signature _____ Date _____



FRAUD ALERT: Notice from the Board of Chiropractic Examiners

Dear Licensees,

The Board of Chiropractic Examiners (BCE) has learned of a scam aimed at licensees of the Board. In the scheme, an individual falsely identifying themselves as an employee of the Board has phoned licensees asking them to confirm personally identifying information. During the phone call, the scammers attempt to gain the information by telling the licensee someone is attempting to use their license to practice or their license has been suspended and they're under investigation.

If you receive a call from an individual claiming to be an employee of the Board and they attempt to gather personal and financial information, please consider the following:

- Simply take down the caller's information (including name, title, phone number, and email address), let them know you will follow-up directly with the Board and end the call.
- You may also consider ending the call without explanation if it appears suspicious or to be a scam.
- Contact BCE. Contact information for all DCA boards and bureaus can be found at:
www.dca.ca.gov/about_us/entities.shtml
- If you don't know who to contact at the Board, call the Department of Consumer Affairs' Consumer Information Center at (800) 952-5210 for assistance and to get directed to the appropriate entity.
- NEVER disclose any personal information, i.e. social security numbers, date of births, or credit/debit card numbers, without first taking steps to verify that the person requesting the information has a legitimate need for it.
- Be aware that BCE or Department of Consumer Affairs staff will never ask for credit/debit card information over the phone.

Thank you,

Board of Chiropractic Examiners | October 27th, 2021



INSURANCE FLASH UPDATES!



The greatest piece of advice I can give you is to pay attention to your EOB's. There is much to be learned by doing so. Most importantly, learn what DOESN'T pay per carrier and per payor class. Look for those denials. A little time spent doing so will make you more money, so pay attention.

TIP # 1 : If you are not in on the Triwest game, you need to be. Our veterans are everywhere and they need your care. The VA (Triwest) is the best paying carrier in California, so if you are not a provider, you are missing the boat.

Tip # 2 : United Healthcare is actually reading your diagnosis now! If you think that sounds funny, they are the first one to do so. Other than workers comp and personal injury carriers, health insurance carriers cannot and do not actually read your diagnosis and they do not correlate the diagnosis and the procedure codes you bill. For example, you can put a "Toe Pain" diagnosis *ONLY* on your claim and bill a full spine adjustment (98942) and it will pay every time. EXCEPT NOW UNITED HEALTHCARE IS PAYING ATTENTION! They are now denying manipulations if the improper number of spinal region diagnosis are not on your claims. So be sure to code three or 5 regions (M99.01, M99.02, M99.03, M99.04, M99.05 for example) in your diagnosis if billing 98941 or 98942 now with UHC.

Tip # 3 : Aetna is becoming increasingly difficult with any physical therapy coding that requires a -59 for the code. If possible, your safest codes are 97110 and 97530 as they do not require this -59 modifier. These codes can also be billed in multiple units as well. And always remember, Aetna allows 4 units or procedures per day.

These tips may not apply to all of you, but the tip about paying attention does. You are running a business, so do all you can to do so profitably.

Lis Donaldson, ACM

949-598-9999

INFO@ACMBILLINGSERVICE.COM for questions

BCE NEWS: ADVERTISING CHIROPRACTIC SERVICES:

https://www.chiro.ca.gov/about_us/spring_2018.pdf

- Whether you choose to advertise your services online or through other avenues such as TV, radio, or signage it is crucial that understand and comply with the Board of Chiropractic Examiners (Board's) rules and regulations to prevent deceptive advertising.
- Advertising must be in compliance with the California Codes or Regulations (CCR) Title 16, section 311, and the Business and Professions code section 651.
- CCR section 311 reads: *Constructive educational publicity is encouraged, but the use by any licensee of advertising which contains misstatements, falsehoods, misrepresentations, distorted, sensational or fabulous statements, or which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, constitutes grounds for the imposition of any of the following disciplinary penalties*





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CONTINUED: It is common for the Board to receive complaints regarding the incorrect title of a licensee in advertisements.

Please be aware that it is a VIOLATION of section 15 of the Chiropractic Initiative Act if, when advertising your practice you do not use “D.C.” (Doctor of Chiropractic) following the use of “Dr.” The board cannot provide legal advice or give direction regarding your advertising; therefore, it is recommended that you consult a private attorney for assistance in these matters.





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PRIVACY RISKS OF SOCIAL MEDIA

- Social media platforms present strong marketing opportunities for healthcare professionals.
- However, many licensees find themselves inadvertently breaching patient confidentiality and violating the Health Insurance Portability and Accountability Act (HIPAA).
- HIPAA requires all individually identifiable health information to be protected.
- Common Violations Include:
 - Uploading photos of patients on social media networking sites, which can possibly lead to penalties and tighter regulatory scrutiny.
 - Unintentionally disclosing information that allows other community member to guess the patient's identity.
 - Responding to negative reviews on rating sites such as Yelp. Healthcare providers may inadvertently share personal details about a patient's treatment or reveal diagnostics as they try to rebut criticism.





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HEALTHCARE PROFESSIONALS SHOULD CONSIDER A RISK MANAGEMENT APPROACH:

- Regularly monitor social media conversations for possible HIPAA violations.
- Be sure to do your own research before using social media to communicate with your patients. Familiarize yourself with HIPAA confidentiality requirements and understand how it protects the patient privacy. Specific guidelines found via HIPAA website:
<https://www.hhs.gov/hipaa/for-professionals/index.html>
- Develop a social media policy in which your practice identifies how social media will be used, who in your office is permitted to use your practice's social media accounts, and what types of information may be shared.
- Regularly train your employees on HIPAA compliances and social media policy.
- Have a system in place to help you not only prevent, but also react to a HIPAA noncompliance issues and implement corrective action immediately.



STATE LAWS: RULES & REGULATIONS

§302. Practice of Chiropractic.

(a) Scope of Practice.

(1) A duly licensed chiropractor may manipulate and adjust the spinal column and other joints of the human body and in the process thereof a chiropractor may manipulate the muscle and connective tissue related thereto.

(2) As part of a course of chiropractic treatment, a duly licensed chiropractor may use all necessary mechanical, hygienic, and sanitary measures incident to the care of the body, including, but not limited to, air, cold, diet, exercise, heat, light, massage, physical culture, rest, ultrasound, water, and physical therapy techniques in the course of chiropractic manipulations and/or adjustments.

(3) Other than as explicitly set forth in section 10(b) of the Act, a duly licensed chiropractor may treat any condition, disease, or injury in any patient, including a pregnant woman, and may diagnose, so long as such treatment or diagnosis is done in a manner consistent with chiropractic methods and techniques and so long as such methods and treatment do not constitute the practice of medicine by exceeding the legal scope of chiropractic practice as set forth in this section.

(4) A chiropractic license issued in the State of California does not authorize the holder thereof:

(A) to practice surgery or to sever or penetrate tissues of human beings, including, but not limited to severing the umbilical cord;



STATE LAWS: RULES & REGULATIONS

(5) A duly licensed chiropractor may employ the use of vitamins, food supplements, foods for special dietary use, or proprietary medicines, if the above substances are also included in section 4057 of the Business and Professions Code, so long as such substances are not included in materia medica as defined in section 13 of the Business and Professions Code.

The use of such substances by a licensed chiropractor in the treatment of illness or injury must be within the scope of the practice of chiropractic as defined in section 7 of the Act.

(6) Except as specifically provided in section 302(a)(4), a duly licensed chiropractor may make use of X-ray and thermography equipment for the purposes of diagnosis but not for the purposes of treatment. A duly licensed chiropractor may make use of diagnostic ultrasound equipment for the purposes of neuromuscular skeletal diagnosis.

(7) A duly licensed chiropractor may only practice or attempt to practice or hold himself or herself out as practicing a system of chiropractic. A duly licensed chiropractor may also advertise the use of the modalities authorized by this section as a part of a course of chiropractic treatment, but is not required to use all of the diagnostic and treatment modalities set forth in this section. A chiropractor may not hold himself or herself out as being licensed as anything other than a chiropractor or as holding any other healing arts license or as practicing physical therapy or use the term “physical therapy” in advertising unless he or she holds another such license.



STATE LAWS: RULES & REGULATIONS

§ 302.5. Use of Laser

(a) A duly licensed chiropractor and any person under their direct or indirect supervision, as defined in section 312, shall:

(1) Not use any laser in the practice of chiropractic which has not been properly approved or cleared by the United States Food and Drug Administration (FDA).

(2) Not market or advertise the use of a laser or use a laser for purposes other than treatment consistent with section 302 and the product's FDA approval or clearance.

(3) Follow the manufacturer's specified guidelines for the safe use of laser.

(4) Comply with all state and federal laws governing the use of lasers in clinical settings.

(b) Nothing in this section shall be construed to authorize the use of a laser by a chiropractor outside of the chiropractic scope of practice. This includes, but is not limited to, laser ablation or surgical procedures, and laser treatment of allergies.

(c) Any violation of this section may constitute unprofessional conduct and the licensee shall be subject to discipline by the Board.



STATE LAWS: RULES & REGULATIONS



§303. Filing of Addresses.

Each person holding a license to practice chiropractic in the State of California under any and all laws administered by the board shall file his proper and current place of practice address of his principal office and, where appropriate, each and every sub-office, with the board at its office in Sacramento and shall immediately notify the board at its said office of any and all changes of place of practice address, giving both his old and his new address within 30 days of change.



STATE LAWS: RULES & REGULATIONS

§306.3. Investigators; Authority to Inspect Premises.

The board or its designee may inspect the physical premises of any chiropractic office during regular business hours.

§307. Refund of Fees.

The board is not authorized or permitted by law to return any portion of the license application fee of a qualified applicant.

§308. Display of License.

(a) Each person holding a license shall display a current active license in a conspicuous place in the licensee's principal office or primary place of practice.

(b) Any licensed Doctor of Chiropractic with more than one place of practice shall obtain from the Board a Satellite Office Certificate for each additional place of practice. Said certificate must be renewed annually.

(c) A licensed Doctor of Chiropractic must display in a conspicuous place a current active Satellite Office Certificate at the office for which it was issued.

No licensed Doctor of Chiropractic shall display any chiropractic license, certificate or registration, which is not currently active and valid.



STATE LAWS: RULES & REGULATIONS

§316. Responsibility for Conduct on Premises.

(a) Every licensee is responsible for the conduct of employees or other persons subject to his supervision in his place of practice, and shall insure that all such conduct in his place of practice conforms to the law and to the regulations herein.

(b) Where a chiropractic license is used in connection with any premises, structure or facility, no sexual acts or erotic behavior involving patients, patrons or customers, including, but not necessarily limited to, sexual stimulation, masturbation or prostitution, shall be permitted on said premises, structure or facility.

(c) The commission of any act of sexual abuse, sexual misconduct, or sexual relations by a licensee with a patient, client, customer or employee is unprofessional conduct and cause for disciplinary action. This conduct is substantially related to the qualifications, functions, or duties of a chiropractic license.

This section shall not apply to sexual contact between a licensed chiropractor and his or her spouse or person in an equivalent domestic relationship when that chiropractor provides professional treatment.



STATE LAWS: RULES AND REGULATIONS

For Arizona Licensees Only

California DC's can skip slides marked AZ



STATE LAWS: RULES & REGULATIONS | AZ

§32-922.01. RECIPROCITY; REQUIREMENTS

- A. The board shall issue a license to practice chiropractic under this section to an applicant who meets the following requirements:
1. Holds a current license to practice chiropractic issued after examination by a licensing board in another state or country in which, in the opinion of the board, the licensing requirements are at least substantially equivalent to those of this state and the other state or country grants similar reciprocal privileges to chiropractors licensed in this state.
 2. Receives a grade of at least seventy-five per cent on the Arizona jurisprudence examination.
 3. Pays the original license fee of one hundred dollars.
- B. The applicant shall pay the application fee prescribed by section §32-921 and present proof satisfactory to the board that:
1. A license issued by any other state has not been sanctioned for any cause that is a basis of a sanction imposed by the board pursuant to this chapter, except for failure to pay fees.
 2. The applicant has not previously failed to pass the examination in this state.
 3. The applicant has been engaged in the practice of chiropractic continuously for not less than three of the five years immediately preceding the application





STATE LAWS: RULES & REGULATIONS | AZ

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STATE LAWS: RULES & REGULATIONS | AZ

§32-923. CHANGE OF ADDRESS; ANNUAL RENEWAL FEE; FAILURE TO RENEW; WAIVERS; DEFINITION

- A. Every person who is licensed pursuant to this chapter shall notify the board in writing of any change in residence or office address and telephone number within thirty days after that change. The board shall impose a penalty of fifty dollars on a licensee who does not notify the board as required by this subsection.
- B. Except as provided in section §32-4301, every person who is licensed to practice chiropractic in this state shall annually make a renewal application to the board before January 1 after original issuance of a license and shall pay a renewal license fee of not more than two hundred twenty-five dollars as established by the board. The renewal application shall be made on a form and in a manner prescribed by the board. At least thirty days before the renewal application and renewal fee are due, the board shall send by first class mail a renewal application and notice requiring license renewal and payment of the renewal fee.





STATE LAWS: RULES & REGULATIONS | AZ

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STATE LAWS: RULES & REGULATIONS | AZ

§32-924. GROUNDS FOR DISCIPLINARY ACTION; HEARING; CIVIL PENALTY; DEFINITION

- A. The following are grounds for disciplinary action, regardless of where they occur:
1. Employment of fraud or deception in securing a license.
 2. Practicing chiropractic under a false or assumed name.
 3. Impersonating another practitioner.
 4. Habitual use of alcohol, narcotics or stimulants to the extent of incapacitating the licensee for the performance of professional duties.
 5. Unprofessional or dishonorable conduct of a character likely to deceive or defraud the public or tending to discredit the profession.
 6. Conviction of a misdemeanor involving moral turpitude or of a felony.
 7. Gross malpractice, repeated malpractice or any malpractice resulting in the death of a patient.
 8. Representing that a manifestly incurable condition can be permanently cured, or that a curable condition can be cured within a stated time, if this is not true.
 9. Offering, undertaking or agreeing to cure or treat a condition by a secret means, method, device or instrumentality.
 10. Refusing to divulge to the board on demand the means, method, device or instrumentality used in the treatment of a condition.
 11. Giving or receiving or aiding or abetting the giving or receiving of rebates, either directly or indirectly.
 12. Acting or assuming to act as a member of the board if this is not true.
 13. Advertising in a false, deceptive or misleading manner.
 14. Having had a license refused, revoked or suspended by any other state or country, unless it can be shown that the action was not taken for reasons that relate to the ability to safely and skillfully practice chiropractic or to any act of unprofessional conduct.
 15. Any conduct or practice contrary to recognized standards in chiropractic or any conduct or practice that constitutes a danger to the health, welfare or safety of the patient or the public or any conduct, practice or condition that impairs the ability of the licensee to safely and skillfully practice chiropractic.
 16. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any of the provisions of this chapter or any board order.





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STATE LAWS: RULES & REGULATIONS | AZ

§32-925. PRACTICE OF CHIROPRACTIC; LIMITATIONS

- A. A doctor of chiropractic is a portal of entry health care provider who engages in the practice of health care that includes:
 - 1. The diagnosis and correction of subluxations, functional vertebral or articular dysarthrosis or neuromuscular skeletal disorders for restoring and maintaining health.
 - 2. Physical and clinical examinations, diagnostic x-rays and clinical diagnostic laboratory procedures that are limited to nasal swabs, oral swabs, sputum collection, urine collection, finger pricks or venipuncture in order to determine the propriety of a regimen of chiropractic care or to form a basis for referring patients to other licensed health care professionals, or both.
 - 3. Treatment by:
 - a) Physical medicine modalities, therapeutic procedures and adjustment of the spine or bodily articulations.
 - b) Procedures related to the correction of subluxations and neuromuscular skeletal disorders.
 - c) Prescription of orthopedic supports.
 - d) Acupuncture.
- B. A doctor of chiropractic who is licensed under this chapter shall not prescribe or administer medicine or drugs, perform surgery or practice obstetrics.





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STATE LAWS: RULES & REGULATIONS | AZ

§32-93 I. CONTINUING EDUCATION; REQUIREMENTS

- A. The board by rule may require each licensee to complete up to twelve hours of continuing education each calendar year as a condition of licensure renewal.
- B. Continuing education shall cover topics listed in section §32-922, subsection B and section §32-922.02 and shall be taught by a faculty member of a college or university that is accredited by or has status with the council on chiropractic education or is accredited by an accrediting agency recognized by the United States department of education or the council on postsecondary accreditation.
 - I. Beginning July 1, 2012, the board shall adopt rules to prescribe the continuing education requirements.
- C. Compliance with this section shall be documented at the times and in the manner as prescribed by the board in rule. 20 of 121.
- D. Failure of a person holding a license to practice chiropractic to comply with this section without adequate cause being shown is grounds for probation or suspension of the person's license.





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STATE LAWS: RULES & REGULATIONS | AZ

R4-7-501. DISPLAY OF LICENSES

- A licensee shall, at all times, display the license issued to the licensee by the Board in a conspicuous place at all locations where the licensee engages in the practice of chiropractic, including mobile practices. A licensee shall, upon request of any person, produce for inspection the license renewal certificate for the current calendar year.





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TOP 10 BOARD DISCIPLINARY ACTIONS

INSURANCE FRAUD:

- Double billing
- Up coding
- Billing for service not rendered
- Excessive treatment

UNLICENSED PRACTICE:

- Practicing after license expired
- Failing to promptly renew
- Aiding and abetting unlicensed individuals

SEXUAL MISCONDUCT:

- Erotic behavior
- Inappropriate touching
- Sexual contact or having sexual relations with a patient, client, customer, or employee

EXCESSIVE TREATMENT:

- Treatment beyond what is reasonable/necessary or within the standard of care
- Failure to document necessity (conduct a thorough exam, diagnose the condition, implement a treatment plan, and conduct follow-up exams to assess progress)

VIOLATION(S) INVOLVING DRUGS/ALCOHOL:

- DUI
- Possession or use of any illicit drugs
- Practicing while impaired
- Prescription medication abuse



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CONVICTION OF A CRIME(S):

- Theft
- DUI
- Domestic violence
- Vandalism

FALSE AND/OR MISLEADING ADVERTISING:

- Sensational claims
- Fraud/misrepresentation
- No "D.C." after chiropractor's name

BEYOND SCOPE OF PRACTICE:

- Performing surgical procedures
- Claiming to treat/cure cancer
- Furnishing/prescribing controlled substances

NEGLIGENCE/INCOMPETENCE:

- Physical harm to patient
- Failure to exercise appropriate standard of care

FAILURE TO RELEASE PATIENT RECORDS WITHIN 15 DAYS OF REQUEST:

- Includes requests from patient, patient attorney, patient representative, insurance company, or BCE representatives

PAYMENT FOR REFERRALS:

- Discounts
- Free services
- Cash/gift cards





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FORMER CHIROPRACTOR SENTENCED TO NEARLY SIX YEARS IN FEDERAL PRISON FOR FRAUDULENTLY SUBMITTING \$2.2 MILLION IN BILLINGS TO HEALTH INSURERS

[Article Link](#)

THURSDAY, APRIL 21, 2022: SANTA ANA, California – A former Orange County chiropractor was sentenced today to 70 months in federal prison for stealing from health insurers by fraudulently causing the submission of \$2.2 million in billings for chiropractic services never provided, medical diagnoses never given, office visits that never occurred, and medical devices that were falsely prescribed.

Susan H. Poon, 57, of Dana Point, was sentenced by United States District Judge David O. Carter, who ordered her to pay \$1,379,622 in restitution to her victims. At the conclusion of a five-day trial in June 2021, a federal jury found Poon guilty of five counts of health care fraud, three counts of making false statements relating to health care matters, and one count of aggravated identity theft.

From January 2015 to April 2018, Poon, whose office was in Rancho Santa Margarita, schemed to defraud health insurance companies by submitting false reimbursement claims for services that were never performed. Poon also submitted fraudulent prescriptions containing medical diagnoses of individuals that she had never met, including toddlers and children, which led a medical device manufacturer to submit false claims for reimbursement to one health insurer. The patients that Poon claimed to have met with and treated were dependents – such as the spouses and children – of Costco Wholesale Corp. and United Parcel Service Inc. employees. Poon unlawfully took and used the dependent’s personal identifying information (PII) in her reimbursement requests and prescriptions. Poon obtained the PII by attending health fairs at various UPS warehouses and Costco locations and soliciting such information from employees.

“[Poon’s] scheme consisted of interdependent moving parts,” prosecutors wrote in a sentencing memorandum. “She lied about visits with, diagnoses of, and treatments given to actual people and their children. She sent fraudulent Durable Medical Equipment (DME) prescriptions – predicated on visits with these patients that never happened – to a DME manufacturer. And she fabricated medical documentation containing the personal identifying information of these ‘ghost’ patients to mislead an auditor.” In total, Poon billed and caused to be billed approximately \$2.2 million through her scheme. Poon’s chiropractic license was revoked in July 2019, according to the California Department of Consumer Affairs.

The following agencies investigated this matter: Amtrak – Office of the Inspector General, California Department of Insurance, U.S. Department of Labor – Employee Benefits Security Administration, U.S. Department of Labor Office of the Inspector General, the FBI, and Office of Personnel Management – Office of the Inspector General.

Assistant United States Attorneys Daniel S. Lim and Daniel H. Ahn of the Santa Ana Branch Office prosecuted this case.



FORMER CHIROPRACTOR SENTENCED TO NEARLY SIX YEARS IN FEDERAL PRISON FOR FRAUDULENTLY SUBMITTING \$2.2 MILLION IN BILLINGS TO HEALTH INSURERS

[Article Link](#)

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I. BOUNDARIES ISSUES ETHICS & LAW

A. FOR HEALTHCARE PROVIDERS

- a) Documentation & Legal Forms
- b) SBCE Audits

B. STATE BOARD LAWS, RULES, AND REGULATIONS OVERVIEW

- a) Informed Consent, Current Notices from SBCE
- b) State Board Laws, Rules & Regulations
- c) Common Violations of the SBCE

C. PANDEMIC PROTOCOLS FOR HEALTHCARE PROVIDERS USING CDC, STATE, AND FEDERAL GUIDELINES



environmental services, laundry, security, engineering and facilities management, administrative, billing, and volunteer personnel." To the extent that other staff, including correctional officers, meet this definition they would be required to comply with the testing requirements. This Order does not apply to inmates.

In state correctional facilities, other staff who do not meet this definition are subject to vaccine verification and testing pursuant to separate state requirements.

If a homeless provider also acts as a daycare facility - what do they do if the ratio of childcare professionals fall below state requirements?

The homeless provider should confer with the California Department of Social Services (who license day care facilities) to discuss impacts and alternatives.

Are public health department clinics covered under this Order?

Covered health care settings

What facilities/offices are not covered under this Order?

- Acupuncture office
- **Chiropractic office**
- Naturopathic doctor office
- Occupational therapy office
- Optometry office
- Outpatient physical, speech, occupational therapy offices
- Pharmacies
- Podiatry office
- First aid offices (e.g., at a resort or theme park)

Does the Order cover unlicensed group and transitional housing facilities and homes?

No, the Order only covers those adult and residential care facilities licensed by the California Department of Social Services.

Are school-based clinics covered?

School-based clinics that are licensed are covered under the Order and would be required to follow all applicable rules for unvaccinated healthcare workers. Nurses' offices that are not licensed would be not covered by the State Health Officer Order.

Will home health and hospice agencies be required to verify vaccine status of their staff?

Home health and hospice agencies are covered by the Order only with respect to agency staff who are providing care on site at one of the covered settings.



**FOR MORE
INFORMATION, VISIT:**

CDPH.CA.GOV

COVID-19 Revised Emergency Temporary Standards

Effective January 14, 2022



3205 COVID-19 Prevention



3205.1 Multiple COVID-19 Infections and COVID-19 Outbreaks



3205.2 Major COVID-19 Outbreaks



3205.3 COVID-19 Prevention in Employer-Provided Housing



3205.4 COVID-19 Prevention in Employer-Provided Transportation

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For more information, see Cal/OSHA: <https://www.dir.ca.gov/dosh/coronavirus/ETS.html>



CHIROPRACTORS ARE ESSENTIAL WORKERS

www.covid19.ca.gov/essential-workforce/

Essential workforce, if remote working is not practical:

1. Health care providers and caregivers (including physicians, dentists, psychologists, mid-level practitioners, nurses, assistants, and aids; infection control and quality assurance personnel; pharmacists; physical, respiratory, speech and occupational therapists and assistants; social workers and providers serving individuals with disabilities including developmental disabilities; optometrists; speech pathologists; **chiropractors**; diagnostic and therapeutic technicians; and radiology technologists).



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2. Workers required for effective clinical, command, infrastructure, support service, administrative, security and intelligence operations across the direct patient care and full healthcare and public health spectrum, including accounting, administrative, admitting and discharge, engineering, **accrediting, certification, licensing, credentialing**, epidemiological, source plasma and blood donation, food service, environmental services, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians; emergency medical services workers; prehospital workers including but not limited to urgent care workers; inpatient and hospital workers; outpatient care workers; home care workers; workers at long-term care facilities, residential and community-based providers; workplace safety workers).



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Please read before entering.



IF YOU HAVE



Fever



Cough



Shortness
of breath



Please call our office before coming inside.

Clinic Phone # _____

The clinic staff may ask you to wear a mask or use tissues to cover your cough.

Thank you for helping us keep our patients and staff safe.



For more information: www.cdc.gov/COVID19

<https://www.cdc.gov/coronavirus/2019-ncov/healthcare-facilities/index.html>

Thank you, Docs!

A brief evaluation survey will be emailed to you in the coming days.
Please fill out the evaluation ASAP & press “submit”.

Hope you enjoyed the seminar and I thank you for your continued support!
We really appreciate all of you!

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