

REGULATORY RELAY

INSTRUCTIONS

For each of the following scenarios, you must decide to do one (or more) of three things:

1. **Sanction:** the violation isn't too bad, or this is a minor offense, etc., so the board decides to write a letter of admonition, or issue a reprimand. No punishment, but an acknowledgement that the licensee erred.
2. **Action:** this is actually punishing the licensee. This could be a fine, probation, required ethics courses, revocation, suspension - essentially anything other than a slap on the wrist.
3. **Policy or Regulation:** This is a more unusual circumstance. The board looks at new technology that could be misused or has a licensee who engages in behavior that is clearly a problem, but is not really addressed by current rules/regs/or policies. At this point, the board needs to update regulation or add a policy to guide licensees on whatever this issue is and - if necessary - give themselves legal standing to more appropriately deal with licensees who violate this new rule/reg in the future.

Listen to the following scenarios and then decide how your board would handle it. We'll brainstorm best practices for each.

Scenario 1:

One of your licensees is practicing in an unregulated jurisdiction when he injures a patient during an unnecessary treatment. How does your board respond?

Scenario 2:

A licensed Physical Therapist employs a DC part-time to offer services in her office. Her marketing materials for the chiropractic services contain obvious advertising violations. The DC has never seen or approved these marketing materials. How does your board respond?

Scenario 3:

Patient enters a D.C.'s clinic and asks to speak to the D.C. regarding her treatment. D.C. comes out into the waiting area where the patient is waiting, along with 6 other patients, and proceeds to speak to the patient about her treatment. How does your board respond?

Scenario 4:

D.C. contacts the regulatory board and informs that board that he/she will not be practicing due to medical conditions and asks for a Voluntary Lapsing of his/her license (or other means to avoid paying renewal fee and obtaining CEU's). The Board finds out months later that the D.C. never stopped practicing. How does your board respond?

Scenario 5:

A patient was injured during a treatment he claims he didn't agree to. The DC cannot provide any evidence of informed consent. How does your board respond?

Scenario 1:

A non-practicing licensee has developed a marketing package which she is selling to DCs in your jurisdiction. This package includes multiple advertising violations. The DCs he has sold to are using it. What steps does your board take?

Scenario 2:

D.C. is taking x-rays of dogs in his clinic in order to treat the animal. How does your board respond?

Scenario 3:

D.C. attempts to exchange chiropractic services for sexual favors. How does your board respond?

Scenario 4:

D.C. waives co-pay for a patient then bill the insurance for hot/cold packs that were not actually used. How does your board respond?

Scenario 5:

Patient lawfully requests a copy of his/her patient file and the D.C. refuses. D.C. states that due to the patient having an outstanding balance of \$1,578.98 that he will not release the records until the debt is paid. How does your board respond?

Scenario 1:

D.C. works in the same clinic as a M.D. D.C. is referring patients to the M.D. for narcotics. How does your board respond?

Scenario 2:

A DC instructs his CA to perform therapies on him (the DC) and then bills his insurance. How does your board respond?

Scenario 3:

A DC licensed in your state is treating patients, but billing under his wife's MD license. How does your board respond?

Scenario 4:

D.C. is treating patients with alcohol on his breath. How does your board respond?

Scenario 5:

A DC obtains "specialty certification" after taking a weekend course. He uses this certification in his advertising. How does your board respond?

Scenario 1:

A DC is licensed in another state, but offering diagnoses and clinical advice via Skype directly to patients within your jurisdiction. How does your board respond?

Scenario 2:

An untrained chiropractic assistant accidentally burns a patient while delivering therapies. What does your board do?

Scenario 3:

A licensed DC/MD runs an integrated medical clinic. She is found guilty of inappropriate contact with a patient during an appointment. How does your board respond?

Scenario 4:

D.C. applies for relocation/reciprocity and indicates that he has no criminal record. However, you find out 6 months later that the D.C. does, in fact, have a criminal record in another country. How does your board respond?

Scenario 5:

D.C. runs an ad in a major newspaper stating that the services that he/she provides is better/more advanced than any other D.C. in the area. How does your board respond?