

# History and Purpose

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The Alabama Legislature in 2004 mandated the Board to create a committee for the purpose of early identification, intervention, treatment, and rehabilitation of chiropractors who may be impaired by reason of illness, inebriation, excessive use of drugs, narcotics, alcohol, chemicals, or other substances or as a result of any physical or mental condition. While this mandate authorized intervention for conditions other than addiction, the committee has primarily been involved with issues related to chemical or alcohol abuse. The committee is known as the Alabama Chiropractic Professionals Wellness Committee.

The Board hopes that individuals can be helped before any abuse of alcohol or drugs affects their practice, their patients or their families. The Board is compiling a list of licensees who are willing to work as relief doctors, when a licensee is in the evaluation and treatment phases of the program. These are doctors who are willing to cover the licensees' practice, many times on a volunteer basis to provide continued care for the patients at the same location. Early intervention is a positive step for the chiropractor, patient and the family.

Dr Michael Garver is the Director of the committee. Through the Director, the Board monitors the chiropractor in successful completion of treatment with the goal of re-entry to the profession through ongoing support and monitoring for five years. The committee monitors prescribed treatment and after care for the individual.

Currently five licensees are under five year monitoring contracts. Five years has been shown to be the length of time it takes an impaired professional to be optimum health; spiritually, physically, and mentally.

## How does the Committee Function?

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The first step is to identify those in need and the main sources of identification are reporting by family or friends, reporting by peers or other health care professionals or as a result of a complaint and subsequent investigation of a violation(s) of applicable laws.

Once identified, the chiropractor is afforded the opportunity to undergo an evaluation at an approved treatment facility. Evaluations are conducted pursuant to established and accepted protocols and include physical, psychiatric, psychological and cognitive functioning measured through examination, testing and the gathering of information. Neither the Committee nor the Board is compensated or receives any benefit from any facility for the referral or approval of any facility.

An evaluation takes a minimum of three days and can last longer depending on individual circumstances. The fees for the evaluation will vary from facility to facility.

If a diagnosis of substance abuse or addiction is rendered, then the accepted and expected treatment for a health care professional is from twelve to twenty six weeks depending on the facility and includes both inpatient and outpatient components. Treatment is only the beginning and effective monitoring and aftercare is essential.

The obligations and requirements of aftercare and monitoring are set forth in a Monitoring Agreement between the individual and the Committee. Important components of the agreement include the abstinence from alcohol or drugs unless prescribed, drug testing, meeting attendance, documentation of recovery or any other requirement either recommended by the treatment facility or tailored to meet the recovery goals of a particular individual.

All drug testing, whether at the treatment facility or as a part of monitoring, is conducted to ensure the chain of custody of the specimen, i.e. insuring the specimen is received from the person who is tested and the specimen tested is from that person, is sent to a laboratory which must be approved by the Federal Government and is verified by a medical review officer, a physician, who must meet certain criteria and must follow approved standards before determining that the result is positive. All drug testing is purely random through the use of a color coded system with each person being assigned a specific color. Each day the individual must call to find out their color and if the color comes up, there must be a test.

If the chiropractor violates the Alabama Chiropractic Practice Act in connection with their addiction, which unfortunately is most always the case, discipline will result. Willingness to comply with treatment and the contract helps to mitigate this discipline. In almost every situation, once the treatment facility verifies that the individual can practice with reasonable skill and safety to patient, a Consent Order is entered. This Order incorporates the Monitoring Agreement referenced above and provides that a violation of the Agreement is a violation of the Order. Compliance with the Monitoring Agreement is a condition of continued practice and therefore serves as both encouragement and an effective deterrent to non compliance. To date these Chiropractors are in compliance with their contracts and the consent order which binds the licensee to the contract, and all are practicing their chosen profession.

The committee connects the individual being monitored with people who understand what they are going through, who can give constructive advice, many times because they have been through a similar situation themselves. The committee is made up of Chiropractors who act as mentors and sponsors to the newly recovered professional. Their dedication to this committee has resulted in an active license being returned to every chiropractor who has successfully completed treatment.

Early participation in the program helps the licensee through the disciplinary process. It is considered to be a proactive choice by the licensee. Participation in the program does not prevent the Board from taking disciplinary action when a complaint has been filed, but consideration is given and the Board works with licensees who comply with the program recommendations and the monitoring process.

We have not had anyone violate their monitoring or discontinue treatment since 2004.

# Goals

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- ❖ To promote the early identification, intervention, treatment and rehabilitation of impaired chiropractors.
- ❖ To assist impaired chiropractors in their recovery process and safe return to professional practice through monitoring requirements.
- ❖ To increase awareness of impairment issues through education of chiropractic assistants, office staff, employers, and peers within the chiropractic community.
- ❖ To protect the public welfare.
- ❖ To establish the Wellness committee as a credible, professional organization that appropriately represents the chiropractic community and its interest.

## Contact Information

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### **HOW TO REPORT AN IMPAIRED CHIROPRACTOR**

You may call the Executive Secretary at the Board office, the Board's legal counsel or the Wellness Hotline.

Alabama State Board of Chiropractic Examiners

102 Chilton Place  
Clanton, AL 35045  
Phone (800) 949-5838  
(205) 755-8000  
Fax (205) 755-0081  
Hotline (251) 566-2526  
Legal Counsel (205) 871-5404

## Confidential

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All information, interviews, reports, statements, memoranda or other documents furnished to the Board are confidential and shall be used by the Board only in the exercise of the proper function of the Board and shall not be public record.