

The Audible Release

Hello To All Our Members!!

By Addison Ozakyol, D.C. ATC. CSCS



Hello members!

Thank you to everyone who was able to attend our September meeting. We thoroughly enjoyed hearing from our gold sponsors: Demesmin and Dover Law Firm. It is always nice to host

them and we appreciate any opportunity to hear some updates regarding PIP and our progress in the profession from the legal side. As an added bonus, if you were present in person, you got to see me rocking some of Demesmin and Dover's awesome merch that they give out when sponsoring local events! For everyone else, you'll be lucky enough to catch those pictures in next month's newsletter.

Just another reminder, our Annual Golf Tournament is coming up soon! Please join us on Thursday,

October 17th at Bardmoor Golf & Tennis Club for a shotgun start at 1:30pm. We will continue to promote the event up until the day of the tourney, so please keep your eye out and register if possible. Hope to see you there! We can also always use sponsors or donations for our silent auction – if you are interested in contributing please reach out as soon as possible so we can get you the information.

Our next meeting will take place on Tuesday, October 29th and will feature our joint meeting with the Hillsborough County Chiropractic Society. This meeting typically involves a productive mingle with our colleagues across Tampa Bay and an update on the profession from Jack Hebert and Dr. Schilaty. We appreciate all they do for our profession and particularly for us chiropractors here in Florida. Keep an eye out for the E-Vites coming out soon and we look forward to seeing you there!



Mark your Calendar to attend our October 29th Joint meeting with Tampa Bay Chiropractic Society.
Our Annual Golf Tournament is October 17th at the Bardmoor Golf & Tennis Club.
VISIT US ONLINE AT PCCSCHIRO.ORG



Sponsor Opportunities and Entry Form for the 29th Annual Golf Tournament
Bardmoor Golf & Tennis Club – Thursday October 17, 2024

Company: _____ Contact Person: _____

Telephone: _____ Fax: _____ email: _____

Address: _____ City: _____ Zip: _____

CHECK ALL THAT APPLY:

Graphic with golf flag icon and text: Come Out On October 17th At 1:30pm Shotgun Start at 1:30pm Registration: 12:00-1:20pm Burgers, Dogs & Raffle To Follow

- Corporate Sponsor \$975
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Complete form, sign and fax to (727) 384-6158 or email: ed@pccschiro.org
An invoice will be faxed/emailed to the contact person listed above.

For questions please contact:
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The Audible Release
is published 10 times per year
and unlimited downloads available online.

The Audible Release provides news and information that is both educational and informative to the chiropractors and their associates in the Pinellas County area.

Society news, staff changes, personal announcements, photos and success stories are welcome. Articles about chiropractic procedures and issues concerning the practice of chiropractic should be submitted to the editor. Advertising inquires should be made to the publisher or visit us online at www.pccschiro.org

The deadline for ads and articles is the 7th of every month.

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Executive Director

Cynthia Gramberg

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Calendar of Events

Monthly Dinner Meetings

Join us In-Person

Last Tuesday of the Month

www.pccschiro.org/annual-calendar

Marriott Upstairs
12600 Roosevelt Blvd. N
St. Petersburg, FL 33716

6:30-8:30 pm

Dinner/Speaker at 7 pm

Please RSVP to Evite for dinner attendance

October

17th- Golf Tournament

Location: Bardmoor Golf and Tennis Club

Time: 1:30

29th-General Meeting

Location: St. Petersburg Marriott - 2nd Floor

Joint Meeting with the Tampa Bay
Chiropractic Society

November

NO GENERAL MEETING

December

NO GENERAL MEETING

7th - Holiday Party Casino Nought at
Holiday Inn Harbourside

401 2nd St., Indian Rocks Beach, FL 33785

Time: 7:00pm-10:30pm

Details in Your Evite

October Board meeting 13th 12:30pm Zoom

November Board meeting 12th 12:30pm Zoom

PCCS PAID MEMBERS 2024

“Thank you to the chiropractors below that are supporting the PCCS and PAC in 2024”
See page 13 for the 2024 Membership Application

Names listed in **BOLD** have donated to the PAC
Political Action Committee

And are additionally recognized on the member directory with a “PAC Star”

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New Members 2024

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Tyler Garapola, D.C.

Sam Scott, D.C.

THE RADIOLOGIST'S VIEW

WHAT WOULD YOU HAVE DONE?



A professional liability insurance company released a malpractice case study for educational review.¹

A highly motivated female junior high school basketball player develops low back pain during pre-season practice which included conditioning exercises, running and free weights. Although there is no clear cause of the pain, it worsened over time to the point that her parents sought professional care by the start of the season, about two months later. No other information is made available about her medical history.

Her parents brought her to a chiropractor who advertises himself to be a sports medicine specialist. Since there is no specific trauma and she is young, he decides not to perform an x-ray examination. After several manipulations and other therapy, she is somewhat improved, but the low back pain persists. She is allowed to continue playing basketball.

One month later, the young athlete developed increasing back pain that now extended into her anterior thighs, bilaterally. This began after a game in which she saw considerable playing time. The next day her parents brought her back to the chiropractor and asked that their daughter be x-rayed. Using the same rationalization as her earlier visit, he did not think that it would be necessary. He proceeded to perform manipulation on her low back at which time she experienced a sudden sharp pain. Her parents, concerned about this reaction, immediately take their daughter to the emergency room. X-rays reveal that she has bilateral defects in the pars interarticulari at L4. She is later treated by a pediatric orthopedist with a hard body cast for six weeks and another six weeks with a soft cast. The young girl made a full recovery.

Without reading any further and based only on the information provided, think about what you would have done with this patient from her initial presentation, I'll wait...

A lawsuit was filed against the chiropractor alleging that he was negligent by failing to perform x-rays prior to treatment and failed to diagnose the pars defects. Further, it was alleged that the manipulation either caused the defects or aggravated a preexisting bony pathology. The case went to trial which lasted four days. A defense witness testified that although x-rays would have likely discovered pars defects and may have resulted in a patient referral, not performing an x-ray examination was reasonable and within the standards of care since there was no specific trauma to account for the patient's symptoms. The jury found in favor of the chiropractor on all counts. The rationale for the verdict included the jury's belief that the clinical notes were credible, the chiropractor demonstrated professionalism and the defense witnesses were persuasive.

Without more detail, it may be difficult to conclude that your approach in this case would be any different. The results of the physical exam are not provided and the diagnosis that the doctor used to determine a care plan, is not available. Furthermore, the standards of care can vary geographically. Therefore, I cannot opine on this case. But I can provide a radiologist's view.

One of the clinical pearls I have observed over the years is that the history and clinical findings often do not match and there is an affinity for making a diagnosis through professional prejudice. For example, I was involved in a case in which a 22-year-old female with shoulder pain was diagnosed with a rotator cuff tear by an orthopedist even though there was no history or clinical findings to support that diagnosis. Her actual diagnosis was Hodgkin's lymphoma causing radiating pain to the shoulder. As another example, young, otherwise healthy military recruits were experiencing foot pain after long periods of marching. Although there was no clear history of trauma, fractures were found to be present in the metatarsal bones, hence the term march fractures. These are a type of stress fracture due to mechanical fatigue or failure in otherwise normal bone.

In the malpractice case described above, the history suggested excessive activity and load on the spine in both the preseason and after considerable playing time one month after her first treatment. Defects in the pars interarticulari do not usually occur as a result of a single trauma but rather from fatigue or overuse. This can be the result of sports-specific maneuvers with repetitive twisting rotation and extension such as gymnastics, weight training or track and field.

In a case involving a young and otherwise healthy person, the history must be carefully evaluated and correlated with a clear understanding of the mechanism of injury to consider a possible diagnosis of stress fracture in the symptomatic region. This especially applies to fractures in the pars region of the lumbar spine. Furthermore, one must understand that the information obtained by the history and examination should outweigh the x-ray findings. That is, x-rays could be normal, but bone stress injury may still be present. When a case has a strong suspicion for stress injury, but x-rays are normal, MRI becomes the imaging modality of choice to document bone marrow edema which may suggest the potential for fracture.

What would you have done in the case described above? That depends on your ability to correlate history and clinical findings, understanding mechanism of injury, bone stress injury and proper use of diagnostic imaging.

Reference

Davis, C.J. Young hoopster gets benched by back pain. NCMIC, Case Studies. Dec 27, 2022

Terry D. Sandman, DC, MPH, DACBR
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Several members and sponsors attended The National Conference by FCA in August. Here are some highlights from the event.





What the Nationwide Decision Banning the FTC Non-Compete Rule Means to You

By Kim (Driggers) Jaffe, General Counsel, Florida Chiropractic Association

The FCA previously reported on the [FTC's Rule banning non-compete agreements](#) which was to go into effect on September 4, 2024. However, a Texas federal court entered an order yesterday with nationwide effect, holding that the FTC Non-Compete Rule, "shall not be enforced or otherwise take effect". Ryan, LLC. V. Federal Trade Commission, Civil Action No. 3:23-00986, Memorandum and Opinion Order (N.D. Tex. August 20, 2024).

Attendees at FCA's The National this past weekend were brought up to date by Labor and Employment lawyer, Dena Sokolow, shareholder at Baker Donelson, of the latest case out of Florida, decided just last Thursday, that struck the FTC ban on non-compete agreements but only as to the plaintiffs in that case. Properties of the Villages, Inc. v. Federal Trade Commission, Case No: 5:24-cv-00316-T (M.D. Fla. August 17, 2024).

Yesterday's decision, however, strikes down the FTC's ban nationwide; thus, the Rule will not take effect on September 4, 2024.

What does this mean to you as an employer or employee with a non-compete?

The Ryan case has one more stop on appeal at the more employer-friendly Fifth Circuit, and then the U.S. Supreme Court has the option of accepting jurisdiction to hear the case should it be appealed again. Based upon the makeup of those courts, it is believed the chances of the FTC's success do not seem promising. Business as usual for employers? We suggest not.

As an employer, the requirement of sending out notice of the FTC ban to all current and former workers is now not required. But this process along with some individual states already making non-compete agreements unlawful, shows the trend in the U.S. against their enforcement. It's a good time to review your contracts and evaluate how to best protect against competitive threats and patient solicitation should the decision be overturned or should Florida enter a separate law banning non-competes (*See S.B. 458 and HB 0011 filed last Session seeking to invalidate restrictive covenants of physicians. The bills did not make it out of committee*). There are ways other than a non-compete agreement to protect your practices.

As for employees as of today, the non-compete agreements are still in effect, if drafted in compliance with Florida law. Should you choose to seek employment elsewhere that may violate your non-compete agreement, you should check the status of the law before your departure.

Don't Underestimate The Fundamentals

In chiropractic treatment, the significance of physical touch is deeply reflected in our profession's very name. The term "chiropractor" comes from the Greek words "cheir," meaning "hand," and "praktor," meaning "practitioner" or "doer." This etymology highlights the essence of chiropractic practice: the use of hands as a primary tool for both diagnosis and treatment.

Unlike many conventional medical practices that may prioritize technology and diagnostic tools, chiropractors rely heavily on their hands. This hands-on approach allows chiropractors to palpate the spine, assess joint function/mobility, and execute adjustments. The tactile feedback gained from physical touch is invaluable for finding restrictions, muscle imbalances, and other musculoskeletal concerns that might not be visible through imaging alone.

Moreover, physical touch strengthens the patient-provider relationship, creating trust and enhancing the effectiveness of treatment. The personal interaction that comes with hands-on care can be comforting and reassuring for most patients. Many heal from this physical touch as it helps relieve stress and our bodies' expression of endorphins.

In a field where technological advances are often emphasized, it's pivotal not to overlook the fundamental tools we have at our disposal. Don't forget—we have the best tools right in front of us: our hands. They allow us to deliver precise, personalized care and maintain a deep connection with our patients. By embracing this core aspect of chiropractic practice, we honor the profession's roots and continue to offer exceptional, hands-on care.

By: Joshua Richardson DC

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ABOUT THE PCCS

The goal of the PCCS is to preserve, promote, protect, and advance the Chiropractic Physician profession.

We sincerely appreciate your chiropractic financial support which helps us to preserve, promote, and protect you!

Join Now: <https://pccschiro.org/join-now>

OUR MEETINGS

We host 8 monthly member educational dinner meetings, an off-site social mixer, a holiday party, and 3 annual PAC events.

The 8 general meetings are held the last Tuesday of the month at the Marriot restaurant The Crafted Plate which begin at 7:00 pm with pre-meeting networking at 6:30 pm as members and sponsors begin to arrive. Dinner is served during a featured speaker on a Chiropractic related topic with the meetings concluding around 8:30 pm. We are continuing the monthly dinner meetings in-person and virtual for 2022; please RSVP to the evite for dinner or connect via Zoom to join us.

PROVIDING VALUE TO YOUR MEMBERSHIP

- FREE dinner at monthly meeting (\$30 for non-members; guests/staff/spouse)
- FREE dinner & drink at our annual social and holiday parties (for members & one guest)
- FREE training class for CPR recertification (every other year; next CPR recert class will be 2023)
- FREE Classified ads & listings in our "Audible Release" newsletter (also digital archive on the website)
- FREE round-trip transportation via bus to Tallahassee for Chiropractic Day with the FCA (anticipated for 2022)
- FREE unique URL member page to advertise and market yourself and your practice (click your name in the directory)



PCCS 2024 Membership Application & Invoice
January 1 through December 31

The following will be displayed in the website member directory

Name: _____

Credentials and Post-doctorate certifications:

Circle all that apply: DC MS DABCI DACBN DACNB DACBSP DACBR DICCP

Select One: New Member / Renewal / New Member 1st Year DC

Renewals Only: complete below ONLY IF YOUR CONTACT INFO has changed

Office or Company Name: _____

Office or Company Address: _____

Multiple office locations: _____

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Cell phone (for PCCS communications): _____ On directory? Y / N

*Membership is for the chiropractor listed above only & is non-transferable.

New Members & Renewals: PAC contribution; website 'PAC star' & newsletter 'bold'

- Annual Dues with a \$50 voluntary contribution to the PAC = \$225.00**
- Annual Dues = \$175.00

1st Year DC: Graduated in 2022

- 1st Year Licensed D.C. Annual Dues +\$50 contribution to the PAC = \$149.00**
- 1st Year Licensed D.C. Annual Dues = \$99.00

ONLINE APPLICATION & RENEWALS* AVAILABLE

<https://pccschiro.org/paynow/>

Or you may still Join or Renew* by Mail:

Enclose Completed Application Invoice Check Payable to:

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*Paper & Online renewal form only needs to be completed if contact info has changed.



General Monthly free Educational Dinner Meetings are the "last Tuesday of the month" at the Marriott from 6:30-8:30 pm.
 Marriott upstairs, 12600 Roosevelt Blvd N, St. Petersburg
Know someone interested in joining as a DC/Sponsor/Advertiser; www.pccschiro.org click "Join Now or Get Involved"

Email Jennifer Comey, Executive Director at ED@PCCSChiro.org with any questions.

*Contributions to the PCCS-PAC are not deductible as charitable contributions for federal income tax purposes.

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The PCCS Board of Directors as well as our membership would like to thank all of our sponsors for their support in 2023. We couldn't continue to promote, protect, preserve and advance the Chiropractic profession without your support. We look forward to working with you and your continued support in 2024.

MEMBERS:
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