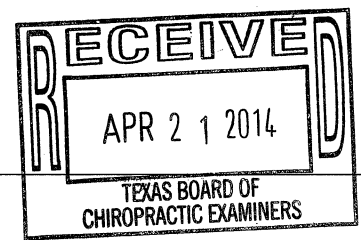


AC # 3912
\$250.00



TBCE 2013-258

IN THE MATTER OF	§	BEFORE THE
Sal Altakali, D.C.	§	TEXAS BOARD OF
LICENSE NO. 8119	§	CHIROPRACTIC EXAMINERS
	§	098518

AGREED FINAL ORDER

On this 21 day of August, 2014, the Texas Board of Chiropractic Examiners ("Board") considered the matter of the license of Sal Altakali, D.C., Respondent.

This agreed order is executed pursuant to the authority of the Administrative Procedure Act (APA), Texas Government Code § 2001.056, which authorizes the informal disposition of contested cases. In a desire to conclude this matter without further delay and expense, the Board and Respondent agree to resolve this matter by this Agreed Final Order. The Respondent agrees to this order for the purpose of resolving this proceeding only and without admitting or denying the findings of fact and conclusions of law set out in this order.

Upon recommendation of the Enforcement Committee, the Board makes the following findings of fact and conclusions of law and enters this order:

FINDINGS OF FACT

1. Sal Altakali, D.C., Respondent, is a chiropractor licensed by the Board to practice chiropractic in the State of Texas and is therefore subject to the jurisdiction of the Board; the Chiropractic Act, Texas Occupations Code, Chapter 201; and the Board's rules, Texas Administrative Code, Title 22, §§ 71.1-80.7.
2. On or about August 12, 2012, Respondent gave Patient 1 a trigger point injection.
3. On or about November 19, 2011, Respondent gave Patient 2 a trigger point injection.
4. On or about November 20, 2011, Respondent gave Patient 3 a trigger point injection.
5. On or about July 29, 2011, Respondent gave Patient 4 a trigger point injection.
6. A trigger point injection is the use of a needle to make an incision into tissue for a purpose other than to draw blood for diagnostic testing.
7. On April 9, 2013, the Board's Enforcement Committee met and voted to Order you to immediately cease and desist from performing trigger point injections and to impose an administrative penalty of \$3,000.00, as authorized by the Chiropractic Act, TEX. OCC. CODE § 201.551, and 22 TEX. ADMIN. CODE § 75.10(c), for lack of proper diligence in the

~~practice of chiropractic and for providing services and treatments which are outside of the scope of chiropractic.~~

CONCLUSIONS OF LAW

1. Sal Altakali, D.C., Respondent, is subject to the jurisdiction of the Board and is required to comply with the Chiropractic Act and the Board's rules.
2. By giving a trigger point injection which is making an incision into tissue for a purpose other than to draw blood for diagnostic testing, Respondent violated Board rule 22 TEX. ADMIN. CODE § 75.2:

§ 75.2. PROPER DILIGENCE AND EFFICIENT PRACTICE OF CHIROPRACTIC. (a) A lack of proper diligence in the practice of chiropractic or the gross inefficient practice of chiropractic when applied to a licensee or chiropractic facility includes but is not limited to the following: (1) failing to conform to the minimal acceptable standards of practice of chiropractic, regardless of whether or not actual injury to any person was sustained.

3. By giving a trigger point injection which is making an incision into tissue for a purpose other than to draw blood for diagnostic testing, Respondent violated Board rule 22 TEX. ADMIN. CODE § 75.17:

§ 75.17. SCOPE OF PRACTICE. (a) Aspects of Practice. (1) A person practices chiropractic if they: (A) use objective or subjective means to analyze, examine, or evaluate the biomechanical condition of the spine and musculoskeletal system of the human body; or (B) perform nonsurgical, nonincisive procedures, including adjustment and manipulation, to improve the subluxation complex or the biomechanics of the musculoskeletal system. (2) The practice of chiropractic does not include: (A) incisive or surgical procedures.

4. On a determination that a person has violated the Chiropractic Act or Board rules, the Board is authorized pursuant to § 201.501 of the Chiropractic Act to revoke or suspend the person's license, place on probation a person whose license has been suspended, reprimand a license holder, or impose an administrative penalty against the license holder.

NOW THEREFORE, it is the ORDER of the Texas Board of Chiropractic Examiners that:

1. Sal Altakali, D.C., Respondent, shall:
 - a. immediately cease and desist from performing trigger point injections;
 - b. pay an administrative penalty of \$3,000.00 within twelve (12) months, in equal monthly payments of \$250.00, running from the date the Board approves this Agreed Final Order; and

Approved by a majority of the Texas Board of Chiropractic Examiners on this 21 day of August, 2014.

Dr. Cynthia Tays, DC

Dr. Cynthia Tays, D. C.
President
Texas Board of Chiropractic Examiners
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Yvette Yarbrough

Yvette Yarbrough
Executive Director