

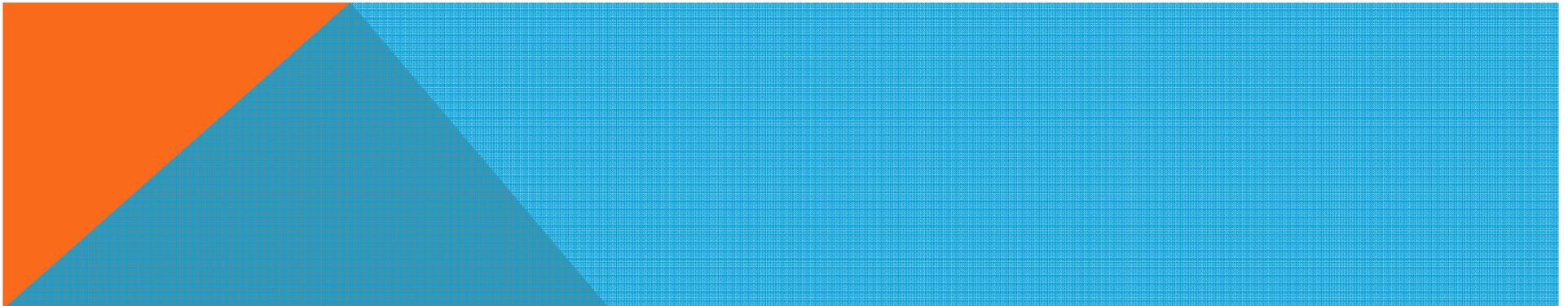
Back To Chiropractic Continuing Education Seminars

Practical Ethics & Law ~ 2 Hours

Welcome:

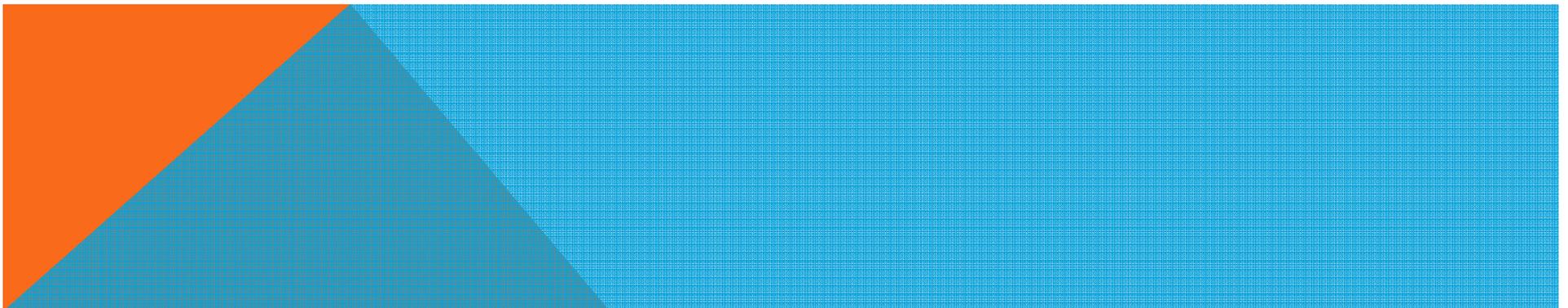
This course counts as 2 Hours of CE for Ethics & Law for the Chiropractic Board of Examiners for the state of California.

There is no time element to this course, take it at your leisure. If you read slow or fast or if you read it all at once or a little at a time it does not matter.



How it works:

- 1. Helpful Hint: Print exam only and read through notes on computer screen and answer as you read.**
- 2. Printing notes will use a ton of printer ink, so not advised.**
- 3. Read thru course materials.**
- 4. Take exam; e-mail letter answers in a NUMBERED vertical column to marcusstrutzdc@gmail.com.**
- 5. If you pass exam (70%), I will email you a certificate, within 24 hrs, if you do not pass, you must repeat the exam. If you do not pass the second time then you must retake and pay again.**
- 6. If you are taking the course for DC license renewal you must complete the course by the end of your birthday month for it to count towards renewing your license. I strongly advise to take it well before the end of your birthday month so you can send in your renewal form early.**
- 7. Upon passing, your Certificate will be e-mailed to you for your records.**
- 8. DO NOT send the state board this certificate.**
- 9. I will retain a record of all your CE courses. If you get audited and lost your records, I have a copy.**



The Board of Chiropractic Examiners requires that you complete all of your required CE hours BEFORE you submit your chiropractic license renewal form and fee.

NOTE: It is solely your responsibility to complete the course by then, no refunds will be given for lack of completion.

Enjoy,

Marcus Strutz DC

CE Provider

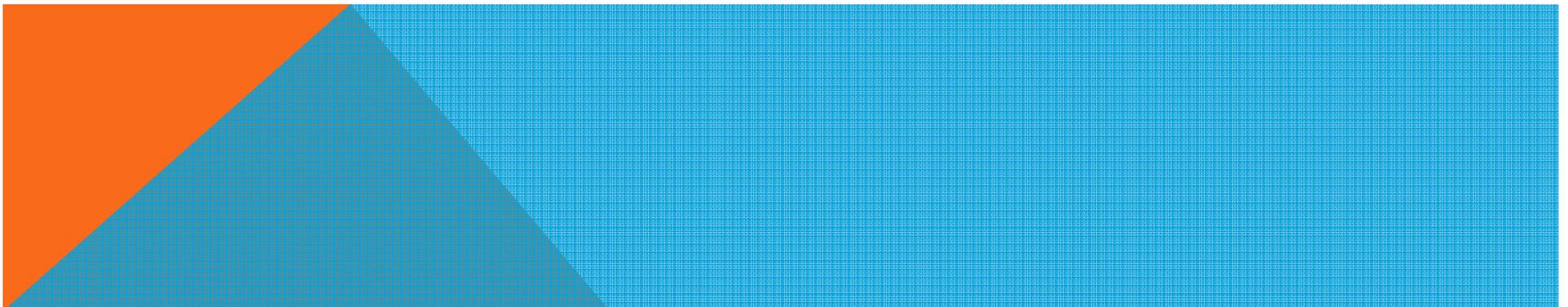
Back To Chiropractic CE Seminars

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**Back To Chiropractic
CE Seminars
Practical Ethics & Law**
Presented by
Marcus Strutz, DC



Marcus Strutz, DC

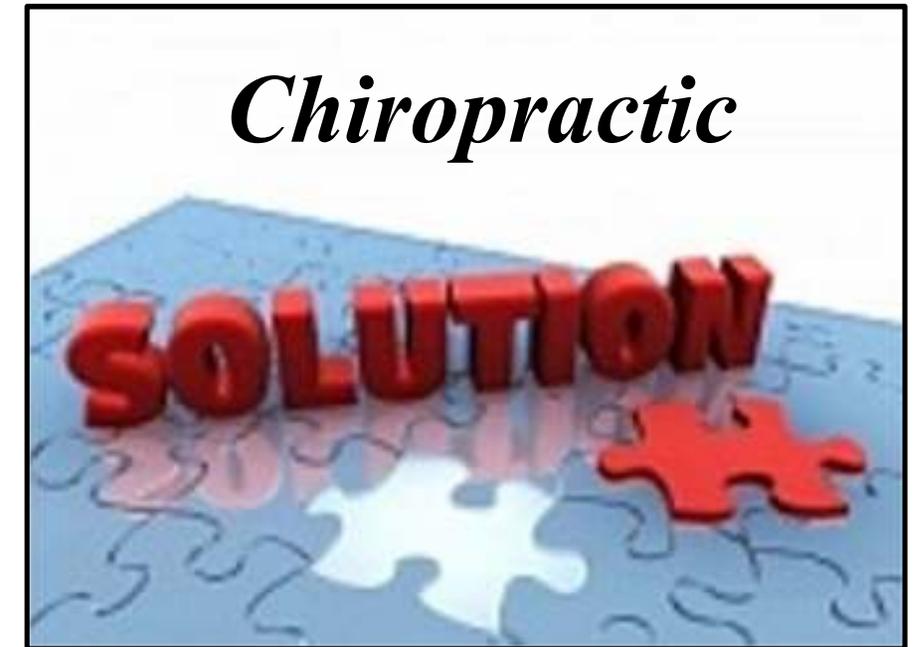
**Life Chiropractic College West Graduate
June 1996, Summa Cum Laude**

Professor Life Chiropractic College West, 1997-2002

- **Spinal Biomechanics** (authored course manual)
- **Physiotherapy Rehab** (authored course manual)
- **Physiotherapy Modalities** (authored course manual)
- **X-Ray Physics** (authored course manual)
- **Philosophy I**
- **Philosophy V - Practice Management**
- **Microbiology Lab**
- **Systemic Physiology Lab**

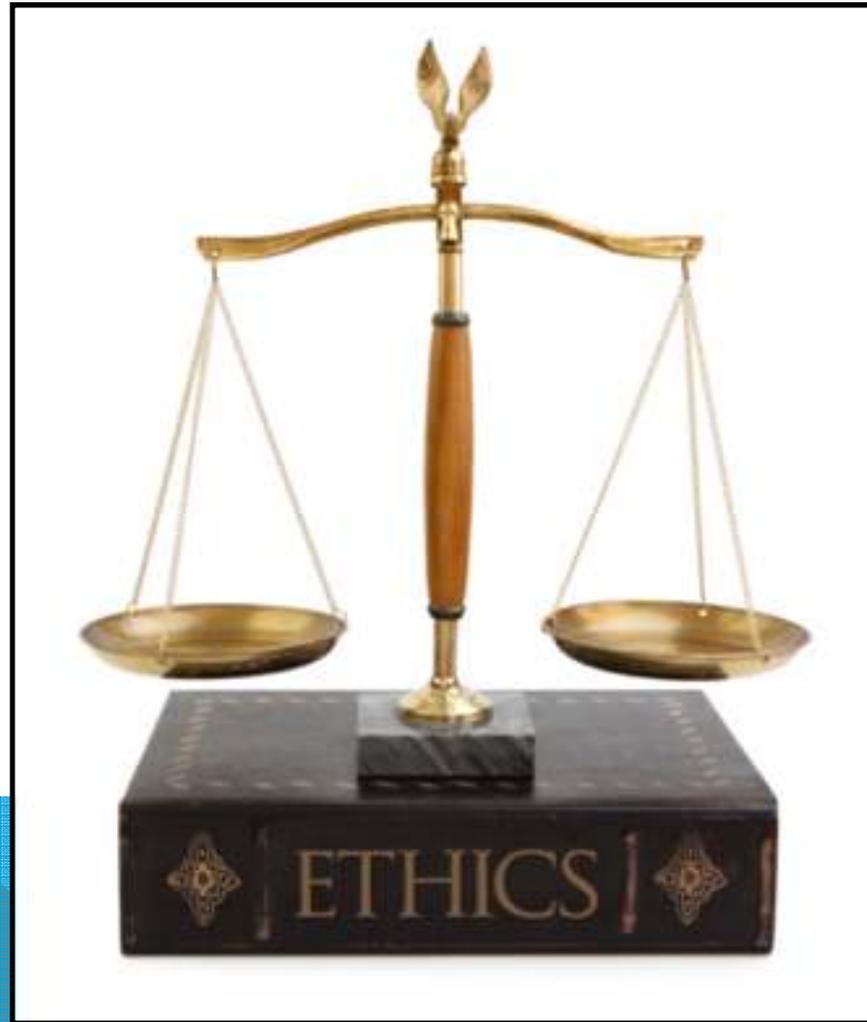
- 
- **Private Practice, 2000-2013 Mendocino/Ft Bragg, CA**
 - **CE Seminars, 2002-present:
Technique, Wellness (Pt Ed), Physiotherapy,
History Taking & Physical Examination Procedures**
 - **Ghost Writer Practice Management, 2007-2013**
 - **National Board Review Instructor, 1999-2000
Dr. Irene Gold & Dr. John Donofrio**
 - **Middle School Teacher Math & Science, 1989-1993**
 - **Racquetball Club Pro & Weight Trainer
Walnut Creek, 1982-1987**
 - **Father: Amuel Strutz DC Palmer Grad 1961**

The Public



“If the public knew what we know,
we would need a lot more chiropractors!”

Ethics & Law: 2 Hours Required



THE CHIROPRACTIC OATH

In accordance with the law of nature, that law which God has prescribed to all men; and in consequence of my dedication to getting the sick well by the application of that law, I promise and swear to keep, to the best of my ability and judgment, the following oath:

I will observe and practice every acknowledged rule of professional conduct in relation with my profession, my patient, my colleague, and myself.

THE CHIROPRACTIC OATH

I will keep an open mind regarding the progress of my profession, provided that these progressions shall be confined within the boundaries of the chiropractic science, philosophy, and art.

I will serve my patient to the best of my ability, violating neither his confidences nor his dignity, and in my association with patients I shall not violate that which is moral and right.

THE CHIROPRACTIC OATH

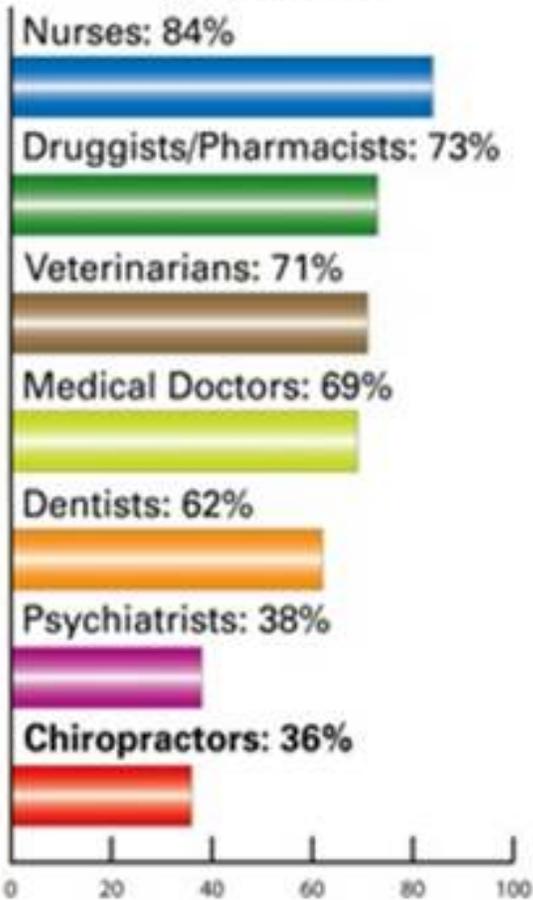
I shall regard and refer to my fellow chiropractor with honor, giving credit where it is due.

I shall improve my knowledge and skill, firm in my resolution to justify the responsibility which the degree of Doctor of Chiropractic symbolizes and imposes.

To all this, I pledge myself, knowing these ideals are prescribed by the dictates of reason alone.

Honesty and Ethical Ratings of the Seven Health Occupations Surveyed by Gallup

% who rate occupation "very high" or "high" in terms of honesty/ethics



Why Do DCs Have To Take Ethics & Law?

One Reason is Public Trust!

college teachers 58%

clergy 58%

policemen 54%

journalists 26%

business executives 18%

lawyers 18%

stockbrokers 17%

senators 15%

insurance salesmen 13%

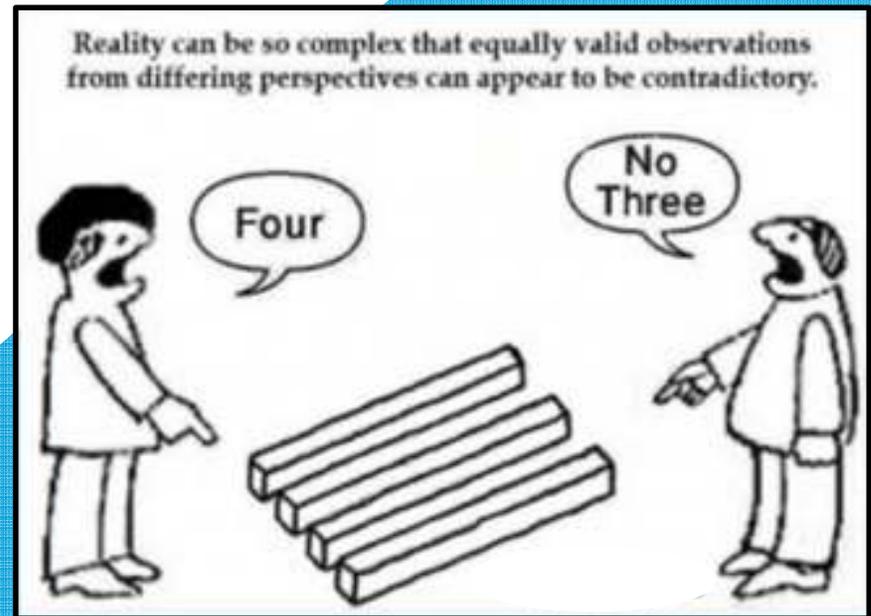
HMO managers 12%

car salesmen 7%

Gallup poll 1,009 US adults, 2006

PERCEPTION IS REALITY!

We don't see things as they are, we see them as we are.
— Anais Nin



What the public thinks about chiropractic is their reality,
& we must work everyday to change their perception!

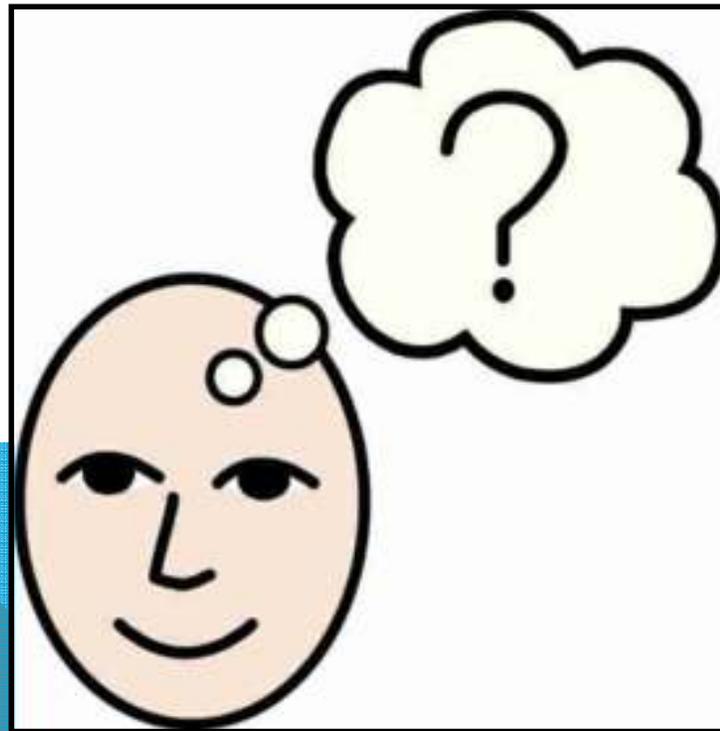
PERCEPTION IS REALITY!



When the nation's chiropractors descended on Chicago for a weeklong convention in May 1956, they threw a beauty contest. The judges crowned Lois Conway, 18, Miss Correct Posture. 2nd place went to Marianne Caba, 16, Ruth Swenson, 26, came in 3rd. All three were picked not only by their apparent beauty, and their X-rays, but also by their standing posture. Each girl stood on a pair of scales — one foot to each — and the winning trio each registered exactly half her weight on each scale, confirming the correct standing posture. At the time, contests like this were pretty common. "Basically, chiropractic had a PR problem. We were unlicensed in those days," Dr. P. Reginald Hug, a past president of the Association for the History of Chiropractic. "We were the new kids on the block and medicine didn't like us. By crowning posture queens, the chiropractors could build goodwill without making waves with traditional doctors. The message was that good posture leads to good health. And chiropractors were the people to get you on the right path. The contests date to the 1920s, but they became the rage during the '50s and '60s. Contestants were typically judged on beauty and poise, posture, and X-rays to evaluate their spinal structure. In 1967, the reigning World Posture Fitness Queen appeared on CBS's game show *To Tell The Truth*. The pageants began to wane as chiropractors achieved their licensure goals. The last big contest was held in Chattanooga, Tenn., in 1969. Their time had come and gone," Hug says.

What Is The Public Perception?

Chiropractors perform many exams & adjustments that pts are unfamiliar with, be sure to explain as you go! (verbalize your routine spinal assessment ~ AK, leg checks, palpation etc.)



Let Them Know What You're Doing!

- 1. What you're about to do**
- 2. Why you're doing it**
- 3. What you're looking for**
- 4. What you found**
- 5. What it means**
- 6. What you're going to do about it**
- 7. What are your expectations**

STAYING OUT OF TROUBLE

***I AM NOT STAYING
OUT OF TROUBLE, I
AM JUST CAREFUL
NOT TO GET
CAUGHT.***

Calculate your cost of going to school, don't forget the opportunity cost of the job you could have had!
I went to DC college for 3 years at a cost of \$ _____
& the last thing I want to do is jeopardize my license!
So lets be sure we are doing EVERYTHING right!

EVERYONE ELSE IS DOING IT

Just because other DC's are doing this or that does not make it okay or legal. This is a very dangerous attitude to take. Often when we get out of school we learn from a successful practicing DC & **assume** they are doing everything correctly. Be careful & be sure.

WRONG IS
WRONG

even if everyone is doing it.

RIGHT IS
RIGHT

even if no one is doing it.

3 GUYS IN THE BACK OF THE ROOM

Often at DC seminars you will see & hear a group of DC's discussing a legal or ethical issue.

There will be 3 or 4 sharing their thoughts about what is right & wrong. In just a few minutes there is a consensus & the decision has been made.

You may be listening in & it sounds good with you.

Often it is the most confident DC or loudest whose point is considered correct, but we don't really know.

BE CAREFUL!

EVEN WORSE...GUESSING IGNORANCE IS BLISS CONCEPT

The DC says, “I don’t know & it will be okay.”

Or “I think this is correct.”

This is certainly dangerous as ignorance of the law
is not a defense. So you are in court...

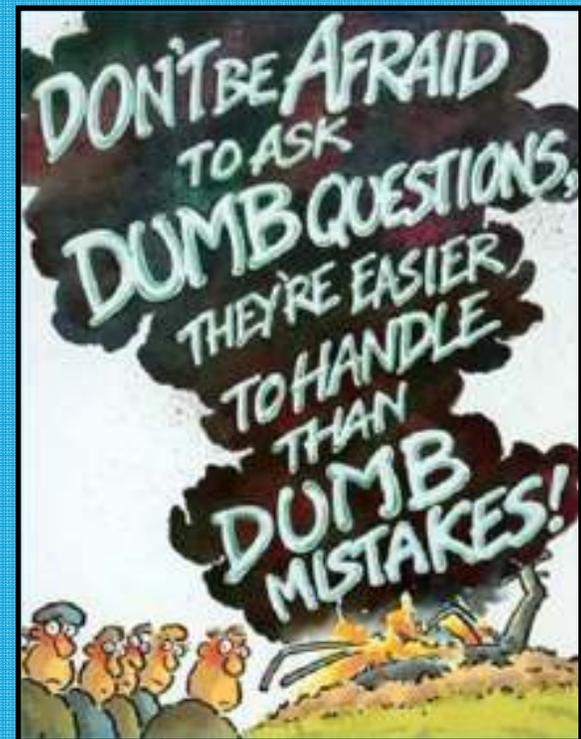
Get informed, get the right answers.

Ignorance is bliss,
imperfect knowledge is
dangerous, perfect
knowledge is power



**DON'T BE AFRAID TO ASK,
BE AFRAID OF NOT ASKING!**

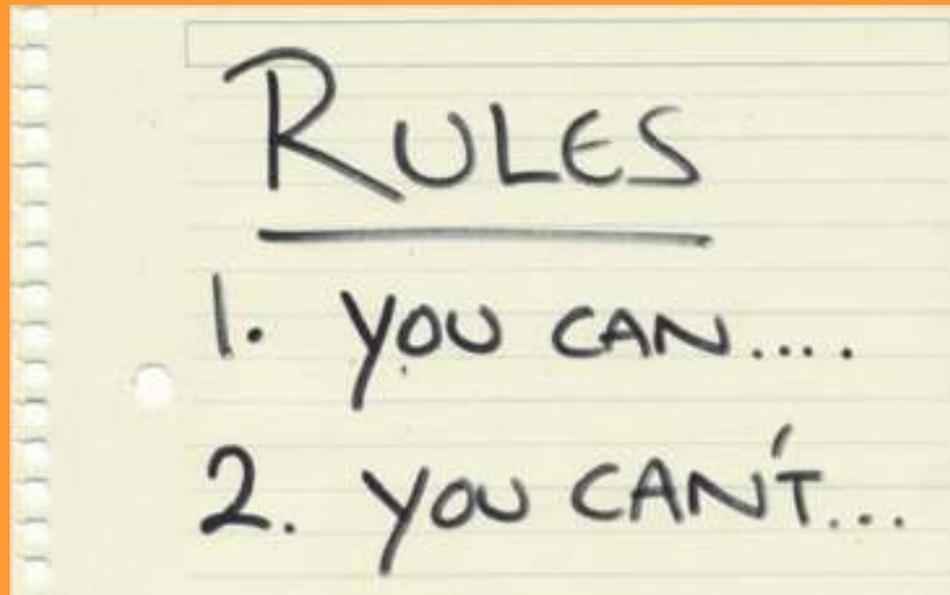
**Find out the correct answer & sleep well!
Call the Board or the insurance company.
Get the legal explanation in writing.
Be 100% sure.**



IF IT IS GREY, STAY AWAY!

This is a great idea. If there is any uncertainty about any aspect of running your practice and if it is legal, leave it alone.





Activity #1

**Read through the Board of Chiropractic Examiner's
[Rules & Regulations](#)**

Where to find the rules & regulations.



www.chiro.ca.gov

Hot Topics

The following slides are some of the most common questions. Don't see your topic covered by the board or this presentation, send your question to: marcusstrutzdc@gmail.com

CURE VS PREVENT VS DECREASE RISK

What are you promising patients?

Can you say I will prevent cancer? NO!

Can you say here are the aspects of health we will measure? YES



Outrageous Claims?

**Never say you prevent something,
rather use the idea of decreasing risk.
Testimonials & supportive peer reviewed
literature posted in your office are really
effective!**



Refer a Friend! Legal or illegal?

As a small business, we rely on customer referrals.

Please share this offer with a friend.

Refer a Friend & Enter a Raffle to Receive \$500!

Redemption Code: abc-123

Expires 4/30/17

1 Referral equals 1 Ticket in the raffle.

As this voucher is offered free of charge, it is not valid for cash value or other redemption value. Other restrictions may apply: call for details.

Illegal! Needs to be for all patients, not just the ones that referred patients.



Prepay! Legal or illegal?

Escrow account only necessary if DC can not refund out of pocket.

Have signed contract. Contingency plans if patient wants to stop care for any reason. Prorate care; anything is okay as long as it is in the contract, reviewed and signed by both parties.

Best to make it a fair and reasonable contract.

If pt becomes a WC/PI case contract stops, and then resumes once the WC/PI case ends.

Legal



Fee Schedules!

Decide how much you want to get paid per hour.

Then divide that out as a time element for the given billing code.



Waive Co-pays! Legal or illegal?

You CAN waive co-pays.

You CAN NOT advertise it unless you contact and inform insurance companies.

Advertisement includes your website.



co-pay?

Waiving or Discounting Copays or Deductibles



May waive or discount govt copays or deductibles if:

- Not offered as part of any advertisement or solicitation;
 - Do not routinely waive copays or deductibles; and
 - Waive or discount after
 - good faith determination that the beneficiary is in financial need, or
 - unable to collect after reasonable collection efforts.
- (42 USC 1320a-7a(i)(6); 42 CFR 1003.101; *see also* Adv. Op. 12-16)
- Document factors such as local cost of living; patient's income, assets and expenses; patient's family size; scope and extent of bills.

24 HOUR CE REQUIREMENTS

Must complete by the end of your birthday month.

Finish early to avoid practicing without a license!

24 hours a year, with a maximum of 12 hours online

24 hours of CE required within the following categories:

- Board of Chiropractic Examiners approved classes
- Live courses may be repeated within same licensure year
- Earn up to 12hrs of distance learning per licensure year
- Technique is NOT required but is an option, see below
- No more than 24 hours of CE may be earned in a calendar year
- Ineligible courses: financial management, income generation, practice building, collections, self-motivation and patient recruitment

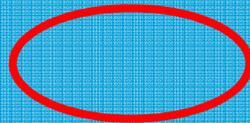
6 of the 24 hours must include:

(can be taken live or online)

- Two hours of ethics and law
- Four hours in one of the following topics:
 - Chiropractic adjustive or manipulation technique
 - History taking and physical exam procedures
 - Proper and ethical billing and coding

Checking the status of your license!
Follow along with the next 7 slides on how to check
your license status on the Board of Chiropractic
Examiners website.

Click on the link that is circled in red.



www.chiro.ca.gov

The screenshot shows the homepage of the Board of Chiropractic Examiners (BCE) for the State of California. The top navigation bar includes links for 'Contact Us', 'Enforcement', and 'Laws & Regs'. The main header features the 'CA.GOV' logo, the board's name, and a search bar. Below the header is a navigation menu with 'CONSUMERS', 'APPLICANTS', 'LICENSEES' (circled in red), and 'ABOUT US'. The main content area has a large graphic of a spine and the board's name. Below this, there is a section for 'The Mission of the Board of Chiropractic Examiners' and a 'Quick Hits' sidebar. The 'Quick Hits' sidebar lists various services and information available on the site.

CA.GOV Board of Chiropractic Examiners

Contact Us | Enforcement | Laws & Regs

Search [14]

Home CONSUMERS APPLICANTS LICENSEES ABOUT US

BOARD of CHIROPRACTIC EXAMINERS
STATE OF CALIFORNIA

The Mission of the Board of Chiropractic Examiners
The mission of the Board of Chiropractic Examiners is to protect the health, welfare, and safety of the public through licensure, education, and enforcement in chiropractic care.

Important Updates

- BCE Newsletter Summer/Fall 2014
- Information for Military Personnel and Their Spouses/Domestic Partners
- Workers' Compensation Fraud Notice
- NOTICE TO LICENSEES REGARDING NEW CE REQUIREMENTS
- Online Automation System for State Disability Insurance
- Board of Chiropractic Examiners Adopts New Regulations for the Use of Lasers in Chiropractic
- Alert - Potential License Denial or Suspension for Failure to Pay Taxes
- Notice Regarding New Informed Consent Requirements
- Notice Regarding Board Regulation/Policy Interpretation
- Continuing Education and Annual License Renewals
- DMV Announces New CDL Medical Exam Guide

Quick Hits

- Contact Us
- License Search
- Chiropractic Initiative Act
- Chiropractic Rules & Regulations
- Forms & Applications
- Frequently Asked Questions
- Continuing Education
- Board Meetings

Gov. Ed. Brown
Governor
Edmund G. Brown Jr.

Secretary
Teresa M. ...
ANA W. CAMARGO

Director
...
AWET EIDANE

Licensees

CA.GOV California Department of Consumer Affairs

Contact Us | Enforcement | Laws & Regs

Search

This Site | California

Board of Chiropractic Examiners

CONSUMERS | APPLICANTS | **LICENSEES** | PUBLICATIONS | ABOUT US

Continuing Education | FAQ's | Expert Consultant Recruitment | Disciplinary Guidelines | Fees Information | **License Search**

License Renewal | Join Our Mailing List

LICENSE SEARCH

To find an individual, select a license type from the list below. The information is updated five days a week (Monday through Friday). The following information will help you narrow down your search:

- Enter the first or last name in the fields provided.
- If entering the license number in the field provided, do not enter the prefix for a license number (DC). Enter numbers only.
- If the person you are seeking is not in the license category type, select another category type.
- The information you are accessing regarding chiropractic licenses, corporation certificates, and referral services is maintained by the Department of Consumer Affairs (DCA). The information on the DCA's web site pertains to Board records; however, the brief summaries offered are not intended as substitutes for the actual decisions and orders issued by the Board of Chiropractic Examiners.

SEARCH:

- Chiropractor Licenses
- Satellite Certificates
- Corporation Certificates
- Referral Services

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Chiropractor Licenses

Contact Us | Enforcement | Laws & Regs

CA.GOV California Department of Consumer Affairs

Board of Chiropractic Examiners

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CONSUMERS APPLICANTS LICENSEES PUBLICATIONS ABOUT US

License Search

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SEARCH:

- 1 Chiropractor Licenses
- 2 Satellite Certificates
- 3 Corporation Certificates
- 4 Referral Services

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License Search

CA.GOV California Department of Consumer Affairs

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Search [] []
This Site California

CONSUMERS APPLICANTS LICENSEES ABOUT US

License Search for Chiropractors

[Click here for search instructions](#)
Enter query criteria (omit apostrophes when entering a name)
If using a first name search, you must also choose a county, city or type in a last name (not first name by itself) and click on the button below that states "Match any part of Name":

This information is updated Monday through Friday - Last updated: MAY-19-2016

Last Name:	<input type="text"/>
First Name:	<input type="text"/>
Initial:	<input type="text"/>
Match any part of Name	<input type="radio"/>
OR	
License Number:	<input type="text"/> Enter numbers only (no letters)
AND/OR	
City:	<input type="text"/>
County:	<input type="text"/>
Records displayed each time?	50 ▾

Find Clear Main Page Help

Input Your Name

CA.GOV California Department of Consumer Affairs

Contact Us | Enforcement | Laws & Regs

Search This Site California

Board of Chiropractic Examiners

CONSUMERS APPLICANTS LICENSEES ABOUT US

License Search for Chiropractors

[Click here for search instructions](#)

Enter query criteria (omit apostrophes when entering a name)
If using a first name search, you must also choose a county, city or type in a last name (not first name by itself) and click on the button below that states "Match any part of Name"

This information is updated Monday through Friday - Last updated: MAY-19-2016

Last Name:	<input type="text" value="Strutz"/>
First Name:	<input type="text" value="Marcus"/>
Initial:	<input type="text"/>
Match any part of Name:	<input type="radio"/>
OR	
License Number:	<input type="text"/> Enter numbers only (no letters)
AND/OR	
City:	<input type="text" value="Fort Bragg"/>
County:	<input type="text"/>
Records displayed each time?	50 ▾

Find Clear Main Page Help

Your Information

Contact Us | Enforcement | Laws & Regs



California Department of Consumer Affairs

Board of Chiropractic Examiners

Search

• This Site • California



CONSUMERS

APPLICANTS

LICENSEES

ABOUT US

➔ Search Results for Chiropractors

This information is updated Monday through Friday - Last updated: MAY-19-2016

To see all the information for a licensee, click on the highlighted name. This will also include disciplinary actions if any are present.

Name	Type	Number	Status	Address	City	Zip	County
STRUTZ, MARCUS S.	DC	24928	VALID	33000 NWHY 1	FORT BRAGG	95437	MENDOCINO

Record 1

[First Previous](#)

Disclaimer

All information provided by the Department of Consumer Affairs on this web page, and on its other web pages and internet sites, is made available to provide immediate access for the convenience of interested persons. While the Department believes the information to be reliable, human or mechanical error remains a possibility, as does delay in the posting or updating of information. Therefore, the Department makes no guarantee as to the accuracy, completeness, timeliness, currency, or correct sequencing of the information. Neither the Department, nor any of the sources of the information, shall be responsible for any errors or omissions, or for the use or results obtained from the use of this information. Other specific cautionary notices may be included on other web pages maintained by the Department. All access to and use of this web page and any other web page or internet site of the Department is governed by the Disclaimers and Conditions for Access and Use as set forth at California Department of Consumer Affairs' Disclaimer Information and Use information.

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[Main Page](#)

Valid & Expiration Date

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Board of Chiropractic Examiners

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CONSUMERS APPLICANTS LICENSEES ABOUT US

BOARD OF CHIROPRACTIC EXAMINERS

Licensee Name:	STRUTZ MARCUS S
License Type:	Chiropractor
License Number:	22426
License Status:	VALID Definition
Expiration Date:	September 30, 2016
Issue Date:	May 28, 1997
Address:	33000 NWHY 1
City:	FORT BRAGG
State:	CA
Zip:	95437
County:	MENDOCINO
Actions:	No

Related Licenses/Registrations/Permits

Number	Name	Type	Status	Actions
2249	STRUTZ MARCUS	Satellite	CANCELLED	No

Disciplinary Actions

No information available from this agency

Public Record Action(s)

February 23, 2015

COURTESY NOTICE

Notice from the board, yikes!

RE: CH 2015-12189

Dear Dr. [REDACTED]

The Board of Chiropractic Examiners (Board) received your response to a Continuing Education (CE) Audit. You did not complete the require CE hours prior to your expiration date of November 30, 2014. This is a courtesy notice. However, if this occurs again, the Board may issue a citation against your license. This case has been closed with merit and will remain on file.

Completion of a Board-approved continuing education seminar taken within 12 months prior to your expiration date is a requirement for the annual renewal of your chiropractic license, pursuant to California Code of Regulations section 371.

To help ensure that your license is issued to you in a timely manner:

- 1) Keep your practice address current with the Board, as required by California Code of Regulations section 303.
- 2) Complete your required continuing education within 12 months prior to your current renewal period.
- 3) Submit your renewal form and fee prior to your expiration date.

If you have questions regarding the renewal of your license, please contact the Board at (916) 263-5355 or visit our website for further information.

Sincerely,

B Rust

Beckie Rust
Associate Analyst
Compliance Unit

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.



Free Care Or Discounts

Licenses can advertise that they will perform certain designated routine professional services free or at a discount if such advertising claims are truthful. However, no charge shall be made for any other professional services rendered or commodities provided to a patient during any office visit in which free or discounted services are offered or provided unless, prior to the accrual of any charges, the patient shall have been informed of the cost of such additional services and/or commodities and shall have agreed to pay for them.



Informed Consent

A licensed DC 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. A violation of this section constitutes unprofessional conduct and may subject the licensee to disciplinary action.





Activity #2

The Board of Chiropractic Examiners recently released the top 11 enforcement violations. Before going to the next few slides, make a list of what you think they are.

TOP ENFORCEMENT VIOLATIONS

Insurance Fraud:

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

Unlicensed Practice:

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

TOP ENFORCEMENT VIOLATIONS

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)

TOP ENFORCEMENT VIOLATIONS

Violation(s) involving Drugs/Alcohol:

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

Conviction of a crime(s):

- Theft
- Domestic violence
- DUI
- Vandalism

TOP ENFORCEMENT VIOLATIONS

False and/or misleading Advertising:

- Sensational claims
- No “D.C.” after chiropractor’s name
- Fraud/misrepresentation

Beyond Scope of Practice:

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

TOP ENFORCEMENT VIOLATIONS

Negligence/Incompetence:

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

Fail to Release Pt Records within 15 days of request:

- Includes requests from pt, pt attorney, pt representative, insurance co, or BCE representatives

Payment for Referrals:

- Discounts
- Cash/gift cards
- Free services

Activity #3 Chiropractic Check List

Okay this is our things to do list: making sure you're legal. Part of this course is to go through each line item below & through the TOP ENFORCEMENT VIOLATIONS & [Rules & Regulations](#) making sure you are not breaking any laws & representing the profession of Chiropractic in a manner that would make your colleagues proud!

1. Initial intake form. Review the form make sure it has all the necessary information including date & signature.
2. Informed consent. Make sure you have it, that it is signed and dated by each patient and your malpractice company approves the form.
3. HIPPA compliant. Make sure you have it, that it is signed and dated by each patient and your malpractice company approves the form.
4. SOAP notes. Make sure you have them for each patient and that they are complete and decipherable by you in a court of law, (if it comes to that).
5. Proper documentation. Notes: history & exam that support your course of action and billing. Again must be decipherable by you in a court of law.
6. Advertising. Read through all your advertising (website too). Be sure DC is after your name, (not physician) and that no one can interpret your ad as saying you will cure anything.
7. Malpractice & general liability insurance up to date.
8. DC License. Current & valid, complete your CE by the end of your birthday month.
9. Check the top violations list & [Rules & Regulations](#) and be sure you are on the right side of the law!

I hope you enjoyed the seminar! Now take the exam and email your answers in a NUMBERED VERTICAL column to: marcusstrutzdc@gmail.com

**Hope you take seminars from us in the future,
Thanks
Marcus Strutz, DC**

