

Commonwealth of Massachusetts  
Division of Professional Licensure  
**Board of Registration of Chiropractors**  
1000 Washington Street  
Boston, MA 02118

February 4, 2016

A regularly scheduled meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held in room 1D, 1000 Washington St. Boston, Massachusetts.

**The meeting was called to order by Dr. Storozuk at 10:06 a.m.**

**Members Present**

Dr. Scott Storozuk, Chair  
Dr. Scott Garber, Vice Chair  
Dr. Lori DeVeuve, Secretary  
Dr. Dan Reida, Member  
Dr. Marsella Imonti, Member  
Dr. Marsha Krohn, Member  
Mrs. Diane Slater, Public Member

**Staff Present At Various Times**

Sheila York Esq., Board Counsel  
Brian Bialas, Executive Director, Multi Board Unit  
Ellen D'Agostino, Office of Investigations  
Sandra Velasquez, Multi Board Unit

**AGENDA**

Motion to approve the agenda for today's meeting was made by Dr. Krohn and seconded by Mrs. Slater. Motion passed unanimously.

**MEETING MINUTES**

Motion was made by Mrs. Slater to approve the January 7, 2016 Public Minutes. Seconded by Dr. Krohn. Motion passed with Dr. Garber abstaining due to his absence at that meeting.

Motion was made by Mrs. Slater to approve the January 7, 2016 Executive Session Minutes, and to keep them confidential until the purpose for the Executive Session had expired. Seconded by Dr. Imonti. Motion passed with Dr. Garber abstaining due to his absence at that meeting.

**Update on Investigative Matters from the Unit Chief and Deputy Chief**

Neither the Chief of Investigations nor the Deputy Chief came to update the Board today but they have requested that the Board continue to hold a place in the monthly agenda as their intent moving forward is to visit more Boards more regularly.

## **CASES**

The Board prepared to discuss investigative matters. Thereafter, a Motion was made by Dr. Krohn, seconded by Dr. Garber, and was **VOTED** (unanimous) to suspend the open meeting pursuant to **MGL c. 112, 65C and enter into closed investigative conference to discuss the following investigative matters:**

**CH-16-031 [MH]**

**CH-16-005 [KK]**

**Open Session resumed at 10:41 a.m.**

**Report of actions taken in closed 65C Sessions:**

**CH-16-031 [MH] Sent to prosecutions.**

**CH-16-005 [KK] Sent to prosecutions.**

## **LEGAL REPORT**

Sheila York Esq. gave the Board an update regarding **E.O. 562**. She reports the DPL has forwarded the proposed regulations to the Office of Consumer Affairs where they will be reviewed. DPL has received no questions from OCA yet.

### **Reciprocity for Applicants**

Applicants seeking reciprocity are finding a lot of delays. A DC from Connecticut, Dr. Edward Geddis, is currently asking to become a candidate for licensure in Massachusetts. Our laws state an applicant must meet the criteria in place for Massachusetts chiropractors for the same year they were licensed in their current state of practice. In addition, the other state must have a procedure by which a similarly situated MA chiropractor could be licensed in the other state without taking licensing examinations, other than a state specific jurisprudence examination. The form we send out has the word "reciprocity" in it which seems to make other states hesitant to sign off on it. The Board directed counsel to push for out of state candidates to provide a completed reciprocity form signed by the other states. If the other state will not sign the form, the applicant may provide copies of the other state's laws and regulations and Board Counsel will review and recommend to the Board whether the legal requirements for reciprocity have been met. Board Counsel reviewed the CT regulations permitting licensure without examination in certain circumstances which could be used by a similarly situated MA candidate to seek licensure with examination waiver in CT. Board Counsel recommended that the reciprocity requirements had been met. A motion to accept Dr. Geddis for licensure was made by Dr. Garber and seconded by Dr. Imonti. Passed unanimously.

An email came through to Sheila York's state account with an advertisement from a chiropractor advertising to patients a percentage off their own bill when they referred a friend for chiropractic services. As this appears to violate 233 CMR 4.12, Improper Solicitations, Inducements or Referrals, the Board directed staff to open a complaint.

Counsel was asked by a ChoR at a facility in Dorchester who also works as a solo in Canton if, for a patient's convenience, he could treat the patient from the facility at his solo practice location and bill it through the facility. The Board directed staff to respond that billing needs to be consistent with the location of treatment.

### **Case Monitoring Report**

Mr. Bialas responded to the Board's question at the January 2016 meeting regarding the status of CH-10-068 [NE]. The second monitoring report for this case was previously placed on the November 2015 meeting agenda in error after it had been approved in September 2015 and thus does not require follow up.

Mr. Bialas also provided a report on CH-06-005 [KZ]. All monitoring reports required for this case under the Consent Agreement have been approved, but the chiropractor must provide corrective action reports under the Consent Agreement before he can petition the Board for termination of his probation.

Dr. Imonti presented her recommendations with regard to the following monitoring documents received:

**CH-11-023 [BCC]** Review of Proposed Monitor. A motion to accept both monitors was made by Dr. Garber, seconded by Mrs. Slater. Dr. Krohn recused herself. Motion passed.

**CH-14-031 [JC]** Review of Corrective Action Plan for 4<sup>th</sup> Quarterly Report. Accepted.

**CH-15-021-023 [DO]** Review of Proposed Monitor. A motion to accept Dr. Fanselow as monitor was made by Dr. Garber and seconded by Dr. DeVeue. Passed unanimously.

A motion was made by Mrs. Slater, seconded by Dr. Reida, and it was voted unanimously to accept Dr. Imonti's recommendations regarding the above monitoring matters.

### **CE Applications**

Dr. Reida presented his recommendations regarding the current CE applications. A motion was made by Mrs. Slater, seconded by Dr. Garber and was voted unanimously to approve applications # 4444-4503 as presented.

### **Discussion**

- **8 hours/day CEU Limit for Approval.** Nothing in the regulations limits earned CEU hours to 8 hours/day, but the Board had in years past adopted the position that no more than eight hours could be credited in one day. The Board discussed whether this policy was still warranted. By statute, 12 hours/year is required. A motion was made by Dr. Reida to accept 12 hours/year CEUs in any time configuration. Seconded by Dr. Garber. Motion passed unanimously.
- **Chiropractor Preceptor Internship.** The Board affirms that students are unlicensed assistants that fall under the Policies for Unlicensed Assistants and can be considered

nothing more.

- **Opioid Abuse Policy Statement.** The FCLB will issue a policy statement at their April 2016 meeting which the Board will review. The Board may render a statement at that time.

### **Correspondence**

NBCE Call for Delegates to Annual Business Meeting. A motion was made by Dr. Garber and seconded by Dr. Krohn to nominate Dr. Storozuk as the Board delegate to attend the meeting with Dr. Imonti as the alternative delegate. Motion passed unanimously.

Letter to Governor Baker from Philip Barron, DC. Received and read.

### **New Licensee Interview**

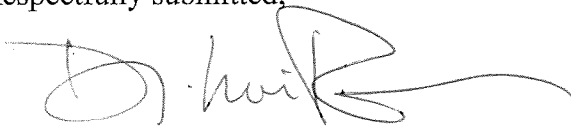
The following candidates completed a new licentiate orientation/interview with Dr. Krohn after the public meeting:

Harmony Bell, Pam Leitner, Siobhan McDonagh, Ashley McMillin, Audrey Peck

### **Adjournment**

Dr. Storozuk noted there were no more agenda items. Therefore a motion was made by Dr. Krohn, seconded by Mrs. Slater, and it was voted unanimously at 11:51 a.m. to adjourn the February 4, 2016 public meeting of the Board of Registration of Chiropractors.

Respectfully submitted,



Dr. Lori DeVeuve, D.C.  
Secretary

### **List of Documents Used by the Board at the Open Meeting**

Agenda for the February 4, 2016 Board Meeting  
Draft January 7, 2016 Public Meeting Minutes  
Draft January 7, 2016 Executive Session Meeting Minutes  
Monitoring Report from Dr. Imonti  
CE Applications #4444-4503  
Letter from NBCE Call for Delegates to Annual Meeting  
Letter to Governor Baker from Philip Barron, DC