

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

May 5, 2016

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

Members Present

Dr. Scott Storozuk, Chair
Dr. Scott Garber, Vice Chair
Dr. Lori DeVeuve, Secretary
Dr. Dan Reida, Member
Dr. Glenn Dodes, Member
Mrs. Diane Slater, Public Member

Members Absent

Dr. Marsella Imonti, Member

Staff Present At Various Times

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

The meeting was called to order by Dr. Storozuk at 10:00 a.m.

Dr. Storozuk attended the FCLB meeting in Arizona and updated the Board on the issues discussed:

- Other states are having issues with animal adjusting. This Board has a policy but many other states do not.
- The FCLB was hoping to have their policy statement on opioid abuse ready but it was defeated in committee.
- Chiropractor's use of social media as a communication tool with patients can lead to possible HIPAA violations. The Board may want to consider writing a policy addressing the issue.
- Ongoing discussion regarding procedure to license foreign students. The CCEI is not an

accrediting body and does not have parity with the CCE. The Board directed staff to contact Christopher Kent in New Jersey for more information. It was also noted that the CCE is looking to possibly make changes in graduation requirements for chiropractic students.

- Discussion about the possibility of the “specialty” diplomate councils becoming a single specialty Board.
- The Board directed staff to investigate FBI background checks for chiropractors.

AGENDA

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

The Board directed staff to place officer nominations and elections on the agenda for next month.

MEETING MINUTES

Motion was made by Dr. Reida to approve the April 7, 2016 Public Minutes with corrections. Seconded by Dr. Dodes with Mrs. Slater and Dr. Garber abstaining. Motion passed unanimously.

Motion was made by Dr. Reida, seconded by Dr. DeVeuve to approve the April 7, 2016 Executive Session I Minutes as presented and to keep these minutes confidential until the purpose for the Executive Session has transpired. Mrs. Slater and Dr. Garber abstained. Motion passed unanimously.

Motion was made by Dr. Reida, seconded by Dr. Dodes to approve the April 7, 2016 Executive Session II Minutes as corrected and to keep these minutes confidential until the purpose for the Executive Session has transpired. Mrs. Slater and Dr. Garber abstained. Motion passed unanimously.

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.

Chiropractor of Record Waiver Interview

Dr. Kelly Cornell for Mass Sport and Spine Foxboro came before the Board today. She explained why she was seeking a waiver to serve as ChoR at another location and her plans for providing chiropractic services at that location. After discussion a motion was made by Dr. Garber, seconded by Dr. Reida to grant the waiver. Motion passed unanimously.

Legal Report

- EO 562 Regulatory Review Update
Ms. York informed the Board that the proposed regulations are awaiting approval with Administration and Finance which is the last approval before the Public Hearing.

- EO 567
Ms. York updated the Board with regard to this recent Executive Order. She will keep the Board up to date on how the DPL will be implementing this Executive Order.
- Ms. York discussed the reinstatement request of Robert Condon. She informed the Board that he had recently provided a money order to pay the outstanding fine and written a note to the Board in which he takes responsibility for failing to comply with the terms of his Consent Agreement. Ms. York informed the Board that she has explained to the former licensee that his payment of the fine does not guarantee reinstatement, but that he may now proceed with the application process. She will provide him with the link to the licensure application.

CASE MONITORING

The Board prepared to discuss a case monitoring report involving highly personal documents. Thereafter, at 10:45 a.m., a Motion was made by Mrs. Slater, seconded by Dr. Reid, and was **VOTED** (unanimous by roll call vote) to suspend the open meeting pursuant to G.L. c. 30A, s. 21(a)(7) to comply with G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B **and enter into closed conference to discuss the following case monitoring report: CH-98-003 [EO]** Roll call vote. Members in favor: Dr. Storozuk, Dr. Garber, Dr. Reid, Dr. DeVeve, Dr. Dodes, Mrs. Slater. Members opposed: None.

Dr. Storozuk announced that open session would resume in approximately five minutes.

Open session resumed at 10:55 a.m.

CE Applications

Dr. Reid presented his recommendations regarding the current CE applications. All were approved except for 4577 15-432 due to it being devoted to the economic aspect of practice. A motion was made by Mrs. Slater, seconded by Dr. DeVeve and was voted unanimously to approve application # 4556 15-411 – 4589 15-444 excluding 4577 15-432.

Correspondence

3.23.16 Letter from Dr. Jennifer Rubio re: Request for CEU Waiver and 4.15.16 Letter to Dr. Jennifer Rubio from Brian Bialas re: same. Staff was directed to obtain proof of the 8 hour class.

4.22.16 Email from Dr. Deborah Mager re: Medical Marijuana Evaluations in Rented Office Space. Licensee informed Board Counsel prior to the meeting that she was withdrawing her request. Letter was received and read.

4.24.16 Email from Dr. Kirk Shilts re: Draft Proclamation for 50th Anniversary Event and B. Bialas edits to same. The Board directed staff to make edits and submit to the Governor's Office for approval.

Cases

A motion was made at 11:15 a.m. by Mrs. Slater, seconded by Dr. Reida, **VOTED** (unanimously) to suspend the open meeting pursuant to **MGL c. 112, s. 65C** and enter into closed conference to discuss the following investigative matters:

CH-16-034

Cases Related to One Another

CH-16-015

CH-16-016

CH-16-017

CH-16-018

CH-16-019

CH-16-020

CH-16-021

CH-16-022

CH-16-023

CH-16-024

CH-16-025

CH-16-026

At 12:15 Dr. Storozuk suspended closed session discussion to break for lunch. Resume at 1 p.m.

Lunch/New Licensee Interviews

The following candidates completed new licentiate orientation/interview with Dr. Reida during the lunch break:

April Kozinski, Santa Elizabeth Casado, Timothy Latham, Laura Latham, Britney Hines

Cases

Closed session pursuant to **MGL c. 112, s. 65C** resumed at 1:06 p.m.

At 2:12 p.m. open session resumed.

Report of action taken during closed session:

CH-16-034 Board directed staff to schedule Investigative Conference with doctor.

Cases Related to One Another:

CH-16-015 thru CH-16-026: Board directed staff to schedule Investigative Conference with doctors.

Adjournment

Dr. Storozuk noted there were no more agenda items. Therefore, a motion was made by Mrs. Slater, seconded by Dr. Garber, and was voted unanimously at 2:15 p.m. to adjourn the May 5, 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 May 5, 2016 Board Meeting

Draft April 7, 2016 Public Meeting Minutes and Draft Executive Minutes I and II

Monitoring Report from Dr. Imonti

CE Applications #4556 15-411 – 4589 15-444

March 23, 2016 Letter from Dr. Jennifer Rubio re: Request for CEU Waiver and 4.15.16 Letter to Dr. Rubio from Brian Bialas re: same

April 22, 2016 Email from Dr. Deborah Mager re: Medical Marijuana Evaluations in Rented Office Space

April 24, 2016 Email from Dr. Kirk Shilts re: Draft Proclamation for 50th Anniversary Event and B. Bialas edits to same