

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

September 8, 2016

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

Dr. Storozuk observed a quorum of members present, and the meeting was called to order at 10:04 A.M.

Members Present:

Dr. Scott Storozuk, Chair
Dr. Dan Reida, Vice Chair
Dr. Glenn Dodes, Secretary
Dr. Lori DeVeue, Member
Dr. Kirk Shilts, Member
Dr. Marsella Imonti, Member

Members Absent:

Mrs. Diane Slater, Public Member

Staff Present At Various Times:

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

Chairman's Message:

Dr. Storozuk welcomed Dr. Kirk Shilts on to the Board.

Agenda:

A Motion was made by Dr. DeVeue and Seconded by Dr. Dodes to approve the agenda for today's meeting as amended.

Motion passed unanimously.

Minutes:

A Motion was made by Dr. Reida and Seconded by Dr. DeVeue to approve the August 4, 2016 Public Meeting Minutes as amended.

Motion passed unanimously with Dr. Shilts abstaining.

A Motion was made by Dr. DeVeue and seconded by Dr. Reida to approve August 4, 2016 Executive Session Minutes and to continue to hold them confidential until the purpose for the executive session has transpired.

Motion passed unanimously with Dr. Shilts abstaining.

CASES:

The Board prepared to have investigative discussion of open cases and other investigative matters.

Thereafter, at 10:10 A.M., a Motion was made by Dr. Reida and Seconded by Dr. DeVeuve to suspend the open meeting pursuant to MGL c. 112, 65C and enter into closed investigative conference to discuss the following investigative matters.

Motion passed unanimously.

- **CH-16-042 [MT]**
- **Unannounced Inspection in Cambridge [RC & CG]**
- **Malpractice Notification [BE]**
- **Malpractice Notification [RP]**

A Motion was made by Dr. DeVeuve and Seconded by Dr. Reida to exit closed investigative session and resume open session at 10:46 A.M.

Motion passed unanimously.

Report of actions taken in closed investigative session:

- **CH-16-042 [MT]** - Scheduled for Investigative Conference
- **Unannounced Inspection in Cambridge [RC & CG]** - Referred to prosecutions
- **Malpractice Notification [BE]** – No Action Taken
- **Malpractice Notification [RP]** – No Action Taken

Legal Report:

• **Update on EO 562 Regulatory Review:**

Attorney York provided the Board with information regarding the Public Hearing on the Board's proposed regulations which will be held today at 2:00 P.M. Attorney York and Executive Director Bialas will be present to receive comments. Board members are welcome to stay for the hearing but not required. Attorney York will distribute an audio recording of the oral comments and copies of any written comments received to Board members in advance of next month's meeting.

• **Reinstatement Request [JC]:**

Postponed to a future board meeting.

Case Monitoring Report:

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

- **CH-93-003 [EO]** 1st, 2nd, 3rd and 4th Corrective Action Plans – Accepted.
- **CH-07-044 [JG]** 4th Quarterly Report, 1st, 2nd, 3rd and 4th Corrective Action Plans – Accepted.

A Motion was made by Dr. Reida and Seconded by Dr. DeVeuve to accept Dr. Imonti's recommendations on the monitoring reports on these cases.

Motion passed unanimously.

- **CH-93-003 [EO]** The Board prepared to have discussion of medical records.

Thereafter, at 11:07 A.M., a Motion was made by Dr. Reida and Seconded by Dr. DeVeuve to

suspend the open meeting and enter into Executive Session pursuant to MGL c. 30A, s. 21(a) (7) to comply with the Board's authority to keep medical records confidential under G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B.

Voted unanimously by roll call vote: Members in favor: Dr. Storozuk, Dr. Reida, Dr. Dodes, Dr. DeVeuve, Dr. Imonti, and Dr. Shilts. Members opposed: none.
The Chair estimated that public session would resume in less than five minutes.

Open session resumed at 11:10 A.M.

CE Applications:

Dr. DeVeuve presented her recommendations regarding the current CE applications.

A Motion was made by Dr. Reida and Seconded by Dr. Dodes to approve application # 4647 16-058 – 4670 16-081 as presented.

Motion passed unanimously.

Correspondence:

- Email dated 8/24/16 from D. Beeman regarding the NBCE Part IV exam administration. Dr. DeVeuve and Dr. Shilts agreed to attend on behalf of the Board.
- Email dated 8/5/16 from S. Bennett regarding recent CCE accreditation actions.
- The Board reviewed the notice about proposed updates to the Chiropractic Program accreditation standards for 2017.

License Applications, Good Moral Character Review:

The Chair noted that the next two items would be discussed in Executive Session for the purposes stated below and he estimated that open session would resume in 20 minutes.

• Reciprocity Applicant [JG]:

The Board prepared to interview and discuss the good moral character of the applicant.

Thereafter, at 11:19 A.M., a Motion was made by Dr. Dodes and Seconded by Dr. Shilts, to suspend the open meeting and enter into closed Executive Session for the purpose of discussing an individual's good moral character pursuant to MGL c. 30A, s. 21(a)(1). The Chair estimated that open session would resume in ten minutes.

Voted unanimously by roll call vote: Members in favor: Dr. Storozuk, Dr. Reida, Dr. Dodes, Dr. DeVeuve, Dr. Imonti, and Dr. Shilts. Members opposed: none.

• Reinstatement Application [RS]:

The Board prepared to discuss the reinstatement application of the applicant. The Board noted that the discussion would involve the applicant's good moral character and confidential medical information.

Thereafter, at 11:19 A.M., a Motion was made by Dr. Dodes and Seconded by Dr. Shilts to suspend the open meeting pursuant G.L. c. 30A, s. 21(a)(1) to discuss good moral character and G.L. c. 30A, s. 21(a) (7) to comply with the Board's authority to keep medical records confidential under G.L. c. 4, s. 7, para. 26(c) and G.L. c. 214, s. 1B.

Voted unanimously by roll call vote: Members in favor: Dr. Storozuk, Dr. Reida, Dr. Dodes, Dr. DeVeuve, Dr. Imonti, and Dr. Shilts. Members opposed: none. The Chair estimated that open session would resume in ten minutes.

Open session resumed at 11:54 A.M.

New Business:

Discussion to review the Clinical Monitor Reporting and Corrective Action Plan processes at a future meeting.

Adjournment:

Dr. Storozuk noted there were no more agenda items.

A Motion was made by Dr. Reida and Seconded by Dr. DeVeuve to adjourn the September 8, 2016 public meeting of the Board of Registration of Chiropractors at 12:00 P.M.

Motion passed unanimously.

The above Minutes were approved at the open meeting held on October 13, 2016.



Brian Bialas, Executive Director

New Licensee Interviews:

After the meeting was adjourned, the following candidates completed new licentiate orientation/interviews with Dr. Shilts:

Dan Ceballos; Sarah Mizzoni; David Tran; Robert Staulo; and John Gallant.

Documents used during the public meeting:

Agenda of September 8, 2016 meeting

Draft Public Minutes of the August 4, 2016 meeting

Draft Executive Session Minutes of the August 4, 2016 meeting

8.24.16 Email from D. Beeman re: NBCE Part IV exam Administration

8.5.16 Email from S. Bennett re: CCE Accreditation Actions