

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

SEPTEMBER 5, 2019

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

Dr. Dodes noted a quorum of members present and called the meeting to order at 10:08 a.m.

MEMBERS PRESENT:

Dr. Glenn Dodes, Chair
Dr. Peter Martone, Vice Chair
Dr. Kirk Shilts, Secretary
Ms. Barbara Bush, Public Member
Dr. Daniel Fanselow, Member
Dr. Gabrielle Freedman, Member
Dr. Candace Maddalo, Member

STAFF PRESENT (at various times):

Richard Lawless, Board Executive Director
Melyssa Bennett, Associate Executive Director
Sheila York, Esq., Board Legal Counsel
Lauren McShane, DPL Chief Investigator
Ellen D'Agostino, Office of Investigations

CHAIRMAN'S MESSAGE

Dr. Dodes welcomed the Board's new Associate Executive Director, Ms. Bennett, to the Board.

CONFLICT OF INTEREST REMINDER

Dr. Dodes briefly reviewed the state's conflict of interest process and procedures for Board member recusals.

AGENDA

Dr. Dodes reviewed the draft agenda with the Board.

Mr. Lawless asked to include a discussion with a former licensee about the former licensee's desire to become licensed again.

Thereafter, a motion was made by Ms. Bush, seconded by Dr. Maddalo and VOTED (unanimous);
to approve the meeting's agenda as amended.

NEW & OPEN CASES:

The Board prepared to discuss investigative matters involving new and open cases.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Freedman and VOTED (unanimous);
**to enter into Closed Session under M.G.L. c. 112, s. 65C at 10:20 a.m. for the purpose of discussing
investigatory matters.**

Dr. Dodes estimated that open session would resume in about 30 minutes.

Open Session resumed at 11:10 p.m.

During Closed Session the Board took the following actions:

- **2019-000070-IT-ENF [TG]** Dismissed
- **2018-000952-IT-ENF [JG]** Advisory Letter –read and filed
- **2019-000342-IT-ENF [JD]** Advisory Letter –read and filed
- **2019-000680-IT-ENF [RM]** Dismissed with Advisory Letter
- **MassHealth correspondence [KN]** Gave direction to staff
- **Automobile Ins. Bureau Report** Gave direction to staff

NEW BUSINESS:

- **Dr. David Boyden**

Dr. Boyden presented to the Board to discuss the process and requirements toward regaining a chiropractic license in Massachusetts. The Board gave direction to Dr. Boyden that he would need to submit an application for licensure and demonstrate that he met all current requirements. The Board advised Dr. Boyden that determining whether to reinstate a revoked chiropractic license is a discretionary decision of the Board based on the public interest, and that the Board could impose probationary conditions on any such reinstatement.

CORRESPONDENCE:

- **08/01/19 email from James Anliot, Esq. RE: Record Review Process for Clinical Monitors**

Thereafter, the Board will respond explaining that a monitor is expected to conduct on-site visits and randomly select patient records to be reviewed and about fifteen (15) patient files per review are adequate for a typical quarterly monitoring report.

- **08/07/19 email from James Barassi, D.C. RE: Peer Review Practitioner Reporting**

Thereafter, the Board will respond explaining that Massachusetts chiropractic regulations does not mandate that chiropractors performing peer reviews report to the Board evidence of regulatory violations by another chiropractor, unless the suspected violation is egregious that it presents a threat to public safety. However, any chiropractor may choose to report suspected regulatory violations to the Board.

- **08/22/19 email from Andrew Gow, D.C. RE: NBCE Part-4 November Test Administration**

Thereafter, any Board member wishing to participate as a NBCE Part-4 examiner will contact Mr. Lawless for completing the required forms.

PROPOSED CHIROPRACTOR OF RECORD (CHoR)

Stephen Loughlin, D.C.

Dr. Loughlin presented to the Board seeking to become the CHoR for his own Chiropractic Facility. Dr. Loughlin answered the Board's questions regarding his qualifications to serve as CHoR. He said he is not currently planning to hire an additional chiropractor.

Thereafter, a motion was made by Dr. Freedman, seconded by Dr. Maddalo and VOTED (unanimous); **to move forward with this application.**

LEGAL REPORT:

- **Request for Advisory Ruling**

Atty. York reviewed a draft response to an Advisory Ruling request from Jennifer Boyd Herlihy, Esq., dated 2/7/18.

Thereafter, a motion was made by Dr. Shilts, seconded by Ms. Bush and VOTED (unanimous);
to send the response to the Advisory Ruling request as drafted.

- **Proposed Regulation Update**
None provided

PUBLIC MEETING MINUTES

The Board reviewed the draft public meeting minutes of August 1, 2019.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Maddalo and VOTED (unanimous);
to approve the public meeting minutes of August 1, 2019 as amended.

PUBLIC COMMENT PERIOD

None offered

NEW LICENSEE INTERVIEWS

After the meeting, the following candidates were scheduled to complete their new licensee orientation/interview:

- Kyle Parrilla (CT); Peter Long (TX) & Michelle Dewar (MA)

ADJOURNMENT

Dr. Dodes noted there were no more agenda items.

Thereafter, a motion was made by Dr. Freedman, seconded by Dr. Maddalo and VOTED (unanimous);
to adjourn the September 5, 2019 public meeting at 11:53 a.m.

**The above minutes were approved during the open meeting of the Board held on October 3, 2019.*



Kirk Shilts, D.C., Secretary
Board of Registration of Chiropractors

Documents used by the Board during open session:

- *Proposed meeting agenda for 9/5/19*
- *Draft public meeting minutes from 8/1/19*
- *Letter from J. Herlihy, dated 2/7/18*
- *Email from J. Anliot, dated 8/1/19*
- *Email from J. Barassi, dated 8/7/19*
- *Email from A. Gow, dated 8/22/19*
- *Final Decision and Order by Default, RE: David Boyden, dated 1/3/13*

