

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

JANUARY 3, 2019

A scheduled 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 the meeting called to order at 10:12 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 Associate Executive Director
Sheila York, Esq., Board Legal Counsel
Ellen D'Agostino, Office of Investigations
Alan VanTassel, Office of Investigations

CHAIRMAN'S MESSAGE

Dr. Dodes welcomed new member Dr. Daniel Fanselow to the Board.

Ms. Bush excused herself from the meeting.

CONFLICT OF INTEREST REMINDER

Atty. York 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.

Thereafter, a motion was made by Dr. Martone, seconded by Dr. Freedman and VOTED (unanimous, with Ms. Bush absent);

to approve the meeting's agenda as drafted.

PAST MEETING MINUTES

The Board reviewed the draft public meeting minutes of October 4, 2018.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Freedman and VOTED (unanimous, with Ms. Bush absent);

to approve the public meeting minutes of November 15, 2018 as drafted.

NEW & OPEN CASES:

The Board prepared to discuss open and investigative matters.

Thereafter, a motion was made by Dr. Shilts seconded by Dr. Maddalo and VOTED (unanimous, with Ms. Bush absent);

to enter into Closed Session under G.L. c. 112, s. 65C at 10:38 a.m. for the purpose of discussing investigatory matters and/or settlement of open cases.

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

Open Session resumed at 11:27 a.m.

During Closed Session the Board took the following actions:

- **2018-000667-IT-ENF [RR]** – Postponed
- **2018-000692-IT-ENF [KC]** – Postponed
- **2018-001011-IT-ENF [HS]** – Sent to Office of Prosecutions
- **2018-001012-IT-ENF [ML]** – Sent to Office of Prosecutions
- **2018-001179-IT-ENF [JM]** – Sent to Office of Prosecutions
- **2017-001377-IT-ENF [JE]** – Gave Direction to Staff (*note: Mr. Lawless excused himself during this matter and left the room*)
- **AIB Report Update** – Gave Direction to Staff

LEGAL REPORT:

- Atty. York reviewed the State's Open Meeting Law with the Board
- Atty. York withdrew her discussion of the New Licensee Interview requirement.

CHIROPRACTIC FACILITY APPLICATION

• SPINE & NUTRITION, LLC

The Board prepared to discuss this chiropractic facility application.

Thereafter, a motion was made by Dr. Shilts seconded by Dr. Freedman and VOTED;

to enter into Executive Session under G.L. c. 30A, s. 21(a)(1) and (7) at 11:37 a.m. for the purpose of discussing an issue related to a licensee's good moral character and to comply with statutory exemptions to the public records law.

Members in favor: Dodes, Martone, Shilts, Fanselow, Freedman and Maddalo.

Members opposed: none

Ms. Bush was absent from the meeting.

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

Open session resumed at 12:10 p.m.

CASE MONITORING:

• 2016-0111CH033-IT-ENF [SF]

Drs. Fanselow and Freedman recused themselves from this matter and left the room

The Board discussed a proposed applicant monitor in this case.

Thereafter, a motion was made by Dr. Shilts seconded by Dr. Martone and VOTED (unanimous, with Ms. Bush absent);

to accept the proposed monitor in this case.

LICENSE REINSTATEMENT

- **Dr. Ian Beckingham**

The Board discussed reinstatement of Dr. Beckingham's inactive chiropractic license.

Thereafter, a motion was made by Dr. Shilts seconded by Dr. Maddalo and VOTED (unanimous, with Ms. Bush absent);

to not accept the submitted courses for continuing education credit.

DISCUSSION:

- **Proposed Policy Guideline on Dry Needling**

The Board discussed a proposed "Dry Needle Myotherapy" guideline drafted by Dr. Shilts. Dr. Shilts said he modeled the guideline from what Dr. Marsha Krohn submitted back in November which was reportedly developed by previous members of the Board with input from staff. Dr. Shilts also recommended additional word changes to his proposed draft. Mr. Lawless said the Allied Health Board is going through a similar conversation about dry needling and suggested the Board hold off on approving the guideline until concerns the Allied Health Board have are better resolved. Atty. York said many state chiropractic boards reference standards on chiropractors performing acupuncture and/or dry needling in their chiropractic regulations or statutes and she believed developing a regulation would be better than a guideline where it gives the public more input. Mr. Lawless reminded the Board that the policy had not yet been accepted by the Division of Professional Licensure. Dr. Dodes said developing regulations on chiropractic acupuncture could be of future benefit, but where chiropractors are currently performing dry needle myotherapy as a supportive procedure on patients right now, it is in the public's interest and welfare to have some form of guidance on dry needling as soon as possible.

Thereafter, a motion was made by Dr. Shilts seconded by Dr. Maddalo and VOTED (unanimous, with Ms. Bush absent);

to approve and post on our website the policy guideline on Dry Needle Myotherapy as amended.

- **Penalties and Fines for Facility Inspection Violations**

The Board reviewed Mr. Van Tassel's memo regarding current Board process on issuing fines for certain violations discovered during an inspection.

Thereafter, a motion was made by Dr. Shilts seconded by Dr. Fanselow and VOTED (unanimous, with Ms. Bush absent);

to leave unchanged the current process identified in Mr. Van Tassel's 12/28/18 memo.

CORRESPONDENCE:

The Board received the following correspondences:

- **Letter (1/30/18) from Michael Megehee RE: FAA Basic Medical Exams**

Discussion on this matter was postponed due to time constraints.

- **Email (11/16/18) from Nicholas Kirton RE: Reciprocity**

Thereafter, the Board gave direction to staff regarding reciprocity with the State of Texas and the requirement that all candidates for chiropractic licensure must have graduated from a CCE-US accredited chiropractic program.

PUBLIC COMMENT PERIOD:

- none offered

NEW LICENSEE INTERVIEWS

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

- Leslie El-Turkmani; John Vasko; and Elina Baelde

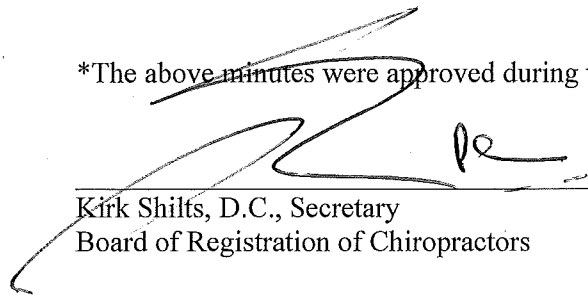
ADJOURNMENT

Dr. Dodes noted there were no more agenda items.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Martone and VOTED (unanimous, with Ms. Bush absent);

to adjourn the January 3, 2019 public meeting at 1:01 p.m.

*The above minutes were approved during the open meeting of the Board held on February 7, 2019.



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

Documents used by the Board during open session:

- *Proposed meeting agenda for 1/3/19*
- *Draft public meeting minutes from 11/15/18*
- *Draft policy guideline on Dry Needle Myotherapy from K. Shilts dated 12/02/18*
- *Memo from A. Van Tassel dated 12/28/18*
- *Letter from M. Megehee dated 1/30/18*
- *Email from N. Kirton dated 11/16/18*