

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

**MAY 7, 2020**

A posted public meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held remotely by telephone as an alternate means of public access pursuant to an Executive Order issued by the Governor of Massachusetts dated March 12, 2020 suspending certain provisions of the open meeting law.

Dr. Dodes noted a quorum of members present and called the meeting to order at 10:01 a.m.

**MEMBERS PRESENT:**

Dr. Glenn Dodes, Chairman  
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  
Deborah Cassano, Associate Exec. Director  
Sheila York, Esq., Board Legal Counsel  
Ellen D'Agostino, Office of Investigations  
Allen VanTassel, Office of Investigations

**CHAIRMAN'S MESSAGE**

Dr. Dodes reviewed the protocols for the electronic meeting format. He said all votes will be roll-call votes. He will sequentially call on each Board member for any preliminary comment after introducing the agenda item; and follow the same process during the discussion phase after a seconded motion.

**AGENDA**

Dr. Dodes reviewed the draft agenda with the Board.

Thereafter, a motion was made by Dr. Martone, seconded by Dr. Fanselow and VOTED (roll call);  
**to approve the meeting's agenda as drafted.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*  
*Members opposed: none*

**CONFLICT OF INTEREST REMINDER**

Dr. Dodes briefly reminded Board members of the state's conflict of interest requirement and recusal process.

**MEETING MINUTES:**

- The Board reviewed the draft public meeting minutes of April 2, 2020.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Freedman and VOTED (roll call);  
**to approve the public meeting minutes of April 2, 2020 as presented.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*

*Members opposed: none*

- The Board reviewed the executive session minutes of April 2, 2020.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Fanselow and VOTED (roll call);

**to approve the executive session minutes of April 2, 2020 as presented and to hold them confidential until the purpose for the executive session has concluded.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*

*Members opposed: none*

### **BOARD OFFICER NOMINATIONS:**

The Board prepared to hold officer nominations for the 2020/21 term commencing on July 1st.

- Dr. Dodes called for nominations for the position of Board Chairman.  
Dr. Maddalo nominated Dr. Shilts. No other nominations were offered.
- Dr. Dodes called for nominations for the position of Board Vice Chairman.  
Dr. Maddalo nominated Dr. Dodes. No other nominations were offered.
- Dr. Dodes called for nominations for the position of Board Secretary.  
Dr. Shilts nominated Dr. Maddalo. No other nominations were offered.

The election of officers will occur at the next scheduled meeting.

### **LEGAL UPDATE**

- none

### **REINSTATEMENT OF SUSPENDED LICENSE**

**CH-2015-004, Steven Jacobs, D.C.**

Dr. Jacobs presented to the Board seeking an extension to his prior request for reinstatement of his suspended chiropractic license.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Dodes and VOTED (roll call);

**to postpone action on this request for license reinstatement for up to ninety (90) days after the end of the Governor's declared state of emergency.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*

*Members opposed: none*

### **REINSTATEMENT OF LAPSED LICENSE**

**Dr. Erik Bejerre (2786-CH-CH)**

The Board discussed the continuing education credit (CE) certificates submitted by the licensee. The Board noted potential differences in the number of course/hours and certificates.

Thereafter, a motion was made by Dr. Shilts, seconded by Ms. Bush and VOTED (roll call);

**to approve the CE credit hours submitted toward the 120-hours required, conditional on Dr. Freedman and Ms. Cassano agreeing on the number of hours submitted, and if this number meets or exceeds 120-hours to continue this application through the renewal process.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*  
*Members opposed: none*

### **CASE MONITORING**

#### **2019-000065-IT-ENF [JG]**

The Board reviewed two (2) proposed candidate applications for the position of assessment monitor in this case.

Thereafter, a motion was made by Dr. Freedman, seconded by Dr. Fanselow and VOTED (roll call);  
**to accept either candidate for this position.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*  
*Members opposed: none*

### **DISCUSSION:**

- **New License Candidate Orientation/Interviews**

Mr. Lawless said that Drs. Martone and Shilts completed a video presentation of the new license candidate orientation presentation for the Division to potentially use if it cannot provide a live interactive format. He said today's orientation is set up in audio format. He said the Board can revisit this issue once the video has been approved by the Division.

- **Jurisprudence Examination**

Atty. York said that some state licensing boards have considered conditional licensure for a candidate waiting to complete their jurisprudence examination while this examination is not available. Mr. Lawless said the jurisprudence examination process had been temporarily off-line due to the state of emergency but expected to resume next week.

### **CORRESPONDENCE:**

Dr. Dodes asked Dr. Shilts to review correspondences with the Board.

- **Email from Paul O'Brien, D.C., 4/10/20, RE: Conditional Licensure for Students that have Not Completed the NBCE Part-3 & Part-4 Examinations During this State of Emergency**

Dr. Shilts said the chiropractic statutes and regulations do not have a provision for conditional licensure. He said the Governor's Executive Order allowing expedited licensure to certain front-line medical providers caring for COVID-19 patients is not applicable to chiropractic physicians. The Board agreed and directed staff to respond accordingly.

- **Email from Dr. Jennifer Antonio, 4/21/20, RE: Jurisprudence Examination Delays**

Based on Mr. Lawless' information about resumption of the jurisprudence examination, staff will respond accordingly.

- **Email from Adam Palombo, D.C., 4/16/20, RE: Telehealth Guidance**

Dr. Shilts said Dr. Palombo should consult the applicable practice resources for proper insurance coding and billing guidance. The Board agreed and directed staff to respond accordingly.

- **Email from Dr. Morgan Price, 5/1/20, RE: Suicide Prevention & Training Requirements**

Dr. Shilts said our new licensure orientation presentation does not contain information on suicide prevention. The Board agreed and staff will respond accordingly.

- **Email from NBCE, 4/3/20, RE: Notice of postponement of the NBCE Part-4 test to July 2020**  
Received.

### **PUBLIC COMMENT PERIOD**

- **Sara O'Brien** said the Board should consider tracking a chiropractic student's progress so once their examination requirements are completed their license applications can be fast-tracked.

### **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 (roll call); **to enter into Closed Session under M.G.L. c. 112, s. 65C at 11:25 a.m. for the purpose of discussing investigatory matters.**

*Members in favor: Maddalo, Freedman, Bush, Fanselow, Shilts, Martone & Dodes*

*Members opposed: none*

*Dr. Dodes said the Board would not be coming back to open session but adjourn at the conclusion of this closed session.*

During Closed Session the Board took the following actions:

- **CH-2018-000692-IT-ENF [KC]** Dismissed with Advisory Letter
- **CH-2019-001451-IT-ENF [DC]** Dismissed
- **CH-2020-000216-IT-ENF [RA]** Dismissed
- **CH-2020-000217-IT-ENF [DL]** Sent to Office of Prosecutions
- **CH-2020-000478-IT-ENF [CC]** Dismissed
- **CH-2020-000331-IT-ENF [MC]** Reviewed and sent Advisory Letter
- **AIB Update** Opened and Sent to Office of Prosecutions a complaint against Mitchell Goldberg, D.C.
- **AIB Update** Removed Dr. Melchior Ceme from Investigation due to his revoked license

### **NEW LICENSEE INTERVIEWS**

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

- Juyoung Kim (MA); and Stephen Laski (MA)

### **ADJOURNMENT**

The public meeting of May 7, 2020 adjourned at the conclusion of closed session at 12:43 p.m.

*\*The above minutes were approved during the open meeting of the Board held on June 4, 2020.*



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

*Documents used by the Board during open session:*

- *Proposed meeting agenda for 5/7/20*
- *Draft public meeting minutes from 4/2/20*
- *Draft executive session minutes from 4/2/20 (protected)*
- *Proposed assessment monitor applications for 2019-000065-IT-ENF[JG]*
- *Continuing Education credits from E. Bjerre*
- *Email from P. Obrien, dated 4/10/20*
- *Email from J. D'Antonio, dated 4/21/20*
- *Email from A. Palombo, dated 4/16/20*
- *Email from M. Price, dated 5/1/20*
- *Email from NBCE, dated 4/3/20*