

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

**OCTOBER 1, 2020**

A posted public meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held remotely by telephone or by videoconference 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. Shilts noted a quorum of members present and called the meeting to order at 10:06 a.m.

**MEMBERS PRESENT:**

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

**ABSENT MEMBERS:**

Dr. Daniel Fanselow, Member

**STAFF PRESENT (at various times):**

Richard Lawless, Board Executive Director  
Deborah Cassano, Associate Executive Director  
Peter Kelley, Esq., Board Legal Counsel  
Alan VanTassel, Office of Investigations  
Ellen D'Agostino, Office of Investigations

**CHAIRMAN'S MESSAGE**

Dr. Shilts said that he will try to conduct a shorter meeting than last month's.

**AGENDA**

Dr. Shilts reviewed the draft agenda with the Board.

Mr. Lawless said the proposed auditors item under Compliance Monitoring should be removed from the agenda.

Dr. Shilts proposed an Old Business section and add Continuing Education credits from Dr. Peter McManus in follow-up to last month's meeting.

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

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

*Members opposed: none*

### **CONFLICT OF INTEREST/OPEN MEETING LAW REMINDER**

Atty. Kelley provided a reminder of the Commonwealth's Conflict of Interest and Open Meets Laws to the Board.

Atty. Kelley said that if Board members bring agenda items to the Chair, they should not be discussing the substance of the item to avoid potential Open Meeting Law violations.

### **PUBLIC MEETING MINUTES**

The Board reviewed the draft public meeting minutes of September 3, 2020.

Dr. Shilts suggested minor edits.

Thereafter, a motion was made by Dr. Maddalo, seconded by Dr. Martone and VOTED (roll call); **to approve the public meeting minutes of September 3, 2020 as amended.**

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

*Members opposed: none*

### **2021 BOARD MEETING DATES**

After a brief discussion, the Board gave direction to staff to schedule meetings for the first Thursday of every month for 2021, excluding January and July.

### **LEGAL REPORT:**

None

### **REINSTATEMENT OF INACTIVE CHIROPRACTIC LICENSE**

- **Dr. Jaweed Naweed (3289-CH-CH )**

The Board reviewed continuing education credits submitted by Dr. Naweed for reinstatement of his chiropractic license. Dr. Shilts said he counted 86.5 applicable credit hours.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Dodes and VOTED (roll call); **to accept 86.5 credit hours and that Dr. Naweed will need to obtain additional CE credit hours to reach the total 96 credits hours required for reinstatement.**

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

*Members opposed: none*

Dr. Shilts requested that the Board's Policy Guideline on Continuing Education be placed on a future agenda for updating. He said he would draft wording about considering the timeliness of CE credits consistent with the Board's concerns.

### **COMPLIANCE MONITORING:**

- **2019-000027-IT-ENF (E.L)**

The Board reviewed the first submitted monitoring report for this licensee.

Thereafter, a motion was made by Dr. Dodes, seconded by Ms. Bush, and VOTED (roll call); **to not accept this 9/24/20 monitoring report, and to request the monitor to re-submit the report with additional details using the Board's prescribed format.**

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

*Members opposed: none*

Dr. Shilts requested that the Board review its monitoring description documents and processes at the November Board meeting.

### DISCUSSION:

- **Elimination of 99201 Evaluation/ Management (E/M) CPT code and Change of E/M Required Components**

Dr. Shilts recommended that the Board create a policy guideline about these important new changes. Dr. Dodes said he would develop the first draft.

### CORRESPONDENCE:

- **8.31.20 email from Dr. Bazin regarding cranial/facial release technique**  
The Board gave direction to staff to respond that this is not prohibited by statute and the practitioner must be trained through a CCE-accredited institution.
- **9.23.29 email from T. Niezgoda regarding timing of application/examination**  
The Board gave direction to staff to respond that applicants should continue to follow the established application process for taking the jurisprudence exam.
- **9.23.20 email from M. Ray regarding timing of application/examination**  
The Board gave direction to staff to respond that applicants should continue to follow the established application process for taking the jurisprudence exam.
- **9.28.20 email from Dr. P. Hill regarding the state's referral requirement for MassHealth**  
Received

### NEW BUSINESS:

None

### PUBLIC COMMENT:

None

### OLD BUSINESS:

- **Continuing Education Credits for Reinstatement of Lapsed Chiropractic License – Dr. Peter McManus**  
Dr. Shilts reported that he re-reviewed Dr McManus' submitted continuing education credits and that Dr. McManus has the required amount to move forward with the reinstatement process. The review of CE credits was previously delegated to Dr. Shilts at the September Board meeting.

### APPLICATION FOR CHIROPRACTIC LICENSE

The Board prepared to enter into Executive Session to discuss individual character rather than competence for this applicant, under M.G.L. c. 30A, § 21(a)(1).

A motion was made by Dr. Freedman, seconded by Dr. Dodes and VOTED (roll call);  
**to enter into Executive Session under M.G.L. c. 30A, § 21(a)(1) for the purpose of discussing character rather than competence at 11:26 a.m., and then to enter into Closed Session M.G.L. c. 112, s. 65C for the purpose of discussing investigatory matters.**

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

*Members opposed: none*

Dr. Shilts said the Board would not return to open meeting after this Closed Session.

A motion was made by Dr. Dodes, seconded by Ms. Bush and VOTED (roll call);  
**to exit Executive Session and enter Closed Session for the purpose of conducting Investigatory  
Confereces pursuant to G. L. c. 112, § 65C at 12:16 p.m.**

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

*Members opposed: none*

During Closed Session the Board took the following actions:

- 2020-000710-IT-ENF Conducted Licensee Interview and Sent to Prosecutions

*Dr. Dodes left the session around 1:30 p.m.*

- 2020-001063-IT-ENF Elevate to Formal Complaint

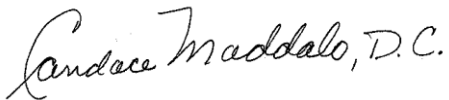
### **NEW LICENSEE INTERVIEWS**

None

### **ADJOURNMENT**

The public meeting of October 1, 2020 adjourned at the conclusion of closed session at 2:20 p.m.

*\*The above minutes were approved during the open meeting of the Board held on December 3, 2020.*



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Candace Maddalo, D.C., Secretary  
Board of Registration of Chiropractors

### ***Documents used by the Board during open session:***

- *Proposed meeting agenda 10/1/20*
- *Draft public meeting minutes from 9/3/20*
- *Continuing education credits from Dr. J. Naweed*
- *2019-000027-IT-ENF (E.L) 1<sup>st</sup> Quarterly Monitoring Report dated 9.24.20*
- *Documentation from the American Medical Association on 99201 E/M CPT code and Change of E/M Required Components*
- *8.31.20 email from W. Bazin, D.C.*
- *9.23.29 email from T. Niezgoda*
- *9.23.20 email from M. Ray*
- *9.28.20 email from P. Hill, D.C.*