

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

**SEPTEMBER 3, 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. Daniel Fanselow, Member  
Dr. Gabrielle Freedman, Member  
Dr. Peter Martone, 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 inquired if future meeting times could be moved up to 9:30 a.m. as Board members are no longer traveling to attend Board meetings. Mr. Lawless said most DPL Boards continue to meet at 10a.m., which works well for staff.

**AGENDA**

Dr. Shilts reviewed the draft agenda with the Board.

Dr. Shilts proposed a recently released update on CPT codes to be included under New Business as an FYI. Dr. Martone asked to include an item about flu vaccinations under New Business. Dr. Maddalo asked to include COVID testing kits under New Business. Mr. Lawless and Atty. Kelley cautioned the Board about including multiple items under New Business, especially topics that could be reasonably anticipated, and to always bring agenda items to Board chair first.

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

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

**PUBLIC MEETING MINUTES:**

The Board reviewed the draft public meeting minutes of August 6, 2020. Dr. Shilts suggested minor edits.

Thereafter, a motion was made by Dr. Maddalo, seconded by Dr. Fanselow and VOTED (roll call);  
**to approve the public meeting minutes of August 6, 2020 as amended.**

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

#### **EXECUTIVE SESSION MINUTES:**

The Board reviewed the draft Executive Session minutes of August 6, 2020.

Thereafter, a motion was made by Dr. Maddalo, seconded by Dr. Dodes and VOTED (roll call);  
**to approve the Executive Session minutes of August 6, 2020 as amended.**

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

#### **LEGAL REPORT:**

- Update on proposed regulations  
Dr. Shilts reported that he would be contacting chiropractic colleges on obtaining information on safe needle techniques now that they are reopening after closing due to COVID.

#### **CONTINUING EDUCATION CREDITS FOR REINSTATEMENT OF LICENSE:**

##### **Dr. Peter McManus (1968-CH-CH )**

The Board reviewed continuing education credits submitted by Dr. McManus for reinstatement of his chiropractic license. Dr. Shilts said he counted 95 credit hours.

The Board gave direction to staff to further review the submitted continuing education credits with the Board chair and to follow-up with Dr. McManus.

#### **REINSTATEMENT OF SUSPENDED LICENSE:**

##### **Dr. Steven Jacobs (1279-CH-CH )**

Dr. Jacobs and his legal counsel Ingrid Martin participated by telephone to discuss his request to reinstate his suspended chiropractic license.

Thereafter, a motion was made by Dr. Dodes, seconded by Ms. Bush and VOTED (roll call);  
**to deny Dr. Jacobs' request for license reinstatement but after three months he can re-submit his request.**

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

#### **CORRESPONDENCE:**

- **8.13.2020 email from S. French on the Jurisprudence Exam**  
The Board gave direction to staff to respond that applicants must graduate from a chiropractic college before they can apply for a license.
- **8.20.2020 email from the National Board of Chiropractic Examiners (NBCE) regarding Part IV Examiners**  
The Board gave direction to contact Mr. Lawless directly if any board member was interested in volunteering as an examiner.
- **8.21.2020 Email from H. Yoon regarding Insurance Terminology**

The Board gave direction to Mr. Lawless and Atty. Kelley to draft a response stating that the Board would not be able to change common nomenclature for a particular insurance company, and that the licensee may want to consult with their professional chiropractic association for assistance.

**NEW BUSINESS:**

- **CPT E/M Coding Update**  
Dr. Shilts informed the Board that the CPT code definition for E/M services was recently updated. He will forward this information to Mr. Lawless.
- **Flu Vaccine**  
Dr. Martone expressed concerns with the new state DPH mandate for flu vaccines.
- **COVID Rapid Tests**  
Dr. Maddalo said that chiropractors with an NPI number can order COVID rapid tests. She will forward this information to Mr. Lawless.

**PUBLIC COMMENT:**

None

**SETTLEMENTS, NEW AND OPEN CASES: [Closed Session: G.L. c. 112, s. 65C]**

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

A motion was made by Dr. Fanselow, seconded by Dr. Martone and VOTED (roll call); **to enter into Closed Session under M.G.L. c. 112, s. 65C at 11:26 a.m. for the purpose of discussing settlement offers and investigatory matters.**

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

*Members opposed: none*

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

During Closed Session the Board took the following actions:

- 2019-001379-IT-ENF [E.H.] Guidance Given to Prosecutor  
*Dr. Freedman was recused from this matter*
- 2019-001293-IT-ENF (B.C.C.) Sent to Prosecutions
- 2019-001294-IT-ENF (B.C.) Sent to Prosecutions
- 2019-001295-IT-ENF (B.E.) Sent to Prosecutions
- 2019-001296-IT-ENF (M.B.) Sent to Prosecutions
- 2019-001297-IT-ENF (L.G.) Sent to Prosecutions
- 2019-001298-IT-ENF (M.M.) Sent to Prosecutions
- 2020-000710-IT-ENF (S.N.) Gave Direction to Staff

*Dr. Freedman left the meeting around 1:30 p.m.*

- 2020-000268-IT-ENF (C.D.) Sent to Prosecutions
- 2020-000269-IT-ENF (P.G.C.) Sent to Prosecutions
- AIB Discussion Gave Direction to Staff

**NEW LICENSEE INTERVIEWS**

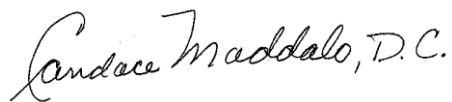
After the meeting, the following candidates were scheduled to complete their new licentiate orientation/interview with Dr. Shilts:

- Ashleigh Berg (MA)
- Stephen Laski (MA)
- Brandon Cohen (CA)
- Alejandra Torres-Lora (GA)
- Katherine Tambascio (PA)
- Kacey King (IA)
- Michael Skelly (MA)

### **ADJOURNMENT**

The public meeting of September 3, 2020 adjourned at the conclusion of closed session at 2:05 p.m.

*\*The above minutes were approved during the open meeting of the Board held on October 1, 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 for 9/3/200*
- *Draft public meeting minutes from 8/6/200*
- *Draft executive session minutes from 8/6/200*
- *Continuing education credits from P. McManus, D.C.*
- *Request for reinstatement of suspended license – S. Jacobs, D.C.*
- *8.13.20 email from S. French regarding Jurisprudence Exam*
- *8.20.20 email from the National Board of Chiropractic Examiners (NBCE) regarding Part IV Examiners*
- *8.21.20 Email from H. Yoon regarding Insurance*