

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

**OCTOBER 5, 2017**

A regularly scheduled meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held in Room 1G, 1000 Washington Street, Boston, Massachusetts.

Dr. Shilts noted a quorum of members present, and the meeting was called to order at 10:11 a.m.

**MEMBERS PRESENT:**

Dr. Kirk Shilts, Chair  
Dr. Glenn Dodes, Vice Chair  
Ms. Barbara Bush, Public Member  
Dr. Marsella Imonti, Member  
Dr. Candace Maddalo, Member  
Dr. Peter Martone, Member

Absent – Dr. Scott Storozuk, Secretary

**STAFF PRESENT at Various Times:**

Brian Bialas, Board Executive Director  
Richard Lawless, Board Associate Executive Director  
Sheila York, Esq., Board Legal Counsel  
Ellen D'Agostino, Office of Investigations

**CHAIRMAN'S MESSAGE:**

Dr. Shilts spoke about attending the Federation of Chiropractic Licensing Boards (FCLB) Districts III & V Regional Meeting in Quebec City in September. He also discussed his meeting with Division of Professional Licensure Deputy Commissioner Robert Fortes. He said one of the topics of that meeting was increasing public access to the Board by scheduling Board meetings outside of Boston.

Dr. Shilts appointed Dr. Maddalo to serve as secretary pro-tem for the meeting.

**AGENDA:**

Dr. Shilts reviewed the draft agenda with the Board. There were no additions to the agenda.

Thereafter, a Motion was made by Dr. Dodes, seconded by Dr. Maddalo, and VOTED (unanimous);  
**to approve the meeting's agenda as drafted.**

**PAST MEETING MINUTES:**

The Board reviewed the draft meeting minutes of September 7, 2017. Dr. Shilts presented proposed corrections to the minutes.

Thereafter, a Motion was made by Dr. Dodes, seconded by Dr. Imonti, and VOTED (unanimous);  
**to approve the public meeting minutes of September 7, 2017 as amended.**

### **2018 MEETINGS:**

The Board discussed having a meeting outside of Boston in the spring of 2018.

The Board also discussed 2018 meeting dates.

Thereafter, a Motion was made by Dr. Martone, seconded by Dr. Dodes, and VOTED (unanimous); **to schedule 2018 Board meetings for the first Thursday of each month.**

### **NEW & OPEN CASES:**

The Board prepared to discuss investigative matters.

Thereafter, a Motion was made by Ms. Bush, seconded by Dr. Maddalo and VOTED (unanimous); **to suspend the open meeting at 10:31 a.m. pursuant to MGL c. 112, § 65C and enter into closed investigative conference to discuss cases and investigative matters.**

Report of actions taken during closed session:

- **2017-000482-IT-ENF [MC]** Tabled.
- **A Complaint was opened against [JE], relative to information from documents contained in 2017-000482-IT-ENF**
- **2017-000491-IT-ENF [DK]** Guidance given to staff to move this Staff Assignment to complaint status.

*Open session resumed at 11:15 a.m.*

### **LEGAL REPORT:**

Atty. York discussed the following matters with the Board.

- **New Applicant Interview Process Policy:**  
The Board reviewed a draft of the New Applicant Interview Process Policy.

Thereafter, a Motion was made by Dr. Martone, seconded by Dr. Dodes, and VOTED (unanimous); **to approve the policy as drafted.**

Board counsel explained that the policy would now be submitted to senior staff at DPL for review.

- **Reciprocity Application: Dr. Timothy Kistler:**  
The Board reviewed Dr. Timothy Kistler's application for licensure through reciprocity. Dr. Shilts asked about the Board's current process for reciprocity candidates, and requested a discussion on this issue to be included on the next meeting agenda.

Thereafter, a Motion was made by Dr. Dodes, seconded by Dr. Imonti, and VOTED (unanimous); **to approve Dr. Timothy Kistler for licensure through reciprocity.**

- **Patient Record Regulations:**  
The Board discussed minor changes to regulations to ensure consistent language for patient record retention in 233 CMR 4.00 and 233 CMR 5.00, and to clarify that records must be maintained for seven (7) years from the date the record item was created. A draft of the regulation changes will be prepared for the next Board meeting.

### **CASE MONITORING:**

Dr. Shilts requested a discussion of the Board's monitoring report approval process as an agenda item for the next Board meeting.

Dr. Imonti presented her recommendations with regard to the following monitoring documents received:

- **20060926CH044-IT-ENF [JG]**, 8<sup>th</sup> Quarterly Monitoring Report Corrections Letter (9/01/17)
- **19970714CH003-IT-ENF [EO]**, 6<sup>th</sup> Monitoring Report (9/08/17)
- **20151116CH027-IT-ENF [PD]**, 3<sup>rd</sup> Quarterly Monitoring Report (6/22/17), 3<sup>rd</sup> Quarterly Monitoring Report Corrections Letter (7/31/17), 4<sup>th</sup> Quarterly Monitoring Report (9/15/17)

Thereafter, a Motion was made by Dr. Imonti, seconded by Dr. Dodes, and VOTED (unanimous);  
**to accept Dr. Imonti's recommendations and accept all submitted monitoring documents.**

#### **CORRESPONDENCE:**

The Board reviewed the following correspondence:

- **Fall 2017 Report to Massachusetts Chiropractic Society**

#### **GENERAL DISCUSSION:**

The Board discussed the following topics:

- **Proposed Revisions to Monitoring Reports**

The Board gave direction to staff to revise monitoring report questions, with a focus on sensitivity and ethical issues.

#### **NEW LICENSEE INTERVIEWS:**

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

- Lars Landers (Florida) and Glen Carlin (Massachusetts)

#### **ADJOURNMENT:**

Dr. Shilts noted there were no more agenda items.

Thereafter, a Motion was made by Dr. Martone, seconded by Dr. Dodes, and VOTED (unanimous);  
**to adjourn the October 5, 2017 public meeting at 1:14 p.m.**

\*The above minutes were approved during the open meeting of the Board held on November 9, 2017.



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Brian Bialas, Executive Director  
Board of Registration of Chiropractors

*Documents used by the Board during open session:*

- *Meeting Agenda for 10/5/17*
- *Draft minutes of the 9/7/17 public meeting*
- *Draft of New Applicant Interview Process Policy*
- *Application for Licensure Through Reciprocity from Timothy Kistler, D.C., redacted*
- *Fall Report to the Massachusetts Chiropractic Society from the Massachusetts Board of Chiropractors*
- *Monitoring Report Questions from Kirk Shilts, D.C.*
- *20151116CH027-IT-ENF [PD], 3<sup>rd</sup> Quarterly Monitoring Report Corrections Letter (7/31/17)*