

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

Public Meeting Minutes

FEBRUARY 10, 2022

A public meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held remotely with video conference as an alternate means of public access pursuant to Massachusetts General Law enacted on June 16, 2021 suspending certain provisions of the Open Meeting Law.

Dr. Dodes noted a quorum of members present via video or phone and called the meeting to order at 10:06 a.m.

MEMBERS PRESENT

Dr. Glen Dodes, Chair
Dr. Daniel Fanselow, Vice Chair
Dr. Kirk Shilts, Secretary
Ms. Barbara Bush, Public Member
Dr. Gabrielle Freedman, Member
Dr. Sunit Jolly, Member
Dr. Candace Maddalo, Member

STAFF PRESENT (at various times)

Lisa Guglietta, Board Executive Director
Eboni Lewis, Associate Executive Director
Sheila York, Esq., Board Legal Counsel
Ellen D'Agostino, Office of Investigations
Salvatore Ciulla, Esq., Office of Prosecutions

CHAIRMAN'S MESSAGE

Dr. Dodes welcomed Dr. Jolly to the Board.

AGENDA

The Board reviewed the posted agenda. Ms. Guglietta had no new business item to include.

Thereafter, a motion was made by Dr. Freedman seconded by Dr. Fanselow and VOTED (roll call);
to set the meeting's agenda as posted.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes
opposed: none

CONFLICT OF INTEREST and OPEN MEETING REQUIREMENTS

Atty. York reminded Board members that recusal from a case is appropriate when a member has a personal relationship or a financial conflict of interest with the licensee in the case. She said members should contact board counsel in advance of the meeting when they have a conflict or are unsure if they may have a conflict or an appearance of a conflict.

PUBLIC MEETING MINUTES

January 6, 2022

The Board discussed the draft public meeting minutes of 01/06/22.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Fanselow and VOTED (roll call);
to approve the public meeting minutes of January 6, 2022 as amended.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

STAFF REPORTS

Ms. Guglietta introduced Dr. Jolly as the Board's new member.

Dr. Jolly gave a brief description of her educational background and work experiences.

CHIROPRACTIC LICENSE REINSTATEMENT PROCESS

Application Form

The Board reviewed the newly revised form.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Fanselow and VOTED (roll call);
to accept the revised reinstatement application form as presented.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

CONTINUING EDUCATION COURSE DISCUSSION

Essentials of Performing Arts Medicine

The Board reviewed this educational program as a possible continuing educational (CE) course for chiropractic license renewal credit. A consensus was that the course material seemed appropriate but the sponsor was unrecognized. Questions about how the sponsor accurately documents the number of hours a licensee is credited in this self-study format remain unanswered.

Thereafter, the Board gave staff direction in responding to Peter Stein, D.C. about the Performing Arts Medicine Association's responsibility as a potential CE sponsor relative to 233CMR 3.03(1)(b) & (d).

NEW LICENSEE ORIENTATION PROCESS

Information Handout

The Board reviewed an updated handout.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Fanselow and VOTED (roll call);
to accept the updated New Licensee Orientation handout as drafted.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

CHIROPRACTIC LICENSE REINSTATEMENT APPLICATION

Dr. Lindsay Taylor

The Board reviewed Dr. Taylor's application and CE certificates. The license lapsed in Mar./2020.

Thereafter, a motion was made by Dr. Freedman seconded by Dr. Fanselow and VOTED (roll call);
to accept the submitted CE certificate, FCPA May/2021 (20-hrs), and allow the application to continue in the reinstatement process.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

COMPLIANCE MONITORING

- **2016-0111-CH033-IT-ENF**

The Board reviewed the licensee's request to end probation.

The Board noted that the licensee failed to provide a completed 2nd monitoring report, nor were the 3rd and 4th monitoring reports ever received.

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

to deny the licensee's request to terminate probation.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

- **2021-000271-IT-ENF**

The Board reviewed the licensee's request for a reduction of the served suspension period.

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

to deny the licensee's request to amend their consent agreement.

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

Dr. Freedman recused herself from the next case.

- **2021-000330-IT-ENF**

The Board reviewed three (3) candidate applications to serve as clinical monitor in this case. One of the candidates was rejected due to the information he provided regarding his past disciplinary action.

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

to accept Drs. Elfman and Imonti as acceptable clinical monitors.

in-favor: Fanselow, Shilts, Bush, Jolly, Maddalo & Dodes

opposed: none

Dr. Freedman was recused

CORRESPONDENCE

none

LICENSE RENEWAL PROCESS

In answering a question, Ms. Guglietta and Ms. Lewis reviewed the online process of chiropractic license renewal. Ms. Lewis said the Division typically mails a notice to all current licensees 60-days prior to the renewal deadline. She said the mailing is not a renewal form but instructions on the 2-step process to completing renewals online.

PUBLIC COMMENT

- **Al Kalter, D.C.** said as the Executive Director of the Massachusetts Chiropractic Society, he will offer assistance in informing its members of the online renewal process.
- **Mark Davini, D.C.** said as a principle of TOP Education, he will offer assistance in informing its members of the online renewal process.

NEW AND OPEN CASES

Dr. Dodes said the Board would be going into closed session per M.G.L. c. 112, sec. 65C to discuss new and open cases and not return to open session before adjourning.

Thereafter, a motion was made by Dr. Fanselow, seconded by Dr. Maddalo and VOTED (roll call); **to close the open meeting at 11:09 a.m. per M.G.L. c. 112, sec. 65C to discuss new and open cases in investigative conference and to discuss settlement terms.**

in-favor: Fanselow, Shilts, Bush, Freedman, Jolly, Maddalo & Dodes

opposed: none

The Board took the following actions during closed session:

- | | |
|---------------------------|---|
| • AIB Fraud Investigation | Reviewed statutory directive. |
| • 2021-000849-IT-ENF | Sent to Office of Prosecutions (licensee & Facility) |
| • 2019-001232-IT-ENF | Took No Action |
| • CH-2015-0007 | Sent to Office of Prosecutions for Hearing |
| • 2021-000938-IT-ENF | Reviewed settlement terms and affirmed sending to Office of Prosecutions for formal hearing |

NEW LICENSEE INTERVIEWS

Prior to the meeting, the following candidates completed their new licentiate orientation/interview with Dr. Shilts:

- | | |
|-----------------------------|-----------------------------------|
| • Dr. Sarah Nordbek (WI) | • Dr. Tom Lombardo (RI) |
| • Dr. David Aiello (RI) | • Dr. Allison Baker (MA) |
| • Dr. Magaly Rojas (MA) | • Dr. Trinh Dinh (Hanoi, Vietnam) |
| • Dr. Joseph Fazzolari (MA) | • Dr. Timothy Hinds (MA) |
| • Dr. Matthew Chere (CT) | |

ADJOURNMENT

The public meeting adjourned at the conclusion of closed session at 1:27 p.m.

Respectfully submitted,

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

Documents used by the Board during open session:

- *Posted agenda 2/10/22*
- *Draft public meeting minutes of 1/6/22*
- *License reinstatement form*
- *Updated new licentiate/orientation handout, Feb./22*
- *Essentials of Performing Arts Medicine, program documents & certificates*
- *Reinstatement application documents, L. Taylor*
- *Email, 12/1/21; Compliance monitor documents & Consent agreement Re: 2016-0111-CH033-IT-ENF*
- *Licensee email, 2/1/22 & Consent agreement Re: 2021-000271-IT-ENF*
- *Compliance monitor applications (3) & Consent Agreement Re: 2021-000330-IT-ENF*

**** The above minutes were approved during the open meeting of the Board held on April 7, 2022***