

**Commonwealth of Massachusetts
Bureau of Health Professions Licensure
Board of Registration of Chiropractors
250 Washington Street
Boston, MA 02108**

Public Meeting Minutes

February 6, 2025

A public meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held remotely with video and audio conference as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain State of Emergency Accommodations, signed into law on July 16, 2022.

Attendees were informed that the meeting was being recorded.

Dr. Grosso noted a quorum of members present via video or phone and called the meeting to order at 10:03 a.m.

MEMBERS PRESENT

Dr. Joseph Grosso, Chair
Dr. Jacyn Debs, Vice Chair
Dr. Mary Connors, Secretary
Dr. Kathleen O'Malley, Member
Dr. Sunit Jolly, Member

MEMBERS ABSENT

none

STAFF PRESENT

Lisa Guglietta, Board Executive Director
Katie Goldrick, Board Associate Executive Director
Sheila York, Esq., Board Counsel
Lauren McShane, Investigations Supervisor
Anastasia Bouikidis, Investigations Intern

ATTENDANCE:

Dr. Grosso took attendance by roll call and a quorum of board members was recorded with the following members present via video conference: *Grosso, Connors, O'Malley, Debs, Jolly*

APPROVAL OF AGENDA:

Dr. Grosso asked for a motion to approve the meeting agenda. Thereafter a motion was made by Dr. Debs seconded by Dr. Jolly and VOTED (roll call); **to approve the February 6, 2025 agenda as drafted.**

in-favor: Connors, Grosso, O'Malley, Debs, Jolly

opposed: none

PUBLIC MEETING MINUTES

The Board discussed the draft public meeting minutes of January 2, 2025.

Thereafter a motion was made by Dr. O'Malley, seconded by Dr. Debs and VOTED (roll call); **to approve the public meeting minutes of January 2, 2025 as drafted.**

in-favor: Connors, Grosso, O'Malley, Debs

opposed: none

abstain: Jolly

UPDATE FROM MASS CHIROPRACTIC SOCIETY

Tracey Lane, Executive Director of Mass Chiropractic Society (MCS), former Senator Steve Panagiotakis, Lobbyist for MCS, and Dr. Howard Ewert, Opioid Director of MCS, presented the update. Tracey Lane provided an update on the Preceptor Program stating that students could provide the full scope of chiropractic under a preceptor chiropractor. Dr. Sunit Jolly, board member, asked if there could be only one student per chiropractor. She gave the example of a husband and wife who were both chiropractors and whether they could have two students in their office. It was noted that per the new law, a preceptor chiropractor was required to be the Chiropractor of Record for the chiropractic facility. An individual practice would need to obtain a facility license to take on a student extern. Tracey Lane noted that the law was passed, and the preceptor program is ready to go. Board Counsel Sheila York noted the need for written guidelines from the Board which must go through the proper channels at DPH.

Dr. Howard Ewert presented information regarding the new law, Bill H.5143. Dr. Ewert belongs to the Opioid Task Force of Franklin County and serves on an Opioid Advisory Committee. The legislation requires insurance coverage and access to pain management services for Massachusetts citizens as alternatives to opioid prescribing, including chiropractic care. The Bill states that the Department of Public Health (DPH) shall develop standards for appropriate training programs in consultation with relevant stakeholders and experts in the treatment and management of acute and chronic pain. Dr. Ewert requested assistance from the Board in connecting to the appropriate personnel at DPH to initiate collaboration.

Dr. Ewert explained that Bill H.5143 refers to prescriber training and explained that the Board could collaborate with other Boards of Registration for training required by this new law. This would help foster mutual understanding about the role of chiropractic care as a safe and effective alternative to opioids, particularly as initial care for common pain syndromes. The main intent of Bill H.5143 is to reduce opioid prescribing and improve patient outcomes. Dr. Ewert asked for the Board's support in facilitating collaboration.

Dr. Ewert reviewed key points of HB 5143 which were requiring insurance companies to develop plans for pain management services, including chiropractic care; requiring pharmacies and prescribers to educate patients about alternative treatments; and requiring insurance carriers to distribute educational materials to providers about these plans.

COMPLIANCE MONITORING

Update - Docket 2020-000985-IT-ENF – Swiatoslaw A. Paduchak CHI1689

Dr. Paduchak provided the Board with a new proposed monitor, Dr. Mark Elfman, within the timeline required in his Notice of Violation and Intent to Suspend. After discussion, a motion was made by Dr. Connors, seconded by Dr. Jolly and VOTED (roll call); **to approve Mark Elfman D.C. as monitor.**

in-favor: Connors, Grosso, O'Malley, Debs, Jolly

opposed: none

Thereafter a motion was made by Dr. Debs, seconded by Dr. Connors and VOTED (roll call); **to rescind the Notice of Violation and Intent to Suspend dated January 15, 2025.**

in-favor: Connors, Grosso, O'Malley, Debs, Jolly

opposed: none

Petition to Terminate Stayed Suspension - Docket 2021-000271-IT-ENF Holley Heyert CHI2297

Dr. Heyert's monitor, Dr. Dan Van Roon, attended the meeting to answer questions from the Board about Dr. Heyert's professional competence. Dr. Van Roon stated that Dr. Heyert was open, transparent, and willing to try his suggestions. He noted that deficiencies were addressed, and her documentation was improved. Dr. Van Roon said that the monitoring was a positive experience. Board member, Mary Connors, D.C., asked Dr. Van Roon if he would be comfortable with seeing Dr. Heyert as a practicing chiropractor in MA and working with patients. Dr. Van Roon answered that he would be. Attorney York informed the Board that there was a new enforcement matter pertaining to the licensee and that her consent agreement required compliance with the laws governing the practice of chiropractic. It would therefore be premature to take action on the petition to terminate the stayed suspension until the Board reviewed the new information. Dr. Heyert has complied with the continuing education and monitoring terms of the consent agreement. Thereafter a motion was made by Dr. O'Malley, seconded by Dr. Jolly and VOTED (roll call); **that Dr. Heyert has complied with the continuing education and monitoring requirements of her consent agreement.**

in-favor: Connors, Grosso, O'Malley, Debs, Jolly

opposed: none

Direction was then given to staff to defer the final vote for the petition to terminate Dr. Heyert's stayed suspension until the March meeting.

APPLICATION REVIEW

Shayne Fryia - CHINE100013

The Board discussed Dr. Fryia's application for licensure. His undergraduate degree is from Canada and not the United States. Dr. Fryia graduated from a chiropractic school accredited by the Council on Chiropractic Education (CCE) and passed all the required board exams.

Thereafter a motion was made by Dr. Jolly, seconded by Dr. O'Malley and VOTED (roll call); **to approve the applicant to continue in the licensing process.**

in-favor: Connors, Grosso, O'Malley, Debs, Jolly

opposed: none

DISCUSSION

Draft Guideline for Preceptor Program

Sheila York, Esq., Board Counsel, noted that as requested by the Board at the last meeting, she is working on a draft guideline explaining the statutory requirements for the preceptor program in consultation with the Board and the Office of the General Counsel. The new law requires that the preceptor chiropractor be the Chiropractor of Record at a licensed Chiropractor Facility. Per Board regulations, a chiropractor must be licensed for four years or receive a waiver by the Board in order to be a Chiropractor of Record. A solo practitioner must get a facility license to have a preceptor student. The student extern must have passed three of the four NBCE exams. The student extern must practice under the direct supervision of the preceptor chiropractor. The Board will consider whether the policy should define what direct supervision means for the preceptor doctor. The student may need a badge or some form of ID. There is a question as to whether student externs can x-ray. The student extern must be in the final academic year and may not have graduated. The preceptorship will be a minimum of four and a maximum of 16 weeks in duration. The Board and staff are working on creating the guidance document as quickly as possible. However, despite any urgency, steps cannot be skipped in the drafting and review process.

ADJOURNMENT

At 11:45 a.m. a motion was made by Dr. Jolly, seconded by Dr. O'Malley and VOTED (roll call); **to end the public session.**

in-favor: Connors, Grosso, O'Malley, Debs, Jolly

opposed: none

Respectfully submitted,

Lisa M. Guglietta, Executive Director
Board of Registration of Chiropractors

Documents used by the Board during open session:

- *Posted agenda 2/6/2025*
- *Draft public meeting minutes of 1/2/2025*
- *Letter from Mass Chiropractic Society regarding Preceptor Program and Bill H.5143*
- *Application CHINE100013 Shayne Fryia*
- *Petition to Terminate Stayed Suspension, CEUs, Monitoring Reports for Holley Heyert, D.C.*
- *Monitor Application from Mark Elfman, D.C. for Swiatoslaw A. Paduchak*