

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

Public Meeting Minutes

May 2, 2024

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.

Dr. Grosso noted a quorum of members present via video or phone and called the meeting to order at 10:04 a.m.

MEMBERS PRESENT

Dr. Joseph Grosso, Chair
Dr. Jaclyn Debs, Vice Chair
Dr. Mary Connors, Secretary
Dr. Sunit Jolly, Member
Dr. Kathleen O'Malley, Member
Dr. Abbey Denaro, Member
Ms. Barbara Bush, Public Member

STAFF PRESENT

Lisa Guglietta, Board Executive Director
Katie Goldrick, Board Associate Executive Director
Sheila York, Esq., Board Counsel
Pamely Mota, Investigator
Ellen D'Agostino, Investigator

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, Debs, Bush, Connors, Jolly, Denaro, O'Malley*.

Lisa Guglietta reminded the attendees that the meeting was being recorded.

APPROVAL OF AGENDA:

Dr. Grosso asked for a motion to approve the meeting agenda. Thereafter a motion was made by Dr. Jolly, seconded by Dr. O'Malley and VOTED (roll call); **to approve the May 24, 2024 agenda as drafted.**

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

opposed: none

CONFLICT OF INTEREST AND OPEN MEETING LAW REQUIREMENTS

Attorney York explained that to increase consistency among DPH boards, the boards transferred from DOL are adopting meeting procedures followed by other DPH boards. One change is that the transferred boards are no longer going to hold a public comment period at the end of Board meetings. Opening the floor for public comment at board meetings creates a risk that the Board could unintentionally frustrate the purpose of the open meeting law by having the Board discuss topics that were not posted for the public's benefit on the meeting agenda. Under the new procedure, the Board will accept comments in writing. Members of the public who wish to provide a comment to the Board should email the board their comment at least two weeks before the meeting. Board staff will review the information provided, consult with the Chair as necessary, and the comment may be added to the agenda for Board discussion or responded to in a different manner.

Atty. York reviewed Conflict of Interest and Open Meeting Law requirements with the Board. Members should contact Atty. York with questions about possible conflicts with applicants, petitioners, or cases before the Board. Please bring these matters to Atty. York's attention before the meeting if possible.

PUBLIC MEETING MINUTES

The Board discussed the draft public meeting minutes of 4/4/24.

Thereafter a motion was made by Dr. O'Malley, seconded by Dr. Debs and VOTED (roll call); **to approve the public meeting minutes of April 4, 2024 as drafted.**

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

opposed: none

APPLICATION HEARING

Applicant - William Adams, License CHI1136 – License Reactivation Application

Applicant appeared for a hearing on the Board's initial denial of his license reactivation application. Applicant attended the hearing by phone and confirmed that he did not have an attorney representing him at the hearing. Executive Director Guglietta provided a brief summary of the matter. Ms. Guglietta stated that the Board reviewed the application at prior meetings and determined that it was missing 276 continuing education credits and verification of Applicant's expired New Hampshire license. The Board denied Applicant's request to waive the requirements for reactivation.

Applicant stated that his application should be granted because he was considered a "non-registered" chiropractor and should qualify for licensure as a new applicant. Applicant stated that the Board has authority to waive continuing education requirements. The Applicant answered questions from board members. Applicant discussed his prior experience before the Board in 1996 and asserted that the Board's regulations are antiquated. Applicant stated he had owned chiropractic clinics in Massachusetts. He also stated that he took continuing education

with a company that no longer had documentation of his completion of those courses. Applicant requested a waiver of the continuing education requirements due to health and hardship issues.

Dr. Grosso then concluded the hearing portion of the meeting. Applicant left the meeting and board members deliberated. The Board expressed concern for public safety because the Applicant had not been practicing or taking any continuing education courses for many years and did not meet the regulatory requirements for reactivation of his license. The Board had previously voted to keep the application open until 10/5/24, however, the Applicant had not submitted any further continuing education since he first applied in September of 2023.

Thereafter a motion was made by Dr. Jolly, seconded by Dr. Denaro, and VOTED (roll call); **to deny the license reactivation application of William Adams, License CHI1136.**
in-favor: Bush, Connors, Debs, Grosso, Denaro, O'Malley, Jolly.
opposed: none

COMPLIANCE MONITORING

Swiatoslaw A. Paduchak - Docket No. 2020-000985-IT-ENF – Corrective Action Report

The Board discussed Dr. Paduchak's corrective action report. Thereafter a motion was made by Dr. Debs, seconded by Dr. O'Malley and VOTED (roll call); **to accept the corrective action report.**

in-favor: Bush, Connors, Debs, Grosso, Denaro, O'Malley, Jolly.
opposed: none

Holley Heyert Docket No. 2021-000271-IT-ENF – Corrective Action Report

The Board discussed Dr. Heyert's corrective action report. Thereafter a motion was made by Dr. Connors, seconded by Dr. Debs and VOTED (roll call); **to accept the corrective action report.**

in-favor: Bush, Connors, Debs, Grosso, Denaro, O'Malley, Jolly.
opposed: none

UPDATE FROM MA CHIROPRACTIC SOCIETY

Tracey Lane did not attend the meeting.

NEW BUSINESS

None

CLOSED SESSION

At 10:41 a.m. the Chair requested a motion to end the public session and go into closed session.

Thereafter a motion was made by Dr. Debs seconded by Dr. O'Malley and VOTED (roll call); **to end the public session and go into Closed Session per G.L. c. 112, § 65C to discuss investigative matters and settlement terms.** The motion passed as follows:

in-favor: Connors, Jolly, Bush, Grosso, Debs, O'Malley, Denaro
opposed: none

NEW AND OPEN CASES

The Board took the following actions during closed session:

Settlement Conference: [Closed Session: G.L. c. 112, § 65C]

- *Docket Number CHR-2022-0007 – Direction given to Prosecution on settlement terms.*

Investigative Case Conference: [Closed Session: G.L. c. 112, § 65C]

- *Docket Number CHR-2023-0005 - Dismissed without prejudice.*

ADJOURNMENT

At 11:53 a.m. a motion was made by Dr. Jolly, seconded by Dr. O'Malley and VOTED (roll call); **to end the closed session.**

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

opposed: none

Respectfully submitted,

Mary M. Connors, D.C., Secretary
Board of Registration of Chiropractors

Documents used by the Board during open session:

- *Posted agenda 05/02/2024*
- *Draft public meeting minutes of 04/04/2024*
- *Reactivation Application and Email Correspondence – William Adams, D.C.*
- *Corrective Action Report - Swiatoslaw A. Paduchak, D.C.*
- *Corrective Action Report - Holley Heyert, D.C.*