

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

Public Meeting Minutes

May 4, 2023

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.

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

Ms. Guglietta reminded attendees from the public to mute their microphones.

Dr. Jolly noted a quorum of members present via video or phone and called the meeting to order at 10:00 a.m.

MEMBERS PRESENT

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

STAFF PRESENT (at various times)

Lisa Guglietta, Board Executive Director
Eboni Lewis, Board Associate Executive Director
Sheila York, Esq., Board Counsel
Ellen D'Agostino, Investigator
Lauren McShane, Investigative Supervisor

ATTENDANCE:

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

APPROVAL OF AGENDA:

A motion was made by Dr. Grosso to approve the agenda, seconded by Dr. Connors and VOTED (roll call); **to approve the May 4, 2023 agenda.**

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

opposed: none

CONFLICT OF INTEREST and OPEN MEETING REQUIREMENTS

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 04/06/23.

Thereafter, a motion was made by Ms. Bush, seconded by Dr. Grosso and VOTED (roll call); **to approve the public meeting minutes of April 6, 2023 as drafted.**

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

opposed: none

CORRESPONDENCE

The Board discussed an email from Melissa Broderick, DC, PA-C dated 4/16/23 regarding a course for dry needling run by an MD. Dr. Broderick asked where she needed to get her instruction from to perform dry needling as a chiropractor. The Board needs more information about the course and whether the course would be used for chiropractor continuing education credit. The Board discussed the need for more clarification around dry needling for chiropractors, including required training and instruction. The topic of dry needling will be put on a future agenda and the Board will review a draft of proposed regulation changes. The Board considers dry needling to be within the scope of chiropractic and has proposed amendments to address dry needling in the regulations.

Thereafter, a motion was made by Dr. Denaro, seconded by Dr. O'Malley and VOTED (roll call);

That Board staff will respond to the licensee that the Board does not have sufficient information to answer her question and she should provide more information and, secondly, that the Board will review the regulations with regard to dry needling at a future meeting.

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

opposed: none

REACTIVATION APPLICATIONS

Jeffrey Newman's license CHI2019 expired on 3/31/2020. He needed to provide the Board with proof of 36 continuing education (CE) credits. One of his CE credits was not approved by Massachusetts.

A motion was made by Dr. Grosso, seconded by Dr. O'Malley and VOTED (roll call);
To approve the reactivation application contingent upon providing the Board with proof of one (1) approved CE credit.

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

opposed: none

Jeffrey Leverone's license CHI2312 expired on 3/31/2022. He was actively practicing in the state of Massachusetts since then. He needed to provide the Board with proof of 12 continuing education (CE) credits.

A motion was made by Dr. O'Malley, seconded by Dr. Grosso and VOTED (roll call);
To approve the reactivation application and open a complaint against the licensee for unlicensed practice.

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

opposed: none

NEW BUSINESS

Dr. Grosso asked if the requirement to wear face masks in chiropractic offices would be ending. Attorney York stated that she did not know and that masking requirements are not within the Board's purview. The state's COVID-19 public health emergency will end on May 11, 2023. Attorney York stated that board members and licensees should look for updated guidance issued by the Bureau of Health Care Safety and Quality within the Department of Public Health, which will be posted on DPH's website.

Dr. Connors inquired about how to obtain a list of licensed chiropractors in the state. Ms. Lewis informed her to go to the Chiropractors Board web page at Mass.gov and search under chiropractor licenses. The list can be exported to an Excel spreadsheet. Licensee addresses are included, but not emails.

PUBLIC COMMENT

Tracey Lane from the Massachusetts Chiropractic Society made a comment about the lengthy process for new chiropractor graduates to obtain licensure in the state. She commented that other states license chiropractors much quicker and that new graduates do not want to come to Massachusetts because it takes too long. Ms. Lewis stated that the licensing process may take longer if third party documents are needed such as license verifications from other states. In addition, a criminal background check and a Sex Offender Registry check are completed for each applicant. Professional Credential Services (PCS), the licensing vendor for the Board gives a four-week processing time once all documents are received. Ms. Guglietta stated that applicants may call or email the Board if they need assistance with obtaining a status update on their applications.

Tracey Lane made a comment about the need for temporary licenses. She also mentioned the possibility of a student or junior license for chiropractors which would attract more graduates to the state. The current state statute does not allow for preceptorships or student licenses in Massachusetts.

Tracey Lane stated that Massachusetts received a large sum of money for opioid awareness. She encouraged chiropractors to reach out to their local jurisdictions to see if patients who are struggling with opioids could get help paying for chiropractic care to manage pain.

CLOSED SESSION

At 11:08 a.m. a motion was made by Dr. Grosso **to end the public session and go into Closed Session per G.L. c. 112, § 65C for the purpose of reviewing cases in investigative conference**, seconded by Dr. O'Malley and VOTED (roll call). The motion passed as follows:
In favor: Jolly, O'Malley, Debs, Bush, Grosso, Denaro, Connors
Opposed: none

NEW AND OPEN CASES

The Board took the following actions during closed session:

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

- *INV6504* *Dismissed*
- *CASE 2023-0024* *Direction given to staff*
- *CASE 2023-0104* *Sent to Prosecutions*

ADJOURNMENT

The meeting adjourned at the conclusion of Closed Session at 12:24 p.m.

Respectfully submitted,

Jaclyn Debs, D.C., Secretary
Board of Registration of Chiropractors

Documents used by the Board during open session:

- *Posted agenda 05/04/2023*
- *Draft public meeting minutes of 4/06/23*
- *Email from Melissa Broderick, DC, PA-C*
- *Reactivation Applications from J. Newman & J. Leverone*