

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

Public Meeting Minutes

SEPTEMBER 2, 2021

A public meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held remotely by videoconference 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 and called the meeting to order at 10:02 a.m.

MEMBERS PRESENT

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

STAFF PRESENT (at various times)

Matthew Keigan, Board Executive Director
Charles Kilb, Esq., Board Legal Counsel
Jenna Hentoff, DPL
Lisa Guglietta, DPL
Eboni Lewis, DPL
Alan VanTassel, Office of Investigations

CHAIRMAN'S MESSAGE

none

AGENDA

The Board reviewed the posted agenda. Mr. Keigan asked to include a formal hearing item under new business.

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

in-favor: Fanselow, Shilts, Bush, Freedman, Maddalo and Dodes

opposed: none

CONFLICT of INTEREST & OPEN MEETING LAW REMINDER

Dr. Dodes gave brief mention of the State's Conflict of Interest and Open Meeting Laws requirements.

PUBLIC MEETING MINUTES

The Board discussed the draft public meeting minutes of 8/5/21. Dr. Shilts offered amendments.

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

to approve the public meeting minutes of August 5, 2021 as amended.

in-favor: Fanselow, Shilts, Bush, Freedman, Maddalo and Dodes

opposed: none

LEGAL REPORT

none

EXECUTIVE DIRECTOR REPORT

Mr. Keigan said that in preparation of the Board moving over to the Department of Public Health (DPH), it will soon have a new Executive Director. He said this could be in place by the October or November meeting.

CHIROPRACTIC FACILITY APPLICATION

2021-29-CH-CF

Drs. Katherine Habanek and Joshua Helm appeared before the Board to discuss their CF application including Dr. Habanek's request for a waiver from the Chiropractor of Record (CHoR) requirements. Both doctors were found to have less than 4-years experience as a practicing chiropractor or other applicable experience.

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

to not grant a waiver to Dr. Habanek to serve as the CHoR with this Chiropractic Facility application.

in-favor: Fanselow, Shilts, Bush, Maddalo and Dodes

opposed: Freedman

COMPLIANCE MONITORING

- **2018-000164-IT-ENF**

The Board reviewed the licensee's action plan in response to a submitted monitoring report.

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

to accept the licensee's 7/9/21 response letter.

in-favor: Fanselow, Shilts, Bush, Freedman, Maddalo and Dodes

opposed: none

- **2019-0000230-IT-ENF**

The Board reviewed multiple applicants to serve as a compliance monitor in this case. Conflicts of interest were identified in two applicants.

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

to accept the application of J.S. as a compliance monitor.

in-favor: Fanselow, Shilts, Bush, Freedman, Maddalo and Dodes

opposed: none

CORRESPONDENCE

- **National Board of Chiropractic Examiners (8/24/24) RE: Participating as an Examiner at their upcoming Part-4 Exam.**

Thereafter, the Board gave direction to staff in responding that Massachusetts will not be sending a representative to serve as an examiner at the NBCE Part-4 examination this November.

PUBLIC COMMENT

none offered

NEW BUSINESS

- **2020-000985-IT-ENF**

Mr. Keigan asked if a Board member would like to be its designee at the formal hearing in this case.

Thereafter, Dr. Maddalo will represent the Board at this formal hearing.

NEW AND OPEN CASES

Dr. Dodes said the Board would be going into closed session to discuss new and open cases, and not return to open session.

Thereafter, a motion was made by Dr. Freedman, seconded by Dr. Fanselow and VOTED (roll call);
to close the open meeting at 10:51 a.m. per MGL ch. 112, sec. 65C to discuss new and open cases.

in-favor: Fanselow, Shilts, Bush, Freedman, Maddalo and Dodes

opposed: none

During closed session the Board took the following actions:

- 2021-000330-IT-ENF Sent to Office of Prosecutions, *Dr. Fanselow was recused in this case*
- 2021-000407-IT-ENF Sent to Office of Prosecutions
- 2021-000288-IT-ENF No action taken on additional information
- 2021-000587-IT-ENF Closed Investigative Intake
- AIB Fraud Investigation Gave direction to staff

NEW LICENSEE INTERVIEWS

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

- Dr. Tyler Rau (ND)
- Dr. Anthony Baron (MA)

ADJOURNMENT

The public meeting adjourned at the conclusion of closed session at 12:27 p.m.

Respectfully submitted,

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

Documents used by the Board during open session:

- *Posted agenda*
- *Draft public meeting minutes of 8/5/21*
- *Licensee Action Letter, 7/9/21 (protected)*
- *NBCE email, 8/24/21*
- *Compliance Monitor Applications (3)*

**** The above minutes were approved during the open meeting of the Board held on October 7, 2021***