

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

Public Meeting Minutes

September 7, 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.

Dr. Grosso noted a quorum of members present via video or phone and called the meeting to order at 10:01 a.m.

MEMBERS PRESENT

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

STAFF PRESENT (at various times)

Lisa Guglietta, Board Executive Director
Eboni Lewis, Board Associate Executive Director
Sheila York, Esq., Board Counsel

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

APPROVAL OF AGENDA:

Lisa Guglietta, Board Executive Director, stated that proposed monitors for Dr. Holley Heyert were added to the agenda under topics not reasonably anticipated by the Chair 48 hours before the meeting. Thereafter a motion was made by Dr. Jolly **to approve the September 7, 2023 agenda as amended**, seconded by Dr. O'Malley and VOTED (roll call);
in-favor: Jolly, Debs, Denaro, Connors, O'Malley, Bush, Grosso,
opposed: none

Ms. Guglietta asked the public to mute their microphones and reminded the attendees that the meeting was being recorded.

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 8/03/23.

Thereafter, a motion was made by Dr. O'Malley, seconded by Dr. Jolly and VOTED (roll call); **to approve the public meeting minutes of August 3, 2023 as drafted.**

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

opposed: none

CORRESPONDENCE

The Board discussed a follow-up email from Dr. Ashley McGovern regarding whether a chiropractor can work under a nurse practitioner (NP) to administer ozone injections. Attorney York stated that Board staff received information from the nursing board that chiropractors could not work under NPs and referred Dr. McGovern to the nursing board regarding scope of practice questions for NPs. Dr. Grosso commented that the function of the Board is to interpret the rules and regulations and that changing the scope of practice for chiropractors is not in its purview. Dr. Grosso stated that legislative action will be required to change the scope of practice for chiropractors.

COMPLIANCE MONITORING

Holley Heyert CHI2297

The Board discussed Dr. Heyert's second monitoring report and corrective action report.

The Board considered the fact that Dr. Diamond is no longer her monitor and a new monitor will be replacing him.

Thereafter a motion was made by Dr. Denaro **to reject the second monitoring report and corrective action report**, seconded by Dr. Debs and VOTED (roll call);

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

opposed: none

REACTIVATION APPLICATION

Jeffrey Mael's license CHI2333 expired on March 31, 2022. The Board discussed his reactivation application and required continuing education credits.

Thereafter a motion was made by Dr. Jolly **to approve the reactivation application**, seconded by Dr. Debs and VOTED (roll call);

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

opposed: none

NEW BUSINESS

Dr. Holley Heyert provided the Board with two new proposed compliance monitors. The Board discussed the proposed monitor application from Dr. Kellie van Roon and the curriculum vitae from Dr. Dan van Roon. The Board was informed that Dr. Dan van Roon had mailed his application, but the Board had yet to receive it. Dr. Heyert had indicated in an email that Dr. Dan van Roon was her first choice for monitor.

Thereafter a motion was made by Dr. Jolly **to approve Dr. Dan van Roon as monitor provided he submit his application within seven days**, seconded by Dr. O'Malley and VOTED (roll call);

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

PUBLIC COMMENT

Dr. Ashley McGovern's office manager commented that Dr. McGovern had heard the Board's response to her email inquiry.

EXECUTIVE SESSION

At 10:29 a.m. a motion was made by Dr. Jolly **to end the public session and go into Executive Session per G.L. c. 30A, s. 21(a)(3) to discuss summary suspension procedures under G.L. c. 30A, s. 21(a)(3) because discussion in open session could have a detrimental impact on the litigating position of the Board in pending summary suspension matters**, seconded by Dr. O'Malley and VOTED (roll call). The motion passed as follows:

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

CLOSED SESSION

At 10:42 a.m. a motion was made by Dr. O'Malley **to end the executive session and go into Closed Session per G.L. c. 112, § 65C for the purpose of reviewing cases in investigative conference**, seconded by Dr. Debs and VOTED (roll call). The motion passed as follows:

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

INVESTIGATIVE CASE CONFERENCE: [Closed Session: G.L. c. 112, § 65C]

There were no cases for the Board to review. Thereafter a motion was made by Dr. Jolly to end the closed session, seconded by Dr. O'Malley and VOTED (roll call). The motion passed as follows:

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

ADJOURNMENT

The meeting adjourned at the conclusion of Closed Session at 10:44 a.m.

Respectfully submitted,

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

Documents used by the Board during open session:

- *Posted agenda 9/7/2023*
- *Draft public meeting minutes of 8/3/23*
- *Email correspondence from Dr. Ashley McGovern*
- *Second Monitoring Report and Corrective Action Report, H. Heyert*
- *Email correspondence from H. Heyert, D.C.*
- *Proposed Monitor applications for H. Heyert, D.C.*
- *Reactivation Application for J. Mael, D.C.*