

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

AUGUST 3, 2017

A regularly scheduled meeting of the Massachusetts Board of Registration of Chiropractors (the Board) was held in Room 1D, 1000 Washington Street, Boston, Massachusetts.

Dr. Storozuk noted a quorum of members present, and the meeting was called to order at 10:07 a.m.

MEMBERS PRESENT:

Dr. Scott Storozuk, Chair
Dr. Kirk Shilts, Secretary
Ms. Barbara Bush, Public Member
Dr. Glenn Dodes, Member
Dr. Marsella Imonti, Member
Dr. Candace Maddalo, Member
Dr. Peter Martone, Member

STAFF PRESENT at Various Times:

Brian Bialas, Board Executive Director
Richard Lawless, Board Associate Executive Director
Sheila York, Esq., Board Legal Counsel
Ellen D'Agostino, Office of Investigations
Julie Brady, Esq., Office of Prosecutions
Bruce Hopper, DPL Chief Legal Counsel
Alan Van Tassel, Office of Investigations

CHAIRMAN'S MESSAGE:

Dr. Storozuk thanked former and current Board members and DPL staff for their hard work and support during the last two years he served as Board Chair.

AGENDA:

Dr. Storozuk reviewed the draft agenda with the Board. A discussion took place about adding a discussion about a legislative update to the agenda under New Business.

Thereafter, a Motion was made by Dr. Shilts, seconded by Dr. Dodes and VOTED (unanimous);
to approve the meeting's agenda with additions.

PAST MEETING MINUTES:

The Board reviewed the draft meeting minutes of June 1, 2017.

Thereafter, a Motion was made by Dr. Shilts, seconded by Dr. Dodes and VOTED (unanimous);
to approve the public meeting minutes of June 1, 2017 as drafted.

BOARD OFFICER ELECTIONS:

Dr. Storozuk called for a vote on the Board Chair position. The nominees were Dr. Shilts and Dr. Dodes. By a majority vote of the members, Dr. Shilts was elected Board Chair. Following this vote, Dr. Shilts

assumed the responsibilities of Board Chair, except where otherwise noted.

Dr. Shilts called for a vote on the Vice Chair position. Prior to the vote, Dr. Storozuk withdrew his name from consideration. The nominee was Dr. Dodes.

Dr. Dodes was elected Vice Chair by a unanimous vote of the members.

Dr. Shilts called for a vote on the position of Board Secretary. Prior to the vote, Dr. Imonti withdrew her name from consideration. Dr. Shilts asked for volunteers for the position of Board Secretary. Dr. Maddalo volunteered for the position. Dr. Storozuk volunteered for the position. Dr. Maddalo withdrew her name from consideration. There were no other nominees.

Dr. Storozuk was elected Board Secretary by a unanimous vote of the members.

NEW & OPEN CASES:

The Board prepared to discuss investigative matters.

Thereafter, a Motion was made by Dr. Dodes, seconded by Dr. Storozuk and VOTED (unanimous); **to suspend the open meeting at 10:20 a.m. pursuant to MGL c. 112, § 65C and enter into closed investigative conference to discuss cases.**

Report of actions taken during closed session:

- **2017-000482-IT-ENF [MC]** The Board conducted an investigatory interview.
- **Settlements:** (Julie Brady, Esq.):
(Atty. Hopper was not present during the discussion of these cases and did not participate in the matters)
 - **2016-000662-IT-ENF [CG]** Dismissed with an advisory letter.
 - **2016-000663-IT-ENF [CG]** Dismissed with an advisory letter.
 - **2016-000664-IT-ENF [RC]** Dismissed with an advisory letter.
 - **2016-000665-IT-ENF [RC]** Dismissed with an advisory letter.
 - **2016-000721-IT-ENF [TW]** Atty. York was not present during the discussion of this case and did not participate in the matter.
Dismissed without prejudice.
- **2017-000452-IT-ENF [TW]** Atty. York was not present during the discussion of this case and did not participate in the matter.
Dismissed without prejudice.
- **2016-000943-IT-ENF [GH]** Sent to the Office of Prosecutions.
- **2016-001160-IT-ENF [JG]** Dismissed without prejudice.
- **Auto Insurance Bureau Report** Discussion tabled to a future meeting.

Open session resumed at 12:16 p.m.

LEGAL REPORT:

Atty. York discussed the following matters with the Board.

- **New Applicant Interview Process Policy:**
Discussion on this policy was tabled to a future meeting.

CASE MONITORING:

Dr. Imonti presented her recommendations with regard to the following monitoring documents received:

- **20060926CH044-IT-ENF [JG]** 7th Quarterly Monitoring Report dated (5/30/17).
- **20160502CH042-IT-ENF [MT]** Proposed Monitors.

Thereafter, a Motion was made by Dr. Imonti, seconded by Dr. Dodes, and VOTED (unanimous);

to accept the monitoring report in 20060926CH004-IT-ENF.

Thereafter, a Motion was made by Dr. Imonti, seconded by Dr. Martone, and VOTED (unanimous);
to accept the proposed monitors in 20160502CH042-IT-ENF.

CORRESPONDENCE:

The Board reviewed the following correspondence:

- **Letter from K. Marcinkowski dated 6/6/17 asking the Board to recognize Florida's State licensure exam as equivalent to the National Board Part IV exam.**
Atty. York provided the Board with some background information and research on the subject. The Board concluded that the requirements in Florida in 2004 were not equal to the requirements in Massachusetts in 2004 because Florida did not require passage of the National Board Part IV examination and Florida does not allow for reciprocity.

Thereafter, a motion was made by Dr. Dodes, seconded by Dr. Imonti and VOTED (unanimous):
to deny the request for equivalency and reciprocity regarding the subject of this letter.

DISCUSSION:

The Board discussed the following topics:

- **Massachusetts Executive Office of Health and Human Services (HHS):**
Dr. Shilts asked Dr. Dodes to act as Board Chair of the meeting for this topic.
Dr. Shilts gave an update on a meeting he attended with HHS and the Massachusetts Chiropractic Society, noting that there was a discussion with HHS Secretary Sudders pertaining to chiropractic participation in the state's Community Health Centers and the Governor's updated policy (2.0) on opioids. He reported the Governor's policy has two main initiatives: (1) to treat persons currently afflicted with opioid addiction and (2) to prevent future opioid abuse by promoting alternative care models. Dr. Shilts believed this was an informative and insightful meeting and indicated he did not speak for the Board while he was present.
- **Proposed Revisions to Monitoring Reports:**
The Board was provided with sample questions in various categories that would be potentially included in monitoring reports. Dr. Shilts suggested that each member consider drafting additional questions relating to ethics/informed consent for future consideration.
- **Administration of NBCE Part IV:**
Mr. Bialas indicated a request for up to two Board members to serve as examiners at the National Board Part IV Examination on November 10-12, 2017.
Dr. Imonti is designated as the Board's first choice, and Dr. Dodes is considering participation.

NEW BUSINESS:

Items not reasonably anticipated by the chair 48 hours in advance of the meeting:

- **Legislative Update:**
Mr. Bialas discussed the content of a 6/30/17 letter to Massachusetts State Senator Cyr, which was discussed by the Board at the May 11, 2017 meeting, composed by the Board's Chair at the time, Dr. Storozuk, and Atty. York, and approved by DPL. The Board discussed the reasons for the specific tone and content of the letter. Dr. Shilts requested that in the future, Board members should receive a copy of any correspondence on these types of issues as they are sent. Dr. Shilts also requested that DPL External Affairs Manager Jordan Maynard come and speak at our next meeting on the ongoing issue.

REFERENCE MATERIAL REQUEST:

Dr. Shilts requested that copies be made of all chiropractic statutes, regulations, policies, new licentiate handout,

Board member voucher form and Board meeting calendar for distribution to all board members.

NEW LICENSEE INTERVIEWS:

After the meeting, the following candidate was scheduled to complete their new licensee orientation/interview with a Board member:

- Brian Sass, ME

ADJOURNMENT:

Dr. Shilts noted there were no more agenda items.

Thereafter, a Motion was made by Dr. Maddalo, seconded by Ms. Bush and VOTED (unanimous);
to adjourn the August 3, 2017 public meeting of the Board of Registration of Chiropractors at 12:51 p.m.

*The above minutes were approved during the open meeting of the Board held on September 7, 2017.



Brian Bialas, Executive Director
Board of Registration of Chiropractors

Documents used by the Board during open session:

- *Meeting agenda for 8/3/17*
- *Draft minutes of the 6/1/17 public meeting*
- *6/06/17 Letter from K. Marcinkowski on Florida's state chiropractic licensing exam*
- *6/30/17 Letter from Board chairman Scott Storozuk, D.C. to Senator Julian Cyr*
- *Monitoring Report Questions from Kirk Shilts, D.C.*