

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

MAY 10, 2018

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

Dr. Shilts noted a quorum of members present, and the meeting was called to order at 10:09 a.m.

MEMBERS PRESENT:

Dr. Kirk Shilts, Chair

Dr. Glenn Dodes, Vice Chair

Dr. Scott Storozuk, Secretary

Ms. Barbara Bush, Public Member

Dr. Gabrielle Freedman, Member

Dr. Peter Martone, Member

Dr. Candace Maddalo was absent from the meeting

STAFF PRESENT at Various Times:

Brian Bialas, Board Executive Director

Richard Lawless, Board Associate Executive Director

Sheila York, Board Legal Counsel

Ellen D'Agostino, Office of Investigations

Alan Van Tassel, Office of Investigations

James Read, Chief Prosecutor

Julie Brady, Office of Prosecutions

Shraddha Chhangani, DPL Legal Intern

CHAIRMAN'S MESSAGE:

Dr. Shilts took a moment to mention the importance of participation from Massachusetts at FCLB meetings, and he welcomed new Board member Dr. Gabrielle Freedman.

CONFLICT OF INTEREST REMINDER:

Atty. York provided members with a review of the state's conflict of interest policy.

AGENDA:

Dr. Shilts reviewed the draft agenda with the Board.

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

PAST MEETING MINUTES:

The Board reviewed the draft public meeting minutes of April 5, 2018. Dr. Shilts proposed changes to the minutes.

Thereafter, a Motion was made by Dr. Storozuk, seconded by Dr. Martone and VOTED (unanimous); **to approve the public meeting minutes of April 5, 2018 as amended.**

The Board reviewed the draft Executive Session minutes of April 5, 2018.

Thereafter a Motion was made by Dr. Storozuk, seconded in by Dr. Dodes and VOTED (unanimous); **to approve the Executive Session minutes as drafted and to keep those minutes confidential until the purpose for the Executive Session has concluded.**

OPEN CASES:

The Board prepared to discuss investigative matters.

Thereafter, a Motion was made by Dr. Martone, seconded by Dr. Dodes and VOTED (unanimous); **to enter into Closed Session under G.L. c. 112, s. 65C at 10:31 a.m. for the purpose of discussing open investigatory matters.**

Open Session resumed at 12:38 p.m.

During Closed Session the Board took the following actions:

- **AIB Report Update:** Chief Prosecutor James Read and Attorney Julie Brady from the Office of Investigations' Healthcare Fraud Unit were present to give the Board an update on the report and status of the Board's ongoing anti-fraud investigative processes. Direction was given to staff.
- **2017-000491-IT-ENF [DK], Interview:** Referred to Prosecution.
- **Settlement Offers:**
 - **2016-0111CH033-IT-ENF [SF]:** Direction on potential settlement was given to staff.
 - **2016-000943-IT-ENF [GH]:** Direction on potential settlement was given to staff.
- **2018-000164-IT-ENF [WL]:** Direction was given to staff.

LEGAL REPORT:

Atty. York discussed the following matters with the Board:

- **Patient Record Regulations Update:**
The regulations are pending review by DPL.
- **New Licensee Interview Policy Update:**
The policy is under review by the DPL.

DISCUSSION:

The Board discussed the following topics:

- **Solo Practice Questionnaire:**
The Board will review the questions on the Solo Practice Questionnaire for the next meeting.
- **Compliance Plan:** A document on compliance plans was introduced to the Board but not discussed.

- **FCLB 2018 Annual Meeting:**

Dr. Shilts informed the Board that there is information on the FCLB website regarding cerebrovascular events and manipulation, how chiropractic care can be helpful with the opioid crisis, animal chiropractic care, and chiropractic specialty councils. He also discussed scholarships offered for Executive Directors to attend the annual meetings. He reported the FCLB regional meeting dates set for Sept. 14 & 15 of this year.

- **NBCE 2018 Annual Meeting:**

Dr. Shilts informed the Board that all National Board Examinations will be computer-based by January 2019. He also said that the Ethics and Boundaries Assessment is most utilized by nurses and medical doctors as well as chiropractors and other professionals.

CORRESPONDENCE:

The Board reviewed the following correspondence:

- **3.29.18 Email from M. Sofia about George's Orthopedic Test:**

Direction was given to staff to respond that George's Test is no longer taught at chiropractic colleges, and to refer to the curriculum of chiropractic colleges to determine proper techniques and procedures.

- **4.24.18 Email from S. Gagne about Dry Needling:**

Direction was given to staff to respond with the Board's standard response to this question, which is that the Board has not recognized dry needling to be within the chiropractic scope of practice.

NEW BUSINESS:

The Board discussed the following item not reasonably anticipated 48 hours before the meeting:

- **License Reinstatement – Dr. Ronald Tebo:**

The Board received additional continuing education credits from Dr. Tebo after the meeting agenda was published. Dr. Martone reviewed the continuing education credits.

Thereafter, a Motion was made by Dr. Martone, seconded by Dr. Freedman and VOTED (unanimous);
to approve 72 hours of continuing education credits towards Dr. Tebo's reinstatement.

NEW LICENSEE INTERVIEWS:

After the meeting, the following candidates were scheduled to complete their new licentiate orientation/interview with Dr. Dodes:

- Susan Gullion; Mitchell Harding; Mark Sicheneder; and Max Zdrada

ADJOURNMENT:

Dr. Shilts noted there were no more agenda items.

Thereafter, a Motion was made by Dr. Martone, seconded by Dr. Dodes and VOTED (unanimous);
to adjourn the May 10, 2018 public meeting at 1:02 p.m.

*The above minutes were approved during the open meeting of the Board held on May 10, 2018.



Brian Bialas, Executive Director
Board of Registration of Chiropractors

Documents used by the Board during open session:

- *Meeting Agenda for 5/10/18*
- *Draft minutes of the 4/5/18 public meeting*
- *Draft minutes of the 4/5/18 executive session*
- *Solo Practice Questionnaire*
- *Documents from K. Shilts, regarding compliance plans*
- *3.29.18 Email from M. Sofia*
- *4.24.18 Email from S. Gagne*
- *Continuing education certificates from R. Tebo*