

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

June 20th, 2013

Members Present

Stephanie Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice-President
Jonathan C. Nou, D.C., Board Secretary/Treasurer
Robert Frieman, D.C.
Michael Moskowitz, D.C.
Joanne Bushman, D.C.
Michael Cox, LMT
Karen Biagiotti, LMT
Gloria Boddie-Epps, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Non-Members Present

James Vallone, Executive Director
Adrienne Congo, Deputy Director
Anthony DeFranco, Sub. Board Counsel
Michelle Czarnecki, Legal Assistant
Dr. James LeVan, D.C., MCA Bd. of Dir.
Wayne Parker, LMT, AMTA MD Chap.
President
Anthony Hinkle, LMT, NCB
Niiva Wendy, AMTA MD Chap.,
Communications
Stan Curt, AMTA MD Chap.
Kristen Neville, DHMH
Sharon Bloom, DHMH
Sen. Paula Hollinger, DHMH

Members Absent

Gwenda Harrison, LMT

Dr. Stephanie Chaney called the meeting to order at 10:19 am.

Review of Agenda and Minutes:

The June 20th, 2013 Agenda was reviewed by the Board. Ms. Jones Jolivet moved to approve the May 20th Agenda as written; Dr. Frieman seconded, and the motion was unanimously voted.

The May 9th, 2013 Board Minutes were reviewed by the Board. Dr. Frieman moved to approve the May 9th, 2013 Board Minutes as written; Dr. Bushman seconded, and the motion was unanimously voted.

Review of Administrative Issues, Mr. J.J. Vallone, JD, Executive Director and Ms. Adrienne Congo, MS, Deputy Director:

a) Final Vote on Revised Regulations:

Mr. Vallone instructed the Board that today would be the final vote on the final draft of the revised Board regulations. As explained by Mr. Vallone, the Board's subcommittee has been working on these revisions for almost two years and the Board had completed an initial review and vote at the May meeting. After the final vote by the Board, the draft will be forwarded to DHMH legislative/regulatory expert, Kristen Neville, who will

collaborate with Ms. Czarnecki to create a completed format. The suggested revisions will then likely undergo more edits and changes in format as they go through the appropriate process of vetting. Revisions now are essentially non-substantive in nature. The revisions will then be posted both on the Board's website in a readable format for interested individuals, as well as the Maryland Register, followed by a thirty-day notice and comment procedure required for all legislation. Ms. Neville stated that the earliest possible time frame to have the completed revised regulation in place would be approximately four months.

Dr. Cox moved to accept the final draft of the revised regulations; Dr. Fedorczyk seconded, and the motion was unanimously voted.

b) June 13th Board Election Results:

Dr. Chaney announced that after reviewing the results again, it was a close race for the Secretary/Treasurer race between three Board members: Dr. Frieman, Ms. Jones-Jolivet, and Ms. Biagiotti. The final election results were Dr. Fedorczyk for Board President, Dr. Nou for Board Vice-President, and Dr. Frieman for Board Secretary/Treasurer. These three individuals will assume their officer positions beginning on July 1, 2013.

c) Request for subcommittee to review and update Massage Therapy Jurisprudence Examination

Ms. Adrienne Congo, Deputy Director, requested that a subcommittee be created to update the Massage Therapy Jurisprudence Examination that is given to Massage Therapy Applicants on a monthly basis. Because the Board's regulations are currently undergoing revisions, the Board determined that this was an excellent idea; however, the Board decided to table this issue until those revisions are final and adopted.

d) NCBTMB Organizational Update

Ms. Congo informed the Board that NCBTMB now has a new Chief Executive, Mr. Steve Kirwin.

e) FSMTB & Board Administrative Procedures

Ms. Congo informed the Board that the FSMTB has notified the Board of an increase of reports of potential fraud in which transcripts from massage therapy applicants do not match the name of the school listed on the individual's Jurisdictional Report. FSMTB encourages Board staff members to review all information for each individual and match that information to the license application. Any discrepancies found should be reported to FSMTB so that an evaluation can be made regarding exam eligibility or revocation of an existing MBLEx score. Licensing coordinator Ms. Emily Jones and Office Secretary Ms. Kizzy Clarke have both been made aware of this update.

f) Administrator III Position Information

The Board is currently seeking an Administrator III, Grade 18, Contractual position to split time (50/50) between this Board and the Dental Board. Both DHMH and DBM have posted the job listing. Applicants must apply via the State MS100 procedure; and qualified candidates are submitted for review. A selection committee consisting of

Senator Paula Hollinger, Dr. Fedorczyk, and the Executive Director of the Dental Board, Ms. Laurie Sheffield-James, will interview and select the individual who will fill this position.

Chiropractic Petitions:

a) Dr. Thomas Lo, D.C./CA Jeannie Kasner: Requesting a refund of Ms. Kasner's \$200 late fee for renewing her Chiropractic Assistant Registration

Dr. Lo and his CA, Ms. Jeannie Kasner, petition the Board for a refund of the \$200 late fee assessed to Ms. Kasner due to her late renewal. In her petition to the Board, Ms. Kasner explains that she believed that her CA Registration expired two years from the date she received it, as was the case with previous occupational licenses she had received. However, when she was made aware that her registration in fact expired on March 31, 2013, she was already two days past that deadline and accordingly was assessed the \$200 late fee when she renewed online.

Based on this information, Dr. Bushman moved to deny Ms. Kasner's petition for a refund of her late fee; Dr. Fedorczyk seconded, and the motion was voted by a majority of the Board, with Mr. Cox and Ms. Jones Jolivet abstaining.

b) Dr. Alan Sokoloff, D.C./CA Simon Oliver: Petition the Board to extend CA Training Program to allow Mr. Oliver to take the April 2014 CA Exam.

Dr. Sokoloff and his CA, Mr. Simon Oliver, petition the Board to extend Mr. Oliver's CA Training Program to allow him to take the April 2014 CA Exam due to Mr. Oliver's military service to last approximately seven months.

Based on this information, Dr. Fedorczyk moved to approve the petition to extend Mr. Oliver's CA Training Program to allow him to take the April 2014 CA Exam; Dr. Frieman seconded, and the motion was unanimously voted by the Board.

Petition from Ms. Jessica DeVincenzo, Massage Therapy Applicant, to Accept her Non-Accredited Massage Training:

Ms. DeVincenzo petitions the Board to accept her Non-Accredited Massage Training from the Massage Arts Center of Philadelphia. Her training consisted of 702 hours. Her private massage school is NCBMTB approved, and was accepted by the Pennsylvania State Board of Massage Therapy for her Pennsylvania massage therapy license. Ms. DeVincenzo also has her bachelor's degree.

Based on this information, Mr. Cox moved to waive the accreditation requirement and accept Ms. DeVincenzo's massage therapy application; Ms. Biagiotti seconded, and the motion was unanimously voted.

Requests for Chiropractic Trade Name Approval:

The following chiropractic trade name request was **approved** by Board motions. Dr. Fedorczyk moved to approve; Dr. Bushman seconded, and the motion was unanimously voted.

a) *North Bethesda Chiropractic*—Ian Bloom, D.C.

Requests for Massage Therapy Trade Name Approval:

The following massage therapy trade names were **approved** by Board motions. Ms. Biagiotti moved to approve; Mr. Cox seconded, and the motions were unanimously voted.

a) *Serenity Therapeutic Masasge*—Barbara Kindle, LMT

b) *A Moment's Peace Massage Therapy*—Rose Ann W. O' Canas-Beatty, RMP

c) *Heaven and Earth Healing Arts, Amy Jean Guy, LMT*—Amy Jean Guy, LMT

FYI/Miscellaneous Correspondence for Review/Discussion:

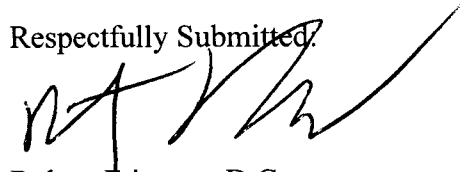
MCA representative Jim LeVan was present during general session and spoke to the Board. Mr. LeVan addressed the Board's concerns regarding those supervising chiropractors who hire CA trainees with no intention of having them complete their training, and habitually firing them after a short period. Mr. LeVan expressed the MCA's support of the Board during the process of trying to fix this issue.

Mr. Cox brought it to the Board's attention that Mr. Wayne Parker, AMTA Maryland Chapter President, is to be deployed for a year to the Middle East as a member of the U.S. Army forces. The Board wished him well and thanked him for his service.

The Board then engaged in a discussion regarding its Board newsletters. Ms. Biagiotti pointed out that the draft of the Summer 2013 newsletter was missing information regarding a conference trip to New Orleans by three board members. Mr. Vallone apologized for the oversight and suggested that any Board member who has suggestions for edits/additions to the newsletter draft submit them to him as soon as possible. Ms. Jones Jolivet suggested that there be one cohesive newsletter to represent the entire Board. In response to this suggestion, Ms. Congo expressed concern that having all of the board's information, for both massage therapists and chiropractors and chiropractic assistants would include too much information. Given the issue with licensees not reading important information they are provided in smaller amounts, Ms. Congo explained that she believes merging the two newsletters may be too much information, resulting in licensees not reading it. Ms. Jones Jolivet responded that she feels that the separate newsletters perpetuate a divide between the Board. Dr. Chaney pointed out that the Board covers two very different professions, with different interests and concerns. Dr. Bushman stated that both sides need to merge more to understand each other's profession and modalities. Dr. Fedorczyk suggested that the newsletter be merged and then provided online. Mr. Vallone and Ms. Congo both agreed that they eventually wish to fade out the hard copies of the newsletter altogether. Ms. Wendy, an AMTA representative, suggested that the Board send out hard copies to those licensees who did not have an email address. Dr. Chaney agreed that emailing the newsletter would be a good idea, with exemptions for those licensees who do not have email addresses.

Upon motion by Dr. Fedorczyk, seconded by Dr. Bushman, the Board unanimously voted to adjourn General Session at 11:27pm.

Respectfully Submitted,



Robert Frieman, D.C.
Board Secretary/Treasurer

