

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

April 11, 2013

Members Present

Stephanie Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice-President
Michael Moskowitz, D.C.
Robert Frieman, D.C.
Joanne Bushman, D.C.
David Cox, LMT
Karen Biagiotti, LMT
Gwenda Harrison, LMT
Gloria Boddie-Epps, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Non-Members Present

James Vallone, Executive Director
Adrienne Congo, Deputy Director
Grant Gerber, Esq., Board Counsel
Michelle Czarnecki, Legal Assistant
Debra Persinger, FSMTB
Anthony Hinkle, NCB/LMT
John V. DeMaio, D.C.
Amanda Jenkins, CA Applicant
Wayne Parker, AMTA-MD Chapter
President
Stephan Cerli, AMTA, MD Chapter
Sharon Bloom, DHMH
Sen. Paula Hollinger, DHMH
Eli DePaula, We Care Chiropractic
Madeline Padilla, We Care
Chiropractic
Silvia Hernandez, CA Applicant
Gelareh Naenifard, We Care
Chiropractic

Members Absent

Jonathan Nou, D.C., Board Secretary/Treasurer

Dr. Stephanie Chaney called the meeting to order at 10:05 am.

Review of Agenda and Minutes

The April 11, 2013 Agenda was revised as follows: (1) Addition of Dr. John DeMaio/CA Applicant Amanda Jenkins to the CA Extension/Continuation Petitions; (2) Addition of Dr. Allen Huffman/CA Applicant Lauren Moore to the CA Extension/Continuation Petitions; (3) Addition of Jarrod Lippy, D.C./CA Applicant Alicia Martin to the CA Extension/Continuation Petitions.

Mr. Cox moved to approve the April 11, 2013 Agenda with those revisions; Ms. Jones Jolivet seconded, and the motion was unanimously approved.

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The March 14, 2013 Board Minutes were reviewed by the Board. The Board Minutes were revised as follows: (1) On page 3, replace “suing” with “using”; (2) On page 3 of the General Session minutes, replace “like wobbleboard therapy,” with “similar to other neuromuscular re-education therapy”; (3) On page 4 of the General Session minutes, replace “my supervising chiropractors” with “by supervising chiropractors.”

Dr. Bushman moved to approve the March 14, 2013 with those revisions; Dr. Frieman seconded, and the motion was unanimously approved.

Review of Administrative Staff Issues: Mr. J.J. Vallone, JD, Executive Director

a) CA 2013-2015 Biennial Renewal Report

Chiropractic Assistant registrations expired on March 31st, 2013. CAs will still be able to renew with a late penalty until April 30, 2013. A post-renewal audit was instituted on 100 CAs, chosen at random. The chosen CAs are required to send their CEU certificates to the Board.

b) CA Revised Training Program Update

The changes to the CA program, which are to commence May 15th, 2013, are intended to increase compliance among supervising chiropractors and chiropractic assistant applicants alike. Mr. Vallone has spoken with the Maryland Chiropractic Association regarding these changes, and both agree that more compliance is needed. More stringent procedures are being instituted to achieve this goal, but there is still a need for cooperating chiropractors to report violations. Ms. Jones Jolivet commented that it was an excellent decision to revise the CA program. Dr. Chaney agreed that the new measures will make the administrative process easier and allow for greater decision-making power regarding violations.

c) MCA Presentation of March 17th, 2013

Executive Director Jim Vallone, Dr. Chaney and Dr. Fedorczyk attended the MCA Conference held on March 17th, 2013. During their portion of the conference, the attending chiropractors were informed of and given handouts regarding the CA Program changes commencing May 15th, 2013. The session went well, with many chiropractors expressing support for the changes and providing helpful amendments to the upcoming procedures.

d) CA Training/HIRING Issue: Dissemination of Packets & Newsletter/Subcommittee assignment.

Packets regarding the CA Program changes have been mailed to all Supervising Chiropractors licensed with the Board. Mr. Vallone has received many calls from these chiropractors, with questions and helpful suggestions for minor amendments needed to the upcoming changes.

- e) **Di Zhang law enforcement bust & prosecution (public news report)**
Di Zhang was recently charged for prostitution/human trafficking as operator of a brothel under the guise of a massage parlor in Baltimore County. Board investigator Chris Bieling worked with law enforcement officials as an administrative back up in the arrest.

Petition(s)—CA Extensions/Continuations

Dr. Fedorczyk moved to transfer all decisions on the Executive Session petitions to the General Session in accordance with the Open Meetings Act; Dr. Frieman seconded, and the motion was unanimously voted.

a) Dr. Borhani/CA Applicant Jennifer Shymansky*: Request for Extension & Continuation

Dr. Borhani submitted a petition to the Board requesting an extension for her CA Applicant, Jennifer Shymansky, who failed to submit a completed CA log in her CA Application. Subsequently, Ms. Shymansky voluntarily left the program and employment under Dr. Borhani. The Board was updated of this change in events. Because Ms. Shymansky was short nearly 200 hours, Dr. Chaney suggested that an informal letter of education be sent to Dr. Borhani regarding the number of hours required for CA Applicants to complete while in the program.

*Ms. Gwenda Harrison recused herself from all discussion and voting of this petition.

b) Dr. Taesun Byun/CA Applicant, Karen Melara: Request for Extension & Continuation

Dr. Byun submitted a petition to the Board requesting an extension for CA Applicant Karen Melara, who failed to complete her training courses within the year time limit. Dr. Byun explained that Mrs. Melara was married last year and therefore was unable to complete her training courses in time. Based on this information, Dr. Fedorczyk moved to deny the request for an extension and to send notice of advisement that future hires must be submitted to the Board for approval; Ms. Jones Jolivet seconded; and the motion was unanimously voted.

c) Dr. Rachel Ash/CA Applicant, Silvia Hernandez: Request for Extension & Continuation

A petition was submitted to the Board by Eli DePaula, owner of WeCare Chiropractic, on behalf of Ms. Silvia Hernandez, requesting an extension for Ms. Hernandez's training period. Mr. DePaula explained that Ms. Hernandez's original supervising chiropractor, Dr. Rachel Ash, failed to train Ms. Hernandez, although she did enroll in some online courses. It was not until hiring Dr. Gelareh Nainefard in December of 2012 that Ms. Hernandez started to her CA training. Mr. DePaula

further explained that Ms. Hernandez's failure to meet the deadline for the April CA Exam was due to their ignorance that a deadline existed under the Board's policies.

d) Dr. Brandon Steinbar/CA Applicant, Molly Riley: Request for Extension & Continuation

Dr. Steinbar submitted a petition to the Board requesting an extension for CA Applicant Molly Riley, who failed to complete her CA courses in time for the April CA Examination. Dr. Steinbar explained that Ms. Riley has stopped practicing in a CA capacity and has instead focused her attention on the weight loss program, which she has taken an interest in. After hearing this information, the Board members inquired whether or not Ms. Riley was a licensed dietician. A search on the Maryland Board of Dietetic Practice website did not show a licensed dietician and/or nutritionist under the name Molly Riley. Based on this information, Dr. Fedorczyk moved to send notice to Dr. Steinbar and Ms. Riley that she is no longer in the program, and to forward the case to Board Investigator Dave Ford for further review; Ms. Boddie-Epps seconded, and the motion was unanimously voted.

f) Dr. Harry Derr/CA Applicant, Cynthia Paul-Blanc: Request for Extension & Continuation

Dr. Derr submitted a petition to the Board requesting an extension for CA Applicant Cynthia Paul-Blanc, who failed to complete her hands on training until March 23rd, 2013. Dr. Derr stated that he mistakenly did not get Ms. Paul-Blanc signed up for the hands-on training until the March session, which was past the March 8th deadline. Based on this information, Dr. Fedorczyk moved to extend Ms. Paul-Blanc's CA program and allow her to take the April CA exam; Ms. Jones Jolivet seconded, and the motion was unanimously voted.

g) Dr. Howard Lipman/CA Applicant, Jason Wolff*: Request for Extension & Continuation

Dr. Lipman petitions the Board to extend the training period for his CA Applicant, Jason Wolff. In their petition, Dr. Lipman explained that Mr. Wolff was still in high school when he first started training in April of 2012, and was also volunteering at his church. Because of these commitments, Mr. Wolff was only able to work approximately 10 hours a week, and did not begin working more than 30 hours a week until September of 2012. Based on Dr. Lipman's disclosure that Mr. Wolff had not yet graduated from high school upon starting the program, Dr. Fedorczyk moved to send notification to Dr. Lipman that Mr. Wolff is no longer in the CA Program and to forward the case to Board Investigator David Ford for further review; Ms. Harrison seconded, and the motion was unanimously voted.

*Dr. Frieman recused himself from the discussion and voting on this petition.

h) Dr. Brian Paris/CA Applicant, Jimmy Violand*: Request for Extension & Continuation

Dr. Paris petitions the Board to extend the training period for his CA Applicant, Jimmy Violand. In their petition, Mr. Violand explained that he is currently enrolled in the Physical Therapist Assistant program at Carroll Community College, and that because of the demands of this program, he was unable to meet the deadline for completing his CA training course. Mr. Violand stated that he attempted to complete all of his CA training hours over his Spring Break, but was still unable to complete all the necessary paperwork to take the April Exam. Based on this information, Dr. Frieman moved to extend Mr. Violand's CA training program to allow him to take the November CA Exam; Ms. Harrison seconded, and the motion was unanimously voted.

*Dr. Moskowitz and Dr. Chaney recused themselves from the discussion and voting on this petition.

i) Dr. John DeMaio/CA Applicant Amanda Jenkins: Request for Extension & Continuation

Dr. DeMaio petitions the Board to extend the training period for his CA Applicant, Amanda Jenkins. Dr. DeMaio and Ms. Jenkins were both present at the Board meeting, with Dr. DeMaio speaking to the Board himself. Dr. DeMaio explained that while he has always tried to comply with Board requirements regarding the CA Program, Ms. Jenkins training program "fell through the cracks" in submitting it in time for the April CA Exam. Dr. DeMaio stated that Ms. Jenkins is a very valuable CA Applicant, and that she is willing and prepared to take the April CA Exam, should the Board allow it. Based on this information, Dr. Frieman moved to extend Ms. Jenkins CA training program to allow her to take the April CA Exam; Dr. Fedorczyk seconded, and the motion was unanimously voted.

j) Dr. Allen Huffman/CA Applicant Lauren Moore: Request for Extension & Continuation

Dr. Huffman petitions the Board to extend the training period for his CA Applicant, Lauren Moore.

insert petition info

Based on this information, Dr. Frieman moved to extend Ms. Moore's training program to allow her to take the April CA Exam; Dr. Bushman seconded, and the motion was unanimously voted.

k) Dr. Jarrod Lippy/CA Applicant Alicia Martin: Request for Extension & Continuation

Based on this information, Dr. Fedorczyk moved to extend Ms. Martin's training program to allow her to take the April CA Exam; Dr. Frieman seconded, and the motion was unanimously voted.

The following petitions were discussed in Executive Session and voted upon in General Session:

- a) **Dr. Sue Podmijersky/CA Applicant, Tonisha Eberhart: Request for Extension and Continuation**
Based on the information disclosed in their petition, and as a result of a discussion among the Board in Executive Session, Ms. Biagiotti moved to extend Ms. Eberhart's CA training and to allow her to take the November CA Exam; Ms. Jones Jolivet seconded, and the motion was unanimously voted.
- b) **Dr. Mitch Adolph/CA Applicants, Shannon Myers and Julie Casey: Request for Extension and Continuation**
Based on the information disclosed in their petition, and as a result of discussion among the Board in Executive Session, Mr. Cox moved to extend Ms. Myers CA Program to allow her to take the November exam; Ms. Boddie-Epps seconded, and the motion was unanimously voted. Ms. Jones Jolivet moved to deny the request for an extension for Ms. Julie Casey; Ms. Boddie-Epps seconded, and the motion was unanimously voted.
- c) **Dr. Christman/CA Applicant, Antoinette Haigley: Request for Extension and Continuation**
Based on the information disclosed in their petition, and as a result of discussion among the Board in Executive Session, Ms. Jones Jolivet moved to extend Ms. Haigley's CA Program and allow her to take the November CA Exam; Mr. Cox seconded, and the motion was unanimously voted.
- d) **Dr. Ronald Santoriello/CA Applicant, Doreen Banks: Request for Extension and Continuation**
Based on the information disclosed in their petition, and as a result of discussion among the Board in Executive Session, Dr. Fedorczyk moved to send notification to Dr. Santoriello of Ms. Banks removal from the CA Program due to her termination and to forward the case to Board Investigator David Ford for further review; Ms. Boddie-Epps seconded, and the motion was unanimously voted.

Requests for Approval of Chiropractic Trade Names:

The following chiropractic trade name requests were **approved** by Board motions. Dr. Fedorczyk moved to approve; Dr. Frieman seconded, and the motions were unanimously voted.

- b) *Yoon Chiropractic*—Hyungsik Yoon, D.C.
- c) *C2M Chiropractic*—Charlotte W. Jensen

The following chiropractic trade name request was **approved** by Board motion, contingent upon clarification that no chiropractic practice is occurring at the location:

- a) ***Optimal Health Massage Therapy***—Dorte Sherman, D.C., LMT (Replacement for previous Board approval—*Optimal Health Chiropractic and Massage Therapy*).

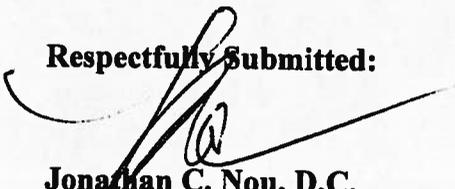
Requests for Approval of Massage Therapy Trade Names:

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

- a) ***RN Therapeutic Massage, LLC***—Pamela Buckenmaier, LMT (Tabled 3/14/13 for clarification of the “RN” acronym—attached letter of explanation and request for reconsideration).
- b) ***Mindful Warrior Massage***—Clarence W. Rutherford, LMT
- c) ***Hands for Hospice, Inc., Celia Davis, RMP***—Celia M. Davis, RMP (Replacement for previously Board approved trade name—*Ceilidh Massage, LLC*)
- d) ***Oriental Spa Massage***—Youn Soon Lee, LMT
- e) ***Earth Touch Massage Therapy and Healing Arts***—Aleasha Al. Leqis, LMT
- f) ***Sarapeutic Massage and Wellness***—Sara Rossio, LMT (Replacement for previous Board approval—*New Life Massage Therapy by Sara Rossio, LMT*)

Upon motion by Dr. Fedorczyk, seconded by Dr. Bushman, the Board unanimously voted to adjourn General Session at 12:18pm.

Respectfully Submitted:



Jonathan C. Nou, D.C.

Board Treasurer