

**BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS**  
**BOARD MEETING**

*December 12, 2013*

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**GENERAL SESSION AGENDA**

1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (*October 10, 2013*).**
3. **Presentation from Ms. Lorena de Leon—Healthcare Provider Background Checks**
4. **Review of Administrative Issues, Mr. J.J. Vallone, JD, Executive Director and Ms. Adrienne Congo, MS, Deputy Director:**
  - a) **Proposed Legislation – Re: Criminal Records Check**
  - b) **Litigation regarding FSMTB, MBLE<sub>x</sub>**
  - c) **Constitutional Provision Affecting Board Appointments**
  - d) **Regulations Implementation**
5. **Massage Therapy Petition(s):**
  - a) **Susan Pate, Applicant—Petition to waive accreditations requirement and accept application for massage therapy licensure/registration.** Ms. Susan Pate petitions the Board to accept her non-accredited massage therapy training from *Healing Spirits Massage Therapy Program* in Boulder, CO. This massage program is approved by the Colorado State Department of Higher Education and the Division of Private Occupational Schools.
  - b) **Lauren Alford, Applicant—Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.** Ms. Lauren Alford petitions the Board to accept her non-accredited massage therapy training from *The National Personal Training Institute* in Winter Park, FL. This massage therapy program is licensed by the Florida Commission for Independent Education.
  - c) **Sarah Frick, Applicant—Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.** Ms. Sarah Frick petitions the Board to accept her non-accredited massage therapy training from *Cedar Stone School of Massage* in Harrisburg, VA. This massage therapy program is approved by the State Council of Higher Education for Virginia (SCHEV).

6. **Chiropractic Petition(s):**

(a) **Mary Ann Ley, D.C.—Petition to Waive Late Renewal Fee.** Dr. Mary Ann Ley, D.C. requests a waiver of the \$500 late renewal fee assessed during the 2013 Chiropractic License Renewal period. (Online renewal started 9/26/13; renewal application submitted 9/26/13).

b) **Dr. Jeffrey Michael, D.C.—Reapplication for preceptorship.**

7. **Requests for chiropractic trade name approval:**

a) ***Riverdale Back and Pain Clinic***—Mark L. Stutman, D.C.

b) ***Spineworks Medical Center Medical Physical Therapy Chiropractic***—Desmond Pinelli, D.C. (replacement trade name for *Spineworks Chiropractic*).

c) ***Belair Spinal Rehab & Chiropractic***—Marc Gulitz, D.C.

d) ***Baltimore Chiropractic Clinic***—Kenneth D. Friedman, D.C. (replacement trade name for *Kenneth S. Friedman, D.C., PA*)

e) ***Beyond Horizons Chiropractic INC***—Kim-Ngan Nguyen, D.C.

8. **Requests for massage trade name approval:**

a) ***Return To Perfect Massage*** – Alfred E. Russell Jr., LMT

b) ***The Massaging Monk*** – James B. Monk, RMP

c) ***Myers Massage and Bodywork*** – William Myers Jr., RMP

d) ***Massage Motif*** – Joseph Ferris, LMT

e) ***Infinite Harmony Massage***- Kristie Minnis, LMT

f) ***Shine Massage and Wellness Studio***- Sally S. Burkholder, LMT

g) ***A Time to Unwind*** – Victoria Dawn Raddia, LMT

h) ***How Sweet It Is Therapeutic Massage/How Sweet It Is Massage***  
Loren D. Thompson, RMP

i) ***Frederick Massage Therapy***, Marlene Mayman, LMT

j) ***Inner Balance Therapeutic Massage and Corporate Wellness*** –  
Michele Miller

9. **Federation of State Massage Therapy Boards Annual Meeting—Mr. David Cox, LMT**

10. **Discussion of Massage Therapy Schools Indicating Ethics Courses on Transcripts**

11. **Discussion on Concussions and Return to Play Authorization, Dr. Michael Fedorczyk, Board President**

12. **Discussion of treatment of minors without parents present.**

**FYI: Miscellaneous correspondence for review/discussion**

**The following trade names were unanimously voted on and approved for November 2013:**

a) ***Waldorf Chiropractic and Injury Center*** – Michael Fedorczyk, D.C

b) ***Abode Therapeutic Massage and Bodywork*** – Dianne Santarella, LMT

c) ***Charm City Massage*** – Geoffrey Pritchard, LMT

d) ***Blissful Massage Escape LLC*** – Kathleen Saul, RMP

e) ***The Much Kneaded Touch*** –Mirna Duran, RMP

f) ***MD Deep Tissue Massage*** – Melissa Steger, LMT

**BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS**  
**MINUTES – GENERAL SESSION**

*December 12, 2013*

**Members Present**

Michael Fedorczyk, DC, Board President  
Jonathan Nou, DC, Board Vice President  
Robert Frieman, DC, Board Treasurer  
Stephanie J. Chaney, DC, Fmr Board President  
Joanne Bushman, DC  
Michael Moskowitz, DC  
Karen Biagiotti, LMT  
Gwenda Harrison, LMT  
David Cox, 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., AAG, Board Counsel  
James Gamble, Admin Specialist II  
Michelle Czarnecki, Compliance Manager  
Lorena De Leon- Guest  
Sarah Frick, Massage Therapy Applicant  
Ruth Stolof, AMTA 1<sup>st</sup> Vice President  
Sue Pate, Massage Therapy Applicant

**Members Absent**

N/A

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Dr. Michael Fedorczyk called the meeting to order at 10:01 am.

**Review of Agenda and Minutes**

The December 12, 2013 agenda was reviewed by the Board and the following revisions were suggested: (1) Addition of Part D, "Regulations Implementation" under Review of Administrative Issues, Mr. J.J. Vallone, JD, Executive Director and Ms. Adrienne Congo, MS, Deputy Director. (2) Addition of #12, "Discussion of treatment of minors without parents present."

Dr. Frieman moved to approve the December 12, 2013 Agenda with those revisions; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

The October 10, 2013 Board minutes were reviewed by the Board. Dr. Frieman moved to approve the October 10, 2013 Board Minutes as written; Dr. Nou seconded, and the motion was unanimously voted by the Board.

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

**a) Proposed Legislation—Re: Criminal Records Check**

On October 10, 2013 the Board agreed that it would be pleased to join the Board of Physical Therapy Examiners in support of any legislative initiative to give our respective investigative units national criminal records check authority for licensee applicants. Ms. Michelle Czarnecki, Compliance Manager, is the point of contact for such initiative.

**b) Litigation Regarding FSMTB, MBLEx:**

Ms. Adrienne Congo, Deputy Director proposed to Board members of the need to review the parameters that are currently being utilized by the Board to test its potential licensees. Ms. Congo presented information regarding new technologies that could exploit the Board exams. Currently, potential licensees have to put all purses, electronic devices, and other electronic forms away during testing. Ms. Congo notified the Board of a new technology that is being marketed and sold that enables an individual to take pictures with their watch. Ms. Congo advised the Board that technology such as this can exploit the Board's exams that applicants are taking to obtain licensure or registration in the State of Maryland. Ms. Congo also suggested that a letter be sent to applicants regarding Board policy on the use of their electronic devices, handbags, etc. during examinations.

**c) Constitutional Provision Affecting Board Appointments**

Board Counsel Grant Gerber, Esq. stated that the Maryland Constitution prevents newly appointed board members from sitting on the Board until June 14, 2014. Maryland Constitution Article II, 10A prohibits Governor O'Malley from making Executive appoints during the period between the primary election (June 24, 2014) and the inauguration of the new Governor on January 21, 2015. If a Board member has a term which expires between June 24, 2014 and January 21, 2015, they may continue to serve until the inauguration, at which time a replacement may be recommended or they may apply for reappointment consideration.

**d) Regulations Implementation**

The proposed changes to the Board's regulations have been approved and will be implemented on January 6, 2014. This will impact the CEU providers for chiropractic and massage therapy. Executive Director James Vallone stated that a postcard will be sent to licensees to inform them of the updated regulations. Mr. Vallone stated that these implementations will be posted before January 6<sup>th</sup> in the Maryland Register.

**Massage Therapy Petitions:**

**a) Susan Pate, (Massage Applicant) – Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.**

Ms. Susan Pate petitions the Board to waive the accreditation requirement and to accept her application for massage therapy licensure. Ms. Pate's massage program is approved by the Colorado State Department of Higher Education and the Division of Private Occupational Schools.

Based on this information, Ms. Biagiotti moved to waive the accreditation requirement and accept Ms. Pate's massage therapy application; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

**b) Lauren Alford, (Massage Applicant) - Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.**

Ms. Lauren Alford petitions the Board to waive the accreditation requirement for her non-accredited massage therapy training and accept her application for massage therapy licensure.

Ms. Alford's massage therapy program is licensed by the Florida Commission for Independent Education.

Based on this information, Dr. Chaney moved to waive the accreditation requirement and accept Ms. Alford's massage therapy application; Ms. Harrison seconded, and the motion was unanimously voted by the Board.

**c) Sarah Frick, (Massage Applicant) – Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.**

Ms. Sarah Frick petitions the Board to waive the accreditation requirement and accept her application for massage therapy licensure. Ms. Frick graduated from *Cedar Stone School of Massage* in Harrisburg, VA.

Based on this information to Dr. Chaney moved to waive the accreditation requirement and accept Ms. Frick's massage therapy application; Dr. Frieman seconded, and the motion was unanimously voted by the Board.

**Chiropractic Petitions:**

**a) Mary Ann Ley, D.C. – Petition to Waive Late Renewal Fee.**

Dr. Mary Ann Ley, D.C. requests a waiver of the \$500 late renewal fee assessed during the 2013 Chiropractic License Renewal period. In her petition to the Board, Dr. Ley stated that she had not received any correspondence regarding the 2013-2015 Biennial Chiropractic Renewal, and expressed concern that the Board may have had the wrong work address for her on file. Dr. Ley also stated that a previous employee was suspected of sabotaging records and that she believe he or she could have been responsible for Dr. Ley never receiving Board correspondence. Compliance Manager Michelle Czarnecki indicated to the Board that the address on file for Dr. Ley was the correct address.

Based on this information, Dr. Frieman moved to deny Dr. Ley's petition to waive the late fee; Ms. Biagiotti seconded, and the motion was unanimously voted by the Board.

**Requests for Chiropractic Trade Name Approval:**

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

- a) ***Spineworks Medical Center Medical Physical Therapy Chiropractic*** - Desmond Pinelli, D.C. (replacement trade name for Spineworks Chiropractic).
- b) ***Belair Spinal Rehab & Chiropractic*** – Marc Gulitz, D.C.
- c) ***Baltimore Chiropractic Clinic***- Kenneth D. Friedman, D.C. (replacement trade name for Kenneth S. Friedman, D.C., PA)
- d) ***Beyond Horizons Chiropractic INC***- Kim Ngan Nguyen, D.C.

The following chiropractic trade name request was **denied** by Board motion. Dr. Chaney moved to approved; Dr. Frieman seconded, and the motion were unanimously voted:

e) *Riverdale Back and Pain Clinic*—Mark Stutman, D.C.

**Requests for Massage Therapy Trade Name Approval:**

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

- a) *Return to Perfect Massage*- Alfred E. Russell Jr., LMT
- b) *The Massaging Monk*- James B. Monk, RMP
- c) *Myers Massage and Bodywork*-William Myers Jr., RMP.
- d) *Massage Motif*-Joseph Ferris, LMT
- e) *Infinite Harmony Massage*-Kristie Minnis, LMT
- f) *Shine Massage and Wellness Studio*-Sally S. Burkholder, LMT
- g) *A Time to Unwind*-Victoria Dawn Raddia, LMT
- h) *How Sweet It Is Therapeutic Massage*-Loren D. Thompson, RMP
- i) *Frederick Massage Therapy*, Marlene Mayman, LMT

**Federation of State Massage Therapy Board Annual Meeting- Mr. David Cox, LMT:**

Discussion was tabled until January Board Meeting.

**Discussion of Massage Therapy Schools Indicating Ethics Courses on Transcripts:**

Discussion was tabled until January Board Meeting.

**Discussion on Concussions and Return to Play Authorization, Dr. Michael Fedorczyk, Board President:**

Dr. Fedorczyk stated that he received a phone call to discuss with the Board the issue of whether chiropractors are within their scope to diagnose concussions and clear athletes for return to play. Dr. Fedorczyk explained that 48 states have authorized chiropractors to clear athletes to return back to their respective activity. Standard examinations are conducted by chiropractors as individuals are tested for balance, nerve impulses, and other testing that falls into the scope of the chiropractic discipline.

Based on this discussion, Dr. Frieman moved to issue a response stating that the Board finds that diagnosing concussions and authorizing return to play falls within the scope of chiropractic practice under the Board's Practice Act; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

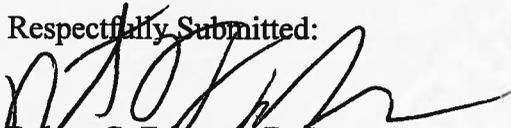
**Discussion of Treatment of Minors Without Parents Present**

The Board held a general discussion regarding whether chiropractors must have parents of minor patients stay in the facility while their child is receiving chiropractic treatment, or whether a signed waiver by the parent or guardian is sufficient.

After this discussion, Ms. Harrison moved to send this issue to the Regulations Subcommittee for review, and to have Board Counsel draft a letter to the interested licensee regarding this legal question; Mr. Cox seconded, and the motion was unanimously voted by the Board.

*Upon motion by Dr. Frieman, seconded by Dr. Chaney, the Board unanimously voted to adjourn General Session at 11:37 a.m.*

Respectfully Submitted:



Robert G. Frieman, D.C.  
Board Secretary/Treasurer