

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

*January 21, 2010*

**GENERAL SESSION AGENDA**

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1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (December 10, 2009).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
  - a) Formal introduction of new Deputy Director, Ms. Adrienne B. Congo
  - b) Formal introduction of newest Board Member, Michael Fedorczyk, D.C.
  - c) Budget Issues – General
  - d) 2010 Legislative Session: Senate Bill 104 and House Bill 135
  - e) FCLB/NBCE Meeting in Baltimore, May 2010 – 4 Members authorized to attend
  - f) Distribution of vetted C.A. Exam questions to C.A. Instructors
4. **Requests for chiropractic trade name approval:**
  - a) *Charles Street Back and Pain Clinic, Mark L. Stutman, D.C.* – Mark L. Stutman, D.C.
  - b) *Chesapeake Family Wellness Center, Dr. Brian Colquitt, D.C.* – Brian Colquitt, D.C.
  - c) *Muneses Chiropractic Center, P.C.* – Jeffrey B. Muneses, D.C. (**trade name change**)
  - d) *Parkville Chiropractic and Rehab* – Juliet Worley, D.C.
  - e) *Smart Medical And Rehab Therapy, Orthopaedic • Chiropractic • Rehabilitation* – Alan D. Cornfield, D.C.
  - f) *Chiropractic Care & Rehab of Shady Grove* – Kevin J. Wyman, D.C.
5. **Request for massage trade name approval:**
  - a) *Healthy Massage Maryland* – Brian D.F. Richmond, M.P.H., L.M.T.
  - b) *Peace at Hand Integrated Therapeutic Massage* – Paul Deemer, LMT
6. **Request from Mr. David M. Sellers, PTA (C.A. Trainee), for waiver of C.A. CEU requirements.**
7. **Discussion regarding the Board's position on whether or not to issue a license to an individual who refuses to reveal his/her social security number.**
8. **Initial review of Subcommittee draft of proposed Regulations revisions.**
9. **Membership in the Federation of State Massage Therapy Boards – Ms. Harrison.**
10. **FYI – Miscellaneous correspondence for review/discussion.**

***BOARD WORKING LUNCH***

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

*January 21, 2010*

**Members Present**

Kay B. O'Hara, D.C., Board President  
Stephanie J. Chaney, D.C., Board Vice-President  
Issie L. Shelton Jenkins, Consumer  
Michael Fedorczyk, D.C.  
Jonathan C. Nou, D.C.  
Duane R. Sadula, D.C.  
Clyde Anderson, LMT  
Karen Biagiotti, LMT  
Gwenda Harrison, LMT

**Non-Members Present**

J.J. Vallone, Executive Director  
Adrienne Congo, Deputy Director  
Grant D. Gerber, Esq., Board Counsel  
Maria Ware, Office Manager/Supervisor  
David Ford, Senior Board Investigator  
Marc C. Ware, Board Investigator  
Danielle Gonnelli, Compliance Analyst  
Donald W. Hirsh, D.C., Legis. Chrmn., MCA  
Alan Sokoloff, D.C., President, MCA  
Barbara Davenport, LMT, AMTA, MD Chapter  
Cher Hunter, LMT, Dir., MT Program, CCBC

**Members Absent**

Mary Anne Frizzera-Hucek, Consumer, Board Secretary/Treasurer  
Daniel J. Kraus, D.C.

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*Dr. Kay O'Hara called the meeting to order at 10:15 A.M.*

**Review of Agenda and Minutes**

The January 21<sup>st</sup> Agenda was amended as follows: 1) under no. 3d, add "Senate Bill 104 and House Bill 135"; 2) under no. 4, add "f. Chiropractic Care & Rehab of Shady Grove – Kevin J. Wyman, D.C."; 3) under no. 5, add "b. Peace at Hand Integrated Therapeutic Massage – Paul Deemer, LMT." Dr. Sadula motioned to accept the amended Agenda; Mr. Anderson seconded, and the motion was unanimously voted.

The December 10<sup>th</sup> Minutes were approved as drafted. Ms. Jenkins motioned to accept the Minutes; Ms. Harrison seconded, and the motion was unanimously voted.

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

- The Board formally welcomed Ms. Adrienne Congo as Deputy Director for the Board of Chiropractic and Massage Therapy Examiners. Ms. Congo officially started December 29, 2009.

- The Board formally welcomed Michael Fedorczyk, D.C., as the newly appointed Board Member. Dr. Fedorczyk has been actively licensed since November 1993.
- Budget Issues – General: The Governor has restrained lay-offs for DHMH. State workers will not receive step or pay increases this fiscal year. Additional furloughs are projected; number of days based on employees' salaries. All out-of-state travel has also been cancelled. Mr. Vallone and Ms. Congo will attend the Directors Conference sponsored by the ACBA.
- FCLB/NBCE Meeting: The Annual NBCE Delegates Business Meeting will be held April 30, 2010 at the Marriott Baltimore Inner Harbor, Camden Yards. Dr. O'Hara and Dr. Chaney will attend as Delegate and Alternate Delegate, respectively. The next FCLB/NBCE Meeting will also be held at the Inner Harbor in May 2010. Four (4) members authorized to attend: Dr. O'Hara, Dr. Chaney, Ms. Harrison, and Mr. Anderson.
- The process of vetting and redrafting the C.A. examination is complete and has been distributed to the C.A. instructors for feedback. The new questions will not be implemented until the November 2010 examination.
- 2010 Legislative Session: Senate Bill 104 and House Bill 135 (cross-filed) are currently pending. In accordance with the Maryland Program Evaluation Act (Sunset Review Law), these two bills waive the Board from full evaluation and extend the Board's termination date by another ten years (July 1, 2021). The Board is required to file two follow-up reports by October 1, 2010 and 2011. The Board is also maintaining monthly stats of licensing information.

### **Initial Review of the Subcommittee's Draft of Proposed Regulations**

The Board conducted a preliminary review of the draft revisions of COMAR Title 10, Subtitle 43, et seq. The Subcommittee members, Mr. Gerber, Dr. Chaney, Dr. Sadula, Ms. Biagiotti, Mr. Vallone, Ms. Congo, and Mr. Ford, met at DHMH on January 14<sup>th</sup>, to review/amend the Regulations. The Board will vote on the proposed regulatory revisions during the public session of the next Board Meeting, February 18<sup>th</sup>. This special meeting has been published in the January 4<sup>th</sup> and 15<sup>th</sup>, and February 1<sup>st</sup> editions of the Maryland Register.

### **Request for Chiropractic Trade Name Approval – Mark L. Stutman, D.C.**

Dr. Stutman requests Board approval to use the trade name "Charles Street Back and Pain Clinic, Mark L. Stutman, D.C." in his practice located on No. Charles St., Baltimore. Ms. Jenkins made a motion to approve the trade name; Ms. Harrison seconded, and the motion was unanimously voted.

### **Request for Chiropractic Trade Name Approval – Brian Colquitt, D.C.**

Dr. Colquitt requests Board approval to use the trade name "Chesapeake Family Wellness Center, Dr. Brian Colquit, D.C." in his practice. Dr. Sadula made a motion to approve the trade name; Ms. Harrison seconded, and the motion was unanimously voted.

**Request for Approval of Chiropractic Trade Name Change – Jeffrey B. Muneses, D.C.**

Dr. Muneses requests Board approval to change his trade name to “Muneses Chiropractic Center, P.C.” (formerly: *Discover Chiropractic Office*). Ms. Biagiotti made a motion to approve the trade name change; Ms. Harrison seconded, and the motion was unanimously voted.

**Request for Chiropractic Trade Name Approval – Juliet Worley, D.C.**

Dr. Worley requests Board approval to use the trade name “Parkville Chiropractic and Rehab” in her practice. Dr. Sadula made a motion to approve the trade name; Dr. Nou seconded, and the motion was unanimously voted.

**Request for Chiropractic Trade Name Approval – Alan D. Cornfield, D.C.**

Dr. Cornfield requests Board approval to use the trade name “Smart Medical And Rehab Therapy, Orthopaedic • Chiropractic • Rehabilitation” in his practice. Ms. Harrison made a motion to approve the trade name; Ms. Jenkins seconded, and the motion was unanimously voted.

**Request for Chiropractic Trade Name Approval – Kevin J. Wyman, D.C.**

Dr. Wyman requests Board approval to use the trade name “Chiropractic Care & Rehab of Shady Grove” in his practice. Ms. Jenkins made a motion to approve the trade name; Dr. Sadula seconded, and the motion was unanimously voted.

**Request for Massage Trade Name Approval – Mr. Brian D.F. Richmond, M.P.H., LMT**

Mr. Richmond requests Board approval to use the trade name “Healthy Massage Maryland” in his business. Ms. Harrison made a motion to approve the trade name; Ms. Biagiotti seconded, and the motion was unanimously voted.

**Request for Massage Trade Name Approval – Mr. Paul Deemer, LMT**

Mr. Deemer requests Board approval to use the trade name “Peace at Hand Integrated Therapeutic Massage” in his business. Ms. Biagiotti made a motion to approve the trade name; Ms. Harrison seconded, and the motion was unanimously voted.

**Petition from Mr. David M. Sellers, PTA (C.A. Trainee)**

Mr. Sellers requests the Board to waive the educational requirements for a C.A. applicant. Mr. Sellers is currently a licensed Physical Therapist Assistant (PTA) in training as a C.A. (Supervising Chiropractor, Noelle Fischer, D.C.). The Board conducted a review of the PTA educational requirements and concluded that, based on those courses, Mr. Sellers qualifies for waiver of the C.A. educational requirements. The Board motioned to approve Mr. Sellers’ request for waiver. Ms. Biagiotti supported the motion; Mr. Anderson seconded, and the motion was unanimously voted.

**Discussion Regarding Social Security Numbers (SSN) and the Issuance of Licenses/Registrations**

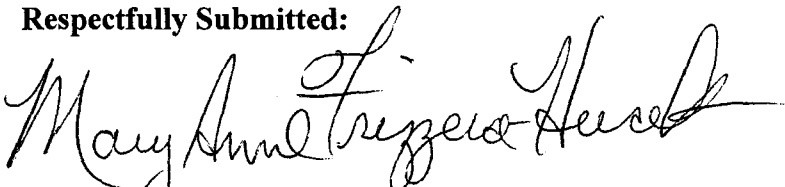
The Board discussed whether to issue licenses/registrations to individuals who refuse to reveal their SSNs. Previously the Board had enlisted advice from the Revenue Administration Division, Comptroller of Maryland. According to the Comptroller's Office, the Board's disclaimer on the massage application adequately advises the licensee of the consequences of not providing a SSN. Further, the Compliance Division cannot issue a tax clearance for a potential licensee if the Division is unable to identify that licensee. [Health Occupations Article, Section 1-213 requires that all State taxes are paid before health occupation licenses are renewed; licensee/applicant verification is established by a SSN.] On the advice of the Comptroller's Office, as well as Board Counsel, the Board determined that no one is compelled to obtain/give a SSN; however, failure to do so may impede the Board's ability to issue a State license/registration. The Board motioned to refer this issue to the Office of the Attorney General for legal advice. Ms. Jenkins supported the motion; Dr. Sadula seconded, and the motion was unanimously voted.

**Federation of State Massage Therapy Boards – Ms. Harrison**

Subsequent to adjournment of the Board Meeting, Ms. Harrison discussed membership in the Federation. The Deputy Director will investigate the issue of membership and report back to the Board.

*Upon motion by Dr. Chaney, seconded by Dr. Fedorczyk, the Board unanimously voted to adjourn the General Session at 1:15 P.M.*

**Respectfully Submitted:**



**Mary Anne Frizzera-Hucek  
Board Secretary/Treasurer**