

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

October 8, 2009

GENERAL SESSION AGENDA

1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (September 10, 2009).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
 - a) Chiropractic Newsletter draft
 - b) Update regarding latest budget cuts (Round no. 3)
 - c) E-Mail Initiative – Cost savings/efficiencies of scale
 - d) Final tally of the 2009-2011 Chiropractic Renewal – Ms. Ware
 - e) Update regarding the Legislative Sunset Review
 - f) Deputy Director vacancy update
 - g) Discussion regarding child enforcement and cultural competency issues
4. **Request for trade name approval:**
 - a) *Lutherville Chiropractic and Physical Therapy* – Mohammad A. Farazdaghi, D.C.
 - b) *Alegre Chiropractic, LLC* – John H. Park, D.C.
5. **Mall Enforcement Seminar, scheduled for October 22nd, 10:00 A.M.**
6. **C.A. Examination – Need final revisions from Board Members.**
7. **Regulations revision schedule – Public meeting this winter.**
8. **Board Meeting per diem fee increase review/decision (currently \$100).**
9. **Requests for Trade Name Approval:**
 - a) *Alegre Chiropractic, LLC* – John H. Park, D.C.
 - b) *Lutherville Chiropractic and Physical Therapy* – Mohammad A. Farazdaghi, D.C.
10. **Petition from Ms. Carrie Fulton for waiver of educational requirements for massage licensure.**
11. **Petition from Paul M. Abosh, D.C., regarding reimbursement of the \$300 examination fee previously paid for former C.A., Ms. Samantha Radtke.**

12. **Petition from Jeffrey E. Weber, M.A., D.C., DCBCN, FACCN, to allow the term “specialty” to be used by those chiropractors who have earned a Diplomate in clinical nutrition from the Chiropractic Board of Clinical Nutrition.**
13. **Petition from Mr. Ralph M. Shenefelt, Health and Safety Institute, regarding Board acceptance of “CPR Pro for the Professional Rescuer” as an appropriate CPR course. (*Board currently only accepts the American Red Cross and the American Heart Association, or its affiliates.*)**
14. **Petition from Phillip Nicolas, D.C., to practice Manipulation Under Anesthesia.**
15. **FYI – Miscellaneous correspondence for review/discussion.**

BOARD WORKING LUNCH

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

October 8, 2009

Members Present

Kay B. O'Hara, D.C., Board President
Stephanie J. Chaney, D.C., Board Vice-President
Mary Anne Frizzera-Hucek, Consumer, Board Secretary/Treasurer
Daniel J. Kraus, 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
Grant D. Gerber, Esq., Board Counsel
David Ford, Senior Board Investigator
Marc C. Ware, Board Investigator
Maria Ware, Office Manager/Supervisor
Danielle Gonnelli, Compliance Analyst
The Hon. Senator Paula Hollinger
Sharon Bloom, DHMH Liaison
Barbara J. Davenport, LMT, AMTA, MD Chapter

Member Absent

Issie L. Shelton Jenkins, Consumer

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

Review of Agenda and Minutes

The October 8th Agenda was amended as follows: 1) under no. 3, add "g. Discussion Regarding Child Enforcement and Cultural Competency Issues"; 2) renumber and add no. 9, "Requests for Trade Name Approval: John H. Parks, D.C., and Mohammad A. Farazdaghi, D.C."; and 3) add no. 13, "g. Petition from Phillip Nicolas, D.C." Dr. Sadula motioned to accept the amended Agenda; Ms. Harrison seconded, and the motion was unanimously voted.

The September 10th Minutes were amended as follows: 1) on page 1, amend the last sentence of the first bullet to read "All Board Members were invited to attend...to be held in November." Ms. Hucek motioned to accept the amended Minutes; Dr. Sadula seconded, and the motion was unanimously voted.

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

- Mr. Gerber, Dr. Chaney, and Ms. Biagiotti attended a CRC scheduled at 10:00 A.M.; refer to the Executive Agenda for details.

- The vacant Administrative Officer III (Deputy Director) position was posted by the Division of Personnel. The Board is currently waiting for a list from Personnel of applicants on the "best qualified" roster.

- The Board was given a draft of the winter 2009 Chiropractic Newsletter for their review/comments.
- Update Regarding Budget Cuts and E-Mail Initiative: Mr. Vallone discussed the latest budget cuts (round no. 3) and its impact. Each Board is responsible for cutting 3% from its budget for FY 2010—this equals to \$21,600 for the Chiropractic Board. We are in the process of listing all chiropractors in an “E-mail database”; thereby, eliminating the need to print and mail newsletters, shaving approximately \$45,000 from the budget. (Newsletters will be mailed to those individuals who do not have the Internet.)
- Update Regarding the Legislative Sunset Review and Legislative Audit: The Board has complied with all data/information requested by Ms. Amy Devadas, MLS Analyst for the Legislative Sunset Review. Ms. Devadas will submit her report at the end of the review process. As of this date, the legislative auditors have not begun its review process of this Board.
- Discussion Regarding Child Enforcement and Cultural Competency Issues: 1) At the direction of the Governor, licensees who are delinquent in child support will not be able to renew their licenses. The Child Enforcement Agency does not have a comprehensive database like the Comptroller’s Office, and will have to do a basic “hunt” and “peck” in order to provide a list. 2) Boards should resolve issues of diversity and cultural competency by utilizing proactive measures.

2009-2011 Chiropractic Renewal: Final Tally – Ms. Ware

This July, 847 paper renewals were mailed to all active and inactive chiropractors. Overview comparison, as of 10/8/2009: 1) 768 active renewals sent (218 received by mail); 79 inactive renewals sent (37 received by mail) = 255 who renewed by paper vs. 535 who renewed online; 2) renewal fees collected: \$272,919.00 online vs. \$124,818.00 by paper (combined total: \$397,737.00 deposited); 3) 10 chiropractors voluntarily non-renewed (1 deceased); 4) 154 (20% randomly selected chiropractors) were audited (147 renewed); 5) 34 chiropractors listed as tax-delinquent by Comptroller’s Office (27 cleared); and 6) 23 renewals were returned/post-marked “UTF.” On October 1st, 37 chiropractors were listed as non-renewed in the Board’s database (from the original 847 renewals sent). The Board commended the staff for its expediency and professionalism in processing and printing renewals, data analysis, and contributing to the lowest number of non-renewed conversions under this administration. The successful online renewal process will be the standard utilized in future renewals.

Petition from Paul M. Abosh, D.C.

Dr. Abosh is requesting reimbursement of the \$300 examination fee previously paid for former C.A., Ms. Samantha Radtke. Ms. Radtke had been a C.A. trainee for the past year; however, after Dr. Abosh had paid the examination fee, she resigned from his office. The Board motioned to approve Dr. Abosh’s request for reimbursement. Dr. Sadula supported the motion; Dr. Kraus seconded, and the motion was unanimously voted.

Request for Trade Name Approval – Mohammad A. Farazdaghi, D.C.

Dr. Farazdaghi requests Board approval to use the trade name “Lutherville Chiropractic and Physical Therapy” in his practice. Dr. Sadula made a motion to approve the trade name; Ms. Hucek seconded, and the motion was unanimously voted.

Request for Trade Name Approval – John H. Park, D.C.

Dr. Park requests Board approval to use the trade name “Alegre Chiropractic, LLC” in his practice. Dr. Sadula made a motion to approve the trade name; Ms. Harrison seconded, and the motion was unanimously voted.

Mall Enforcement Seminar

There has been a proliferation and rise in illegal massage practices, particularly in shopping malls. To address this problem, the Board will conduct a seminar inviting mall management representatives, leasing agents, practice owners, educators, and law enforcement officers. Hands-on demonstrations will also be conducted to show all attendees the scope of a valid licensed massage. The seminar is scheduled for October 22, 2009, 10:00 A.M., Room 100. Invitations will also be sent to the offices of Senator Katherine A. Klausmeier and Delegate James W. Hubbard, as well representatives of MCA and AMTA; Board Members were also invited to attend.

Update Regarding C.A. Examination Revision

Each Board Member was previously given the C.A. jurisprudence in order to conduct a substantive review of examination questions and submit back to Mr. Vallone. The final revisions are needed as soon as possible. The Board intends to give a compendium of 500-700 examination questions back to the C.A. instructors.

Regulations Revision Schedule

Sometime this winter, the Board will conduct a publicized regulations revision meeting that will be opened to the public. The Executive and Deputy Directors will meet with Ms. Robin Bailey, Regulations/Legislation Coordinator to discuss the particulars.

Petition from Ms. Carrie Fulton (Massage Applicant)

In March 2009, Ms. Fulton submitted her massage application/transcripts/fee in order to practice in Maryland; however, she was rejected, citing that her school credits were unacceptable because the school was not accredited by the U.S. Department of Education. Ms. Fulton is requesting a review by the full Board of her educational requirements for massage licensure and to grant a waiver to the original decision to deny her application. The Board motioned to waive the previous denial of the educational requirements and allow Ms. Fulton to sit for the jurisprudence examination. Dr. Nou supported the motion; Ms. Harrison seconded, and the motion was unanimously voted.

Board's Per Diem Fee Increase Review/Decision

In light of the current economic situation, the Board made a decision to set aside its request to increase the \$100; therefore, the per diem will remain the same.

Petition from Jeffrey E. Weber, M.A., D.C., DCBCN, FACCN

Dr. Weber requests approval to allow the term “specialty” to be used by those chiropractors who have earned a Diplomate in clinical nutrition from the Chiropractic Board of Clinical Nutrition. In the past, the Board has refrained from using the terms “specialty” or “specialist”; however, chiropractors may use the suffixes pertaining to their specialties. The Board motioned to draft a letter to Mr. Weber. Ms. Harrison supported the motion; Mr. Anderson seconded, and the motion was unanimously voted.

Petition from Mr. Ralph M. Shenefelt, Health and Safety Institute

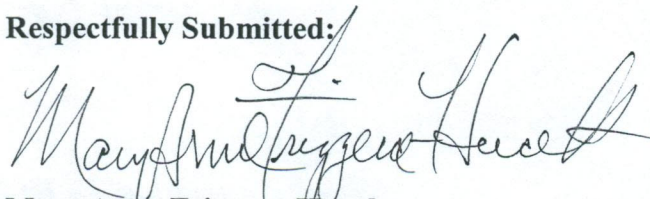
Mr. Shenefelt, Executive Program Director, Health and Safety Institute, is requesting Board acceptance of the “CPR Pro for the Professional Rescuer” program as an appropriate CPR course for chiropractic/massage licensees. (The Board currently only accepts the American Red Cross and the American Heart Association, or their affiliates, as per the regulations.) The Board motioned to table this issue for possible consideration during the regulatory review/revision; as of now, the status quo remains in effect. Ms. Harrison supported the motion; Ms. Hucek seconded, and the motion was unanimously voted.

Petition from Phillip Nicolas, D.C.

Dr. Nicolas petitions the Board to practice Manipulation Under Anesthesia (MUA) in his office. Dr. Nicolas successfully completed the MUA Program presented by the American Academy of Manual and Physical Medicine sponsored by the University of Bridgeport. Dr. Sadula made a motion to approve the request; Dr. Kraus seconded, and the motion was unanimously voted.

Upon motion by Ms. Hucek, seconded by Dr. Kraus, the Board unanimously voted to adjourn the General Session at 11:30 A.M.

Respectfully Submitted:



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