

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

October 10, 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
Ernestine Jones Jolivet, Consumer Member
Gloria Boddie-Epps, Consumer Member

Non-Members Present

James Vallone, Executive Director
Adrienne Congo, Deputy Director
Grant Gerber, Esq., AAG, Board Counsel
James Gamble, Admin Specialist I
Michelle Czarnecki, Compliance Manager
Sally Hacking, Guest
Anthony Hinkle, Guest
Dr. Paul Abosh, Guest
Sharon Bloom, Guest
Sally Burkholder, Guest
Ruth Stoll, Guest
Joshua Scott, Guest
Nina Wendt, Guest

Members Absent

N/A

Dr. Michael Fedorczyk called the meeting to order at 10:05 am.

Review of Agenda and Minutes

The October 10, 2013 Agenda was reviewed by the Board and the following revisions were suggested: (1) Addition of Part E, "Criminal Background Checks" under Review of Administrative Issues, Mr. J.J. Vallone, JD, Executive Director and Ms. Adrienne Congo, MS, Deputy Director. (2) Addition of Part F, "C.A. Examination Updates". Dr. Frieman moved to approve the September 12, 2013 Agenda with those additions; Dr. Nou seconded, and the motion was unanimously voted by the Board.

The September 12, 2013 Board Minutes were reviewed by the Board. Dr. Frieman moved to approve the September 12, 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) Important Notice Regarding Rule Making Proposal.

The final language regarding the regulation project has been approved. The rulemaking was posted in the Maryland Register on October 4, 2013. Any questions regarding the regulations can be directed to Ms. Czarnecki.

b) Agenda & Manual & Date for Board Member Retreat

The board members are currently involved in finalizing a destination for the board member retreat to take place in January.

c) Official Closure of 2013-2015 Chiropractic Biennial Renewal

The closure of the 2013-2015 Chiropractic Biennial Renewal is complete and all chiropractors that haven't renewed at this time are subject to a late penalty.

d) NCBTMB- Procedural Update & Board Response

Ms. Congo stated that NCBTMB Director Lori Oldham notified her by email that NCBTMB will no longer hold test scores in their databases until official transcripts are received in order to release official scores. Ms. Oldham advised Ms. Congo that few states have requested that this new procedure not be applied to their receipt of official score reports. Ms. Congo, on behalf of the Board, recommended that the Board deny NCBTMB's new procedure and continue to have official score reports held by NCBTMB until schools/institutions forward an official transcript confirming that the applicant/candidate graduated from their respective massage training program, as this has been procedural practice with regard to educational eligibility. Ms. Congo also notified the board that Ms. Oldham will resign her position effective November 15th.

Based on this information Dr. Frieman moved to continue the Board's current procedures regarding NCBTMB score reports and verifying an applicant's graduation from massage school; Dr. Cox seconded, and the motion was unanimously voted by the Board.

e) Criminal Background Checks

Mr. J. J. Vallone stated that some boards have access to the national criminal records of licensee applicants. Mr. Vallone notified the Physical Therapy Board that the Board of Chiropractic and Massage Therapy will support any legislative initiative that would give the respective investigative units national criminal records check authority for licensee applicants. Ms. Michelle Czarnecki, Esq., Compliance Manager would be the point of contact for any such initiative.

f) Chiropractic Examination Update

Mr. Vallone informed the Board that a CA Examination will be held on November 12, 2013 for CA trainees.

Sally Hacking, Director of Government Relations – Representative of FSMTB

Ms. Sally Hacking notified the Board that 38 delegates will be attending a conference near the Inner Harbor. Ms Hacking stated that FSTMB is launching several projects in regards to protecting the public. The Model Practice Act Task Force is another disciplinary database that FSTMB will utilize to record punitive license action. The Model Practice Act is not a mandate at this current time but a recommended format. Mr. Joshua Scott has been designated as the contact for FSMTB if the Board has any questions regarding this new disciplinary database program.

Massage Therapy Petitions:

a) Ms. Jennifer (Johnson) Detwiler, RMP (Massage Applicant) – Petition to Waive Accreditation Requirement re: Mt. Nittany Institute of Natural Healing. Ms. Detwiler Graduated in 2005 from Mt. Nittany Institute of Natural Healing which is now closed; Mt. Nittany Institute of Natural Healing was licensed to operate by PA Dept. of Education.

Based on this information, Ms. Biagiotti moved to approve Ms. Detweiler's petition; Ms. Harrison seconded, and the motion was unanimously voted by the Board.

Chiropractic Inquiry Letter – Re: Anglo-European College of Chiropractic in Bournemouth, England

Dr. Stephanie Chaney recommended that chiropractic colleges overseas should become CCE or CCI certified within their respective countries. Dr. Chaney also recommended that Executive Director, Jim Vallone, write a letter to the foreign schools requesting this information to provide further guidance on credentialing with these two different entities.

Chiropractic Petitions:

a) Mark Poehlman, D.C. – Requests waiver of late penalty fee assessed during the 2013 chiropractic license renewal. Dr. Poehlman stated that when he finalized his information and paid the fee, a notice appeared on the application stating "Certificate of Completion". Dr. Poehlman stated that he thought the certificate of completion meant that all requirements had been met and his license was in good standing. Dr. Poehlman requested to waive the late fee due to this misunderstanding.

Based on this information, Ms. Jones Jolivet moved to deny Dr. Poehlman's petition; Dr. Bushman seconded, and the motion was unanimously voted by the Board.

b) Nezam Javanmardi, D.C. – Requests waiver of late penalty fee assessed during the 2013 chiropractic license renewal. Dr. Javanmardi stated that he has taken all the necessary continuing education classes before the deadline. However, Dr. Javanmardi did not know that he would be audited automatically while in the process of renewing his license. Dr. Javanmardi also stated that he is not practicing in the State of Maryland.

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

c) Robert L. Smith, D.C. – Request waiver of late penalty fee assessed during the 2013 chiropractic license renewal. Dr. Smith stated that after complying with the audit "on time" he was notified on 9/4/2013 that his CPR was invalid. Two days later he received a late fee assessment letter based on his audit not including an acceptable CPR.

Based on this information, Dr. Frieman moved to approve Dr. Smith's petition and waive the late fee; Mr. Cox seconded, and the motion was unanimously voted by the Board.

d) Ashkan Aazami, D.C. – Request waiver of late penalty fee assessed during the 2013 chiropractic license renewal. Dr. Aazami stated that upon completion of his online renewal process on July 29, 2013, copies of all continuing education certificates were sent to the Board. Dr. Aazami also stated that he was advised in early September 2013 that his license was on hold since his CEU certificates had not been received yet. Dr. Aazami also notified the board that the original documentation sent by him to the Board on 7/29/2013 has not been returned to his office by USPS.

Based on this information, Dr. Bushman moved to approve the Dr. Aazami's petition and waive the late fee. Dr. Michael Moskowitz seconded, and the motion was unanimously voted by the Board.


Massage Therapy Trade Name Requests:

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 by the Board:

- a) ***BodyHealth Massage and Wellness***- Nina Wendt, LMT
- b) ***Way Therapeutic Massage***- Donald W. Way, RMP
- c) ***Lindsey Marie Massage***-Lindsey Porter, LMT (Replacement for prior trade name OMassage).
- d) ***Good Carma Therapeutic Massage***-Carma Leigh Clark, LMT
- e) ***Kindred Touch Massage***-Kelly E. Taylor, RMP
- f) ***Bella Bodyworks Massage Therapy & Wellness***-Kwame Huntley, LMT

Upon motion by Dr. Frieman, seconded by Dr. Chaney, the Board unanimously voted to adjourn General Session at 11:19 a.m.

Respectfully Submitted:


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