

Board of Chiropractic Examiners

General Session

October 11, 2018

Members Present

Robert G Frieman, D.C., *President*
Gregory Lewis, D.C., *Vice President*
Michael Moskowitz, D.C., *Secretary*
Kindra Ingram, D.C.
Karen Munter, *Consumer member*
Nelson Miranda, *Consumer Member*
Joshua Levin, D.C.

Non-Members Present

Adrienne Congo, MS, *Acting Executive Dir.*
Grant D. Gerber, *AAG, Board Counsel*
David Ford, *Investigator IV*
Pamela Alston, *Administrative Spec. II*
Kim Lang, *MDH*
Deb Donohue, *Deputy*
Counsel Boards & Commission
Adam Fidell, *MCA*
Lillian Reese, *MDH, Regulations Coordinator*
Marc Ware, *Investigator III*

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- I. **Call to Order-** Dr. Frieman called the meeting to order at 10:15 a.m.
- II. **Roll Call-** *All Present*
- III. **Review/Approval of Agenda** –*Amended Motion by Gregory Lewis, 2nd by Michael Moskowitz. Passed*
- a. Adrienne Congo requests to table “(5) C -CA Reinstatement Window for next Board meeting (November 8, 2018).
 - b. Business Licenses- Dr. Lewis-Regulatory Committee Chair requested to table (5) B- Business Licenses....
- IV. **Review/Approval Minutes from July 12, 2018** – *Motion to accept by Gregory Lewis, 2nd by Michael Moskowitz- Passed.*
- V. **Reports-**
- A. **President**
- **FCLB- Connecting Regulators/Sept. 13th-16th District III Meeting)** [Dr. Ingram & Dr. Frieman attended]
Robert Frieman, President reported on Conference Topics discussed:
 - *Next Conference-May 2019- Mission Bay, CA*

- Grant Gerber discussed Groupon and legal issues surrounding new patients and services; Dr. Ingram and Grant Gerber discussed Anti-feat splitting provision generally in Maryland.

****Announcement per Dr. Frieman: Dr. Kindra Ingram is the first doctor in the Country to be credentialed through the Passport Program- Congratulations!**

- Assigned Regulatory Committee Members-(Dr. Frieman and Adrienne Congo had a phone conversation regarding the following: No stated regulatory committee exists. By-Law and Regulatory committee will be combined into one entity (reference information on board member's thumb drives)
- FCLB Resolution-Dr. Frieman discussed verbiage/language:

FCLB RESOLUTION ON X-RAY PROTOCOL (DRAFT)

"Whereas: radiography is well established and entrenched part of healthcare and chiropractic practice...."

"Whereas: radiography is an important tool in determining spinal and skeletal health and degeneration, with special consideration of the bones, as well as the joint and disc spaces...."

"Whereas: there are well established chiropractic techniques that depend on high quality, precise radiographic analysis to then correct spinal alignment and therefore optimize spinal alignment, as well as the motion and health of the entire human body.."

"Whereas: Doctors of Chiropractic are trained in the process of comprehensive examination and diagnosis and the use of diagnostic tools, such as (but not limited to) imaging for proper evaluation and case management"

"Whereas: information obtained from a radiographic study may be imperative for the doctor to arrive at an accurate diagnosis"

"Whereas: there could be unknown spinal anomalies that are important to be visualized for spinal manipulation to be administered to the patient safely and effectively....."

"THERE FORE, WE RESOLVE THAT:

"The use of radiography has been determined to be a safe and effective as a diagnostic tool by healthcare providers and specifically Doctors of Chiropractic when used appropriately."

"The use of diagnostic x-ray needs be at the discretion of the treating doctor of chiropractic on a case by case basis."

"It is inappropriate for an outside entity to attempt to limit the treating doctor's use of diagnostic testing because it could interfere with the patient's health and safety."

"The patient always has the right to ask the doctor why any diagnostic testing is needed in their particular case, after the Doctor has performed a consultation and or examination to begin to create a clinical opinion, this was go to different states)."

(The resolution/language above) needs to be placed into a regulation per Grant Gerber. Dr. Frieman asked if there is a discussion on the resolution. Dr. Ingram asked about implementation regarding this prospective protocol- how would it be regarded or accepted if it's already a similar practice? Dr. Frieman mentioned this is great question/point. (Discussion regarding this later) Gerber states that it can be a challenge to adopt another organization's regulations. This protocol will be supported as a concept. (To adopt this regulation, Grant Gerber will review & tweak the language on this protocol; G.G. states that this protocol is in line with the Board's current practice). A draft on this resolution will most likely not happen (or get to the Secretary's office) prior to November board meeting. No force, protection or binding impact, this resolution is an opinion only until it officially becomes a Maryland Regulation. *Michael Moskowitz moved to accept this resolution/protocol; Josh Levin 2nd this motion. Passed.*

Grant Gerber uses example of blood and urine testing as an example of diagnostic testing for diagnosing. Question asked by Dr. Levin regarding third party payers for x-ray testing-diagnostic and inherently needed? Requiring additional tests can exclude need for such per Dr. Moskowitz.

B. Committee(s)-

- **CE Committee Report-Re: Carrick Institute.** There was an email whether the Carrick Institute Seminar would be appropriate for Chiropractors. Moskowitz thinks that attending the seminar would be beneficial and approved by the board. Dr. Carrick- Father of chiropractic & functional neurology and traumatic brain injury patients; brilliant Doctor per Dr. Ingram and Dr. Moskowitz. *No further discussion regarding this topic. All in favor. Passed. (Michael Moskowitz, Chair).*
- **Regulatory Committee Report-Business License for Chiropractic offices not owned by a D.C. - (Tabled until November 8, 2018 meeting).**
- **X-Ray Resolution-** There is a deep concern regarding a political organization (Chiropractic) made a public statement/PR campaign out of a standard of care issue; (this is totally inappropriate) ACA made a Choose

Wisely x-ray public service campaign. Legal opinions stated this is incorrect and a violation. Dr. Frieman mentioned that he is working on creating an x-ray resolution. Dr. Frieman wants board to consider approving X-Ray Protocol for State of Maryland. (See above)

C. Acting Executive Director-(Adrienne Congo)

- **CA Reinstatement window & administrative processing-***(Tabled until November 8, 2018 meeting)*
- **CA Certificate of Program Completion-Diplomas issued to CA's who complete the 1- year program.** Adrienne Congo has 2 drafts to show to the Board at the November meeting to vote on the design and the language. (8.5x11 certificate will be awarded).
- **New Doctors of Chiropractic connecting with established Doctors of Chiropractic** (6 times per year)-present business cards at the time of the exam for exam candidates- this can be problematic; instead have a voluntary release for candidates to sign to connect with doctors in the state. Next, an email blast would be disseminated for various purposes to all licensed doctors to announce/promote CA employment, pertinent information, mentorship, etc. –The email will prospectively be disseminated six times per year.
- **Mentorship Program-**For the established doctors apprising who the new candidates are.
- **Application for Licensure by Waiver for Visiting Chiropractor-** At the previous Board meeting in September, the application fee was unanimously reduced to \$50.00. Adrienne Congo stated the she is working on updating current application-*i.e. (requirements, verification of good standing, current CPR certification, state id or passport, candidate attestation of review of regulations regarding participation as visiting chiropractor).*

D. Board Counsel-Grant Gerber mentioned that he has a follow up discussion with the Passport Program scheduled for October 12, 2018. Congratulations to Dr. Ingram again on her credentials in the Passport Program!

VI. New Business-

>Preceptor Application & Site Visit Report- 09/17/2018 (J.L., w/D.F.)-

Dr. Frieman was accepted as a designated preceptor based on positive findings in his office.

Motion to accept by Kendra Ingram to accept Dr. Frieman as a designated preceptor; 2nd Karen Munter. Passed.

• Board Received October 5, 2018-Chiropractic Preceptor Application (Frederick County, Maryland)>Bd. Reps: __/ __

Adrienne Congo mentioned that a Board member is needed –Michael Moskowitz agreed to participate.

- **Dry Needling Education-(Kindra Ingram, Committee Chair)** Discussion of a dry needling facility/Provider (also performs diagnostic ultrasounds during dry needling procedure and uses acupuncture procedures.) He is interested in coming to Frederick, Maryland as currently there is only one dry needling provider in the State of Maryland. Dr. Ingram has encouraged the Dry Needling provider to apply to become licensed to work in Maryland. Dr. Ingram states she is actively searching for more dry needling providers to work in our State.
- **Medical Wave Machine-** request to be tabled until November Board Meeting per Grant Gerber (will have the information at next month's Board meeting).

VII. Old Business

- **Regulatory Language-**In previous meetings the Board has looked to adopt the Chiropractic Externship Program. Dr. Frieman discussed several issues (i.e. preceptor ship students, out of state Chiropractors in good standing, displaced Chiropractors in Puerto Rico due to the hurricane, new graduates, etc.) related to the inability to work until one had their chiropractic license. Dr. Frieman and Dr. Lewis met with Gov. Hogan to discuss ways for the future licensees to work under the tutelage of another practicing D.C. (for up to six months) until that individual obtains his/her license. Dr. Frieman mentioned that this process has been long and he is happy to say that it is a lawful opportunity bridge the gap. *Motion to adopt by Michael Moskowitz; 2nd by Gregory Lewis. [However David Ford] raised a question as to which schools /training program would qualify to work in this Chiropractic Externship Program? Motion to accept with formatting; Passed.*

VIII. Ratification of New Licensees & Registrants –Welcome & Congratulations!

All in favor- Passed.

| LICENSE NUMBER | NAME | ORIGINAL LIC. DATE |
|----------------|-------------------|--------------------|
| 1. S03987 | AKLILU, BETEL | 09/06/2018 |
| 2. 03989 | MIGDADI, AHMED R. | 09/11/2018 |

| REG. NUMBER | NAME | ORIGINAL REG. DATE |
|-------------|--------------------|--------------------|
| 1. RC2194 | BADEMOSI, SADE | 09/08/2018 |
| 2. RC2195 | KIM, HYUNG M. | 09/06/2018 |
| 3. RC2196 | JAMISON, CARA M. | 09/06/2018 |
| 4. RC2197 | MALONEY, KAILYN N. | 09/06/2018 |

| | | |
|------------|------------------------------|------------|
| 5. RC2198 | MEIKLEJOHN, MEGAN | 09/05/2018 |
| 6. RC2199 | ZELAYA FRANCO, GENESIS C. | 09/06/2018 |
| 7. RC2200 | WANG, STACEY A. | 09/06/2018 |
| 8. RC2201 | AMAYA, ALEXA | 09/06/2018 |
| 9. RC2202 | MAZA, DEYSI | 09/06/2018 |
| 10. RC2203 | FULLMER, MCKAY M. | 09/13/2018 |
| 11. RC2204 | PAUNOVIC, MILAN M. | 09/13/2018 |
| 12. RC2205 | FUENTES, KAREN I | 09/13/2018 |
| 13. RC2206 | HUNTER, ASHIA | 09/14/2018 |
| 14. RC2207 | MELGAR, ALLISON E. | 09/14/2018 |
| 15. RC2208 | AMAYA HERNANDEZ, CANDIDA | 09/14/2018 |
| 16. RC2209 | CULVER, ELIZABETH R. | 09/19/2018 |
| 17. RC2210 | MERRITT, ASHLEY | 09/19/2018 |
| 18. RC2211 | CONTRERAS, CATHERINE D. | 09/19/2018 |
| 19. RC2212 | ZUNIGA-CUELLAR, BERENICE | 09/19/2018 |
| 20. RC2213 | SANTOS HERNANDEZ KIMBERLY | 09/20/2018 |
| 21. RC2214 | BATTLE, CHARNICE N. | 09/25/2018 |
| 22. RC2215 | SHIRAZI, SABA | 09/25/2018 |
| 23. RC2216 | APPLEBY, ALLISON | 09/26/2018 |

IX. Miscellaneous: FYI- Licensing Database Update as of October 11, 2018.

FYI-Licensing Database Update as of October 11, 2018. (Adrienne Congo)

| Board | Status Codes | Numbers |
|-------------------------------|---------------------|----------------|
| Chiropractor | Active | 890 |
| Chiropractor | Inactive | 63 |
| | | |
| Chiropractor Assistant | Active | 767 |

*Michael Moskowitz moved to close the general session; Kindra Ingram 2nd.
General Session adjourned at 11:26 a.m.*

Respectfully Submitted:


Michael Moskowitz, D.C.