

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

*January 13, 2011*

**GENERAL SESSION AGENDA**

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1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (December 9<sup>th</sup>).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
  - a) Procedural update on proposed Rulemaking status
  - b) Appointment of the New DHMH Secretary
  - c) Issue of Printed Licenses/Registrations
4. **Requests for chiropractic trade name approval:**
  - a) *Atlantis Chiropractic, P.C.* – Amir Arasta, D.C. (*resubmission*)
  - b) *Harbor Bay Clinic of Chiropractic* – Stacey Dent, D.C.
  - c) *HealthSource Chiropractic & Progressive Rehab* – Avram Weinberg, D.C. (*trade name change*)
  - d) *AmeriWell Chiropractic, PC* – Alireza Ramezan, D.C.
  - e) *Maryland Injury Associates, Jeffrey Cohen, D.C.* – Jeffrey M. Cohen, D.C.
5. **Requests for massage therapy trade name approval:**
  - a) *Grace Wellness Massage Therapy* – Steven J. Seymore, LMT
  - b) *Touch Intuitive Massage Therapy* – Meredith A. Buell, RMP
  - c) *Jenerous Care Massage Therapy* – Jennifer Williams, LMT
6. **Presentations by Ms. Cher L. Hunter, M.A., LMT, NCTMB, Director, Massage Therapy Program, The Community College of Baltimore County.**
7. **For Board Review – The Maryland Chiropractic Association’s (MCA) drafted copy of an Informed Consent to Chiropractic Examination and Care document.**
8. **FYI – Miscellaneous correspondence for review/discussion.**

***BOARD WORKING LUNCH***



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

*January 13, 2011*

**Members Present**

Kay B. O'Hara, D.C., Board President  
Stephanie J. Chaney, D.C., Board Vice-President  
Michael Fedorczyk, D.C., Board Secretary/Treasurer  
Mary Anne Frizzera-Hucek, Consumer Member  
Ernestine Jones Jolivet, Consumer Member  
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  
Adrienne Congo, Deputy Director  
Grant D. Gerber, Esq., Board Counsel  
Maria Ware, Office Manager  
David Ford, Senior Board Investigator  
Marc C. Ware, Board Investigator  
Keith Scott, D.C.  
Cher Hunter, M.A., LMT, Dir, MT Prgm, CCBC  
AMTA Members (*Listed below*)  
Licensed Massage Therapists (*Listed below*)  
Registered Massage Practitioners (*Listed below*)

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*Dr. Kay O'Hara called the meeting to order at 10:00 A.M.*

**Massage Therapy Attendees/Public General Session:**

Ms. Liz Smull, LMT (NCTMB), Ms. Barbara Davenport, LMT, Mr. Doron Stadlan, Ms. Therese Banag, Ms. Sally Miller, LMT, Ms. Sue Edwards, Ms. Marie Ann Free, Mr. Marc A. Melcher, LMT, Ms. Margie E. Schaeffer, Mr. William H. Haynes (AMTA), Ms. Maisa Maia Perry, LMT, Ms. Colleen O. Renehan (AMTA), Ms. Bonnie McCormick (AMTA), Mr. Virginia Whalen (AMTA), Ms. Alexa Zaledonis (NCBTMB), Ms. Judy Acosta (AMTA), Ms. Maryellen Zaleski (AMTA, NCBTMB), Ms. Katrina Martindale (AMTA), Ms. Ruth C. Lee (ABMP), Mr. Douglas Wittich, LMT, Ms. Pamela Lynne (GHWC), Ms. Jane McGrath (GHWC), Ms. Meribeth Persson (AMTA), Mr. Gregory Joynes (AMTA), Mr. Winston J. Moore, LMT, Ms. Paula Jilanis, LMT (ABMP, AMTA, Allegany College of MD), Ms. Cindi Pridgen, LMT (AMTA), Mr. Samuel Blechman, LMT (AMTA), Ms. Ruth W. Stollof, LMT (AMTA), Mr. Anthony Hinkle (ABMP), Mr. Eric J. Barton, Ms. Nina Wendt, LMT, and Ms. Judith Mann, LMT

**Review of Agenda and Minutes**

The January 13<sup>th</sup> Agenda was amended as follows: 1) under no. 3, add "b. Appointment of the New DHMH Secretary," and add "c. Issue of Printed Licenses/Registrations"; 2) remove items no. 5, 6, and 7 and add to the Executive Session"; and 3) delete no. 11 (discussed in 3a.). Ms. Harrison motioned to accept the amended Agenda; Dr. Chaney seconded, and the motion was unanimously voted.

The December 9<sup>th</sup> Minutes were approved as drafted. Dr. Sadula motioned to accept the Minutes; Dr. Chaney seconded, and the motion was unanimously voted.



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

- Procedural Update on Proposed Rulemaking Status: The Regulations are currently in the proposal stage. The public comment period is opened from December 17, 2010 until January 18, 2011. As of this date, the Board has received: 280 comments in reference to CEUs (COMAR 10.43.20); 8 comments in reference to recordkeeping (COMAR 10.43.16); and 3 miscellaneous requests for clarification regarding examination and application requirements. In addition to the comment period, 21 requests have been received to request a public hearing. All comments have been from the massage community; no comments have been received, to date, from chiropractors or chiropractic assistants, other than 1 general telephone inquiry from a chiropractor requesting a general clarification.
- Appointment of the New DHMH Secretary: John Colmers has stepped down as DHMH Secretary, effective January 11, 2011. The newly appointed DHMH Secretary is Joshua M. Sharfstein, M.D. Dr. Sharfstein is the former Baltimore City Health Commissioner and has worked with President Obama as Principal Deputy Commissioner of the Food and Drug Administration. Dr. Sharfstein's tenure with the State began January 12, 2011.
- Issue of Printed Licenses/Registrations: All Board licenses/registrations, which currently have Secretary John M. Colmers' name printed on them, will have to be destroyed. Per discussion with the DHMH Secretary's Office, licenses issued prior to January 12<sup>th</sup> and printed with Secretary Colmers' name are legally issued. However, from January 12<sup>th</sup> forward, all licenses/registrations should bear the name of Dr. Sharfstein, in order to be issued legally. NOTE: A month ago, the Board ordered and received a new supply of licenses/registrations, with Secretary Colmers' name listed. The Board Investigator will inventory the license numbers and then destroy all licenses. New licenses/registrations have been re-ordered from the printer, with Dr. Sharfstein's name. Once the Board has received its supply of licenses/registrations, notification will be listed on web pages.

**Requests for Approval of Chiropractic Trade Names**

The following chiropractic trade name requests were individually approved by Board motions. Dr. Chaney supported the motions; Dr. Fedorczyk seconded, and the motions were unanimously voted.

1. Atlantis Chiropractic, P.C. – Amir Arasta, D.C.
2. Harbor Bay Clinic of Chiropractic – Stacey Dent, D.C.
3. HealthSource Chiropractic & Progressive Rehab – Avram Weinberg, D.C.
4. AmeriWell Chiropractic, PC – Alireza Ramezan, D.C.
5. Maryland Injury Associates, Jeffrey Cohen, D.C. – Jeffrey M. Cohen, D.C.

**Requests for Approval of Massage Trade Names**

The following massage trade name requests were individually approved by Board motions. Ms. Harrison supported the motions; Mr. Anderson seconded, and the motions were unanimously voted.

1. Grace Wellness Massage Therapy – Steven J. Seymore, LMT
2. Touch Intuitive Massage Therapy – Meredith A. Buell, RMP
3. Jenerous Care Massage Therapy – Jennifer Williams, LMT



**Presentations by Ms. Cher L. Hunter, M.A., LMT, NCTMB**

Massage Therapy Body of Knowledge (MTBOK):

Ms. Hunter, Director, Massage Therapy Program, The Community College of Baltimore County, presented an overview of the MTBOK document that was developed by national leaders in the massage therapy field, establishing baseline knowledge that massage therapists are expected to have.

Opposition to COMAR 10.43, Chapter 16 (Recordkeeping) and Chapter 20 (Continuing Education):

At the invitation of the Board, the guests from the massage community unanimously agreed to have Ms. Hunter present their opposition views to Chapters 16 and 20 of the Proposed Rulemaking. Ms. Hunter, supported by visitors from the massage therapy community, gave a presentation on the opposition to Chapters 16 and 20. The opposition to Chapter 16 (Recordkeeping) concerns the issue of ownership of S.O.A.P. notes and is written in such a way that assumes all LMTs/RMPs are in private practice. However, many LMTs/RMPs work in the private practices of others, and therefore, S.O.A.P. notes written by them are the property of the owner(s), not the individual LMT/RMP. The opposition to Chapter 20 (Continuing Education) concerns the issue of CPR/First-aid requirements. A mandatory first-aid requirement may add additional CEU hours (from 24 to 32 hours) and additional expense when renewing licenses/registrations. The Board discussed generally ways to review and study the issues presented by Ms. Hunter regarding Chapters 16 and 20. The remaining COMAR Regulations can continue through the promulgation/publication process, and the revised Chapters 16 and 20 would be added later.

Closed Session Discussion – *Dr. Fedorczyk motioned to move into Closed Session to obtain the advice of Board Counsel, seconded by Ms. Harrison. The Board met in Closed Session at 10:45 A.M. for legal advice regarding administrative processes and regulatory procedural options. Refer to Executive Minutes section for details of the Closed Session discussion/advice. The Closed Session ended at approximately 11:00 A.M.*

Upon reopening General Session at 11:02 A.M., following the Closed Session and the advice of Board Counsel, the Board President announced that the Board would tentatively withdraw Proposed Rulemaking: COMAR 10.43, Chapter 16 (Recordkeeping) and Chapter 20 (Continuing Education), pending further study and review. Dr. Fedorczyk formally motioned the announcement by the President and Dr. Kraus seconded; the motion was unanimously approved.

Standards, Self-Study and Peer Review, Commission on Massage Therapy Accreditation (COMTA):

Ms. Hunter presented the Board with information about the accreditation process, and standards and academic practices which may be useful when evaluating special requests, such as, individuals who come to Maryland from other states seeking licensure. The Board tabled the discussion until further notice, due to time constraints.



**MCA Petition for Review of Draft of the Informed Consent to Chiropractic Examination and Care Document**

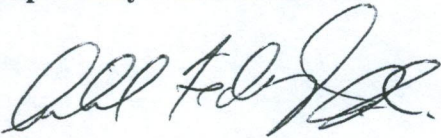
The Maryland Chiropractic Association (MCA) drafted an Informed Consent document for Board review/approval. The Board held a full discussion. Dr. Fedorczyk motioned to pass on the approval of MCA to request Board endorsement; Dr. Chaney seconded, and the motion was unanimously approved. Mr. Vallone was directed to send a letter to the MCA President formally advising him of the Board's vote.

**Miscellaneous**

1. Dr. O'Hara and Dr. Chaney will represent the Board as Voting Delegate and Alternate, respectively, at the National Board of Chiropractic Examiners' (NBCE) Annual Meeting, scheduled for May 6, 2011.
2. A Disciplinary Board Hearing is scheduled today at 1:00 P.M. Refer to the Executive Session for details.

*Upon motion by Ms. Hucek, seconded by Dr. Fedorczyk, the Board unanimously voted to adjourn the General Session at 11:15 A.M.*

**Respectfully Submitted:**

A handwritten signature in black ink, appearing to read "Michael Fedorczyk". The signature is fluid and cursive, written over a light blue horizontal line.

**Michael Fedorczyk, D.C.  
Board Secretary/Treasurer**