

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

July 9, 2009

GENERAL SESSION AGENDA

Start Time: Approximately 1:00 P.M. (after Hearing)

1. **Review, approval of Board General Session Agenda.**
2. **Review, approval of Board Minutes of last meeting (June 11th).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
 - a) Update regarding Board appointment issues and new members
 - b) Welcome to Jonathan Nou, D.C., recent Board appointee
 - c) Legislative “Sunset” Review – Introduction of Ms. Amy Devadas, MLS
 - d) Budget Update – Commencement of FY 2010
 - e) Update regarding chiropractor renewal (online and paper renewals)
 - f) Recognition of Dr. Kay B. O’Hara as the first female Board President
 - g) Departure of Mr. Kelter – Appointed as Executive Director, Board of Audiology, Hearing Aid Dispensers, and Speech-Language Pathologists; new hire issues
4. **Implementation of broad-based compliance enforcement of ‘store-front’ and ‘mall-based’ non-licensed activities; includes liaison with police and Fall Compliance Seminar with mall management, police, and massage operators.**
5. **Nebulizer use under Chiropractic Scope of Practice (tabled at June 11th Board Meeting).**
6. **Request for trade name approval:**
 - a) *Falk Chiropractic Center, P.A.* – Stewart J. Falk, D.C.
7. **FYI – Miscellaneous correspondence for review/discussion.**

BOARD WORKING LUNCH

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

July 9, 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
Issie L. Shelton Jenkins, Consumer
Daniel J. Kraus, D.C.
Jonathan C. Nou, D.C.
Duane R. Sadula, D.C.

Non-Members Present

J.J. Vallone, Executive Director
Grant D. Gerber, Esq., Board Counsel
Marc C. Ware, Board Investigator
Danielle Gonnelli, Compliance Analyst
Amy Devadas, MLS Analyst

Member Absent

Margaret E. Renzetti, D.C.

Dr. Kay O'Hara called the meeting to order at 1:30 P.M. (The Board held a formal Disciplinary Hearing prior to its meeting.)

Review of Agenda and Minutes

The July 9th Agenda was approved as drafted. Dr. Chaney motioned to accept the Agenda; Ms. Hucek seconded, and the motion was unanimously voted.

The June 11th Minutes were approved as drafted. Dr. Chaney motioned to accept the Minutes; Dr. Sadula seconded, and the motion was unanimously voted.

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

- Governor selection of Licensed Massage Therapist appointees are still pending. Board Members will be kept informed as the selection process progresses.
- Jonathan C. Nou, D.C., was formally welcomed today as the newest member of the Board. Dr. Nou was sworn in prior to the meeting.
- Ms. Amy Devadas, MLS Analyst for the Legislative Sunset Review, was introduced to the Board. Ms. Devadas gave a brief summary of her duties, responsibilities, and reporting requirements.

- Budget Update: The FY 2009 end-of-year “carry-over” of approximately \$480,000-\$525,000 is primarily due to frozen staff positions; extra money that was not expended for salaries and benefits. Chiropractic renewal fees will be reduced by \$200 for active licensees and \$100 for inactive licensees. Mr. Vallone also discussed fiscal projections and how they are made.
- Dr. Kay B. O’Hara was recognized as Maryland’s first female Chiropractic Board President since the Board’s inception.
- Mr. Christopher Kelter has been selected as Executive Director for the Board of Audiology, Hearing Aid Dispensers, and Speech-Language Pathologists. The Board acknowledges his many accomplishments and invaluable contributions as Deputy Director to the Chiropractic Board and wishes him the best in his new position. A testimonial plaque was presented to Mr. Kelter for his exemplary services over the past three years.

Chiropractic Renewal – 2009-2011

Commencing with this renewal cycle, chiropractors have the option of renewing online or by paper application. There are benefits to renewing online: a) fees can be paid via credit or debit card using Visa or MasterCard; b) CEU information (courses, dates taken, etc.) can just be listed; if audited, however, copies of CEUs must also be submitted to the Board; and c) licensee will be able to download a receipt from the system to verify successful completion of the renewal. Paper applications, online instructions, and fee reduction notices have been mailed to over 800 active and inactive chiropractors. Fees were reduced from the regulatory ceiling of \$726.00 to \$526.00 (includes \$26.00 MHCC fee) for active licensees, and a reduction from \$350.00 to \$250.00 for inactive licensees. Fee reductions were the direct result of electronic transitioning and prudent fiscal management by the Board and its staff. CEU audit (20% randomly selected) and/or tax delinquency notices were also mailed to affected licensees. The Board complimented the staff for the notification post cards mailed out prior to mailing the paper renewals.

Implementation of Compliance Enforcement for Mall-based Massage Operators

Mr. Vallone discussed the broad-based compliance enforcement of “store-front” and “mall-based” non-licensed massage activities, including liaison with police and the upcoming Fall Compliance Seminar with mall management, police, and massage operators.

Chiropractic Scope of Practice – Nebulizer Use

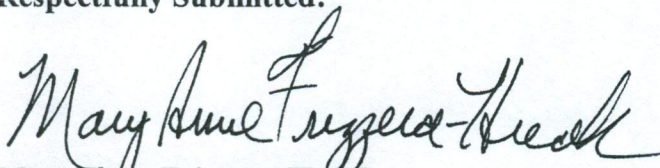
Upon Board discussion on the use of nebulizers, it was determined that Mr. Gerber will draft regulatory proposal for such reviews and approvals. In the interim, a letter will be drafted and submitted to Nicholas Grande, D.C., who initially posed the question.

Request for Trade Name Approval – Stewart J. Falk, D.C.

Dr. Falk requests Board approval to use the trade name “Falk Chiropractic Center, P.A.” in his practice. Dr. Kraus made a motion to approve the trade name; Ms. Hucek seconded, and the motion was unanimously voted.

Upon motion by Chaney, seconded by Ms. Hucek, the Board unanimously voted to adjourn the General Session at 2:40 P.M.

Respectfully Submitted:

A handwritten signature in cursive script that reads "Mary Anne Frizzera-Hucek". The signature is written in black ink and is positioned above the printed name and title.

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