

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

*June 14, 2012*

**GENERAL SESSION AGENDA**

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1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (May 10, 2012).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
  - a) Farewell presentation to Kay B. O'Hara, D.C. (former Board President), Duane R. Sadula, D.C. (former Board President), and Consumer Member, Ms. Mary Anne Frizzera-Hucek (former Board Secretary/Treasurer); each tenured since July 1, 2004
  - b) Update regarding new Board Member appointments
  - c) Update on new Board staff equipment – Deputy Director
4. **Board Officers' Annual Election (July 1, 2012 – June 30, 2013): President, Vice-President, and Secretary/Treasurer. (NOTE: Past practice has been for President and Vice-President to retain their positions for two [2] full terms, unless they desire to step down.) Nominations will be announced at the Board Meeting. Nominations (to date) for 2012-13:**

President:	Stephanie Chaney, D.C.
Vice-President:	Michael Fedorczyk, D.C.
Secretary/Treasurer:	Jonathan Nou, D.C., and Ms. Karen Biagiotti, LMT
5. **Requests for chiropractic trade name approval:**
  - a) *ADVANCED WELLNESS CHIROPRACTIC* – Wookeun Jeong, D.C.
  - b) *Amon Chiropractic & Wellness Center* – Sheila Amon, D.C.
6. **Requests for massage trade name approval:**
  - a) *Rapha Holistic Wellness* – Melissa J. Shock, RMP – Melissa J. Shock, RMP
  - b) *Holistic Massage & Natural Healing with a Touch of Spa* – Sophal Pettit, LMT
  - c) *Luminescent Massage* – Brianna Lynn Honey, LMT
  - d) *BeLight Massage* – Melanie P. Douez, RMP
7. **Discussion regarding electronic recordkeeping.**
8. **Discussion regarding “The Joint” – Dr. Chaney.**
9. **Discussion/ruling on the use of Groupon for advertising.**
10. **FYI – Miscellaneous correspondence for review/discussion.**

***BOARD WORKING LUNCH***

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

*June 14, 2012*

**Members Present**

Stephanie J. Chaney, D.C., Board President  
Michael Fedorczyk, D.C., Board Vice-President  
Joanne M. Bushman, D.C.  
Kay B. O'Hara, D.C.  
Duane R. Sadula, D.C.  
Karen Biagiotti, LMT  
David A. Cox, LMT  
Mary Anne Frizzera-Hucek, Consumer Member  
Ernestine Jones Jolivet, Consumer Member

**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  
Christopher Bieling, Board Investigator  
Kristen Neville, Legislation/Regs Specialist  
Paul Abosh, D.C., MCA  
Keith Scott, D.C.  
Cheryl Hicks, LMT (Tranquili-Chi)  
Sharon Solow, LMT

**Members Absent**

Gwenda Harrison, LMT  
Jonathan C. Nou, D.C., Board Secretary/Treasurer

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*Dr. Stephanie Chaney called the meeting to order at 10:00 A.M.*

**Review of Agenda and Minutes**

The June 14<sup>th</sup> Agenda was amended as follows: 1) add new no. 7, "Discussion Regarding Electronic Recordkeeping"; 2) add no. 8, "Discussion Regarding 'The Joint' – Dr. Chaney"; 3) add no. 9, "Discussion Regarding the Use of GROUPON for Advertising." Dr. O'Hara made a motion to accept the amended Agenda; Ms. Hucek seconded, and the motion was unanimously voted.

The May 10<sup>th</sup> Minutes were approved as drafted. Dr. Fedorczyk made a motion to accept the Minutes; Mr. Cox seconded, and the motion was unanimously voted.

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

- The Board held a farewell presentation for Kay B. O'Hara, D.C. (former Board President), Duane R. Sadula, D.C. (former Board President), and Consumer Member, Ms. Mary Anne Frizzera-Hucek (former Board Secretary/Treasurer); each tenured since July 1, 2004. The Board honors their eight years of excellent public service and dedication. Of particular note, Dr. O'Hara was the first female elected as the President of the Maryland Board of Chiropractic and Massage Therapy Examiners; also, she was the first President to preside over the newly expanded Board (chiropractors/massage therapists).

- Update Regarding New Board Member Appointments: Ms. Anna Lieberman, Governor's Appointment Office, will notify the Board Office once the three individuals slated to fill the vacant positions on the Board has been confirmed.
- Update on New Board Staff Equipment – Deputy Director: The Board has received the scanner previously ordered in April; also, the Board is expecting towards the end of June, the delivery of an archival machine.
- Update Regarding Google Apps: The Department of Health and Mental Hygiene (DHMH) will soon transition its E-mail and calendar platform from Novell GroupWise to Google Apps for Government. Currently, the Deputy Director, the Senior Investigator, and the Office Secretary have been chosen as pilots (Early Adopters) for Google mail training, to work out problems that may arise prior to the live date for all employees; the training will occur within the next two weeks. Once the training is concluded, Board Members will receive G-mail; all Board Orders will be published on the electronic format.

**Board Officers' Annual Election – July 1, 2012 – June 30, 2013**

Below is a list of the candidates currently nominated for the positions of President, Vice-President, and Secretary/Treasurer. The Board announced that the floor was still open for nominations; however, anyone wishing to submit his/her name must do so immediately. (NOTE: Past practice has been for President and Vice-President to retain their positions for two [2] full terms, unless they desire to step down.)

**President:** Stephanie Chaney, D.C.  
**Vice-President:** Michael Fedorczyk, D.C.  
**Secretary/Treasurer:** Jonathan Nou, D.C., and Ms. Karen Biagiotti, LMT

The Board will vote on the above positions at the next meeting scheduled July 12, 2012.

**Requests for Approval of Chiropractic Trade Names**

The following chiropractic trade name requests were individually **approved** by Board motions. Dr. O'Hara made the motions; Ms. Hucek seconded, and the motions were unanimously voted.

1. *ADVANCED WELLNESS CHIROPRACTIC* – Wookeun Jeong, D.C.
2. *Amon Chiropractic & Wellness Center* – Sheila Amon, D.C.

**Requests for Approval of Massage Trade Names**

The following massage trade name requests were individually **approved** by Board motions. Ms. Biagiotti made the motions; Mr. Cox seconded, and the motions were unanimously voted.

1. *Rapha Holistic Wellness* – Melissa J. Shock, RMP – Melissa J. Shock, RMP
2. *Holistic Massage & Natural Healing with a Touch of Spa* – Sophal Pettit, LMT
3. *Luminescent Massage* – Brianna Lynn Honey, LMT
4. *BeLight Massage* – Melanie P. Douez, RMP

### **Discussion Regarding Electronic Recordkeeping**

The Board discussed the requirements and parameters of electronic recordkeeping. After discussion, the Board unanimously concluded that all electronic record-keeping commercial providers allow full access to the system and that all systems allow the user to fully retrieve and reproduce any/all data, including signatures, memoranda, letters, billing invoices, EOBs, etc., in legible hardcopy format. It is expected that any licensee or registrant has control and access over his/her recordkeeping system and maintains the capability to reproduce hard copies of all records upon request or subpoena by the Board. Failure or inability to do so results in failure to cooperate and/or failure to meet the requirements of the recordkeeping laws and regulations.

### **Discussion Regarding “The JOINT” – Dr. Chaney**

Dr. Chaney read a letter she had received from the developer/owner of the “JOINT” franchise. The owner previously owned “MASSAGE ENVY” and is establishing a similar chain of franchised chiropractic practices. The Board directed the Executive Director to draft a response letter explaining that the Board requires full compliance with the laws/regulations and to send a copy of such to them.

### **Discussion Regarding Use of GROUPON for Advertising**

Dr. Chaney discussed with the Attorney General’s Office the issue regarding individuals advertising discounted services on GROUPON. The Attorney General’s Office does not stipulate what services an advertiser can and cannot discount; however, there cannot be disparate charges to a certain population nor can an individual target a specific insurance group (i.e., Medicare patients). There are also a couple of caveats to advertising on GROUPON: 1) one cannot go back and bill a client’s/patient’s insurance company for full coverage; and 2) clients/patients can only be billed at the discounted charge or not at all. The bottom line is that disparate fees may be advertised and charged for cash patients or for certain days or events; however, no discrimination of variations may be made for insurance patients. The Executive Director will draft a policy memorandum for review by the Board.

### **Miscellaneous**

1. The Deputy Director presented each Massage and Consumer Member with a copy of Volumes I and II of FCLB and the Story of Licensing in Chiropractic, by Joseph C. Keating, Jr., Ph.D., and Donna M. Liewer. The books were personally signed by Ms. Liewer, President, Federation of Associations of Regulatory Boards (FARB) and the FCLB Executive Director. Book copies were previously presented to Chiropractic Board Members in May.
2. The National Board of Chiropractic Examiners (NBCE) conducted a Part IV practical examination test committee meeting on June 8-9, 2012 at the Horace C. Ellicott Center in Greeley, CO. The purpose of the meeting was to select clinical cases and test questions for the November 2012 and May 2013 administrations of the Part IV practical examination.
3. **FYI** – Miscellaneous correspondence for review/discussion.

**General Session – June 14, 2012**

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*Upon motion by Dr. Fedorczyk, seconded by Dr. Sadula, the Board unanimously voted to adjourn the General Session at 11:00 A.M.*

**Respectfully Submitted:**

A handwritten signature in black ink, appearing to read 'Jonathan C. Nou', with a long horizontal line extending to the right.

**Jonathan C. Nou, D.C.  
Board Secretary/Treasurer**