

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

March 14, 2013

Members Present

Stephanie J. Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice-President
Jonathan C. Nou, D.C., Board Secretary
Michael Moskowitz, D.C.
Joanne M. Bushman, D.C.
Karen Biagiotti, LMT
Gwenda Harrison, LMT
Gloria Boddie-Epps, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Non-Members Present

James Vallone, Executive Director
Adrienne Congo, Deputy Director
Grant Gerber, Esq., Board Counsel
Michelle Czarnecki, Legal Assistant
Anthony Hinkle, LMT, NCB
Wayne M. Parker, AMTA
Jeannie Schwartz, BSOM
Elizabeth Hyn, BSOM
Sharon Bloom, DHMH
Senator Paula Hollinger, DHMH

Members Absent

Robert Frieman, D.C.
David Cox, LMT

Dr. Stephanie Chaney called the meeting to order at 10:56 am.

Review of Agenda and Minutes

Ms. Biagiotti made a motion to approve the agenda as written; Dr. Nou seconded, and the motion was unanimously voted.

The February 14, 2013 board minutes were reviewed by the Board. Dr. Nou made a motion to approve the February 14, 2013 board minutes as written; Ms. Jones Jolivet seconded, and the motion was unanimously voted.

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

a) Departure of Ms. Harris and Ms. Ware from Board Staff

Ms. Maria Ware has retired from her position with the Board after 37 years of state service. Ms. Ware retired due to medical issues, but no details are known. A formal certificate will be presented to her from the Board to honor her service. Ms. Denise Harris has transferred to a new position with the State Comptroller's office. Both positions are currently listed, and Mr. Vallone and Ms. Congo are actively pursuing candidates.

b) Hiring Initiative for Replacements and Staff Attorney

Mr. Vallone has requested a hiring freeze waiver to replace Ms. Harris and Ms. Ware's former positions, as well as for a contractual staff attorney position for Ms. Czarnecki. The Secretary and Office Manager positions have been approved and interviews will be commencing shortly.

c) Reclassification analysis/study

A study is currently being conducted regarding reclassification for board staff positions, specifically Ms. Congo's position, as compared to other Boards. The Board will be updated regarding this study as it continues.

d) Dr. Michael Fedorczyk, D.C. announces intent to run for FCLB District III Director (2013)

Dr. Fedorczyk has reported to the Board that he intends to run for the position of FCLB District III Director this year. Mr. Vallone explained that there is no conflict of interest issue with Dr. Fedorczyk's decision to do so.

Update on Website, Scanners, Laptop/iPads for Boards and Uploads of Documentation to Alleviate Paperwork—Ms. Congo, Deputy Director:

Board staff is currently in the process of scanning/archiving Board formal orders. The date to work with the technology company is currently set for May 1st, but Ms. Congo hopes to schedule it earlier. This undertaking will allow the Board to look up particular orders as a comparison/aide in new disciplinary decisions. The Board is also seeking to move towards paperless Board packets for Board meetings. Ms. Congo is working with the Neotechnology company to find the most cost-efficient way to do so. Reconfiguration of the Metro Executive Building is still forthcoming, so any technology used by the Board will need to be compatible with these changes.

Petition from Teia Stephenson Pritchett, Massage Therapy Applicant

Ms. Stephenson Pritchett petitions the Board to accept her non-accredited massage training hours (600 hours) from Alternative Therapy, LLC approved by the Delaware Department of Education in compliance with the Delaware Code, Chapter 85, Title 14 and the Rules and Regulations of the Delaware Department of Education. Based on this information, Ms. Biagiotti made a motion to approve Ms. Stephenson Pritchett's application; Ms. Jones Jolivet seconded, and the motion was unanimously approved.

Requests for Approval of Chiropractic Trade Names:

The following chiropractic trade name request was approved by Board motions. Ms. Biagiotti made the motion; Dr. Nou seconded, and the motion was unanimously voted.

1) ***World Class Chiropractic***--Steven L. Silverston, D.C.

The following chiropractic trade name request was **denied**, with a letter of explanation to be sent to the requesting chiropractor to explain the denial. Ms. Biagiotti made the motion; Dr. Nou seconded, and the motion was unanimously voted.

2) ***The Alighingwellness Clinic***--Douglas C. Miller, D.C.

Requests for Approval of Massage Trade Names:

The following massage therapy trade name requests were **approved** by Board motions. Ms. Biagiotti made the motions; Ms. Jones Jolivet seconded, and the motions were unanimously voted.

1) ***Ellen Your Body Worker, Licensed Massage Therapist***--Ellen Khadeer, LMT

2) ***Suzette Fitzgerald, RMP*** -- Suzette H. Fitzgerald, RMP

3) ***Kneaded Wellness Therapeutic Massage*** -- Bobby Jo Baumann, LMT

4) ***Massage Garden*** -- Michelle Cohen Hammond, LMT

5) ***Main Street Massage*** -- Kathleen Flynn, LMT

6) ***Diane's Massage*** -- Diane R. Burns, RMP

The following massage therapy trade name request was **denied**, with a request to be sent to the massage therapist to provide further information regarding her trade name request:

1) ***RN Therapeutic Massage***-- Pamela Buckenmaier, LMT

General Review Disussion of Chiropractic Modalities/Procedures: Dr. Fedorczyk

a) Extracorporeal Shockwave Therapy

As explained by Dr. Fedorczyk, extracorporeal shockwave therapy is similar to ultrasound, using acoustic shockwaves to break down scar tissue and kidney stones. It is not heat producing and non-invasive, similar to vibration therapy. As for its scope within chiropractic, Mr. Gerber suggested that the Board check with the Physical Therapy Board about this type of therapy, but that it can be considered a "PT modality" within this Board's particular jurisdiction.

b) Neurofeedback Therapy and Training

As discussed by Dr. Fedorczyk, this therapy is used to retrain nerve pathways after injury, also known as "neuromuscular re-education." It is similar to other neuromuscular reduction therapies. This therapy is not to be used for any psychological modification purpose. It is a type of non-invasive electrodata collection. Mr. Gerber emphasized that it is important to consider this therapy as an adjunct to adjustments. The Board members further discussed how these therapies could also apply to massage therapy as well.

Changes to Chiropractic Assistant Program: Mr. J.J. Vallone, Executive Director

Beginning May 16th, the Chiropractic Assistant Program will be undergoing substantial administrative changes in an attempt to resolve ongoing misuse of the program by many supervising chiropractors. These changes are clearly outlined in the pamphlets that are being distributed to all Supervising Chiropractors. One of these changes requires that a CA trainee/applicant be CPR certified before beginning training in a chiropractic office. A discussion of this requirement took place among board members. Several board members expressed concern over the length of time it can take to have a CA trainee signed up for a CPR class. Dr. Chaney explained that it can take around 5 weeks to get a CA trainee through the CPR course, and even longer to receive the certificate. As such, requiring a CPR certification at the time of employment would be a substantial imposition on Supervising Chiropractors and would unnecessarily restrict CAs from being able to work in the office. Ms. Biagiotti emphasized that because a chiropractic office is a medical setting, it is reasonable to require those working within it to be CPR certified. Mr. Vallone explained that with seventy CAs signed up for the April CA exam, only fourteen of those are qualified to take it. Accordingly, the Board needs to force Supervising Chiropractors to fulfill their responsibilities in this program. Ms. Congo suggested a compromise requiring Supervising Chiropractors to send an attestation that the CA trainee is enrolled in a CPR course along with their initial request for employment, which was accepted by the board members.

Upon motion by Dr. Nou, seconded by Dr. Bushman, the Board unanimously voted to adjourn General Session at 12:08pm.

Respectfully Submitted:


Jonathan C. Nou, D.C.
Board Treasurer