

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

*September 10, 2009*

**GENERAL SESSION AGENDA**

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***NOTE: This meeting covers Agenda items for this month and August 13<sup>th</sup>.***

1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (July 9<sup>th</sup>). (The August 13<sup>th</sup> meeting was cancelled due to a Disciplinary Hearing.)**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
  - a) Introduction of recent massage Board appointees – Mr. Clyde Anderson, LMT, Ms. Gwenda Harrison, LMT, and Ms. Karen A. Biagiotti, LMT
  - b) Update regarding the Legislative “Sunset” Review and the Legislative Audit
  - c) Review of the 2009-2011 chiropractic renewal process (paper vs. online)
  - d) Prospective Regulatory review/amendment of recommended provisions
  - e) Board vacancy – Departure of Margaret Renzetti, D.C., Board Member and Board Secretary/Treasurer; presentation of plaque
  - f) NBCE Part IV Practical Examination
  - g) C.A. Examination Subcommittee
4. **Request for trade name approval:**
  - a) *Distinct Pain Solutions, Ben Jakob, D.C.* – Ben Jakob, D.C.
5. **Inquiry from Douglas Miller, D.C., regarding whether a C.A. can perform paraspinal thermography scanning and surface EMG scanning for evaluation of vertebral subluxation.**
6. **FYI – Miscellaneous correspondence for review/discussion.**

***BOARD WORKING LUNCH***



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

*September 10, 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.  
Clyde Anderson, LMT  
Karen Biagiotti, LMT  
Gwenda Harrison, LMT

**Non-Members Present**

J.J. Vallone, Executive Director  
Grant D. Gerber, Esq., Board Counsel  
David Ford, Senior Board Investigator  
Marc C. Ware, Board Investigator  
Maria Ware, Office Manager/Supervisor  
Danielle Gonnelli, Compliance Analyst  
The Hon. Senator Paula Hollinger  
Sharon Bloom, DHMH Liaison  
Margaret Renzetti, D.C. *(Former Board Member)*  
Barbara J. Davenport, LMT, AMTA, MD Chapter  
Wayne Parker, LMT, AMTA, MD Chapter  
Eva Yankelove, Massage Student

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

**Review of Agenda and Minutes**

The September 10<sup>th</sup> Agenda was amended as follows: 1) under no. 3, add "f. NBCE Part IV Practical Examination"; add "g. C.A. Examination Subcommittee"; and 2) remove nos. 5 and 6; add them to the Executive Session. Dr. Sadula motioned to accept the amended Agenda; Ms. Harrison seconded, and the motion was unanimously voted.

The July 9<sup>th</sup> Minutes were approved as drafted. Dr. Chaney motioned to accept the Minutes; Ms. Hucek seconded, and the motion was unanimously voted. (*NOTE: No Board Meeting was held in August due to an all-day formal Disciplinary Hearing.*)

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

- The Board formally welcomed the newly appointed licensed massage therapists: Mr. Clyde Anderson, LMT, Ms. Gwenda Harrison, LMT, and Ms. Karen A. Biagiotti, LMT. Each new member was sworn in prior to the meeting. All Board Members were invited to attend the Orientation for New Board Members, to be held in November.
- Mr. Gerber, Dr. Nou, Ms. Jenkins, and Mr. Anderson attended a CRC scheduled at 10:00 A.M.; refer to the Executive Agenda for details.



- Update Regarding Legislative “Sunset” Review and Legislative Audit: The Board has complied with all data/information requested by Ms. Amy Devadas, MLS Analyst for the Legislative Sunset Review. Ms. Devadas will submit a report at the end of the review process. As of this date, the legislative auditors have not begun its review process of this Board.
- The Board has formed a Regulatory Review Subcommittee to work in collaboration with Board Counsel. Dr. Chaney will Chair the Subcommittee; Dr. Sadula and Ms. Biagiotti volunteered to also serve.
- The Board bade farewell to Dr. Margaret Renzetti who resigned her Board position in August 2009. Dr. Renzetti opted to go inactive and, by statute, Board members must be in active practice. Dr. Renzetti, a Board Member since 2002, was presented with a plaque honoring her years of excellent public service and dedication while serving on the Board. The Governor’s Office has been notified to begin the selection process of finding a candidate to complete Dr. Renzetti’s term.
- NBCE Part IV Practical Examination: Dr. Chaney and Dr. Sadula volunteered to attend the Examination, scheduled for November 13, 14, and 15, 2009, at the New York Chiropractic College, Seneca, NY.
- Update Regarding C.A. Jurisprudence Examination: The C.A. jurisprudence examination needs reworking. Each Board Member will review the questions, make amendments/additions and submit back to Mr. Vallone. The examination will be e-mailed to the new message members. Mr. Vallone will later make a composite sample examination for final review.
- The vacant Administrative Officer III (Deputy Director) position has been posted by the Division of Personnel. As of this date, the Board has received one application.

**Review of the 2009-2011 Chiropractic Renewal – Ms. Ware**

Commencing with this renewal cycle, chiropractors had the option of renewing online or by paper application. This July, 847 paper renewals were mailed to all active and inactive chiropractors. Overview comparison, as of 9/8/2009: 1) 768 active renewals sent (211 received by mail); 79 inactive renewals sent (35 received by mail) = 246 who renewed by paper vs. 533 who renewed online; 2) renewal fees collected: \$271,342.00 online vs. \$120,636.00 by paper (combined total: \$391,978.00 deposited); 3) 10 chiropractors voluntarily non-renewed (1 deceased); 4) 154 (20% randomly selected chiropractors) were audited (145 renewed); 5) 34 chiropractors listed as tax-delinquent by Comptroller’s Office (24 cleared); and 6) 23 renewals were returned/post-marked “UTF.” Chiropractors who have not renewed by October 1<sup>st</sup> will be listed as non-renewed in the Board’s database. Any chiropractor who wishes to renew after October 1<sup>st</sup>, will need to pay a \$300 reinstatement fee, along with the renewal and late fees. The online renewal process has proven to be very successful and will be the standard utilized in future renewals.



**Request for Trade Name Approval – Ben Jakob, D.C.**

Dr. Jakob requests Board approval to use the trade name “Distinct Pain Solutions, Ben Jakob, D.C.” in his practice. Dr. Chaney made a motion to approve the trade name; Dr. Kraus seconded, and the motion was unanimously voted.

**Inquiry from Douglas Miller, D.C.**

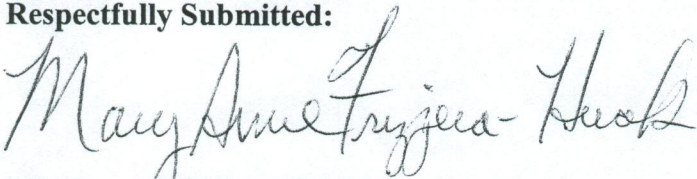
Dr. Miller inquires whether a C.A. can perform paraspinal thermography scanning and surface EMG scanning for evaluation of vertebral subluxation. Currently, these modalities are outside of a C.A.s scope of practice and may only be performed by a licensed chiropractor. This subject is tabled and will be reviewed by the Board Subcommittee during the review of its regulations.

**Miscellaneous**

By unanimous Board vote, the following chiropractors were previously approved to use the listed trade name: a) Steven Horwitz, D.C. (trade name change from “Maryland Sports Injury Center, Steven M. Horwitz, D.C.”) – *Capital Sports Injury Center, Steven M. Horwitz, D.C.*; b) Jay M. Lipoff, D.C. – *Back At Your Best Chiropractic & Physical Therapy*; c) James W. Beauchamp – *Mid-Atlantic Scoliosis, James W. Beauchamp, D.C.*; d) Ben Jakob, D.C. – *Distinct Pain Solutions, Ben Jakob, D.C.*; and e) Amir Arasta, D.C. – *Oxon Hill Chiropractic & Rehab*. Jewa M. Lea, D.C., was denied the use of the name *Trinity Wellness Center* in her practice. Dr. Lea will be advised that she can resubmit under the Board’s guidelines for trade names.

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

**Respectfully Submitted:**



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