

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

*January 15, 2015*

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**GENERAL SESSION AGENDA**

1. **Board President's acknowledgement of James Vallone, Executive Director – (Moment of Silence)**
2. **Review approval of Agenda.**
3. **Review approval of Board Minutes of last meeting (*November 13, 2014*)**
4. **President's Report**
5. **Review of Administrative Issues, Ms. Adrienne Congo, MS, Deputy Director:**
  - a) **Proposed Action – COMAR 10.43 Chiropractic and Massage Therapy Regulations**
  - b) **2015-2017 CA Renewal Preparation**
  - c) **Call for NBCE Delegate & Alternate Delegate for the 2015 NBCE Annual Business Meeting of State Delegates**
  - d) **[Remove FLCB Info] Call for 2 State Board Members (D.C.'s) to participate as Examiners in the administration of NBCE Exams AND 1 State Board Member (D.C.) to participate in the June Test Committee Meeting.**
  - e) **Update on FBI/CJIS Background Checks**
  - f) **MCA Regulations Involving Trade Names**
  - g) **Dry Needling**
  - h) **Posting for Executive Director Position on State Employment Website**
6. **Chiropractic Petition(s)**
  - (a) **Rebecca Langlois, LMT – Petition to request Massage Therapy Coursework and/or college coursework to be applied towards meeting the CA coursework requirement.**
  - (b) **Deborah Brown, CA – Petition to utilize Radiology CEU's for 2015-2017 CA Renewal**
  - (c) **Michael Pasternack, D.C. (Re-Application/No Undergraduate Degree) - Petition to request Licensure by Credentialing**
  - (d) **James Matchett, D.C., Applicant – Petition to accept Physical Therapy training in undergraduate degree in lieu of NBCE Physiotherapy score.**
  - (e) **Application for Preceptorship, Rochelin Herold, D.C.**
  - (f) **Donna Nine, CA et al. – Petition to accept CEU courses with regard to scope of practice.**

**BOARD WORKING LUNCH**

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*January 15, 2015*

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**GENERAL SESSION AGENDA (Page 2 of 2)**

**7. Massage Petition(s)**

- (a) **Kamal Gabry, MD, (Massage Applicant)** – Petition to Waive the evaluation component for Education and Training in a Foreign Country
- (b) **Olga Evans, Non-Renewed RMP** – Petition to Accept Expired CEUs for new Biennial Renewal
- (c) **Latisha McDuffie, (Massage Applicant)** – Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy. Ms. McDuffie petitions the Board to accept her non-accredited massage therapy training from the Bodyworks Institute, a division of the Potomac Academy of Hair Design in Manassas, VA. She has been NCBTMB certified since 2002. This massage therapy program is approved by the State Council of Higher Education for Virginia (SCHEV).
- (d) **Lacie Whitten, (Massage Applicant)** - Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy. Ms. Whitten petitions the Board to accept her non-accredited massage therapy training from the Hawaii Healing Arts College School of Massage Therapy in Kailua, HI. She has been NCBTMB certified since 2007. Hawaii Healing Arts College School of Massage Therapy is approved under the Hawaii State Department of Education.
- (e) **Yvonne Dreptate (Massage Applicant)** – Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy. Ms. Dreptate petitions the Board to accept her non-accredited massage therapy training from the Massage Academy of the Poconos in Stroudsburg, PA. She has been NCBTMB certified since 2006. The Massage Academy of the Poconos is approved under the Commonwealth of Pennsylvania Department of Education (effective 7/2006 – 6/2016)

**8. Requests for Chiropractic Trade Name Approval:**

- (a) *Severna Park Family Chiropractic* – Michelle Herczog, DC
- (b) *Kinnicare Chiropractic* – John Koloski, DC
- (c) *Peak Performance Chiropractic* - Michael Bartel, DC
- (d) *Stutman Chiropractic PC, Silver Spring Back and Pain Clinic* – Mark Stutman, DC
- (e) *Mid Atlantic Chiropractic Center* – Amir Rashidian, DC
- (f) *Family Chiropractic Center of Perry Hall* – Daniel Cocks, DC

**9. Requests for Massage Trade Name Approval:**

- (a) *Dennis Ossiander, RMP* – Dennis Ossiander, RMP
- (b) *Simply Sublime Massage & Bodywork* – Amber Thompson, RMP
- (c) *Vitality – Integrative Massage Therapy* – Michelle Buss, LMT
- (d) *Essential Touch Massage Therapy* – Felicia Tenny, LMT
- (e) *OC Massage Therapy* – Sharon Phillips, RMP

**FYI: Miscellaneous Correspondence for review/discussion:**

- (a) Meeting on MD Board of PT Examiners Dry Needling Regulations – December 23, 2014
- (b) Clarification on the CA's CEU's and mechanism to ensure CEU's are within their scope
- (c) Building Construction Update

**BOARD WORKING LUNCH**

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

*January 15, 2015*

**Members Present**

Michael Fedorczyk, DC, Board President  
David Cox, LMT, Board Vice President  
Karen Biagiotti, LMT, Board Secretary  
Stephanie Chaney, DC, Fmr Board President  
Jonathan Nou, DC  
Robert Frieman, DC  
Gwenda Harrison, LMT  
Ernestine Jones Jolivet, Consumer Member  
Gloria Boddie-Epps, Consumer Member

**Non-Members Present**

Adrienne Congo, Acting Deputy Director  
Grant Gerber, AAG, Board Counsel  
James Gamble, Admin Spec II  
Michelle Verdis, Compliance Manager  
David Ford, Senior Board Investigator  
Chris Bieling, Board Investigator  
Kristen Neville, DHMH  
Michael Campbell, AMTA  
Ruth Stoloff, AMTA  
Andrew Sobel, AMTA Board Member

**Members Absent**

Gregory Lewis, DC  
Michael Moskowitz, DC

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Dr. Fedorczyk called the meeting to order at 10:07 a.m.

**Review of Agenda and Minutes :**

The January 15, 2015 Agenda was reviewed by the Board and the following revisions were suggested: (1) Addition of subsection f “January 15, 2015, MCA Regulations Involving Trade Names” under Review of Administrative Issues, Ms. Adrienne Congo, MS, Deputy Director. (2) Addition of subsection g, “Dry Needling” under Review of Administrative Issues, Ms. Adrienne Congo, MS, Deputy Director. (3) Addition of subsection h, “Posting of Executive Director Position on State Employment Website”.

Dr. Frieman moved to approve the January 15, 2015 Agenda with those revisions; Dr. Nou seconded, and the motion was unanimously voted by the Board.

The November 13, 2014 Board Minutes were reviewed by the Board. Dr. Frieman moved to approve the November 13, 2014 Board Minutes as written; Ms. Jones Jolivet seconded, and the motion was unanimously voted by the Board.

**Review of Administrative Issues, Ms. Adrienne Congo, MS, Deputy Director:**

**(a) Proposed Action – COMAR 10.43 Chiropractic and Massage Therapy Regulations**

Ms. Adrienne Congo notified the Board that the proposed changes to the Board’s regulations were published in the Maryland Register on 01/23/15 for the 30 day comment period.

**(b) 2015 – 2017 CA Renewal Preparation**

Ms. Adrienne Congo advised the Board that the CA renewal template has been sent to the Information Technology Department for completion. Ms. Congo stated to the Board that the renewal portal will be fully operational by 01/23/2015.

**(c) Call for NBCE Delegate & Alternate Delegate for the 2015 NBCE Annual Business Meeting of State Delegates [response deadline, March 9, 2015]**

NBCE Delegate & Alternate Delegate for the 2015 NBCE Annual Business Meeting has been designated by the Board as Dr. Fedorczyk and Dr. Nou.

**(d) NBCE – Call for 2 State Board Members (D.C.'s) to participate as Examiners in the administration of Practical Exams AND 1 State Board Member (D.C.) to participate in the June Test Committee Meeting [response deadline March 15, 2015].**

The Board has designated Dr. Fedorczyk and Dr. Nou to participate as Examiners in the administration of Practical Exams. The Board recommended that 1 State Board Member (D.C.) to participate in the June Test Committee Meeting will be chosen at a later date.

**(e) Update on FBI/CJIS Background Checks**

Ms. Adrienne Congo reported to the Board that the Criminal Background Check process will be completed and implemented by the end of February.

**(f) MCA Regulations involving trade names**

Ms. Adrienne Congo notified the Board that the Maryland Chiropractic Association is currently drafting a template that could be utilized for the approval of future Chiropractic Trade Name requests. The template will be presented to the General Assembly for next month's Legislative session.

**(g) Dry Needling**

Ms. Verdis, Compliance Manager informed the Board that the Maryland Board of Physical Therapy Examiners is currently promulgating regulations to set training requirements for the performance of dry needling. This regulation will impact licensed Maryland Chiropractors who have Physical Therapy privileges. On December 23, 2014 Ms. Verdis attended a meeting with several representatives of the affected Boards, Associations and Delegate Penamelnik regarding potential legislation to address the required training for dry needling. The meeting resulted in an agreement that the Executive Directors of the Physical Therapy and Acupuncture Boards will meet to reach a compromise regarding the proposed regulations on dry needling. Ms. Verdis will update the Board on the matter as she receives new information.

**(h) Posting of Executive Director Position on State Employment Website**

Dr. Fedorczyk, Board President, advised the Board that the Executive Director position will be posted to the State Employment Website in 2 to 3 weeks. Additionally, Dr. Fedorczyk stated that the Board will vet resumes and the Acting Executive Director will conduct interviews for the Executive Director position.

**Chiropractic Petition(s):**

- a) **Rebecca Langlois, LMT – Petition to request Massage Therapy Coursework and/or college coursework to be applied towards meeting the CA coursework requirement.**  
In her petition, Ms. Langlois stated that she is an actively practicing licensed massage therapist in Maryland and is interested in becoming a licensed chiropractic assistant. Ms. Langlois stated that she requests the Board to review her massage credentials to determine if any of her coursework could be applied to the required C.A. practicum.

Based on this information, Dr. Chaney moved to waive 24 hours of training from the necessary C.A. coursework; Dr. Frieman seconded, and the motion was unanimously voted by the Board.

- b) **Deborah Brown, CA – Petition to utilize Radiology CEU's for 2015-2017 CA Renewal**  
In her petition, Ms. Brown states that she is a licensed radiographer and certified chiropractic assistant with Morrison Chiropractic Wellness Center. Ms. Brown also stated that she requests the Board to consider the reciprocity of her radiology CEU's qualifying for her CA credits which would exceed the 10 CEU's required for the CA renewal.

Based on this information, Ms. Harrison moved to deny Ms. Brown's petition due to the radiology course not being approved by the Board; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

- c) **Michael Pasternack, D.C. (Re-Application/No Undergraduate Degree) – Petition to request Licensure by Credentialing.**  
In his petition, Dr. Pasternack stated that he was previously licensed in Maryland in 2007 however; his license was placed on non-renewed status. Dr. Pasternack also stated that he corresponded with the past Executive Director James Vallone, JD, CFE. Additionally Dr. Pasternack stated that he was advised by James Vallone to take/pass the National Board of Chiropractic Examiners (NBCE) and the Board Jurisprudence Quiz.

Based on this information, Dr. Chaney moved to table Dr. Pasternack's petition for Board Counsel to research the grandfathering process regarding Dr. Pasternack's license; Dr. Frieman seconded, and the motion was unanimously voted by the Board.

**d) James Matchett, D.C., Applicant – Petition to accept Physical Therapy training in undergraduate degree in lieu of NBCE Physiotherapy score.**

In his petition, Dr. Matchett stated that he was requested by James Vallone to enclose his credentials as a VA Chiropractor with PT privileges as well as a Certified Athletic Trainer with NATA and licensure as an Athletic Trainer in Maryland. Dr. Matchett advised the Board that due to Life University not offering PT during his time as undergrad that he never had the opportunity to take the NBCE PT exam. Dr. Matchett further explains to the Board that he has taken numerous PT courses as an undergrad as well as being a Certified Athletic Trainer and has been in active practice for 16 years with PT privileges in Virginia.

Based on this information, Dr. Chaney moved to deny Dr. Matchett's petition; Ms. Harrison seconded, and the motion was unanimously voted by the Board.

**e) Rochelin, Herold, D.C. - Application of Preceptorship**

Dr. Frieman was assigned to accompany Mr. David Ford on his inspection of Dr. Herold's practice and will report his recommendation to the Board upon completion.

**f) Donna Nine, CA et al. – Petition to accept CEU courses with regard too appropriate scope Practice for CA's.**

In her petition, Ms. Nine advised the Board that she participated in a Medicare compliance course that provided 12 continuing education units that could be utilized during the upcoming CA renewal.

Based on this information, Dr. Chaney moved to accept CEU credits that were accumulated at the seminar; Dr. Frieman seconded and the motion was unanimously voted by the Board.

**Massage Petition(s)**

**a) Kamal Gabry, MD, (Massage Applicant) – Petition to Waive the Evaluation Component for Education and Training in a Foreign Country.**

In his petition, Dr. Gabry requests the Board waives the required verification by an independent agency of his foreign education given that he is a licensed physician in the United States. Dr. Gabry states that he is a registered doctor in the National Provider Identification Database and in the New York State Office of Professions.

Based on this information, Mr. Cox moved to waive the evaluation component and accept Dr. Gabry's New York physician's license as an evaluation of his foreign education; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

**b) Olga Evans, Non-Renewed RMP – Petition to Accept Expired CEU's for new Biennial Renewal**

In her petition, Ms. Evans requests from the Board that expired CEU's are used for the Biennial Renewal.

Based on this information, Dr. Nou moved to waive late fee; Ms. Harrison seconded, and the motion was unanimously voted by the Board.

**c) Latisha McDuffie, (Massage Applicant) – Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy.**

Ms. McDuffie petitions the Board to accept her non-accredited massage therapy training from the Bodyworks Institute, a division of the Potomac Academy of Hair Design in Manassas, VA. She has been NCBTMB certified since 2002. This massage therapy program is approved by the State Council of Higher Education for Virginia (SCHEV)

Based on this information, Dr. Chaney moved to approve Ms. McDuffie's petition to continue on with the application process for massage therapy licensure/registration; Dr. Nou seconded, and the motion was unanimously voted by the Board.

**d) Lacie Whitten, (Massage Applicant) – Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy.**

Ms. Whitten petitions the Board to accept her non-accredited massage therapy training from the Hawaii Healing Arts College School of Massage Therapy in Kailua, HI. She has been NCBTMB certified since 2007. Hawaii Healing Arts College School of Massage Therapy is approved under the Hawaii State Department of Education.

Based on this information, Dr. Chaney moved to approve Ms. Whitten's petition to continue with the application process for massage therapy licensure/registration; Dr. Frieman seconded, and the motion was unanimously voted by the Board.

**e) Yvonne Dreptate (Massage Applicant) – Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy.**

Ms. Dreptate petitions the Board to accept her non-accredited massage therapy training from the Massage Academy of the Poconos in Stroudsburg, PA. She has been NCBTMB certified since 2006. The Massage Academy of the Poconos is approved under the Commonwealth of Pennsylvania Department of Education (effective 7/2006 – 6/2016)

Based on this information, Dr. Chaney moved to approve Ms. Dreptate's petition to continue on with the application process for massage therapy licensure/registration; Dr. Frieman seconded, and the motion was unanimously voted by the Board.

**Requests for Chiropractic Trade Name Approval:**

The following chiropractic trade name requests were approved by Board motion. Dr. Frieman moved to approve; Dr. Chaney seconded, and the motions were unanimously voted by the Board:

- a) *Severna Park Family Chiropractic* – Michelle Herzog, DC
- b) *Kinnicare Chiropractic* – John Koloski, DC
- c) *Peak Performance Chiropractic* - Michael Bartel, DC
- d) *Stutman Chiropractic PC, Silver Spring and Back Pain Clinic* - Mark Stutman, DC
- e) *Mid Atlantic Chiropractic Center* - Amir Rashidian, DC
- f) *Family Chiropractic Center of Perry Hall* – Daniel Cocks, DC

**Requests for Massage Trade Name Approval:**

The following massage therapy trade name requests were approved by Board motions. Mr. Cox moved to approve; Ms. Harrison seconded, and the motions were unanimously voted by the Board:

- a) *Dennis Ossiander, RMP* – Dennis Ossiander, RMP
- b) *Simply Sublime Massage & Bodywork* – Amber Thompson, RMP
- c) *Vitality – Integrative Massage Therapy* – Michelle Buss, LMT
- d) *Essential Touch Massage Therapy* – Felicia Tenny, LMT
- e) *OC Massage Therapy* – Sharon Phillips, RMP

**FYI: Miscellaneous Correspondence for review/discussion:**

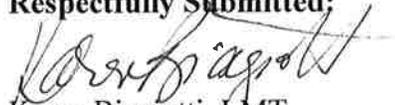
- (a) **Meeting on MD Board of PT Examiners Dry Needling Regulations – December 23, 2014**  
This subject was discussed previously by Ms. Verdis.

- (b) **Clarification on the CA's CEU's and mechanism to ensure CEU's are within their scope**  
The Board discussed the continuing education requirements for CA registration renewal. The Board agreed that CAs are permitted to take chiropractic CEUs due to the limited variety of CA continuing education course material. CAs are expected, however, to stay within the bounds of their specific scope of practice.

- (c) **Building Construction Update**  
Ms. Adrienne Congo notified the Board that building construction will continue for the next two months and that subsequent Board meetings will be conducted at the Maryland Health Care Commission in Room 100.

*Upon motion by Ms. Biagiotti, seconded by Jones Jolivet, the Board unanimously voted to close General session at 12:20pm.*

**Respectfully Submitted:**



Karen Biagiotti, LMT  
Board Secretary/Treasurer