



Paul R. LePage
Governor

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD OF CHIROPRACTIC LICENSURE
35 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0035

Anne L. Head, Esq.
Commissioner

Geraldine L. Betts
Administrator

**Maine Board of Chiropractic Licensure
Minutes of the January 20, 2016 Board Meeting**

CALL TO ORDER

Chair Morin, called the meeting to order at 9:16 A.M.

MEMBERS PRESENT

Paul Morin, Chiropractor, Chairperson
Linda Boyle, Public Member
Moshe Myerowitz, Chiropractor
Robert Lynch, Chiropractor
Joseph Kerwin, Chiropractor
Chandra Sasseville, Chiropractor

STAFF PRESENT

Katie Johnson, Assistant Attorney General
Kelly McLaughlin, Senior Consumer Assistant Specialist
Jessica Gowell, Planning and Research Associate I
Geraldine Betts, Administrator

OLD BUSINESS

Review and approval of the minutes of September 16, 2015

In a motion by Lynch, seconded by Boyle, to accept the minutes of September 16, 2015 as presented. Motion carried.

NEW BUSINESS

Adjudicatory Hearing – Cheryl Anne Veronica La Grange – 2015 CHI 11665

In a motion by Morin, seconded by Sasseville to find the applicant not in violation of 32 M.R.S. § 551 and Board Rules, Chapter 3, §§ 1(A)(2) and 1 (B)(2)(b). Motion carried.

In a motion by Lynch, seconded by Boyle to find the applicant not in violation of 32 M.R.S. § 551 and Board Rules, Chapter 3, § 1(A)(2). Motion carried.

In a motion by Boyle, seconded by Sasseville to find the applicant in violation of 32 M.R.S. §§ 551 and 552, and Board Rules, Chapter 3 § 1(B)(2)(d). Motion carried.

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OFFICE LOCATION: GARDINER ANNEX
76 NORTHERN AVENUE, GARDINER, MAINE

In a motion by Boyle, seconded by Sasseville to find the applicant not in violation of 10 M.R.S. § 8003(5-A)(A)(1). Motion carried, Morin and Lynch opposed.

In a motion by Kerwin, seconded by Boyle to find the applicant not in violation of 10 M.R.S. § 8003(5-A)(A)(4) and (5) and Board Rules Chapter 7, § 2(A) and 3(A). Motion carried, Morin and Lynch opposed.

In a motion by Morin, seconded by Sasseville to grant the license upon passage of the National Board of Chiropractic Examiners (NBCE) Special Purposes Examination for Chiropractic, which must occur within six (6) months of the date of the Decision and Order. Motion carried.

In a motion by Boyle, seconded by Sasseville to Delegate authorize to the chair; Paul Morin, to sign the Decision and Order prior to the next meeting. Motion carried.

Complaint Committee's Report

2013 CHI 9202 – Audit Report

Myerowitz recused and left the room.

The Board reviewed the first audit report presented in the matter of 2013 CHI 9202; no action was taken.

2013 CHI 9202 – Request to remove probation

In a motion by Lynch to remove the conditions of probation imposed by the Decision and Order dated July 20, 2015. Motion fails for the lack of a second.

In a motion by Boyle, seconded by Sasseville to find that the licensees in the matter of 2013 CHI 9202 have not fully met the probationary conditions of the Decision and Order. Specifically, the compliance audits of their medical records have not demonstrated a five percent (5%) or less error rate for a period of six (6) months. Motion carried, Myerowitz recused.

Board Action on Applications

Robin Linster, CR2307

In a motion by Myerowitz, seconded by Kerwin to accept staff's recommendation and grant licensure to Robin Linster, CR2307. Motion carried.

Bruce Packard, CR962 (renewal)

In a motion by Myerowitz, seconded by Kerwin, to preliminarily deny licensure to Bruce Packard, CR962, and offer a consent agreement to include the following: 1) Admission to 10 M.R.S. § 8003(5-A)(A)(4) and (5); 32 M.R.S. §553-A(2) and Board Rules Chapter 6, §(1)(A), (B) and (J); 2) \$4,800.00 fine and 3) Completion of ninety six (96) hours of continuing education to be completed within six (6) months from the date of execution of the consent agreement. The completion of continuing education does not relieve the licensee's obligation to obtain the required forty-eight (48) continuing education credits for licensure renewal period of January 1, 2016 – December 31, 2017. If the licensee fails to provide satisfactory evidence of completion of the required ninety six (96) hours to the Board within the deadline, the licensee shall immediately and voluntarily surrender his license to the Board. Motion carried.

Eleanor Rolnick, CR554

In a motion by Sasseville, seconded by Myerowitz, to preliminary deny licensure to Eleanor Rolnick, CR554, and offer a consent agreement to include the following: 1) Admission to 32 M.R.S. §553-A(2) and Board Rules Chapter 6, §(1)(A)(B) (C); 2) \$400.00 fine and 3) Completion of eight (8) hours of continuing education to be completed within six (6) months from the date of execution of the consent agreement. The completion of continuing education does not relieve the licensee's obligation to obtain the required forty-eight (48) continuing education credits for licensure renewal period of January 1, 2016 – December 31, 2017. If the licensee fails to provide satisfactory evidence of completion of the required eight (8) hours to the Board within the deadline, the licensee shall immediately and voluntarily surrender her license to the Board. Motion carried.

Roy Moore, Jr., CR1939

In a motion by Myerowitz, seconded by Sasseville to preliminary deny licensure to Roy Moore, Jr., CR1939, and offer a consent agreement to include the following: 1) Admission to 10 M.R.S. § 8003-G and 2) \$250.00 fine. Motion carried.

Dr. Lynch left the meeting.

John Gallant, CR1140

In a motion by Sasseville, seconded by Boyle to accept staff's recommendation and grant John Gallant, CR1140 a six (6) month extension to complete the continuing education requirement pursuant to Board Rule Chapter 6 Section 1(E) and (H). Motion carried.

Andrew Goesel, CR899

In a motion by Kerwin, seconded by Boyle to accept staff's recommendation and grant licensure to Andrew Goesel, CR899. Motion carried.

Discussion on Continuing Education

In a motion by Morin, seconded by Boyle to approve course number 2240 titled "DCTree and Dr. Koren Presents: Brain Based Wellness – The Emerging Chiropractic Paradigm" sponsored by Life University. Motion carried.

In a motion by Morin, seconded by Boyle to approve course number 2345 titled "Koren Specific Technique Seminars" sponsored by Sherman College. Motion carried.

In a motion by Morin, seconded by Boyle to delegate and authorize the Board Administrator to act on all continuing education applications; and designate Dr. Lynch as a consulting continuing education officer in the event that the administrative staff member has a specific question about a course.

PACE Consideration for approval

In a motion by Kerwin, seconded by Sasseville, to accept approval of Providers of Approved Continuing Education (PACE) approved courses retroactively from January 1, 2015 and accept PACE approved courses indefinitely. Motion carried, Myerowitz opposed.

Election of Officers

In a motion by Boyle, seconded by Sasseville to nominate and elect Paul Morin as Chairperson, Joseph Kerwin as Complaint Officer, Robert Lynch as Continuing Education Officer and Moshe Myerowitz as Secretary. Motion carried.

Administrator's Report

Assistant Attorney General; Andrew Black introduced Katie Johnson the new Assistant Attorney General assigned to the Board of Chiropractic Licensure.

Approval of travel to 2016 national events with the Federation of Chiropractic Licensing Boards (FCLB) and the National Board of Chiropractic Examiners (NBCE)

In a motion by Morin, second by Myerowitz to approve calendar year 2016 Board travel to Federation of Chiropractic Licensing Boards, Inc. (FCLB) events as follows;

1. Annual Conference: April 27th, 2016 through May 1st, 2016 in Phoenix, AZ.
2. Fall District Conference: In September, 2016 in Nashville, TN.

To approve calendar year 2016 Board travel to National Board of Chiropractic Examiners (NBCE) events as follows;

1. Annual Delegate Meeting: April 29th, 2016 in Phoenix, AZ. (During FCLB Conference).
2. Part III Test Committee meeting: February 25th to February 28th, 2016 in Greeley, CO.
3. Part IV Practical Examinations: May 13th to 16th, 2016 (Locations to be determined).
4. Part IV Test Committee meeting: June 9th to 12th, 2016 in Greeley, CO.
5. Part IV Practical Examinations: November 11th to 14th, 2016 (Locations to be determined).

Motion carried.

In a motion by Morin, second by Sasseville to designate delegates for 2016 to the FCLB and the NBCE as follows; Paul Morin, D.C., as the delegate to FCLB and Joseph Kerwin, D.C., as the alternate delegate to FCLB; Paul Morin, D.C., as the delegate to NBCE and Joseph Kerwin, D.C., as the alternate delegate to NBCE. Motion carried.

Adjournment

There being no further business Myerowitz motioned to adjourn at 5:22 p.m., seconded by Boyle. Motion carried.