

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS
124 HALSEY STREET, 6TH FLOOR
SOMERSET ROOM
NEWARK, NEW JERSEY
PUBLIC SESSION MINUTES
THURSDAY, FEBRUARY 28, 2008**

A meeting of the New Jersey Board of Chiropractic Examiners was held February 28, 2008 at the State Office Building, 124 Halsey Street, 6th floor, Newark New Jersey. The meeting was convened in accordance with the provision of the Open Public Meetings Act with previous notification having been sent to the Secretary of State and the following publications: The Bergen Record, Newark Star Ledger, Camden Courier Post, Trenton Times and Asbury Park Press to advise of the scheduling of this meeting. The meeting was called to order by Albert Stabile Jr., D.C., President of the Board, at 9:30 AM.

ATTENDANCE

PRESENT: Drs.' Stabile Jr., Calio, Rada, Krouse, Spadafino, Senatore, Kostinas, Murphy and Mr. Traier

EXCUSED: Dr. O' Connor

ALSO PRESENT: DAG John Hugelmeyer, Executive Director Jonathan Eisenmenger, & Recording Secretary Sonya Liverpool

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF DECEMBER 20, 2007

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE THE PUBLIC SESSION MINUTES OF DECEMBER 20, 2007 MEETING AS AMENDED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

II. APPROVAL OF THE PUBLIC SESSION MINUTES OF JANUARY 24, 2008

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. KOSTINAS, TO APPROVE THE PUBLIC SESSION MINUTES OF JANUARY 24, 2008 MEETING AS AMENDED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

III. NEW BUSINESS

A. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS

The Board reviewed the January 2008 President's letter to the Board.

This was accepted as informational.

B. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS

The National Board of Chiropractic Examiners May 16-18, 2008 Part IV Examination instructions are attached for Board review.

This was accepted as informational.

C. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS

The 2008 annual business meeting and luncheon of NBCE State Delegates will be held on May 2, 2008 at the Renaissance Atlanta Hotel in Atlanta, Georgia. An invitation to attend was attached, the deadline for submissions is April 18, 2008.

This was accepted as informational.

D. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS DISTRICT DIRECTOR'S REPORT

This was accepted as informational.

E. FEDERATION OF CHIROPRACTIC LICENSING BOARDS

This was accepted as informational.

F. ASSOCIATION OF CHIROPRACTIC BOARD ADMINISTRATORS

This was accepted as informational.

G. JOHN W. LEARDI, ESQ. ON BEHALF OF ASSOCIATION OF NJ CHIROPRACTORS

DAG John Hugelmeyer suggested that the Board send a letter to the Association of NJ Chiropractors, stating: "The Board attempted to identify inappropriate managed care criteria in the rendering of chiropractic care as requested by the FCLB."

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. CALIO, TO HAVE THE MEMBERS OF THE BOARD'S AD-HOC COMMITTEE MEET FOLLOWING THE CONCLUSION OF THE NEXT BOARD MEETING AND TO RESPOND TO THE ANJC USING DAG HUGELMEYER'S SUGGESTED RESPONSE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

IV. APPLICATIONS

A. WARREN ALBERT, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. SENATORE, TO HAVE DR. ALBERT SEND A LETTER OF EXPLANATION

REGARDING THE REASON AS TO WHY HE STATED HE HAS AN ILLINOIS LICENSE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. AYAZ A. SHAH, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KOSTINAS, TO APPROVE DR. SHAH'S CERTIFICATION FOR ELECTRO-DIAGNOSTIC. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

C. RODNEY HOLDGRAFER, D.C. (INITIAL)

This matter was tabled on January 24, 2008, pending the receipt of an explanation concerning Dr. Holdgrafer's arrest. Attached for Board review is Dr. Holdgrafer's handwritten explanation.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. SPADAFINO, TO ACCEPT DR. HOLDGRAFER'S EXPLANATION AND APPROVE HIS APPLICATION FOR LICENSURE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

D. JASON M. PAGLIARINI, D.C. (INITIAL)

A MOTION WAS MADE BY DR. CALIO, WHICH WAS SECONDED BY DR. RADA, TO APPROVE DR. PAGLIARINI'S APPLICATION FOR LICENSURE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

E. DAVID BEIM, D.C. (INITIAL)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. SPADAFINO, TO APPROVE DR. BEIM'S APPLICATION FOR LICENSURE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

F. ROBERT A. BRENDEL, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE, TO HAVE DR. BRENDEL TAKE AND PASS THE SPEC EXAM IN ORDER TO OBTAIN BOARD APPROVAL FOR REINSTATEMENT AS REQUESTED BY N.J.S.A. 13:44e-1A.4F. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

V. INQUIRIES

A. BLASE J. TOTO, D.C.

Dr. Toto appeared before the Board to give an update to his submission.

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. SPADAFINO, TO REFER THIS MATTER TO THE RULES & REGULATIONS COMMITTEE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. LEONARDO PIERRO, JR., PT

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. KROUSE, TO SEND A LETTER TO MR. PIERRO STATING THAT A CHIROPRACTOR CANNOT USE THE TERM "PHYSICAL THERAPY" BUT INSTEAD USE THE TERM PHYSIO MODALITIES IN CONJUNCTION WITH ADJUSTMENT. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

C. LEE S. BEFELER, ESQ.

RE: CHIROPRACTIC CARE, PC AND DR. MICHAEL HADDAD A/S/O
GEORGE IBRAHIM VS. 21ST CENTURY INSURANCE

A MOTION WAS MADE BY DR. KOSTINAS, WHICH WAS SECONDED BY DR. KROUSE, TO RESPOND TO MR. BEFELER'S LETTER IN STATING THAT THE CHIROPRACTIC BOARD DOES NOT ANSWER BILLING QUESTIONS AND REFER HIM TO THE DEPARTMENT OF BANKING AND INSURANCE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

D. BRENDA L. ROONEY, D.C.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY MR. TRAIER, TO REFER THIS MATTER TO THE AD-HOC COMMITTEE ON MANAGED CARE CRITERIA. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

E. KARA MURRAY

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. SENATORE, TO REPLY

ANSWERING QUESTION # 1 'NO, AND WE DO NOT USE THE TERM PHYSICAL THERAPY -WE ONLY USE THE TERM PHYSICAL MODALITIES IN TERMS OF ADJUSTMENT'; QUESTION #2 'NO'; QUESTION # 3 ' YES ONLY IF CALORICS REFERS TO HOT/COLD THERAPY'; QUESTION # 4 'YES, ONLY IN CONJUNCTION WITH ADJUSTMENTS'. A VOTE WAS TAKEN AND THE MOTION PASSED WITH 8 MEMBERS VOTING IN FAVOR AND 1 ABSTENTION (DR. KROUSE).

VI. DISCIPLINARY MATTERS

A. GLENN GREICO, D.C.

The Board reviewed a Consent Order filed February 6, 2008.

The was accepted as informational.

B. JAMES L. WOLF, D.C.

The Board reviewed a final assessment, report and evaluation for Dr. Wolf provided by the Center for Personalized Education for Physicians (ProBE Program).

The was accepted as informational.

C. JASON GUERRIERO-VILLANI, D.C.

The Board reviewed a final assessment, report and evaluation for Dr. Guerriero-Villani provided by the Center for Personalized Education for Physicians (ProBE Program).

The was accepted as informational.

D. PAUL ROSES, D.C.

The Board reviewed a final assessment, report and evaluation for Dr. Roses provided by the Center for Personalized Education for Physicians (ProBE Program). Dr. Roses has not satisfied the Consent Order and must re-take the course or take the Prime ethics course.

No Motion needed at this time.

VII. PUBLIC COMMENT

RICHARD HERBERT, D.C.

Dr. Herbert appeared before the Board and made a request to expedite his reinstatement application. Dr. Herbert was told that he must follow the reinstatement process and work with the Board office to determine what his application file was lacking.

ADJOURNMENT

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. SENATORE, TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING APPLICATIONS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. SPADAFINO, TO RETURN TO PUBLIC SESSION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE, TO GO INTO EXECUTIVE SESSION TO CONSIDER PENDING CONSUMER COMPLAINTS, INSURANCE

REFERRALS, ENFORCEMENT BUREAU REPORTS & MISCELLANEOUS MATTERS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

Respectfully Submitted,

Jonathan Eisenmenger
Executive Director