

**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, MARCH 26, 2009**

A meeting of the New Jersey Board of Chiropractic Examiners was held March 26, 2009 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 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 9:40 AM.

ATTENDANCE

PRESENT: Drs. Stabile Jr., Rada, O'Connor, Krouse, Senatore, Kostinas, Calio, (Dr. Murphy-arrived at 9:45 a.m.) and (Mr. Traier-arrived at 10:45 am)

EXCUSED: Dr. Spadafino

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

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF FEBRUARY 26, 2009

A MOTION WAS MADE BY DR. KOSTINAS, WHICH WAS SECONDED BY DR. SENATORE, TO APPROVE THE PUBLIC SESSION MINUTES OF THE FEBRUARY 26, 2009 MEETING AS AMENDED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

II. EXECUTIVE DIRECTOR'S REPORT

A report on the number of applications received and licenses issued to date in January 2009:

Applications received - 19

Licenses issued - 7

III. NEW BUSINESS

A. NOMINATIONS FOR BOARD OFFICERS

Nominations of Board officers were made for the 2009-2010 year. The nominations are as follows:

President - Albert Stabile, D.C. & Michael Krouse, D.C.

Vice President - James Kostinas, D.C.

Secretary - Mary-Ellen Rada, D.C.

Treasurer - Mr. John Traier

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE TO CLOSE NOMINATIONS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

IV. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS

A. DISTRICT DIRECTOR'S REPORT

This was accepted as informational.

B. PART IV PRACTICAL EXAMINATION TEST COMMITTEE MEETING

Dr. Stabile will be attending this meeting.

This was accepted as informational.

C. 2009 ANNUAL BUSINESS MEETING & LUNCHEON

This was accepted as informational.

D. 6TH ANNUAL STUDENT LEADERS LEADERSHIP FORUM

This was accepted as informational.

V. FEDERATION OF CHIROPRACTIC LICENSING BOARDS

A. FCLB DELEGATE & ALTERNATE VOTING REGISTRATION

Dr. O'Connor is the delegate and Dr. Stabile is the alternate.

VI. AMERICAN CHIROPRACTIC ASSOCIATION

This was a report in regards to grand fathering nutritional certificate holders.

This was accepted as informational.

VII. APPLICATIONS FOR LICENSURE

A. JOSEPH ZDANOWSKI, D.C. (INITIAL)

This matter was tabled at the February 26, 2009 Board meeting. The Board reviewed Dr. Zdanowski's student loan information & National Board scores.

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

B. SEIICHIRO ANDO, D.C. (INITIAL)

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

C. EDWARD C. ZULLO, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. CALIO, WHICH WAS SECONDED BY DR. O'CONNOR, TO HAVE DR. ZULLO TAKE THE SPEC EXAM. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

D. RICHARD J. HERBERT, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. CALIO, TO APPROVE DR. HERBERT'S APPLICATION FOR REINSTATEMENT. A VOTE WAS TAKEN AND THE MOTION PASSED WITH SIX MEMBERS VOTING IN FAVOR AND ONE ABSTENTION (DR. KROUSE).

E. GIL COLEMAN, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS, TO APPROVE DR. COLEMAN'S APPLICATION FOR REINSTATEMENT. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

F. KENNETH M. GROSS, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE DR. GROSS' ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

G. THEODORE M. KOZIOL, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE DR. KOZIOL'S ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

H. KEITH G. SCHNAPPAUF, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE DR. SCHNAPPAUF'S ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

I. MICHELLE R. NUBOFF, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE DR. NUBOFF'S ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

J. ANTHONY M. DiNONNO, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE DR. DiNONNO'S ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

HANDOUTS

K. KEVIN THOMAS SMITH, D.C. (ELECTRO-DIAGNOSTIC)

L. JOHN FRANK MARULLO, D.C. (ELECTRO-DIAGNOSTIC)

M. JAMES A. MARSHALL, D.C. (ELECTRO-DIAGNOSTIC)

N. EMILIO ANTHONY GRUGNALE, D.C. (ELECTRO-DIAGNOSTIC)

O. FRANK G. BELVERIO, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. RADA, TO APPROVE ALL ELECTRO-DIAGNOSTIC APPLICATION HAND-OUTS (AS A GROUP) FOR LICENSURE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VIII. OPEN DISCIPLINARY MATTERS

A. MARK A. RADOWITZ, D.C.

The Board reviewed a Provisional Order of Discipline filed by the Board on July 27, 2006. Dr. Radowitz's license was revoked by Consent Order of the Court, dated April 21, 2006. The Board's issued a P.O.D. but it was not finalized.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. O'CONNOR, TO ADMINISTRATIVELY CLOSE THIS MATTER & FLAG THE FILE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. CHRISTIAN LEVANDUSKI, D.C.

The Board reviewed an Interim Consent Order filed by the Board on February 19, 2009.

This was accepted as informational.

C. ALEXANDER CARAPLIS, D.C.

The Board reviewed a Final Order of Discipline filed by the Board on March 13, 2009.

This was accepted as informational.

D. MARC CENTRELLI, D.C.

The Board reviewed an inquiry from Russell L. McIntyre, on behalf of the Robert Wood Johnson Medical School dated February 17, 2009.

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KROUSE, TO SEND A COPY OF THE PUBLIC ORDER TO MR. McINTYRE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

E. PETER STEINMETZ, D.C.

The Board reviewed an assessment report filed by Professional Assistance Program of NJ dated February 27, 2009.

This was accepted as informational.

F. JOSEPH J. FRASCO, D.C.

The Board reviewed an approval for x-ray courses.

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. RADA, TO SEND DR. FRASCO A LETTER STATING THAT 1) HE NEEDS TO TAKE THE APPROVED 10 HOUR COURSE (ON PAGE 2) AS WELL AS THE 4 HOUR MRI COURSE 2) THE 12 HOUR COURSE IN MARYLAND IS APPROVED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

G. DAVID RENDELSTEIN, D.C.

The Board reviewed an approval for x-ray courses.

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. O'CONNOR, TO DECLINE THE ONLINE COURSE AND SEND DR. RENDELSTEIN A LETTER STATING THAT HE NEEDS TO ATTEND AN IN-PERSON COURSE AND ALSO, SEND HIM A COPY OF DR. FRASCO'S MARYLAND COURSE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL

MEMBERS PRESENT VOTING IN FAVOR.

H. SAMUEL SBARRA, D.C.

(Dr. Rada recused)

(DAG Nancy Costello-Miller sat in for DAG John Hugelmeyer)

The Board reviewed a response from Dr. Sbarra's lawyer, William Strazza, about the Suspension or Revocation of Dr. Sbarra's license.

The Board fully considered the record, including information submitted by counsel, as well as the Attorney General's response. The Board has determined that there has not been sufficient mitigation presented to it to modify the P.O.D., nor provided evidence that would warrant a hearing.

A MOTION WAS MADE BY DR. CALIO, WHICH WAS SECONDED BY DR. KOSTINAS, TO FINALIZE THE P.O.D. AS DRAFTED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VIII. INQUIRIES

A. JEFFREY B. ROISTACHER D.C.

The Board reviewed a follow-up letter from Dr. Roistacher's attorney, Jeffrey Randolph, Esq..

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. O'CONNOR, TO REFER THIS MATTER TO THE STATE BOARD MEDICAL OF EXAMINERS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. STEPHEN J. PRESS, D.C.

The Board reviewed a complaint of unlicensed practice pursuant to N.J.S.A. 45:9-14.5. The Board is not aware of any criminal provision that would address this matter.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KOSTINAS, TO REFER THIS MATTER TO THE DIVISION AS A POTENTIAL TOPIC FOR "CONSUMER BRIEFS". A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

IX. APPEARANCES

A. FRANCA DiLISIO, D.C. (10:00 AM - REINSTATEMENT)

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

HANDOUTS

A. "CHIROPRACTORS TAKE DOWN ROBBER" (ARTICLE)

The Board reviewed an article concerning Drs.' James Hubert & Terry Watts. Both doctors took down a thief in their town of Clifton, NJ. The Board would like to award both doctors with some sort of commendation or resolution. The Executive Director will speak with the Division's Director about scheduling an event.

ADJOURNMENT

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS, TO GO INTO EXECUTIVE SESSION (11:15 A.M.) TO CONSIDER TWO OPEN DISCIPLINARY MATTERS, TWELVE PIC SUMMARIES, ONE CONSUMER COMPLAINT, TWO REFERRALS FROM OTHER AGENCIES AND THREE MISCELLANEOUS MATTERS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

Respectfully Submitted, Jonathan Eisenmenger Executive Director