

**STATE OF NEW JERSEY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF CHIROPRACTIC EXAMINERS  
124 HALSEY STREET  
NEWARK, NEW JERSEY  
PUBLIC SESSION MINUTES  
THURSDAY, MARCH 26 , 2015**

A meeting of the New Jersey Board of Chiropractic Examiners was held on March 26, 2015 at the State Office Building, 124 Halsey Street, 7<sup>th</sup> floor, Newark, New Jersey in the Somerset Conference Room on the 6<sup>th</sup> floor. The meeting was convened in accordance with the provisions 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 David Allen, D.C., President of the Board, at 9:35 A.M. A roll call was taken and the following attendance was recorded and a quorum was present:

<b>David A. Allen, D.C.</b>	<b>Present</b>
<b>Rosemary Calio, BSN, RN, D.C.</b>	<b>Present</b>
<b>Paul Lyons, D.C.</b>	<b>Present</b>
<b>Lawrence O'Connor, D.C.</b>	<b>Present</b>
<b>Thomas A. Senatore, Sr., D.C.</b>	<b>Present</b>
<b>Albert Stabile, Jr., D.C.</b>	<b>Excused</b>
<b>John Traier</b>	<b>Absent</b>
<b>Brett A. Wartenberg, D.C.</b>	<b>Present</b>
<b>James L. Winters, D.C.</b>	<b>Present</b>

Also present were: **Virginia Class-Matthews, Deputy Attorney General; Lisa Tadeo, Executive Director; and Tracy Steel, Board Staff.**

**I. APPROVAL OF THE PUBLIC SESSION MINUTES OF JANUARY 22, 2015**

A motion was made by Dr. O'Connor, which was seconded by Dr. Senatore, to approve the public session minutes from the January 22, 2015 Board meeting as amended. A vote was taken and the motion passed with all members voting in favor.

**II. CONTINUING EDUCATION COMMITTEE**

The continuing education committee reviewed 126 courses submitted by continuing education sponsors. The committee recommended that 121 courses be approved based on the information submitted for these courses. The committee identified 4 courses where sponsor will be requested to provide additional information. A motion was made by Dr. O'Connor and seconded by Dr. Winters, to approve the 121 courses as recommended by the committee. A vote was taken and motion passed with all members present voting in favor.

A. The Institute for Continuing Education  
- Ethics and Recordkeeping Chiropractic

The Institute for Continuing Education asked the Board to increase the number of credits approved for its course, "Ethics and Recordkeeping Chiropractic" from 2 credits to 3 credits. The Institute for Continuing Education provided the Board with a revised course outline.

A motion was made by Dr. Calio, which was seconded by Dr. O'Connor to approve the course, "Ethics and Recordkeeping Chiropractic" for 3 credits. A vote was taken and the motion passed with all members present voting in favor.

B. Sherman College of Chiropractic  
- New Beginnings Family Weekend

The Board reviewed the course, "New Beginnings Family Weekend" and noted that Sherman College of Chiropractic requested that it be approved for 12 credits but the outline that they provided only supported 10 credits.

A motion was made by Dr. O'Connor, which was seconded by Dr. Wartenberg to approve the course, "New Beginnings Family Weekend" for 10 credits. A vote was taken and the motion passed with all members present voting in favor.

**III. NEW BUSINESS**

Upon a motion made by Dr. O'Connor, which was seconded by Dr. Calio, the Board voted to go into Executive Session to review and discuss applications for licensure and reinstatement. The motion carried by a unanimous vote. The Board returned to public session to continue the meeting and vote on the applications for licensure and reinstatement.

A. Application for Reinstatement

1. Robert S. Super, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Lyons, to approve Dr. Super's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

2. William Knodel, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Lyons, to approve Dr. Knodel's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

3. Sheila Stevens, D.C.

A motion was made by Dr. Winters, which was seconded by Dr. Lyons, to approve Dr. Steven's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

4. Samuel Evenstein, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Lyons, to request that Dr. Evenstein appear before the Board to discuss his application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

5. Allan Laird, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to inform Dr. Laird that he must take and pass the Special Purposes Examination for Chiropractic (SPEC) as he has not practice chiropractic in five years or more. Dr. Laird will also be informed that he must complete the continuing education requirement. A vote was taken and the motion passed with all members present voting in favor.

6. Nicholas Sottiriou, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to inform Dr. Sottiriou that the Board did not approve his application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

B. Application for Chiropractic Licensure

1. Kelli M. Velez

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Velez's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

2. Sean McLean

A motion was made by Dr. O'Connor, which was seconded by Dr. Lyons, to approve Dr. McLean's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

3. Guy Guerriero

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to approve Dr. Guerriero's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

4. Thomas Dow (Endorsement)

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Dow's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

5. Randy Stephan

A motion was made by Dr. Calio, which was seconded by Dr. Senatore, to request additional information from Dr. Stephan. A vote was taken and the motion passed with all members voting in favor.

C. Inquiry from Ayaz Shah, D.C.  
RE: Scope of Practice

An inquiry was submitted by Dr. Shah regarding whether he was permitted to perform Musculoskeletal Ultrasound (MSK) a non-invasive diagnostic test for cervical spine and lumbar spine as he completed a 10 AMA credit course administered by Thomas Jefferson University.

A motion was made by Dr. Calio, which was seconded by Dr. O'Connor, to request that Dr. Shah provide the Board with the detailed course outline of the Thomas Jefferson University course that he completed. A vote was taken and motion passed with all members voting in favor.

D. Inquiry from Lawrence Froncek  
RE: Advertising

Mr. Froncek informed the Board that ChiroTrust has a consumer-oriented site about Chiropractic and they wanted to add a "Find a Chiropractor Near You" type section where consumers can type in their zip code to find a chiropractor near them who have a membership with ChiroTrust. Mr. Froncek inquired whether this was permissible.

A motion was made by Dr. O'Connor which was seconded by Dr. Senatore, to refer Mr. Froncek to the Advertising Regulation N.J.A.C. 13:44E 2.1. A vote was taken and the motion passed with all members present voting in favor.

- E. Inquiry from Erton Averion, D.C.  
RE: Scope of Practice

Dr. Averion is inquiring as to whether he can speak to coaches of a local recreational club regarding safety during soccer games and to be present during practices and games as medical staff. Dr. Averion inquired if he needed a special certificate or if this type of activity would fall under his chiropractic license.

A motion was made by Dr. O'Connor, which was seconded by Dr. Senatore, to inform Dr. Averion that although he doesn't need a certificate, he needs to stay within the scope of practice of chiropractic and he needs to be knowledgeable about the subjects discussed. A vote was taken and the motion passed with all members present voting in favor.

- F. Inquiry from Lisa Blake, D.C.  
RE: Rules and Regulations

Dr. Blake informed the Board that her New Jersey chiropractic license is on inactive status. Dr. Blake inquired whether she can charge neighbors for lifestyle counseling. She will not be performing an exam, spinal manipulation or physical modalities.

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to inform Dr. Blake that a licensee who is on inactive status shall not practice chiropractic. A licensee must have an active license in order to practice chiropractic. A vote was taken and the motion passed with all members present voting in favor.

- G. Inquiry from John Feggeler, Esq  
RE: Permissible practice structures

Mr. Feggeler informed the Board that he has a client who is interested in operating as the employer of other chiropractors. Mr. Feggler informed the Board that his client's chiropractic license and tax ID number would be utilized and his client would pay the employees. Mr. Feggler inquired whether this type of arrangement was permissible.

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to refer Mr. Feggeler to the Permissible Business Structure Regulations N.J.A.C. 13:33E 2.15. A vote was taken and the motion passed with all members present voting in favor.

- H. Inquiry from Ingrid Cook  
RE: Scope of Practice

Ms. Cook inquired as to whether the use of a laser device called Strawberry Lipo Laser was within the scope of chiropractic practice in New Jersey.

A motion was made by Dr. Calio, which was seconded by Dr. Lyons, to inform Ms. Cook that the laser may be used provided it is related to chiropractic care. A vote was taken and the motion passed with all members present voting in favor.

- I. Inquiry from Annette Quandt  
RE: Continuing Education

Ms. Quandt wrote to the Board on behalf of Robert J. Dorn, Jr., D.C. Ms. Quandt inquired whether Dr. Dorn was qualified to give nutritional advice or administer nutritional supplements in the State of New Jersey based upon courses that he has completed between 1990 and 2013.

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to refer Ms. Quandt to the continuing education statutes and regulations. A vote was taken and the motion passed with all members present voting in favor.

- J. Inquiry from Andy Circelli, D.C.  
RE: Continuing Education

Dr. Circelli inquired whether Kinesiotaping is within the scope of chiropractic practice in New Jersey.

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to inform Dr. Circelli that Kinesiotaping is within the scope of chiropractic practice. A vote was taken and the motion passed with all members present voting in favor.

- K. 10:00 A.M. Presentation by Robert Campanelli, Ethics Officer of the Division of Consumer Affairs.

The Board attended an ethics presentation which was presented by Robert Campanelli, Ethics Officer of the Division of Consumer Affairs.

## **V. BOARD ELECTIONS**

Mrs. Tadeo called for nominations for President of the Board and a motion was made by Dr. Calio, which was seconded by Dr. Lyons, to nominate Dr. Allen. Mrs. Tadeo called for further nominations and there were none.

Mrs. Tadeo called for nominations for Vice President of the Board and a motion was made by Dr. Senator, which was seconded by Dr. Lyons, to nominate Dr. Winters. Mrs. Tadeo called for further nominations and a motion was made by Dr. Allen, which was seconded by Dr. Winters, to nominate Dr. O'Connor. Mrs. Tadeo called for further nominations and there were none.

Mrs. Tadeo called for nominations for Secretary of the Board and a motion was made by Dr. Allen, which was seconded by Dr. Senatore, to nominate Dr. Lyons. Mrs. Tadeo called for further nominations and there were none.

Mrs. Tadeo called for nominations for Treasurer of the Board and a motion was made by Dr. Allen, which was seconded by Dr. Senatore, to nominate Dr. Wartenberg. Mrs. Tadeo called for further nominations and there were none.

Election of officers for April of 2015 through April of 2016 will be held at the Board's April 23, 2015 meeting.

## **VI. INFORMATIONAL**

- A. Consent Order of Reinstatement Filed March 12, 2015  
RE: Yanal Kazan, D.C.

The Board reviewed a Consent Order of Reinstatement Filed March 12, 2015 in the matter of Yanal Kazan, D.C. and considered this to be informational.

## **ADJOURNMENT**

The Board returned to Public Session and a motion was made by Dr. O'Connor which was seconded by Dr. Senatore to adjourn the meeting at 1:15 P.M. A vote was taken and the motion passed with all members present voting in favor.

Respectfully submitted,

Lisa Tadeo  
Executive Director