

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS
124 HALSEY STREET
NEWARK, NEW JERSEY**

**PUBLIC SESSION MINUTES
THURSDAY, APRIL 26, 2012 (9:30 A.M.)
MONMOUTH ROOM, 7TH FLOOR**

A meeting of the New Jersey Board of Chiropractic Examiners was held on April 26, 2012 at the State Office Building, 124 Halsey Street, 7th 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 10:00 A.M..

ATTENDANCE

PRESENT: Drs.' Allen, Calio, Krouse, O'Connor, Senatore, Stabile, Spadafino, and Winters

EXCUSED: Mr. Traier

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

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF MARCH 22, 2012

A motion was made by Dr. Senatore, which was seconded by Dr. Allen, to approve the public session minutes of March 22, 2012 with one amendment- Dr. Berkowitz, who spoke during the public comment portion, first name is Robert not Richard. A vote was taken and the motion passed with all members present voting in favor.

II. EXECUTIVE DIRECTOR'S REPORT

III. NJ HEALTH BENEFIT EXCHANGE ACT - ASSEMBLY No. 2171

Received as informational

IV. REQUEST -"DO NOT SOLICIT" LIST FOR ACCIDENT VICTIMS

Send letter to the City of Clifton stating that the Board is dismayed/concerned with the way the chiropractic profession seems to be singled out from the rest of the health care professions. The Board suggests that you change the language of the resolution to read that "Lawyers and Health Professionals"

V. C.E. COMMITTEE

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve the recommendations of the committee. A vote was taken and the motion passed with all members present voting in favor.

VI. APPLICATIONS FOR LICENSURE

A. CARLA J. MILLER, D.C. (INITIAL)

*** Table to request more information - Her resume states that her license lapsed in 2007, but she did not close her practice until 2010. What was she doing during the time her license was lapsed in Georgia? Are you able to own a practice in Georgia without a license in Georgia?**

B. SCOTT E. YORKER, D.C. (REINSTATEMENT)

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

C. ROBERT DESAPIO, D.C. (REINSTATEMENT)

A motion was made by Dr. O'Connor, which was seconded by Dr. Senatore, to schedule Dr. DeSapio for a full board appearance. Also, request information about the conditions placed on Dr. DeSapio by the Florida Board. A vote was taken and the motion passed with all members present voting in favor.

D. ANTONIO MANCARELLA, D.C. (ENDORSEMENT)

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

E. PETER STEINMETZ, D.C. (REINSTATEMENT)

A motion was made by Dr. Allen, which was seconded by Dr. Calio, to table the application. Dr. Steinmetz must first take and pass the SPEC exam, then the Board will reconsider the application. A vote was taken and the motion passed with all members present voting in favor.

VII. OPEN DISCIPLINARY MATTERS

A. JOHN ROTUNDO, D.C.

The Board reviewed an assessment report/ request & evaluation filed by the Professional Assistance Program on March 1, 2012.

This was received as informational.

B. JOHN LANGERAAP, D.C.

The Board reviewed an assessment report/ request & evaluation filed by the Professional Assistance Program on March 1, 2012.

A motion was made by Dr. O'Connor, which was seconded by Dr. Spadafino, to remove any remaining restrictions on Dr. Langerap's license. A vote was taken and the motion passed with all members present voting in favor.

C. ERIC RODRIGUEZ, D.C.

The Board reviewed an assessment report/ request & evaluation filed by the CPEP on February 24, 2012.

This was accepted as informational.

D. ANTHONY LaRUSSO, D.C.

The Board reviewed a Consent Order filed on April 17, 2012.

This was accepted as informational.

VIII. INQUIRIES

A. FREDERICK PDAVANO, D.C.

Dr. Padavano inquired about whether he may enter a business relationship with a non-healthcare professional.

*** Refer Dr. Padavano to the practice structure regulations - N.J.A.C. 13:44E - 2.15**

B. NICHOLAS MARINI, D.C.

Provide pro-bono work with the Catholic church.

A motion was made Dr. Senatore, which was seconded by Dr. Allen, to request additional information - what are the procedures you will use to perform an examination, document the patient treatment, maintain records, bill patients and/or insurance companies, etc.. A vote was taken and the motion passed with all members present voting in favor.

C. ELIZABETH NAPIER

Concerning needle EMGs

A motion was made by Dr. Calio, which was seconded by Dr. Senatore, that chiropractors are not permitted to perform needle EMGs in the State of New Jersey. Refer her to the electro-diagnostic regs.. The Board does not give legal advice to private individuals, and she should consult with a private attorney. A vote was taken and the motion passed with all members present voting in favor.

D. TIMOTHY SCHWEN

Use of ultrasound for weight loss

*** This is outside of the scope of practice.**

E. AL ORLANDI, DEPT. OF ENVIRONMENTAL PROTECTION

Several questions about the use of fluoroscopic x-ray equipment during a pain management procedure. Specifically, is a chiropractor permitted to perform fluoroscopy procedures under the direction of a medical doctor; is a chiropractor permitted to perform bone density procedures such as DEXA for osteoporosis;

*** The Board will table this inquiry in order for the DAG to conduct further research on the laws and regulations.**

F. ELYSE McNERGNEY

Can a D.C. direct an exercise physiologist in “spine stabilization” exercise.

A chiropractor may have an exercise physiologist assist them, but the chiropractor may not delegate this modality to an unlicensed individual. Refer to NJAC 13:44E-2.7.

Election of Board officers for the 2012-2013 year

Treasurer: Michael Spadafino, D.C.

Secretary: James Winters, D.C.

Vice President: James Allen, D.C.

President: Albert Stabile, D.C.

No other nominations were made since the March meeting. Nominations were closed.

The officers were elected by unanimous consent.

ADJOURNMENT

A MOTION WAS MADE BY DR. WINTERS, WHICH WAS SECONDED BY DR. SENATORE, TO GO INTO EXECUTIVE SESSION AT 10:45 A.M., TO CONSIDER TWO CONSUMER COMPLAINTS AND THREE REFERRALS FROM OTHER AGENCIES. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

Respectfully Submitted,

Jonathan Eisenmenger
Executive Director

/s/