

**STATE OF NEW JERSEY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF CHIROPRACTIC EXAMINERS  
124 HALSEY STREET  
NEWARK, NEW JERSEY  
PUBLIC SESSION MINUTES  
THURSDAY, MAY 22, 2014**

A meeting of the New Jersey Board of Chiropractic Examiners was held on May 22, 2014 at the State Office Building, 124 Halsey Street, 7<sup>th</sup> floor, Newark, New Jersey in the Monmouth Room on the 7<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 9:55 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>Michael Krouse, 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>Michael Spadafino, D.C.</b>	<b>Present</b>
<b>Albert Stabile, Jr., D.C.</b>	<b>Present</b>
<b>John Traier</b>	<b>Absent</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 APRIL 24, 2014**

A motion was made by Dr. O'Connor which was seconded by Dr. Senatore, to approve the public session minutes from the April 24, 2014 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 38 courses submitted by continuing education sponsors. The committee recommended that 37 courses be approved based on the information submitted for these courses. The committee identified 1 course where sponsor will be requested to provide additional information. A motion was made by Dr. Senatore and seconded by Dr. Krouse, to approve the 36 courses as recommended by the committee. A vote was taken and motion passed with all members present voting in favor.

The Board reviewed a course on hypnosis. A motion was made by Dr. Calio and seconded by Dr. Senatore to approve the hypnosis course. A vote was taken and Dr. O'Connor opposed while all others voted in favor. The motion passed by a majority vote. The hypnosis course was one of the 37 courses recommended by the committee for approval.

### **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 Board returned to public session to continue the meeting and vote on the applications for licensure and reinstatement.

#### **A. Application for Chiropractic Licensure**

##### **1. Thomas Faustino (Endorsement)**

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

##### **2. Kyle O'Connell**

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

#### **B. Application for Reinstatement**

##### **1. Frank Belverio, D.C.**

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

##### **2. Lawrence Peters, D.C.**

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

3. Mital Gohel, D.C.

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

4. Michael Manno, D.C.

A motion was made by Dr. Senatore, which was seconded by Dr. Stabile to request that Dr. Manno appear before the Board to discuss his reinstatement application. A vote was taken and the motion passed with all members present voting in favor.

C. Electrodiagnostic Application

1. Yigal Sasan, D.C.

A motion was made by Dr. Stabile, which was seconded by Dr. Senatore to approve Dr. Sasan's Electrodiagnostic application. A vote was taken and the motion passed with all members present voting in favor.

D. Inquiry from Wendy Gilmore  
RE: Scope of Practice

An inquiry was made by Ms. Gilmore, whether it is within the scope of practice for Chiropractors to perform pap smears and prostate exams.

A motion was made by Dr. O'Connor, which was seconded by Dr. Spadafino, to inform Ms. Gilmore that pap smears and prostate exams are not within the chiropractic scope of practice. A vote was taken and the motion passed with all members present voting in favor.

E. Inquiry from Ronald Merriel, D.C.  
RE: Refund of Reinstatement Fees

An inquiry was made by Dr. Merriel, requesting a refund of his reinstatement fees from January 2011.

A motion was made by Dr. O'Connor, which was seconded by Dr. Spadafino, to deny Dr. Merriel refund request. A vote was taken and the motion passed with all members present voting in favor.

- F. Inquiry from Manal Mena, D.C.  
RE: Biofeedback

An inquiry was made by Dr. Mena. He inquired if he can incorporate biofeedback as part of his Chiropractic treatments to address chronic pain and Fibromyalgia.

A motion was made by Dr. O'Connor, which was seconded by Dr. Spadafino, to inform Dr. Mena that he can incorporate biofeedback provided he is properly trained. A vote was taken and the motion passed with all members present voting in favor.

- G. Inquiry from William Judge  
RE: Biofeedback Billing

Mr. Judge inquired whether chiropractors could perform biofeedback.

A motion was made by Dr. Spadafino, which was seconded by Dr. Senatore, to inform Mr. Judge that chiropractors could perform biofeedback.

- H. Inquiry from Vivian DeBiase  
RE: Referrals

Ms. DeBiase inquired whether it would be a violation of the regulations to have a chiropractor request that a medical practitioner perform diagnostic testing at the requesting chiropractor's office.

A motion was made by Dr. O'Connor, which was seconded by Dr. Senatore, to refer Ms. DeBiase to the regulation N.J.A.C. 13:44E-2.15 *permissible practice structures*. A vote was taken and the motion passed with all members present voting in favor.

- I. Inquiry from Clifford Daub, D.C.  
RE: Continuing Education

An inquiry was made by Dr. Daub regarding his continuing education. In August 2013 he renewed his license with an inactive status because he is currently attending graduate school full-time. He is pursuing a Physician Assistant degree, to which after he completes the program he will reactivate his chiropractic license. He would like to know if he will need continuing education credits when he applies to reactivate the license and if so will the course work for his Master's degree in Physician Assistant studies comply with the requirements.

A motion was made by Dr. Calio, which was seconded by Dr. Senatore, to inform Dr. Daub that he should provide the Board with the curriculum of the course. A vote was taken and Dr. O'Connor opposed while all others voted in favor. The motion passed by a majority vote.

#### **IV. BOARD ELECTIONS**

Dr. Allen and Dr. Spadafino were nominated for President of the Board at the Board's March 27, 2014 meeting. Ms. Tadeo called for further nominations for President of the Board and there were none. Dr. O'Connor then made a motion, seconded by Dr. Senatore to close the nominations. A vote was taken to elect Dr. Allen for President. Dr. Allen, Dr. O'Connor, Dr. Senatore, Dr. Stabile and Dr. Winters voted in favor while all others voted in opposition. The vote did not pass. A vote was taken to elect Dr. Spadafino for President. Dr. Calio, Dr. Krouse and Dr. Spadafino voted in favor while all others voted in opposition. The vote did not pass. Dr. Allen remains the President.

Dr. Spadafino and Dr. Stabile were nominated for Vice President of the Board at the Board's March 27, 2014 meeting. Ms. Tadeo called for further nominations for Vice President and there were none. Dr. O'Connor then made a motion, seconded by Dr. Senatore to close the nominations. A vote was taken to elect Dr. Spadafino for Vice President. Dr. Calio, Dr. Krouse and Dr. Spadafino voted in favor while all others voted in opposition. The vote did not pass. A vote was taken to elect Dr. Stabile for Vice President. Dr. Senatore, Dr. O'Connor, Dr. Winters, Dr. Allen and Dr. Stabile voted in favor while all others voted in opposition. The vote did not pass.

Dr. Senatore was nominated for Secretary of the Board at the Board's March 27, 2014 meeting. Ms. Tadeo called for further nominations for Secretary of the Board and there were none. Dr. O'Connor then made a motion, seconded by Dr. Winters to close the nominations and elect Dr. Senatore Secretary of the Board by acclamation. The vote of the Board was unanimous.

Dr. Calio was nominated for Treasurer of the Board at the Board's March 27, 2014 meeting. Ms. Tadeo called for further nominations for Treasurer of the Board and there were none. Dr. O'Connor then made a motion, seconded by Dr. Krouse to close the nominations and elect Dr. Calio Treasurer of the Board by acclamation. The vote of the Board was unanimous.

#### **V. INFORMATIONAL**

- A. Jody Serra, D.C.  
RE: Consent Order filed April 24, 2014

The Board reviewed the Consent Order Filed April 24, 2014 in the matter of Dr. Serra and considered it informational.

- B. Arnold Angrist, D.C.  
RE: Uniform Penalty Letter filed May 1, 2014

The Board reviewed the Uniform Penalty Letter filed May 1, 2014 in the matter of Dr. Angrist and considered it informational.

- C. Martha Phillips, D.C.  
RE: Uniform Penalty Letter filed May 7, 2014

The Board reviewed the Uniform Penalty Letter filed May 7, 2014 in the matter of Dr. Phillips and considered it informational.

- D. Federation of Chiropractic Licensing Boards  
RE: New Executive Director  
- Jon C. Schwartzbauer, D.C.

The Board reviewed notice from the Federation of Chiropractic Licensing Board regarding the new Executive Director and considered it informational.

### **ADJOURNMENT**

The Board returned to Public Session and a motion was made by Dr. Stabile to adjourn the meeting at 1:00 P.M. A vote was taken and the motion passed with all members present voting in favor.

Respectfully submitted,

Lisa Tadeo  
Executive Director