

**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, MAY 28, 2009**

A meeting of the New Jersey Board of Chiropractic Examiners was held May 28, 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 9:30 AM.

ATTENDANCE

PRESENT: Drs. Stabile Jr., O'Connor, Krouse, Kostinas, Spadafino, Calio, Dr. Senatore , Dr. Rada, (Dr. Murphy-arrived at 9:55 am) and (Mr. Traier-arrived at 9:50 am)

EXCUSED: none

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

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF APRIL 23, 2009

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE THE PUBLIC SESSION MINUTES OF THE APRIL 23, 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 April 2009:

Licenses issued - 14
Electro-Diagnostic Permit - 3
Chiro. Licenses - 11

It is noted that license renewals will go out at the end of June/ beginning of July. The State Offices have the following scheduled furlough days:

May 22nd
June 29th

III. OLD BUSINESS

A. ELECTIONS FOR BOARD OFFICERS

Elections 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 - John Traier

A vote was taken and resulted in 5 votes for Dr. Stabile, 5 votes for Dr. Krouse.

**Neither of the nominees received the majority vote, elections for Board President were called again.

Another vote for Board President was taken. Dr. Stabile and 4 votes for Dr. Krouse.

Dr. Stabile was re-elected President for the 2009-2010 year with 6 votes in favor & 4 votes against (Drs'. Krouse, Murphy, Calio & Spadafino).

The election of other Board officers continued for the 2009-2010 year. The nominees are as follows:

Vice President - James Kostinas, D.C.
Secretary - Mary-Ellen Rada, D.C.
Treasurer - John Traier

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. SENATORE, TO CAST ONE BALLOT TO ELECT THE REST OF THE OFFICERS AS ONE SLATE, AS NOMINATED. A MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

IV. FEDERATION OF CHIROPRACTIC LICENSING BOARDS

A. DR. O'CONNOR ELECTED VICE PRESIDENT OF INTERNATIONAL REGULATORY ORGANIZATION

This matter was accepted as informational.

B. FCLB NEWS FLASH - 83 Annual Congress (HANDOUT)

This matter was accepted as informational.

* Dr. Albert Stabile was awarded a "Pillar of Chiropractic Regulation" award to recognize his continuous dedication to public protection.

C. National Board of Chiropractic Examiners Annual Board Meeting (HANDOUT)

This matter was accepted as informational.

V. APPLICATIONS FOR LICENSURE

A. ADAM S. LITMAN, D.C. (INITIAL)

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

B. DIPTI R. PATEL, D.C. (INITIAL)

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

C. FRANKLIN D. McLAUGHLIN, D.C. (INITIAL) - (Moved to Executive Session)

D. ERNEST A. PECORARO, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. CALIO, TO APPROVE DR. PECORARO'S APPLICATION FOR LICENSURE PENDING SUCCESSFUL COMPLETION OF THE JP EXAM. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

E. FRANK M. GOMEZ, D.C. (REINSTATEMENT)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. RADA, TO SCHEDULE DR. GOMEZ FOR A FULL BOARD APPEARANCE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

F. NICOLAS A. FENNELLI, D.C. (REINSTATEMENT)

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

G. SCOTT MURPHY, D.C. (ELECTRO-DIAGNOSTIC)

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

HANDOUTS

H. ROBERT P. LUCA, D.C. (INITIAL)

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. O'CONNOR, TO APPROVE DR. LUCA'S APPLICATION FOR LICENSURE PENDING RECEIPT OF PROOF THAT THE STUDENT LOAN ARRANGEMENT IS VALID AND ONGOING. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

I. RICHARD BULWIN (ELECTRO-DIAGNOSTIC)

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

VI. OPEN DISCIPLINARY MATTERS

A. GLENN GREICO, D.C.

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

This matter was accepted as informational.

B. MARC CENTRELLI, D.C.

The Board reviewed a final assessment from the Robert Wood Johnson Medical School dated April 27, 2009.

* Prior to this have Executive Director communicate to PRIME that they need to read the Orders more carefully when constructing the educational program

This matter was accepted as informational.

C. SAMUEL SBARRA, D.C.
(Dr. Rada recused)

The Board reviewed a Final Order of Discipline filed by the Board on April 23, 2009.

This matter was accepted as informational.

VII. INQUIRIES

A. ERIC FRANKENFELD, D.C.

The Board reviewed a letter from Dr. Frankenfeld requesting a verification of his qualifications to perform sports physicals. Both E.D. Eisenmenger and DAG Hugelmeyer has spoken to Dr. Frankenfeld, subsequent to this request the Board resolved the issue prior to this matter.

This matter was accepted as informational.

VIII. APPEARANCES

A. AVI WEINBERGER, D.C. (10:00 AM - INITIAL)

Dr. Weinberger appeared to discuss issues that were discovered as part of the criminal history background check and his application for licensure.

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. MURPHY, TO GO INTO EXECUTIVE SESSION TO DELIBERATE ON THIS MATTER. 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. CALIO, TO GO BACK INTO PUBLIC SESSION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

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

B. FRANK T. BELLO, D.C. (11:00 AM - REINSTATEMENT)

(Dr. Bello appeared with counsel, Paul Werner, Esq.)
(Dr. Stabile and Dr. Senatore have recused from this matter)
(Dr. Kostinas took the chair as Acting Board President)

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. O'CONNOR, TO GO INTO EXECUTIVE SESSION TO DELIBERATE ON THIS MATTER. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

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

PUBLIC COMMENTS

A) Dr. Sig Miller (ANJC) - In February he asked a question in public that was not included in the minutes from that meeting. Dr. Miller is requesting that the Board amend the minutes to reflect that question and answer.

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. SPADAFINO, TO INCLUDE A SYNOPSIS OF THE PUBLIC COMMENTS IN THE MINUTES GOING FORWARD.

MR. TRAIER WITHDREW THE MOTION

??B) Dr. Steven Clarke - Asked the Board for help with the Horizon BCBS EOB issue. The Board has communicated to Dr. Clarke

ADJOURNMENT

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. RADA, TO GO INTO EXECUTIVE SESSION (12:30 P.M.) TO CONSIDER TWO PIC SUMMARIES, NINE CONSUMER COMPLAINTS, ONE REFERRAL 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