

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS
124 HALSEY STREET
NEWARK, NEW JERSEY
PUBLIC SESSION MINUTES
THURSDAY, MAY 28 , 2015**

A meeting of the New Jersey Board of Chiropractic Examiners was held on May 28, 2015 at the State Office Building, 124 Halsey Street, 7th floor, Newark, New Jersey in the Somerset Conference Room on the 6th 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:

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

Also present were: **Virginia Class-Matthews, Deputy Attorney General; Lisa Tadeo, Executive Director.**

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF APRIL 23, 2015

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to approve the public session minutes from the April 23, 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 19 courses submitted by continuing education sponsors. The committee recommended that 17 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. Calio and seconded by Dr. Winters, to approve the 17 courses as recommended by the committee. A vote was taken and 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. Senatore, 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 Chiropractic Licensure

1. Donald Spangler Pritt, Jr.

A motion was made by Dr. O'Connor, which was seconded by Dr. Wartenberg, to approve Dr. Pritt's application for licensure provided he provides proof that he completed 30 continuing education credits within the past two years. A vote was taken and the motion passed with all members present voting in favor.

2. Randy Stephan

A motion was made by Dr. O'Connor, which was seconded by Dr. Winter, to inform Dr. Stephan that the Board will consider his application for licensure once the pending malpractice suit has been concluded. Dr. Stephan will need to provide the Board with documentation of the conclusion. A vote was taken and the motion passed with all members present voting in favor.

3. Levent Erdogan (Endorsement)

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to approve Dr. Erdogan's application for licensure provided he provides proof that he completed 30 continuing education credits within the past two years. A vote was taken and the motion passed with all members present voting in favor.

4. Stephan Howard-Cooper (Endorsement)

A motion was made by Dr. O'Connor, which was seconded by Dr. Winters, to approve Dr. Howard-Cooper's application for licensure provided he provides proof that he completed 30 continuing education credits within the past two years. A vote was taken and the motion passed with all members present voting in favor.

5. Joseph A Reardon

The Board noted that Dr. Reardon had disciplinary action in the State of Maine.

A motion was made by Dr. O'Connor, which was seconded by Dr. Senatore, to request that Dr. Reardon provide a written explanation as to why he answered "no" to the question on his application, "Is there any action pending against you now, or in the past, whether for a crime of offense or any action by a regulatory agency, such as but not limited to professional licensing agencies, Medicaid, Medicare or any other government agency?". The Board will also request that Dr. Reardon provide the Board with proof that he completed 30 continuing education credits within the past two years. A vote was taken and the motion passed with all members present voting in favor.

6. Christopher Caffery

A motion was made by Dr. O'Connor, which was seconded by Dr. Senatore, to approve Dr. Caffery's application for licensure provided he provides proof that he completed 30 continuing education credits within the past two years. A vote was taken and the motion passed with all members present voting in favor.

B. Application for Reinstatement

1. Kevin C. Gyurina, D.C.

A motion was made by Dr. Calio, which was seconded by Dr. Wartenberg, to approve Dr. Gyurina's application for reinstatement provided he provides proof that he completed two hours of nutrition. A vote was taken and the motion passed with all members present voting in favor.

C. Inquiry Submitted by Jeffrey Levin, D.C.
RE: Scope of Practice

Dr. Levin asked whether a new device to measure the autonomic nervous system function and arterial stiffness can be implemented within the chiropractic profession. Dr. Levin claims that the device is FDA approved and is non-invasive.

A motion was made by Dr. Calio, which was seconded by Dr. O'Connor to request that Dr. Levin provide evidence that the device is FDA approved. The Board will also advise Dr. Levin that he would need to provide the Board with the detailed information concerning this device. A vote was taken and the motion passed with all members present voted in favor.

D. Inquiry Submitted by Madeline Snyder
RE: P.E.N.S

This matter was tabled.

- E. Board Discussion
RE: Continuing Education

The Board noted that some States permit Board members to receive continuing education credits for serving as a Board member. Some States allow this by regulation and some States allow this by policy.

The Board discussed this topic and opined that twelve continuing education credits per biennial renewal period could be counted for serving as a Board member provided the Board member has consistent attendance and is not absent for more than two meetings.

IV. FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB)

The Board reviewed an FCLB newsletter. Dr. O'Connor also provided the Board with a verbal update on FCLB activities.

V. INFORMATIONAL

- A. Final Order Filed April 23, 2015
RE: Scott Greenberg, D.C.

The Board considered the Final Order filed April 23, 2015 in the matter of Scott Greenberg, D.C. informational.

- B. Consent Order of Reinstatement of License Filed April 23, 2015
RE: Michael Manno, D.C.

The Board considered the Consent Order of Reinstatement of License filed April 23, 2015 in the matter of Michael Manno, D.C. informational.

- C. Uniform Penalty Letter In Lieu of Formal Disciplinary Complaint
RE: Kenneth Zammito, D.C.

VI. BOARD ELECTIONS

From the April 23, 2015 Public Session Minutes, "Dr. O'Connor and Dr. Winters were nominated for Vice President of the Board at the Board's March 26, 2015 meeting. Dr. Winters withdrew his nomination. Ms. Tadeo called for further nominations and a motion was made by Dr. Wartenberg, which was seconded by Dr. Winters to nominate Dr. Calio. Ms. Tadeo called for further nominations and there were none. Dr. Senatore then made a motion, seconded by Dr. Allen to close the nominations. A vote was taken to elect Dr. O'Connor for Vice President. Dr. Allen, Dr. O'Connor, Dr. Senatore and Dr. Winters voted in favor while all others voted in opposition. The

vote did not pass. A vote was taken to elect Dr. Calio for Vice President. Dr. Calio and Dr. Wartenberg voted in favor while all others voted in opposition. The vote did not pass”.

According to Roberts Rules of Order, a motion passes with a majority vote of the members present. Therefore, Dr. O’Connor was elected Vice President of the Board at its April 23, 2015 meeting by a majority vote.

ADJOURNMENT

The Board returned to Public Session and a motion was made by Dr. O’Connor which was seconded by Dr. Winters to adjourn the meeting at 1:20 P.M. A vote was taken and the motion passed with all members present voting in favor.

Respectfully submitted,

Lisa Tadeo
Executive Director