

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS
124 HALSEY STREET
NEWARK, NEW JERSEY
PUBLIC SESSION MINUTES
THURSDAY, JULY 24 , 2014**

A meeting of the New Jersey Board of Chiropractic Examiners was held on July 24, 2014 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.	Excused
Lawrence O'Connor, D.C.	Present
Thomas A. Senatore, Sr., D.C.	Present
Michael Spadafino, D.C.	Present
Albert Stabile, Jr., D.C.	Present
John Traier	Absent
James L. Winters, D.C.	Present

Also present were: **John Hugelmeyer, Deputy Attorney General; Lisa Tadeo, Executive Director; and Tracy Steel, Board Staff.**

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF JUNE 26, 2014

A motion was made by Dr. Spadafino which was seconded by Dr. Calio, to approve the public session minutes from the June 26, 2014 Board meeting as presented. A vote was taken and the motion passed with all members voting in favor.

II. CONTINUING EDUCATION COMMITTEE

The continuing education committee reviewed 46 courses submitted by continuing education sponsors. The committee recommended that 46 courses be approved based on the information submitted for these courses. A motion was made by Dr. O'Connor and seconded by Dr. Stabile, to approve the 46 courses as recommended by the committee. A vote was taken and motion passed with all members present voting in favor.

A. Life Chiropractic College West
Course - The Wave

The Board requested clarification on the course, “The Wave” sponsored by Life Chiropractic College West. Specifically what is the purpose and goal of hour 2 *Why is Chiropractic Called the Real Thing?*, hour 3 *Free Form: Precise Alignment of Philosophy, Practice, and Achievement* and hour 4 *Bringing Chiropractic to the People*. Life Chiropractic College West asked the Board to approve the course without those sections of the course. A motion was made by Dr. O’Connor and seconded by Dr. Stabile to approve the course, “The Wave” without those sections. A vote was taken and the motion passed with all members present voting in favor.

B. Institute for Continuing Education
Course - Abuse...It Comes in All Shapes and Sizes

The Board denied approval for the course, “Abuse..It Comes in All Shapes and Sizes” sponsored by the Institute for Continuing Education as the speaker’s qualifications are insufficient to lecture on this topic. The Institute for Continuing Education provided additional information and asked the Board to reconsider approval of this course. A motion was made by Dr. O’Connor and seconded by Dr. Calio to reaffirm the denial of this course as the speaker’s qualifications are insufficient to lecture on this topic to the chiropractic profession. A vote was taken and the motion passed with all members present voting in favor.

C. Apex Energetics
Course - Fundamentals of Functional Blood Chemistry

A motion was made by Dr. O’Connor, which was seconded by Dr. Stabile, to write to Apex Energetics concerning their nutrition modules. The Board will ask Apex Energetics for more detailed information concerning their courses. 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 Board returned to public session to continue the meeting and vote on the applications for licensure and reinstatement.

A. Application for Reinstatement

1. Kenneth Davis, D.C.

A motion was made by Dr. Calio, which was seconded by Dr. Winters, to approve Dr. Davis' application for reinstatement once he submits proof that he completed all the required continuing education credits. A vote was taken and the motion passed with all members voting in favor.

2. Edward Zulio, D.C.

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

B. Application for Licensure

1. Michael Sutter

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile, to approve Dr. Sutter's application for licensure with the same provisions that he has on his chiropractic license in Colorado including a provision that he must complete 12 continuing education credits in ethics. A vote was taken and the motion passed with all members present voting in favor.

C. Assembly No. 1254
(Synopsis-Requires certain civil actions against certain licensed persons to be brought within two years)

The Board reviewed Assembly No. 1254 and considered this to be informational.

D. Inquiry from Mary Moreno of New Jersey Manufacturers Insurance
RE: Scope of Practice

Ms. Moreno inquired whether chiropractors can treat and bill for vertigo of central origin, dizziness and giddiness.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile to inform Ms. Mareno that chiropractors can perform and bill for this treatment. A vote was taken and the motion passed with all members present voting in favor.

E. Inquiry from Eli Zachary Berk
RE: Scope of Practice

An inquiry was made by Mr. Berk concerning whether a Chiropractor can perform manipulation under anesthesia in regards to spinal, shoulder and hip manipulation.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile to inform Mr. Berk that a chiropractor can perform manipulation under anesthesia provided he or she is trained and competent in the technique. A vote was taken and the motion passed with all members present voting in favor.

F. Inquiry from Michael Marin
RE: Scope of Practice

An inquiry was made by Mr. Marin as to whether a chiropractor can dispense Lidocaine or over the counter medications with Lidocaine.

A motion was made by Dr. Stabile, which was seconded by Dr. O'Connor to inform Mr. Marin that a chiropractor cannot dispense Lidocaine or over the counter medications with Lidocaine. A vote was taken and the motion passed with all members present voting in favor.

IV. OLD BUSINESS

A. Assembly No. 3225
(Synopsis - Provides for licensure of chiropractic assistants)
- Introduced May 22, 2014

Elizabeth Greenblatt, Regulatory Analyst met with the Board to discuss Assembly No. 3225.

B. Inquiry from Cliff 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.

Dr. Daub was notified from the Board meeting in May that he should provide the Board with the curriculum of the course, which he did.

A motion was made by Dr. Stabile, which was seconded by Dr. O'Connor, to notify Dr. Daub that the Board accepted select curriculum of the graduate courses in the physician assistant program but would still need to complete two credits from a nutrition course. A vote was taken and the motion passed with all members present voting in favor.

V. INFORMATIONAL

- A. Charles Nisivoccia, D.C.
Consent Order filed July 01, 2014

The Board reviewed a Consent Order filed July 01, 2014 in the matter of Charles Nisivoccia, D.C. and considered this to be informational.

- B. New Jersey State Board of Chiropractors
Readoption with Amendments
RE: N.J.A.C. 13:44 E
- From the July 7, 2014 New Jersey Register

The Board reviewed this information and considered it to be informational.

ADJOURNMENT

The Board returned to Public Session and a motion was made by Dr. Senatore which was seconded by Dr. Spadafino 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