A meeting of the New Jersey Board of Chiropractic Examiners was held on October 27, 2016 at the State Office Building, 124 Halsey Street, 6th floor, Newark, New Jersey in 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 Albert Stabile, D.C., Vice President of the Board, at 9:59 A.M. A roll call was taken and the following attendance was recorded and a quorum was present:

- David A. Allen, D.C. Present (arrived at 10:01 a.m.)
- 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
- Albert Stabile, Jr., D.C. Present
- 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; Michela Ross, Government Rep; Liza Ackerman, Regulatory Analyst;

Steve Clark, D.C. asked for an update on travel to treat.

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF SEPTEMBER 22, 2016

A motion was made by Dr. O’Connor which was seconded by Dr. Senatore, to approve the public session minutes from the September 22, 2016 Board meeting as presented. A vote was taken and the motion passed with all members present voting in favor.

II. CONTINUING EDUCATION COMMITTEE

A. Continuing Education Course Review

The continuing education committee reviewed 47 courses submitted by continuing education sponsors. The committee recommended that 42 courses be approved based on the information
submitted for these courses and request additional information for 4 of the submitted courses. The committee also recommended that 1 course be presented to the full Board at its November 17, 2016 meeting for its review. A motion was made by Dr. Stabile, which was seconded by Dr. O’Connor to approve the 42 courses. A vote was taken and motion passed with all members present voting in favor.

III. NEW BUSINESS

Upon a motion made by Dr. Stabile, which was seconded by Dr. Wartenberg, 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 Reinstatement

1. Keyana Boston, D.C.

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

2. Henry Wachtmann, D.C.

A motion was made by Dr. O’Connor, which was seconded by Dr. Stabile to approve Dr. Wachtmann’s reinstatement application once he provides evidence that he completed the continuing education requirement. Dr. Wachtman did not provide a verification of completion certificate for all the courses that he listed on his application. A vote was taken and the motion passed with all members present voting in favor.

3. Jeanne Kim, D.C.

A motion was made by Dr. O’Connor, which was seconded by Dr. Stabile to request that Dr. Kim provide additional information concerning information disclosed in her reinstatement application. A vote was taken and the motion passed with all members present voting in favor.

4. Giselle Savoia, D.C.

A motion was made by Dr. O’Connor, which was seconded by Dr. Stabile to approve Dr. Savoia’s application for reinstatement. A vote was taken with Dr. Stabile, Dr. O’Connor, Dr. Winters, Dr. Calio, and Dr. Senatore voting in favor. Dr. Allen and Dr. Wartenberg opposed. The motion passed with a majority vote.
B. Application for Licensure

1. Andrew Portal

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

2. Travis Impellizzeri

A motion was made by Dr. Calio, which was seconded by Dr. O’Connor to request that Dr. Impellizzeri appear before the Board to discuss his application for licensure. A vote was taken with Dr. Stabile, Dr. O’Connor, Dr. Winters, Dr. Calio, Dr. Senatore, and Dr. Allen voting in favor. Dr. Wartenberg opposed. The motion passed with a majority vote.

C. Application for Electrodiagnostic Testing

1. Jeff Croasdale, D.C.

A motion was made by Dr. O’Connor, which was seconded by Dr. Stabile, that Dr. Croasdale’s Electrodiagnostic application be approved. A vote was taken and the motion passed with all members present voting in favor.

2. Anthony Alferi, D.C.

A motion was made by Dr. O’Calio, which was seconded by Dr. Stabile, that Dr. Alferi’s Electrodiagnostic application be approved. A vote was taken and the motion passed with all members present voting in favor.

D. Inquiry submitted by Paul Babitz, D.C.

RE: Scope of Practice

The Board reviewed Dr. Babitz inquiry concerning the practice of equestrian chiropractic in the State of New Jersey.

A motion was made by Dr. Stabile, which was seconded by Dr. O’Connor to inform Dr. Babitz that the Chiropractic Board continues to recognize the 1994 agreement between the New Jersey Board of Chiropractic Examiners and the New Jersey Board of Veterinary Examiners which allows a licensed chiropractor to treat an animal under the terms of a referral from a licensed veterinarian. A vote was taken and the motion passed with all members present voting in favor.
E. Inquiry from Jeffrey Halkovich
RE: Chiropractic Neurodiagnostic Testing Scope of Practice

Mr. Halkovich inquired about the New Jersey State Board of Chiropractic Examiners’ regulations N.J.A.C.13:44E-3, N.J.A.C.13:44E-1.1(d)6 and N.J.A.C. 13:44E-2.15(b)4 as well as the New Jersey State Board Medical Examiners regulation N.J.A.C. 13:35-2.6(d)1, specifically neurodiagnostic testing. Mr. Halkovich inquired whether it is permissible for a licensed chiropractor to perform and bill for neurodiagnostic testing. Mr. Halkovich also inquired if a licensed chiropractor performing neurodiagnostic testing within the scope of N.J.A.C. 13:44E-1.1(d)6 to be operating a diagnostic testing office within the meaning of N.J.A.C.13:35-2.6(d)1. Mr. Halkovich further inquired if N.J.A.C.13:35-2.6(d)1 limits, in any way, the chiropractic licensee’s ability to perform and bill for services as permitted under chiropractic scope of practice, does the Board consider N.J.A.C. 13:35-2.6(d)1 to effectively regulate a licensee of the Chiropractic Board and does the Board consider N.J.A.C. 13:35-2.5(d)1 to restrict a duly authorized scope of practice of a chiropractic licensee.

A motion was made by Dr. Calio, which was seconded by Dr. Stabile, to inform Mr. Halkovick that the Board of Chiropractic Examiners regulations permit a licensed chiropractor to perform and bill for neurodiagnostic testing and operate a diagnostic testing office. The Board will also inform Mr. Halkovick that the Board will not address the regulation pertaining to the New Jersey State Board of Medical Examiners as the Board of Medical Examiners does not regulate the Board of Chiropractic Examiners.

IV. OLD BUSINESS

A. Board discussion with Liza Ackerman, Regulatory Analyst
RE: Licensure of Chiropractic Assistants

The Board will continue discussing draft language for the regulations at its November 17, 2016 meeting. Darlene Kane, Budget Officer discussed the fee for licensure of a chiropractic assistant with the Board.

V. FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB)

Dr. O’Connor provided the Board with a verbal update on FCLB activities.
V. INFORMATIONAL

A. Consent Order filed September 22, 2016
   RE: Tyran Mincey, D.C.

The Board reviewed the Consent Order filed September 22, 2016 regarding Dr. Mincey and considered it informational.

Upon a motion made by Dr. Stabile and seconded by Dr. Wartenberg, the Board voted to go into Executive Session to discuss matters involving investigations of violations of the Board’s enabling act, the Uniform Enforcement Act and/or Board regulations.

ADJOURNMENT

The Board returned to Public Session and a motion was made by Dr. Stabile which was seconded by Dr. O’Connor to adjourn the meeting at 1:25 P.M. A vote was taken and the motion passed with all members present voting in favor.

Respectfully submitted,

Lisa Tadeo
Executive Director