

**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, NOVEMBER 20, 2008**

A meeting of the New Jersey Board of Chiropractic Examiners was held November 20, 2008 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., Rada, O'Connor, Krouse, Senatore, Kostinas, Spadafino and Mr. Traier

EXCUSED: Drs. Calio & Murphy

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

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF OCTOBER 23, 2008

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE, TO APPROVE THE PUBLIC SESSION MINUTES OF THE OCTOBER 23, 2008 MEETING AS AMENDED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

II. EXECUTIVE DIRECTOR'S REPORT

A. BOSTON GLOBE ARTICLE

This matter was moved to Executive Session for discussion.

B. FCLB & NBCE (HAND-OUT)

The Board reviewed a press release from the FCLB & NBCE concerning a funding agreement between the parties for the next 25 years.

This was accepted as informational.

III. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS (DISTRICT DIRECTOR'S REPORT)

The Board received a report from Dr. Rada.

This was accepted as informational.

IV. FCLB -MODEL FRAMEWORK

The Board had some discussion on this document. It is being held as a guideline to individuals who are petitioning the Board for approval of new devices or treatments. Dr. Stabile Jr., President of the Board,

directed Executive Director Eisenmenger to investigate what requirements the Division may have about using the form or posting it to the Board's website.

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS , TO REFER THIS DOCUMENT TO THE RULES AND REGULATIONS COMMITTEE TO EVALUATE FOR RECOMMENDATIONS THAT WILL BE MADE TO THE FCLB ON HOW THE GUIDELINES MAY BE USEFUL IN NJ. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

V. APPLICATIONS FOR LICENSURE

A. DAVID F. CARROLL, D.C. (ENDORSEMENT)

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

B. FRANCA DiLISIO, D.C. (REINSTATEMENT)

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

C. FREDERICK PADOVANO, D.C. (REINSTATEMENT)

Dr. Padavano has been scheduled to appear before a PIC and his application will be tabled until his appearance has been made.

D. ANDREW TARRY, D.C. (INITIAL)

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

E. JOHN D. EDMUNDS, D.C. (REINSTATEMENT)

As part of Dr. Edmunds' application, the Board reviewed a bankruptcy discharge letter. DAG Hugelmeyer advised the Board that the NJ Statute prohibits licensure if an applicant is in default on an educational loan. Dr. Edmund's submission was deemed as insufficient proof that his Federal Education loans have been satisfied.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. O'CONNOR, TO HAVE DR. EDMUNDS PROVIDE THE BOARD WITH SPECIFIC INFORMATION ABOUT THE DISCHARGE OF HIS EDUCATION LOAN(S) AS PART OF THE BANKRUPTCY PROCEEDINGS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

F. ROBERT CHICKARA, D.C. (ELECTRO-DIAGNOSTIC)

The Board reviewed the materials concerning the 30 hours of home-study.

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

G. JOSHUA SHERLOCK, D.C. (ELECTRO-DIAGNOSTIC)

The Board reviewed the materials concerning the 30 hours of home-study.

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

H. BRIAN ANDERSON, D.C. (ELECTRO-DIAGNOSTIC)

The Board reviewed the materials concerning the 30 hours of home-study.

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

VI. OPEN DISCIPLINARY MATTERS

A. RICHARD E. GLASS, D.C.

The Board reviewed a Consent Order filed by the Board on October 27, 2008.

This was accepted as informational.

B. SAMUEL EVENSTEIN, D.C.

The Board reviewed an assessment letter for Dr. Evenstein, who attended the ProBE program held September 19-21, 2008.

This was accepted as informational.

C. GLENN GREICO, D.C.

The Board reviewed a letter by Dr. Greico's lawyer, Jeffrey Randolph, Esq., a Consent Order filed by the Board on February 6, 2008, and a report from the UMDNJ RWJ Medical School with the results of Dr. Greico's participation in the PRIM-E course.

A MOTION WAS MADE BY DR. KROUSE, WHICH WAS SECONDED BY DR. KOSTINAS, TO ACCEPT THE REQUEST FOR AN ADDITIONAL 60 DAYS TO COMPLETE THE REQUIREMENT. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VII. INQUIRIES

A. CHRISTOPHER J. ALEPA, D.C.

Dr. Alepa made an inquiry about the permissibility of offering to perform a diagnostic test that measures the core physiology of an individual and then refer the patient to a nutritionist or other health professional to recommend nutritional advice.

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. KROUSE, TO ANSWER DR. ALEPA'S INQUIRY STATING THAT ACCORDING TO THE CURRENT STATE REGULATIONS, THIS IS NOT ALLOWED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VIII. APPEARANCES

A. JAY PLOTKIN, D.C. (10:00 AM)

The Board issued a P.O.D. on May 22, 2008, upon receiving information about Dr. Plotkin's Federal conviction for healthcare claims fraud. Dr. Plotkin was questioned regarding healthcare claims, his health, criminal history & a Board issued P.O.D..

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

A MOTION WAS MADE BY DR. KROUSE, WHICH WAS SECONDED BY DR. KOSTINAS, TO RETURN TO PUBLIC SESSION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. KROUSE TO SUSPEND DR. PLOTKIN'S LICENSE FOR A PERIOD OF TWO YEARS, THE FIRST THREE MONTHS OF WHICH WILL BE AN ACTIVE SUSPENSION AND THE REMAINDER STAYED AS A PERIOD OF PROBATION. DURING THE STAYED PERIOD OF SUSPENSION, DR. PLOTKIN MUST PRACTICE AS AN ASSOCIATE CHIROPRACTOR ONLY. IN ADDITION, DR. PLOTKIN SHALL EMPLOY A CERTIFIED PROFESSIONAL CODER APPROVED BY THE BOARD WHO SHALL MAKE AN AUDIT REPORT OF HIS BILLING AND CODING TO THE BOARD EVERY SIX MONTHS DURING THE STAYED SUSPENSION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. FRANK BELLO, D.C. (11:00 AM)
(Drs. Stabile Jr. & Senatore recused)
(Dr. Krouse took the chair)

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. RADA, TO ACCEPT DR. BELLO'S COUNTER OFFER. DR. BELLO'S LICENSE SHALL BE SUSPENDED FOR A PERIOD OF THREE YEARS, OF WHICH SIX MONTHS SHALL BE AN ACTIVE SUSPENSION, THE REMAINING THIRTY MONTHS SHALL BE A STAYED SUSPENSION. HE HAS TO COMPLETE & UNCONDITIONALLY PASS THE ProBE OR PRIME ETHICS COURSE. HE SHOULD COMPLETELY & SUCCESSFULLY FULFILL ALL REQUIREMENTS OF HIS PROBATION AND CRIMINAL SENTENCE. PRIOR TO RESUMING ANY PRACTICE IN NJ, AND HE IS REQUIRED TO APPEAR BEFORE THE BOARD TO DEMONSTRATE HIS FITNESS TO DO SO. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURNMENT

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. KOSTINAS, TO GO INTO EXECUTIVE SESSION (12:05 P.M.) TO CONSIDER SIX PIC SUMMARIES, TWO CONSUMER COMPLAINTS, THREE REFERRALS FROM OTHER AGENCIES AND ONE OPEN DISCIPLINARY MATTER. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

Respectfully Submitted,

Jonathan Eisenmenger
Executive Director