

**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 29, 2007**

A meeting of the New Jersey Board of Chiropractic Examiners was held November 29, 2007 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 Bergen 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 10:00 AM.

ATTENDANCE

PRESENT: Drs.' Stabile Jr., Calio, Rada, Murphy, Krouse, O'Connor, Senatore, Kostinas, Spadafino and Mr. Traier

EXCUSED: none

ALSO PRESENT: DAG John Hugelmeyer, Acting Executive Director Joanne Boyer and Recording Secretary Sonya Liverpool

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF OCTOBER 25, 2007

A MOTION WAS MADE BY DR. RADA, WHICH WAS SECONDED BY DR. O'CONNOR, TO APPROVE THE PUBLIC SESSION MINUTES OF OCTOBER 25, 2007 MEETING AS AMENDED. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

II. NEW BUSINESS

A. NATIONAL BOARD OF CHIROPRACTIC EXAMINERS

Accepted as informational.

B. STATE OF NJ 212TH LEGISLATURE - BILL No. 4455

Dr. Calio will draft a letter in response to addressing the Board's concerns with this piece of legislation.

C. ASSEMBLY BILL No. 3122

Dr. Calio will draft a letter to be sent to Assemblyman Caraballo addressing Assembly

Bill No. 3122 in regards to mobilization & manipulation not being the same.

D. Dr. Earl Wiley & Dr. Joseph Keating both well known to the Board, have both passed away. The Board said a few words in remembrance of both men.

III. APPLICATIONS

A. MOHAMMED SHOUKA, D.C. - (INITIAL)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS, TO REQUIRE DR. SHOUKA'S APPEARANCE BEFORE THE FULL BOARD. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. DAWN HAZZARD, D.C. (INITIAL)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS, TO REQUIRE DR. HAZZARD'S APPEARANCE BEFORE THE FULL BOARD. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

C. GUY DiTOMMASO, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY MR. TRAIER, TO APPROVE DR. DiTOMMASO'S ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

D. DOMINICK D'AGOSTINO, D.C. (ELECTRO-DIAGNOSTIC)

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS, TO APPROVE DR. D'AGOSTINO'S ELECTRO-DIAGNOSTIC APPLICATION. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

E. FRANK ANDERSON, D.C. (ELECTRO-DIAGNOSTIC)

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

F. JAMES PRETE, D.C. (FOLLOW-UP REINSTATEMENT)

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

G. SCOTT SCHEMANSKI, D.C. (REINSTATEMENT REQUEST-NO APP. FILED)

A MOTION WAS MADE BY DR. KOSTINAS, WHICH WAS SECONDED BY DR. SENATORE, TO DENY DR. SCHEMANSKI'S REQUEST FOR REINSTATEMENT DUE TO OUTSTANDING FINES AS WELL AS FOR REASONS OUTLINED IN DEPUTY ATTORNEY GENERAL JOAN GELBER'S LETTER. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

H. RAIMUNDO MARQUES, D.C. (INITIAL)

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

IV. INQUIRIES

A. D. HOUSHMAND, D.C.

Dr. Houshmand submitted an inquiry requesting the Board's current opinion regarding the provision of "MUA"(Manipulation Under Anesthesia).

A MOTION WAS MADE BY DR. SENATORE, WHICH WAS SECONDED BY DR. O'CONNOR, STATING

THAT THERE IS NO REGULATION ADDRESSING MUA & THE BOARDS' POSITION HAS NOT CHANGED ON THIS MATTER. A MOTION WAS MADE TO REFER THIS MATTER TO THE RULES & REGULATIONS COMMITTEE. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. DAVID CORRADO, D.C.

Dr. Corrado sent an inquiry to the Board questioning whether it was acceptable to use and sell to patients, topical gels and lotions which contain Ibuprofen & Glucosamine.

A MOTION WAS MADE BY DR. KOSTINAS, WHICH WAS SECONDED BY DR. SENATORE, TO REFER TO N.J.A.C. 13:44E CANNOT SELL OR DISPENSE IBUPROFEN & GLUCOSAMINE; WITH REGARDS TO HIRING/INDEPENDENT CONTRACTING/BUSINESS, DR. CORRADO WAS REFERRED TO THE PRACTICE STRUCTURE REGULATIONS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

V. DISCIPLINARY MATTERS

A. FRANCA Di LISIO, D.C.

The Board has reviewed an assessment letter provided by the Center for Personalized Education for Physicians as well as a Consent Order filed January 25, 2007.

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. SPADAFINO, STATING THAT DR. Di LISIO DID NOT COMPLY WITH THE ORDER AND MAY RETAKE ProBE OR PRIME ETHICS COURSE UNTIL SHE PASSES "UNCONDITIONALLY". A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

B. RONALD V. KERN, D.C.

The Board reviewed an assessment letter provided by the Center for Personalized Education for Physicians as well as Dr. Kern's Offer of Settlement Letter, which is still awaiting his signature for public record.

A MOTION WAS MADE BY DR. O'CONNOR, WHICH WAS SECONDED BY DR. KOSTINAS, TO HAVE DR. KERN SIGN THE APPROVED OFFER OF SETTLEMENT LETTER AND RETURN TO THE BOARD TO BE PUT ON PUBLIC RECORD. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURNMENT

A MOTION WAS MADE BY MR. TRAIER, WHICH WAS SECONDED BY DR. SPADAFINO, TO GO INTO EXECUTIVE SESSION TO CONSIDER PENDING CONSUMER COMPLAINTS, INSURANCE REFERRALS, ENFORCEMENT BUREAU REPORTS & MISCELLANEOUS MATTERS. A VOTE WAS TAKEN AND THE MOTION PASSED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

Respectfully Submitted,

Sonya Liverpool
Sr. DEMO