

The **Connecticut State Board of Chiropractic Examiners** held a meeting on January 22, 2009 at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Paul Powers, DC
Sean Robotham, DC
Vincent A. Pacileo – Public Member
Marion Terry – Public member

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey Kardys, Board Liaison

Dr. Scott called the meeting to order at 9:10 a.m.

Mr. Pacileo was welcomed to his first meeting as Board member.

I. MINUTES

Dr. Robotham made a motion, seconded by Dr. Imossi, to approve the minutes from the November 6, 2008 meeting. The motion passed with all in favor except Mr. Pacileo who abstained

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigations Update

Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported that there are seven chiropractic cases currently under investigation by the Department of Public Health. In addition, three cases have been referred to the Department's Legal Office for further review.

III. NEW BUSINESS

A. Approval of Chiropractic Colleges And Universities

Dr. Powers made a motion, seconded by Dr. Imossi, to approve only those colleges and universities that are accredited by the Council on Chiropractic Education. The motion passed unanimously.

B. Delegates to the Federation of Chiropractic Licensing Boards/National Board of Chiropractic Examiners

Dr. Imossi made a motion, second by Robotham, that Dr. Powers be the Boards' 2009 delegate to the Federation of Chiropractic Licensing Boards and the National Board of Chiropractic Examiners, and that Dr. Scott be the alternate delegate. The motion passed unanimously.

Since the annual meeting of the Federation of Chiropractic Licensing Boards is scheduled for the first week of May. The May 7, 2009 Board meeting will be rescheduled to Thursday May 28, 2009.

IV. OLD BUSINESS

Manipulation Under Anesthesia

Dr. Scott reported that he spoke with Assistant Attorney General Daniel Shapiro. The Board act on a final written decision in this matter at the May 2009 meeting.

V. ADJOURNMENT

The meeting was adjourned at 9:35 a.m.

Respectfully submitted
Matthew Scott, DC – Chairman
Connecticut State Board of Chiropractic Examiners

The **Connecticut State Board of Chiropractic Examiners** held a meeting on **May 28, 2009** at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Sean Robotham, DC
Paul Powers, DC

BOARD MEMBERS ABSENT: Marion Terry – Public member
Vincent A. Pacileo – Public Member

ALSO PRESENT: Kristin Kasabucki, Connecticut Chiropractic Association
Mary Alice Moore Leonhardt, Esq.

Dr. Scott called the meeting to order at 9:15 a.m.

I. MINUTES

Dr. Powers made a motion seconded by Dr. Imossi, to approve the minutes from the January 22, 2009. The motion passed unanimously.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigations Supervisor, reported there are 4 cases under investigation. 5 cases are completed and awaiting action by the DPH legal office.

III. NEW BUSINESS

A. License Reinstatement: David Dube

Ms. Filippone discussed documents as submitted for the reinstatement of Dr. David Dube. The Board reviewed the documents and discussed them. A motion was made by Dr. Powers and seconded by Dr. Imossi to reinstate Dr. Dube's license. The motion passed unanimously.

Ms. Filippone discussed that online license renewal is coming and there is a possibility that online posting of continuing education may occur as well. Will update as this progresses.

B. Correspondence regarding informed consent

A letter from Attorney Rock was reviewed regarding informed consent, particularly pertaining to the issue of Chiropractic Manipulation and stroke. It was reviewed by the Board members. Dr. Kane, a Connecticut license holder reported that there have been no incidents of Chiropractic Manipulation and Stroke in Connecticut in the past 10 years.

The Board also heard from Mary Alice Moore Leonhardt, general counsel for the Connecticut Chiropractic Association, who provided them with information pertaining to this that was published in the journal SPINE as well as discussed facts from NCMIC. She would like to submit an informational packet to the Board and will do so within 1 week.

Dr. Imossi questioned the validity of some of the statements in Attorney Rocks letter. Dr. Powers noted that informed consent is already part of the standard of care.

The Board verified that this issue was in front of the Connecticut Legislature and that it singled out Chiropractic on the issue of informed consent. The bill apparently did not pass according to Kristin Kasabucki from the Connecticut Chiropractic Association.

The Board decided that Dr. Powers would draft a letter to Attorney Rock acknowledging the receipt of his letter and that the Board is aware of this issue and will continue to monitor progress of this issue.

IV. Old Business

A. Manipulation Under Anesthesia

Daniel Shapiro, Assistant Attorney General, reports that he has been instructed not to provide additional feedback to the Board on this issue and that if the Board wanted a formal opinion from the AG office on this, that the Board should submit a request in writing, or, the Board could release a declaratory ruling as they deem appropriate without one.

The Board has been dealing with this issue for over 3 years and has not come to a resolution.

Formal fact-finding had been stopped pending input from the AG office. After extensive discussion, Dr. Powers recommended the Board members schedule a meeting to reconvene on formal fact finding which was approved. The meeting is scheduled for July 2, 2009 at 9 am.

The Board scheduled for August 20, 2009 will be rescheduled to August 27, 2009.

V. ADDITIONAL AGENDA ITEMS

A. Letter from Dr. Einhorn

A letter was received from Dr. Einhorn regarding obtaining a Connecticut Chiropractic license without written examination. Dr. Cherie Sachiel-Flint also appeared at the Board meeting on the same issue.

Jennifer Filippone discussed that initial licensure, by statute, is under the DPH and the Board has no decision making in this area. Dr. Powers reviewed the statute in regard to Licensure without examination and the Board discussed it with Ms. Filippone.

Ms. Filippone and the Board feel that the existing statute is very restrictive and does not take into account years of uninterrupted practice in another state while in good standing with no malpractice or license board complaints. Dr. Sachiel-Flint discussed that other states specifically discuss years of practice.

Ms. Filippone stated that the DPH would look at the look at the Statutes and look at possible revisions related to this issue. It would have to go through policy and management as well as the governor's office. Perhaps multiple endorsements would be appropriate. We will discuss this further at the August meeting.

B. Team Physicians

The issue of team physicians came up where a DC not licensed in CT travels into CT with a sport team to specifically treat them. There is no existing statute for this. Jennifer Filippone will review other professions and provide some possible language for the Board to review at the August meeting for possible submission for and update to the Statute.

VI. ADJOURNMENT

The meeting was adjourned at 10:35 a.m.

Respectfully submitted

Paul Powers, DC

Member

Connecticut State Board of Chiropractic Examiners

The **Connecticut State Board of Chiropractic Examiners** held a meeting on **July 2, 2009** at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Paul Powers, DC
Sean Robotham, DC

BOARD MEMBERS ABSENT: Marion Terry – Public member
Vincent A. Pacileo – Public Member

ALSO PRESENT: Kristin Kasabucki, Connecticut Chiropractic Association
Mary Alice Moore Leonhardt, Esq.

Dr. Scott called the meeting to order at 9:05 a.m.

I. MINUTES

Dr. Robotham made a motion seconded by Dr. Imossi, to approve the minutes from the May 28, 2009 meeting. The motion passed unanimously.

II. NEW BUSINESS

A. Connecticut Chiropractic Association request for Declaratory Ruling Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

After review of the request for Declaratory Ruling, much discussion followed. A motion was made by Dr. Powers to accept the request for declaratory ruling of the following question:

When a Chiropractor obtains informed consent from a patient prior to the performance of a joint mobilization, manipulation or adjustment, should the risk and/or possibility of the occurrence of a stroke or cervical artery dissection as a side effect to the procedure be addressed with the patient?

The Declaratory Ruling of this will be posted in the CT law journal and the Board provided a list of parties to notice.

Petitioner	NCMIC, OUM, CMIC, - all malpractice carriers
DPH	VOCA c/o Janet Levy
CCC	ACC
ACA/ICA	FCER
FCLB	NCMIC, OUM, CMIC, - all malpractice carriers
Connecticut Medical Examining Board	
State Board of Natureopathic Examiners	
Chiropractic Stroke Awareness Group, LLC	
Connecticut State Board of Examiners for Physical Therapists	

Request for status will need to be received by August 21, 2009.

The Board discussed and decided to move the August 27, 2009 meeting to September 10, 2009.

III. FACT-FINDING

Manipulation Under Anesthesia

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

The Board engaged in fact finding for this issue. A document will be prepared under the direction of Attorney Shapiro and forwarded to the Board members.

IV. ADJOURNMENT

The meeting was adjourned at 11:25 a.m.

Respectfully submitted

Paul Powers, DC

Member

Connecticut State Board of Chiropractic Examiners

The **Connecticut State Board of Chiropractic Examiners** held a meeting on **September 10, 2009** at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Paul Powers, DC
Sean Robotham, DC
Vincent A. Pacileo – Public Member
Jean Rexford – Public Member

BOARD MEMBERS ABSENT: Marion Terry – Public member

ALSO PRESENT: Daniel Shapiro, Assistant Attorney General.

Dr. Scott called the meeting to order at 9:06 a.m.

Ms. Rexford was welcomed to her first meeting as a Board member.

I. MINUTES

Dr. Imossi made a motion seconded by Dr. Robotham to approve the minutes from the July 2, 2009 meeting. The motion passed 4 – 0 with Mr. Pacileo and Ms. Rexford abstaining.

II. OLD BUSINESS

Manipulation Under Anesthesia

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

The Board reviewed the draft decision in this matter. Dr. Powers made a motion, seconded by Dr. Imossi to adopt the decision. The motion passed unanimously 4 – 0 with Mr. Pacileo and Ms. Rexford abstaining.

III. NEW BUSINESS

A. License Reinstatement Review – George Rose, DC

Maritsa Morales, License and Applications Analyst, Department of Public Health presented a license reinstatement application for George Rose, DC.

After providing the opportunity for Dr. Rose to address the Board, Dr. Powers recommended that based on existing precedent, Dr. Rose must become current with Continuing Education requirements and must pass the SPEX exam given by the National Board of Chiropractic Examiners prior to license reinstatement.

B. Chiropractic Stroke Awareness Group request for Declaratory Ruling

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. The Board discussed this issue. Dr. Powers commented that there a Declaratory Ruling Proceeding has begun regarding an identical issue except for the issue of a discharge summary. This issue could certainly be addressed within the context of the existing Declaratory Ruling Proceeding.

Dr. Powers made a motion, seconded Dr. Robotham, to deny this request for a Declaratory Ruling Proceeding and to address the issues raised by the Chiropractic Stroke Awareness Group in the existing proceeding regarding Informed Consent. The motion passed 6 – 0. Britt Harwe President of the Chiropractic Stroke Awareness Group, who was present for the discussion indicated she is satisfied with the Boards decision

C. Declaratory Ruling Proceeding “Informed Consent”

The Board reviewed requests for status from the following organizations and individuals:

Connecticut Chiropractic Association
Connecticut Chiropractic Counsel
International Chiropractors Association
Connecticut Medical Examining Board
Senator Leonard A. Fasano
ChiroSecure
Victims of Chiropractic abuse, Inc.
Chiropractic Stroke Awareness Group, LLC
Victims of Irresponsible Chiropractic Education
Chiropractic Stroke Awareness Organization
Campaign for Science-Based Healthcare
Preston H. Long, DC
Michael F. McCormick
Sharon Mathiason
Murray S. Katz, MDCM

Mary Alice Moore Leonhardt, Esq, addressed the Board on behalf of the Connecticut Chiropractic Association, discussed her clients request for party status.

The Board recessed at 10:05 am and reconvened at 10:30 am.

A motion was made by Ms. Rexford to grant party status to the Connecticut Chiropractic Association, Connecticut Chiropractic Counsel, Victims of Chiropractic Abuse, Inc., and the Chiropractic Stroke Awareness Group, LLC and to grant intervenor status to all others. The motion was modified by Dr. Powers, and seconded by Mr. Pacileo, that (1) intervenors would not have the right to cross-examine (2) those granted party or intervenor status would prefile written testimony and rebuttal testimony, and are required to appear and adopt under oath, and (3) Senator Fasano would have the ability to provide testimony pursuant to Connecticut General Statute § 4-177c (b). The motion passed 6 – 0
No individuals and/or entities were denied participation.

The Board set the following dates:

Prefiled testimony is due on October 27, 2009

Rebuttal testimony is due on November 20, 2009

The public hearing will be held on January 5 and 6, 2010 at 9:00 am.

IV. ADDITIONAL BUSINESS

Dr. Powers asked Maritsa Morales, License and Applications Analyst, Department of Public Health, for clarification regarding a new licensee's continuing education requirement. Requirements are due upon license renewal in the odd year after the first licensing. A newly licensed chiropractor must demonstrate compliance with the mandatory continuing education requirements at the time of license renewal in the odd numbered year that immediately follows the initial licensure date.

V. ADJOURNMENT

The meeting was adjourned at 11:14 a.m.

Respectfully submitted

Paul Powers, DC

Member

Connecticut State Board of Chiropractic Examiners

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Connecticut State Board of Chiropractic Examiners** held a meeting on **November 5, 2009** at the Department of Public Health, 410 Capitol Avenue, Conference Room A/B - Cafeteria, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Matthew Scott, DC – Chairman
Michele Imossi, DC
Paul Powers, DC
Sean Robotham, DC
Jean Rexford – Public Member

BOARD MEMBERS ABSENT: Marian Terry – Public member
Vincent A. Pacileo – Public Member

Dr. Scott called the meeting to order at 9:07 a.m.

I. MINUTES

Ms. Rexford made a motion seconded by Dr. Imossi to approve the minutes from the September 10, 2009 meeting. The motion passed 5 – 0.

II. OLD BUSINESS

Declaratory Ruling – “Informed Consent”. Prefiled testimony has been received from all participants except the ICA and ChiroSecure. The next deadline for rebuttal testimony is November 20, 2009. Hearings are scheduled for Jan 5 and 6, 2010 at the legislative office building.

Investigations Update from Mr. Gary Griffin. 4 cases being investigated and 2 are in legal office.

Endorsement language – Jennifer Phillipone updated the Board that this issue has been proceeding and will update as it progresses.

III. NEW BUSINESS

Annual update from Maureen Dinnan on HAVEN (Health Assistance Intervention Network for Connecticut Health Professionals. Mr. Dinnan reports that 1 Chiropractor was referred to the program and is in the early phases of workup. She provided information on the program including an upcoming educational event.

IV. ADDITIONAL BUSINESS

The Board selected the following dates for 2010 meetings.

January 19, 2010

April 15, 2010

June 24, 2010

August 19, 2010

October 28, 2010

December 9, 2010

V. ADJOURNMENT

The meeting was adjourned at 10:00 a.m.

Respectfully submitted

Paul Powers, DC

Connecticut State Board of Chiropractic Examiners