

The **Connecticut State Board of Chiropractic Examiners** held a meeting at the Department of Health at 410 Capitol Avenue, Hartford, CT on January 9, 2014.

BOARD MEMBERS PRESENT: Matthew Scott, DC, Chairman
Candito Carroccia, DC
Michele Imossi, DC
Faraneh Carnegie-Hargreaves – Public Member
Sean Robotham, DC

BOARD MEMBERS ABSENT: Jean Rexford – Public Member

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Stacy Schulman, Hearing Officer, DPH
Kerry Colson, Assistant Attorney General

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 November 21, 2013 and December 3, 2013 meetings. The motion passed unanimously.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigations Update

Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported that there are 8 chiropractic cases currently under investigation by the Department of Public Health. 6 cases have been referred to the Department's Office of Licensure Regulation and Compliance for further review.

III. OLD BUSINESS

Physicals for commercial driver's license

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. The Board reviewed informal advice on this issue as authored by attorney Colson. Dr. Carroccia made a motion, seconded by Dr. Robotham, to waive Attorney/Client privilege and make this document public. The motion passed with all in favor.

Ms. Carnegie-Hargreaves arrived at 9:15 a.m.

The Board discussed its options with Attorney Colson on how to proceed.

Dr. Carroccia made a motion, seconded by Dr. Imossi, to issue a declaratory ruling regarding the issue of Chiropractors conducting physicals for commercial driver's licenses. The motion passed unanimously.

Dr. Imossi made a motion, seconded by Dr. Carroccia, that the declaratory ruling address the following: Does the scope of chiropractic practice in Connecticut permit a chiropractor to conduct the testing and physical examination of body systems required on the Medical Examination Report, to determine whether a driver is physically qualified to drive a commercial motor vehicle (CMV) in interstate commerce and complete the Medical Examiner's Certificate on the Medical Examination Report? The motion passed unanimously.

The Board will hold a meeting on February 13, 2014 to further discuss this matter and render a ruling.

IV. NEW BUSINESS

A. Continuing Education Requirements

The Board held a discussion with Jennifer Filippone, Section Chief, Office of Practitioner Licensing and Investigation regarding the mandatory content areas for continuing education.

A licensee must complete coursework in the following five topical areas:

- 1 hour - Ethics
- 1 hour - Informed Consent
- Laws and Regulations including documentation and coding
- 2 hours – Risk Management

B. Delegate to the Federation of Chiropractic Licensing Boards and the National Board of Chiropractic Examiners

This matter is tabled until the February 13, 2014 meeting

C. Annual Approval of Chiropractic Colleges/Universities

Dr. Scott made a motion, seconded by Dr. Imossi, that pursuant to § 20-27(d) of the Connecticut General Statutes, to approve only those colleges and universities that are accredited by the Council on Chiropractic Education. The motion passed unanimously.

V. ADJOURN

Dr. Imossi made a motion, seconded by Dr. Carroccia, to adjourn. The meeting was adjourned at 9:50 a.m.

Respectfully submitted
Matthew Scott, DC, Chairman
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 at the Department of Health at 410 Capitol Avenue, Hartford, CT on March 20, 2014.

BOARD MEMBERS PRESENT: Matthew Scott, DC, Chairman
Candito Carroccia, DC
Michele Imossi, DC
Faraneh Carnegie-Hargreaves – Public Member
Jean Rexford – Public Member
Sean Robotham, DC

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Stacy Schulman, Hearing Officer, DPH
Kerry Colson, Assistant Attorney General

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

I. MINUTES

Dr. Imossi made a motion, seconded by Dr. Carroccia, to approve the minutes from the January 9, 2014 meetings as edited. The motion passed unanimously.

II. OLD BUSINESS

A. Physicals for commercial driver's license

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. The Board reviewed a February 20, 2014 letter on this issue from attorney Colson. Dr. Carroccia made a motion, seconded by Ms. Rexford, to waive Attorney/Client privilege and make this document public. The motion passed with all in favor.

Dr. Carroccia made a motion, seconded by Dr. Imossi, that the Board rely on its own expertise and combined knowledge in issuing a declaratory ruling regarding Chiropractors in Connecticut conducting physicals for commercial driver's licenses. The motion passed with all in favor except Ms. Rexford, who was opposed.

The Board reviewed the "Medical Examination Report for Commercial Driver Fitness Determination" and determined that approved schools of chiropractic teach chiropractic students to perform examinations which include the testing of the components specified in the medical examination report. Additional documents reviewed by the Board were marked as exhibits.

Dr. Carroccia made a motion, seconded by Dr. Imossi, that a petition for party status filed by the Connecticut Chiropractic Association be denied. The motion passed unanimously.

Dr. Robotham made a motion, seconded by Dr. Carroccia, that the declaratory ruling state that the scope of chiropractic practice in Connecticut permits a chiropractor to conduct the testing and physical examination of body systems required on the Medical Examination Report codified in 49 C.F.R. § 391.43, to determine whether a driver is physically qualified to drive a commercial motor vehicle in interstate commerce and complete the Medical Examiner's Certificate on the Medical Examination Report. The motion passed unanimously. The declaratory ruling will be drafted so as to be adopted at the May 8, 2014 Board meeting.

B. Delegate to the Federation of Chiropractic Licensing Boards and the National Board of Chiropractic Examiners

Dr. Imossi made a motion, seconded by Dr. Robotham, that Dr. Scott be the Boards' 2014 delegate to the Federation of Chiropractic Licensing Boards and the National Board of Chiropractic Examiners, and that Dr. Carroccia be the alternate delegate. The motion passed unanimously.

Kirk Shilts, DC, Region III Director, Federation of Chiropractic Licensing Boards (FC LB) was present and provided an overview of FCLB and its activities.

III. ADJOURN

Dr. Imossi made a motion, seconded by Dr. Carroccia, to adjourn. The meeting was adjourned at 11:10 a.m.

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

The **Connecticut State Board of Chiropractic Examiners** held a meeting at the Department of Health at 410 Capitol Avenue, Hartford, CT on May 8, 2014.

BOARD MEMBERS PRESENT: Matthew Scott, DC, Chairman
Candito Carroccia, DC
Michele Imossi, DC
Faraneh Carnegie-Hargreaves – Public Member
Jean Rexford – Public Member – *via telephone*
Sean Robotham, DC

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Stacy Schulman, Hearing Officer, DPH
Kerry Colson, Assistant Attorney General

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

I. MINUTES

Dr. Imossi made a motion, seconded by Dr. Carroccia, to approve the minutes from the March 20, 2014 meeting. The motion passed unanimously.

II. OLD BUSINESS

A. Physicals for commercial driver's license

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. The Board reviewed the draft Declaratory Ruling.

Dr. Carroccia made a motion, seconded by Dr. Robotham, to adopt the Declaratory Ruling. The motion passed unanimously. Dr. Scott signed the ruling.

III. OFFICE OF LICENSURE REGULATION AND COMPLIANCE

A. Karlos Boghosian, D.C. – Petition No. 2010-5304

Linda Fazzina, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Dr. Boghosian was present.

Ms. Rexford made a motion, seconded by Dr. Imossi, to approve the consent order as written. The motion passed unanimously. Dr. Scott signed the Order.

B. Jerry A. Schmitt, D.C. – Petition No. 2010-5305

Linda Fazzina, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Dr. Schmitt was present.

Ms. Rexford made a motion, seconded by Dr. Imossi, to approve the consent order as written. The motion passed unanimously. Dr. Scott signed the Order.

IV. ADJOURN

Ms. Rexford made a motion, seconded by Dr. Carroccia, to adjourn. The meeting was adjourned at 9:25 a.m.

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

The **Connecticut State Board of Chiropractic Examiners** held a meeting at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut, Room 1-C on July 31, 2014.

BOARD MEMBERS PRESENT: Matthew Scott, DC, Chairman
Gina Carucci, DC
Candito Carroccia, DC
Faraneh Carnegie-Hargreaves – Public Member

BOARD MEMBERS ABSENT: Sean Robotham, DC

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Stacy Schulman, Hearing Officer, DPH
Henry Salton, Assistant Attorney General
Kerry Colson, Assistant Attorney General

Dr. Scott called the meeting to order at 9:03 a.m.

I. MINUTES

Dr. Carroccia made a motion, seconded by Dr. Carucci, to approve the minutes from the May 8, 2014 meeting. The motion passed unanimously.

II. OLD BUSINESS

A. Pending Litigation

CONNECTICUT STATE MEDICAL SOCIETY ET AL V. CONNECTICUT STATE BOARD OF CHIROPRACTIC EXAMINERS ET AL - HHB-CV14-6025732-S

Dr. Carroccia made a motion, seconded by Dr. Carucci, to enter executive session to discuss with Assistant Attorney General Henry Salton and Assistant Attorney General Kerry Colson litigation in which the Board is a defendant. The motion passed unanimously and the Board entered executive session from 9:06 a.m. until 9:22 a.m. No motions were made and no votes were taken during executive session.

Following executive session Dr. Carucci made a motion, seconded by Ms. Carnegie-Hargreaves, to authorize the Office of the Attorney General, on behalf of the Board, to file a voluntary remand with the Superior Court. The motion passed unanimously.

III. OFFICE OF LICENSURE REGULATION AND COMPLIANCE

A. Bonnie Zschunke, D.C. – Petition No. 2010-5495

Linda Fazzina, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Karen Karpie was present for respondent.

Dr. Scott made a motion, seconded by Dr. Carucci, to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order which imposes a reprimand.

B. Samantha Fickett (unlicensed) – Petition No. 2011-790

Linda Fazzina, Staff Attorney, Department of Public Health presented a Department of Public Health motion to withdraw the Statement of Charges in this matter.

Dr. Carroccia made a motion, seconded by Dr. Carucci, to grant the motion to withdraw charges. The motion passed unanimously. Dr. Scott signed the Order.

C. Dirk Johns, D.C. – Petition No. 2014-363

Joelle Newton, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Carroccia made a motion, seconded by Dr. Carucci, to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order which imposes probation for a period of
of
eighteen
months.

IV. **ADJOURN**

Dr. Carucci made a motion, seconded by Dr. Carroccia, to adjourn. 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 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut, Third Floor Hearing Room on September 4, 2014.

BOARD MEMBERS PRESENT: Matthew Scott, DC, Chairman – *via telephone*
Gina Carucci, DC
Candito Carroccia, DC
Faraneh Carnegie-Hargreaves – Public Member
Sean Robotham, DC

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Stacy Schulman, Hearing Officer, DPH

Dr. Scott called the meeting to order at 9:04 a.m.

I. MINUTES

Dr. Carucci made a motion, seconded by Dr. Carroccia, to approve the minutes from the July 31, 2014 meeting. The motion passed unanimously.

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 of which four are being reviewed by consultants.

In addition, three cases have been referred to the Department's Office of Licensure Regulation and Compliance for further review.

III. NEW BUSINESS

License Reinstatement Applications

A. Matthew Chere, DC

Steven Carragher, Public Health Services Manager, Department of Public Health presented a license reinstatement application for Matthew Chere, DC. Dr. Carucci made a motion, seconded by Dr. Carroccia, recommending that Dr. Chere's license be reinstated.

B. Michael Crawford, DC

Steven Carragher, Public Health Services Manager, Department of Public Health presented a license reinstatement application for Michael Crawford, DC. Dr. Robotham made a motion, seconded by Dr. Carucci, recommending that Dr. Crawford's license be reinstated.

IV. ADJOURN

Dr. Carroccia made a motion, seconded by Dr. Robotham, to adjourn. The meeting was adjourned at 9:17 a.m.

Respectfully submitted
Matthew Scott, DC, Chairman
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 at the Department of Health at 410 Capitol Avenue, Hartford, CT on November 20, 2014.

BOARD MEMBERS PRESENT: Matthew Scott, DC, Chairman
Candito Carroccia, DC
Gina Carucci, DC
Faraneh Carnegie-Hargreaves – Public Member
Melissa Muszynski – Public Member

BOARD MEMBERS ABSENT: Sean Robotham, DC

ALSO PRESENT: Jeffrey Kardys, Board Liaison
Stacy Schulman, Hearing Officer, DPH
Kerry Colson, Assistant Attorney General

Dr. Scott called the meeting to order at 9:03 a.m.

I. MINUTES

Dr. Carucci made a motion, seconded by Dr. Carroccia, to approve the minutes from the September 4, 2014 meeting. The motion passed unanimously.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigations Update

Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported that there are 7 chiropractic cases currently under investigation by the Department of Public Health. % of these cases are being reviewed by consultants
In addition, 3 cases have been referred to the Department's Office of Licensure Regulation and Compliance for further review. One case has been dismissed since the September 4, 2014 meeting.

III. NEW BUSINESS

Schedule Meeting Dates for 2015

The following dates have been scheduled for meetings in 2015.

February 19, 2015

February 26, 2015 (Snow Date)

May 21, 2015

September 17, 2015

November 19, 2015

All meetings will be held at the Department of Public Health beginning at 9:00 a.m.

IV. FACT FINDING

A. Roger Roughley, DC - Petition No. 2011-912

The Board conducted fact-find in the matter of Roger Roughley, DC. Hearing Officer Stacy Schulman provided counsel to the Board.

Paragraph 1 of the Statement of Charges is proven. As to paragraph 2 of the charges, Dr. Scott and Dr. Carucci voted that the medical records were adequate. Dr. Carroccia and Ms. Carnegie-Hargreaves were opposed and Ms. Muszynski abstained. On a motion by Dr. Carroccia this matter will be tabled to allow Dr. Robotham to be present and to allow Ms. Muszynski to review the record. Another fact-finding meeting will be scheduled for December 4, 2014 at 9:00 a.m.

B. Physicals for commercial driver's license – Declaratory Ruling

Assistant Attorney General Kerry Colson was present to provide counsel to the Board. Dr. Scott made a motion, seconded by Dr. Carucci, to reopen the record to allow for the marking of late exhibits. The motion passed with all in favor except Ms. Muszynski who abstained. Dr. Carucci made a motion, seconded by Dr. Carroccia, to enter Commission exhibit 14 and Exhibit C-23 into the record. The motion passed with all in favor except Ms. Muszynski who abstained.

The Board conducted fact-finding during which it found that the components of the medical examiners examination of body systems as specified in 49 C.F.R. § 391.43 are taught in Chiropractic Schools accredited by The Counsel on Chiropractic Education and that it is within the scope of a chiropractor in Connecticut to conduct examinations of such body systems for diagnostic purposes.

The Board also found that it is within the scope of practice for a chiropractor licensed in Connecticut to determine whether a person meets the standards in 49 C.F.R. § 391.41 (b) (1)-(12) and is physically qualified to drive a commercial motor vehicle.

Dr. Carucci made a motion, seconded by Dr. Carroccia, that that the scope of chiropractic practice in Connecticut permits a licensed chiropractor to conduct the testing and physical examination of body systems required on the Medical Examination Report codified in 49 C.F.R. § 391.43, to determine whether a driver is physically qualified to drive a commercial motor vehicle in interstate commerce and complete the Medical Examiner's Certificate on the Medical Examination Report. The motion passed with all in favor except Ms. Muszynski who abstained.

V. ADJOURNMENT

Dr. Scott made a motion, seconded by Dr. Carucci, to adjourn. The meeting was adjourned at 10:30 a.m.

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