

The **Connecticut State Board of Chiropractic Examiners** held a meeting on January 19, 2010 at the Legislative Office Building, Capitol Avenue, Conference Room 1-D, Hartford, Connecticut.

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**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

**ALSO PRESENT:** Jeffrey Kardys, Board Liaison

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Dr. Scott called the meeting to order at 8:35 a.m.

**I. MINUTES**

Dr. Powers made a motion, seconded by Dr. Imossi, to approve the minutes from the November 5, 2009 meeting. The motion passed.

**II. DEPARTMENT OF PUBLIC HEALTH UPDATES**

A. Investigations Update

Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported that there are five chiropractic cases currently under investigation by the Department of Public Health. In addition, two 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, 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.

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

Dr. Powers made a motion, seconded by Ms. Rexford, that Dr. Powers be the Boards' 2010 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.

**IV. ADJOURNMENT**

The meeting was adjourned at 8:50 a.m.

Respectfully submitted  
Paul Powers, DC  
Connecticut State Board of Chiropractic Examiners

The **Connecticut State Board of Chiropractic Examiners** held a meeting on June 10, 2010 at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

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

**BOARD MEMBERS ABSENT:** None

**ALSO PRESENT:** Jeffrey Kardys, Board Liaison  
Daniel Shapiro, Assistant Attorney General

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Dr. Scott called the meeting to order at 1:05 p.m.

**I. MINUTES**

Amendments to the minutes included adding Ms. Rexford to the Board Members Present listing, adding the vote for the minutes and changing the submission signature from Dr. Scott to Dr. Powers. Dr. Powers made a motion, seconded by Ms. Rexford to approve the minutes from the January 19, 2010 meeting. The motion carried 6 – 0.

Dr. Scott welcomed the newest public member, Faraneh Carnegie-Hargreaves to the Board.

**II. DEPARTMENT OF PUBLIC HEALTH UPDATES**

**A. Licensure Update**

Jennifer Filippone, Section Chief Office of Practitioner Licensing and Investigation reported on updates from the legislative session. Public Act 10-117, section 5 is reported that if a Doctor retires or is deceased, a patient has a right to a full copy of their records at no cost. Section 12 of that same act clarifies that the Chiropractic Board has the authority to take action against a license holder who does not meet their CE requirements. Section 13 of the same Act allows for licensure by endorsement.

Dr. Powers made the following motion: For Jennifer Filippone to draft a regulatory change that would allow the Board to direct license holders to take a certain number (to be determined) of continuing education hours in specific topics. The Board would update such a list every two years. The motions was seconded by Dr. Imossi and passed unanimously.

**B. 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. In addition, 6 cases have been referred to the Department's Legal Office for further review. Mr. Griffin did not note any specific trends in complaints.

**III. LEGAL OFFICE BUSINESS**

A. Stacey Raya, D.C. - Petition No. 2008-0729-007-007

David Tilles, Staff Attorney, Legal Office, Department of Public Health presented a Consent Order in the matter of Stacey Raya, D.C. Attorney Peter Evans was present on behalf of Dr. Raya. Dr. Powers made a motion, seconded by Dr. Imossi to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order

B. Steven Thiele, DC - Petition No. 2008-0314-007-003

David Tilles, Staff Attorney, Legal Office, Department of Public Health presented a Consent Order in the matter of Steven Thiele, DC. Attorney Richard Tynan was present on behalf of Dr. Thiele. Dr. Powers made a motion, seconded by Ms. Rexford, to deny the Consent Order. The motion passed unanimously. The Board recommended that a consent order for this case should include 12 hours of continuing education in clinical documentation (of which, any hours in this topic taken in 2010 would apply) and include a 6 month clinical monitor of medical records.

**IV. OLD BUSINESS**

Declaratory Ruling – “Informed Consent”

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. The Board reviewed the draft decision in this matter.

All voting was done by Board members present except for Faraneh Carnegie-Hargreaves – Public Member, as she did not take part in this Declaratory Ruling Proceeding.

Dr. Powers made a motion to changes all instances of “Chiropractic Adjustment” and “Chiropractic Therapy” to “joint mobilization, manipulation or adjustment of the cervical spine” to be consistent with the declaratory ruling question/language. Seconded by Dr. Robotham and passed unanimously.

A correction in spelling was noted by Dr. Imossi on the first page near the top of the document, where CERVIAL was corrected to CERVICAL

Dr. Powers made a motion to modify Finding of Fact #1 to add the language “and provide post treatment instructions”. Seconded by Dr. Robotham. Motion carried 4 – 1 with Ms. Rexford voting against the amendment.

Dr. Powers made a motion to modify Finding of Fact #3 to change the first line to read “The evidence is sufficient to establish that a stroke or cervical artery dissection is not a....(remainder of fact unchanged). Second by Dr Robotham. Motion carried 4 – 0 with Ms.Rexford abstaining from voting.

Dr. Powers made a motion to modify Finding of Fact #5 to read “Chiropractors are required by the standard of care to perform a history and physical examination and if determined that a patient is having a stroke or cervical arterial dissection, refrain from providing care and refer the patient for medical diagnosis and treatment”. Seconded by Dr. Robotham. Motion carried unanimously.

Dr. Powers made a motion to modify the second paragraph under Discussion and Conclusions of Law to read “After a careful and thorough review of all of the testimony and documentary evidence admitted at the hearing, the Board concludes that there is sufficient evidence to establish that a stroke or a cervical arterial dissection is not a risk or side effect of a joint mobilization, manipulation or adjustment of the cervical spine”. Seconded by Dr. Robotham. Vote carried 4 – 0 with Ms. Rexford abstaining from voting.

Dr. Powers made a motion to modify the fourth paragraph under Discussion and Conclusions of Law to read “109,020,875 person years”. Seconded by Dr. Robotham. Motion carried unanimously.

Dr. Imossi made a motion to modify the 6<sup>th</sup> paragraph under Discussion and Conclusions of Law to read “In contrast to Dr. Cassidy, Dr. Murray S. Katz, failed to adequately scientifically analyze any of the studies upon which he relied upon in support of his position, nor was he able to articulate any insights into the studies. The methodologies utilized in the studies produced by Dr. Katz were less transparent, and not scientifically based when compared to the *Cassidy* study. Tr. 1/22/10 pp. 221-232. The Board finds that the testimony of Dr. Katz is not credible.” Seconded by Dr. Robotham. Motion carried unanimously.

Dr. Powers made a motion to modify the 8<sup>th</sup> paragraph under Discussion and Conclusions of Law to read” Without diminishing the compelling and heartfelt testimony of persons who had suffered a stroke and their loved ones, the Board finds that although the evidence is insufficient to establish that a stroke or cervical arterial dissection is a side effect or risk of joint mobilization, manipulation or adjustment of the cervical spine, the evidence *is* sufficient to establish that spinal manipulation on persons who are having an acute stroke or cervical arterial dissection is *not* within the standard of care.” Seconded by Dr. Robotham. Motion carried unanimously.

Dr. Powers made a motion to approve the Declaratory Ruling Memorandum of Decision as amended. Seconded by Dr. Robotham. Motion carried 4 -1 with Ms. Rexford in opposition.

Dr. Powers made a motion for Dr. Scott to sign the signature page for the MOD which will be attached to the amended MOD which will then be released within 24 hours. Seconded by Dr. Robotham. Motion carried unanimously.

V. **ADJOURNMENT**

The meeting was adjourned at 3:00 p.m.

Respectfully submitted  
Paul Powers, DC – Secretary  
Connecticut State Board of Chiropractic Examiners

The **Connecticut State Board of Chiropractic Examiners** held a meeting on August 19, 2010 at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room E, Hartford, Connecticut.

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

**BOARD MEMBERS ABSENT:** Faraneh Carnegie-Hargreaves – Public Member  
Sean Robotham, DC

**ALSO PRESENT:** Jeffrey Kardys, Board Liaison

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

**I. MINUTES**

Ms. Rexford made a motion, seconded by Dr Imossi to approve the minutes from the June 10, 2010 meeting. The motion carried 4 – 0.

**II. DEPARTMENT OF PUBLIC HEALTH UPDATES**

A. Licensure Update  
No updates from the DPH

B. Investigations Update  
Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported that there are 10 chiropractic cases currently under investigation by the Department of Public Health. In addition, 4 cases have been referred to the Department’s Legal Office for further review. Mr. Griffin did not note any specific trends in complaints.

**III. OLD BUSINESS**

Continuing Education Regulations

Jennifer Filippone sent with Mr. Kardys language to amend Section 20-32 of the general statutes which would provide the Board the latitude to .issue a list that includes not more than five mandatory topics for continuing education activities that will be required. Ms. Rexford made a motion, seconded by Dr. Imossi, to concur with that language and move it forward.

Declaratory Ruling – “Informed Consent”

Mr. Kardys noted that he was informed by Mr. Shapiro that the appeal period for this declaratory ruling has run out and the decision stands as rendered by the Board.

**IV. ADDITIONAL AGENDA ITEMS**

Mr. Kardys noted that a hearing for the Steven Thiele case will be scheduled at the Board's next meeting on October 28, 2010.

Letter from former Board Member Pacileo

Dr. Scott received a letter from former Board Member Vincent Pacileo regarding the Board's final decision regarding the Declaratory Ruling on Informed Consent. Mr. Pacileo stated "Given the weight of the Cassidy study, its findings, and the absence of contrary fact based evidence, I would have voted with the majority and affirmed the ruling that was released. Further, in my tenure on the Board, I found each member acting consistently in a professional, respectful manner in the questioning of witnesses as well as during its deliberations".

Dr. Scott asked that the letter be made part of the Board's general records.

The meeting was adjourned at 9:25 p.m. Next scheduled meeting is October 28, 2010.

Respectfully submitted  
Paul Powers, DC – Secretary  
Connecticut State Board of Chiropractic Examiners

The **Connecticut State Board of Chiropractic Examiners** held a meeting on October 28, 2010 at the Department of Public Health, 410 Capitol Avenue, third floor Hearing Room, Hartford, Connecticut.

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

**BOARD MEMBERS ABSENT:** Elaina Parahus – Public Member  
Paul Powers, DC

**ALSO PRESENT:** Jeffrey Kardys, Board Liaison  
Stacy Owens, Hearing Officer  
Daniel Shapiro, Assistant Attorney General

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Dr. Scott called the meeting to order at 9:11 a.m.

**I. MINUTES**

Ms. Rexford made a motion, seconded by Dr. Robotham to approve the minutes from the August 19, 2010 meeting. The motion passed unanimously.

**II. DEPARTMENT OF PUBLIC HEALTH UPDATES**

A. Licensure Update  
None

B. Investigations Update

Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported there are 13 cases currently under investigation by the Department of Public Health. 3 additional cases have been referred to the Department's Legal Office for further review.

**III. NEW BUSINESS**

A. Health Assistance interVention Education Network for  
Connecticut Health Professionals – (HAVEN)

Maureen Dinnan, Executive Director provided the annual update regarding the Haven Program. There is one chiropractic physician currently enrolled in the program. Approximately 212 professionals are enrolled in the program at this time.

B. Stacey Raya, DC - Petition No. 2008-0729-007-007

Petition for Modification of Final Decision Ordered Pursuant to Consent Order.

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Attorney Mary Alice Moore Leonhardt was present for Dr. Raya. Attorney David Tilles was present for the Department of Public Health.

Argument was heard from Attorneys Tilles and Moore Leonhardt. Following discussion Ms. Rexford made a motion, seconded by Ms. Carnegie-Hargreaves, to deny Dr. Raya's petition as there was no showing of changed conditions. The motion passed with all in favor except Dr. Imossi who recused herself.

**IV. LEGAL OFFICE BUSINESS**

A. Steven Thiele, DC - Petition No. 2008-0314-007-003

David Tilles, Staff Attorney, Legal Office, Department of Public Health presented a Consent Order in the matter of Steven Thiele, DC. Mary Alice Moore Leonhardt was present on behalf of Dr. Thiele. Dr. Scott made a motion, seconded by Ms. Carnegie-Hargreaves, to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order which imposes a \$2500.00 civil penalty.

B. Mitchell Gordon, DC - Petition No. 2008-1212-007-003

Dr. Scott made a motion, seconded by Dr. Robotham, to add this matter to the agenda. The motion passed unanimously.

Leslie Scoville, Staff Attorney, Legal Office, Department of Public Health presented a Consent Order in the matter of Mitchell Gordon, DC. Mary Alice Moore Leonhardt was present on behalf of Dr. Gordon. Dr. Robotham made a motion, seconded by Ms. Rexford, to approve the Consent Order. The motion passed unanimously. Dr. Scott signed the Order which imposes a \$4000.00 civil penalty.

The meeting was adjourned at 9:55 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 on December 9, 2010 at the Department of Public Health, 410 Capitol Avenue, second floor Conference Room F, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Matthew Scott, DC – Chairman  
Michele Imossi, DC  
Paul Powers, DC  
Jean Rexford – Public Member  
Faraneh Carnegie-Hargreaves – Public Member

**BOARD MEMBERS ABSENT:** Elaina Parahus – Public Member  
Sean Robotham, DC

**ALSO PRESENT:** Jeffrey Kardys, Board Liaison

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

**I. MINUTES**

Ms. Rexford made a motion, seconded by Ms. Carnegie-Hargreaves to approve the minutes from the October 28, 2010 meeting. The motion carried 5 – 0.

**II. DEPARTMENT OF PUBLIC HEALTH UPDATES**

A. Licensure Update

Jennifer Filippone reported that language regarding reciprocity was passed and is done. Update regarding the Board's recommended language for continuing education is moving forward. She needs to check regulations regarding CE for teaching classes.

B. Investigations Update

Gary Griffin, Department of Public Health, Practitioner Investigations Unit reported that there are 12 chiropractic cases currently under investigation by the Department of Public Health. In addition, 3 cases have been referred to the Department's Legal Office for further review. Mr. Griffin did not note any specific trends in complaints.

**III. NEW BUSINESS**

Meeting dates for 2011 are as follows:

January 6  
April 14  
June 23  
August 25  
October 27  
December 8

Meetings will begin at 9:00 a.m. at the Department of Public Health.

**IV. ADDITIONAL AGENDA ITEMS**

FCLB delegate for 2011 is Dr. Powers with Dr. Scott as the co-Delegate.

NOTE: Elaina Parahus – Public Member, has missed two meetings in a row.

The meeting was adjourned at 9:24 p.m. Next scheduled meeting is January 6, 2011.

Respectfully submitted  
Paul Powers, DC – Secretary  
Connecticut State Board of Chiropractic Examiners