

1 NEW YORK STATE BOARD FOR CHIROPRACTIC
2 MINUTES OF MEETING
3 State Board for Chiropractic
4 Thursday, June 22, 2023
5 10:00 a.m. – 2:00 p.m.
6 Northeast College of Health Sciences, Board Room
7 2360 State Route 89
8 Seneca Falls, NY 13148
9

10 **PRESENT:** Fiona Jarrett-Thelwell, D.C., Chair; Anthony Morgante, D.C., Vice-Chair; Mark
11 Craft, D.C.; D.C.; Elaina Pirro-Lombardi, D.C Bruce Steinberg, D.C; Michael Zumpano, Ph.D., D.C.
12 Caroline Maher, PM
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14 **STAFF:** Dolores Cottrell, Executive Secretary; Michael Puspurs
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16 **Extended**

17 **Board Members:** Scott Kilmer, D.C.; Kenneth Padgett, D.C.
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19 **Guests:** Gary DiBenedetto, D.C., NBCE; Bryan Ludwig, D.C., NYCC; Rennie Statler,
20 D.C., NYCC.; NYCC; Rae Smith, D.C.; NYSCA
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22 **Welcome and Review of Agenda:**
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24 Dr. Jarrett-Thelwell welcomed everyone and made a motion to call the meeting to order at 10: 00
25 a.m. Formal introductions followed.
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27 **MINUTES:**

28 The minutes of the January 12, 2023 meeting were reviewed. A motion was made to approve the
29 minutes as amended (Craft/Morgante).
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31 **BOARD CHAIR REPORT:**

32 Dr. Jarrett-Thelwell began her report by calling for a motion to move agenda items
33 (Zumpano/Craft). Dr. Jarrett-Thelwell informed members that the Board will meet with the Northeast
34 chiropractic students for a Q & A at 12:00 p.m. Dr. Jarret-Thelwell stated that the Board has been
35 involved with several things: participation in NBCE Part IV, NBCE Part III and IV examination
36 development, being FCLB delegates, and attendance at the April FCLB conference in West Palm Beach
37 Florida.

38 Dr. Jarrett-Thelwell ended her report stating the Board will continue with its participation with
39 FCLB and NBCE, as well as additional involvement in events whenever possible.
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41 **EXECUTIVE SECRETARY REPORT:**

42 Dr. Cottrell started her report stating that the Board should have received an email for state ethics
43 training, which is required for all board members. Dr. Cottrell stated that the Regents now allows service
44 members or service members' spouses to practice in NY with a valid out of state license. Dr. Cottrell
45 stated that there is a Pierce family chiropractic research fellowship, funded by Dartmouth, that allows
46 for new opportunities to pursue academic research. Dr. Cottrell informed members that she attended the
47 FCLB annual meeting in April and Dr. Steinberg also attended.

48 Dr. Cottrell ended her report stating that Dr. DiBenedetto was elected District 3 leader of the
49 NBCE. There is a FCLB District Meeting in September in Boston.
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COMMITTEE REPORTS:

Legislative Committee – Dr. Morgante, Chair, stated that all the ongoing bills have been reassigned new bill numbers. Dr. Morgante said the Scope Modernization Bill now has a new Assembly bill number, A4150 and a new Senate bill number of S6047. Dr. Morgante spoke with Mr. Ochacher and Ms. Kellogg and they are actively pursuing the Scope Modernization Bill. They had a Lobby Day in May that was well attended. Dr. Morgante stated that the Partnership Bill has been taken up as well with a new Assembly bill number, A715 and a new Senate bill number of, S5581.

Practice Committee – Dr. Craft, Chair, proposed that a CE course focusing on state law be considered and that Northeast College of Health Sciences would consider administering the course. Dr. Craft stated that 60 years ago New York State got their first chiropractic license, and the first test was administered in 1964.

Public Information Committee - Dr. Steinberg, Chair, stated that there is nothing new to report and the Board will discuss the acupuncture and diagnostic ultrasound practice alerts in old business.

Outreach Committee – Dr. Pirro-Lombardi, Chair, stated that she has heard from different colleges, that there is a push to work collaboratively with chiropractic institutions for a 5 or 6-year program and take pre-med courses within the degree program.

Program Review Committee (extension of the practice committee) – Dr. Jarrett-Thelwell, Chair, stated that the same subject matters are being denied for CE courses: sideline physicians, treating depression with nutrition, nutrition and preventing infections, epigenetics and treating Parkinson’s. Dr. Jarrett-Thelwell informed members that chiropractors can use CPR or BLS courses for CE credit. However, the course must be given by an approved sponsor and the course must be live and in person.

OLD BUSINESS:

- Scope Modernization update – In the legislative committee report.
- Part IV Boards update- Dr. Cottrell stated that the Part IV Exam is November 10th- 12th. Dr. Craft and Dr. Steinberg will be the representatives for Part IV in November. Dr. Cottrell informed members that Dr. Zumpano is going to the Part IV test development in Colorado.
- Practice Alert-Diagnostic Ultrasound & Acupuncture-The Board approved the Diagnostic Ultrasound and Acupuncture Practice alerts, and they will be posted on the OP website.
- Test Your Knowledge of Law and Practice Questions- Dr. Cottrell stated that these practice questions are still with Legal for review.
- FAQ for Student Survey Questions- The Board approved the Student Survey questions and answers and they will be sent to Legal for review.

NEW BUSINESS

- X-Ray Question for Initial patient appointments- Dr. Jarrett-Thelwell stated that the Chiropractic Board does not handle reimbursement issues with insurance companies and the Board

100 recommends NYCC to contact the Division of Financial Services which may be able to help them with
101 this issue.

102 The Board agreed that there is nothing in the chiropractic scope of practice that states you must wait any
103 given time period before doing an X-ray and there are no time restrictions on performing X-rays. The
104 Board agreed that if it is within scope and a licensee documents why they are doing an X-ray, then that
105 is the standard of care.

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107 • Return to Play- Concussion Practice Alert- The Board made edits to the Concussion practice
108 alert to state that chiropractors cannot return patients to work or return to play after a concussion.

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110 • Treating Disease with Nutrition Practice Alert- The Board agreed to refer chiropractors to the
111 scope regarding nutrition or the nutrition practice alert to address treating disease with nutrition.

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113 **NEXT MEETING:** The next meeting will be held on Thursday October 5, 2023 from 10:00 a.m. to
114 2:00 p.m. in NYC.

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116 **ADJOURNMENT:**

117 Dr. Jarrett-Thelwell, Chair thanked all for their participation and asked for a motion to adjourn at
118 11:24 a.m. (Pirro-Lombardi/Steinberg). Motion unanimously approved

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120 **EXECUTIVE SESSION:**

121 A motion was made to enter Executive Session at 11:45 a.m. (Steinberg/Zumpano). The
122 disciplinary cases were discussed. The Board motioned out of Executive Session at 11: 52 a.m.
123 (Zumpano/Maher).

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