

NEW YORK STATE BOARD FOR CHIROPRACTIC
MINUTES OF MEETING
New York State Education Department, 10th Floor, Regents Room
1411 Broadway
New York, New York
10:00 AM- 2:00 PM, Thursday, January 25, 2018

PRESENT: Elaina Pirro-Lombardi, D.C., Chair; Mark Craft, D.C., Vice Chair; Gary DiBenedetto, D.C.; Sherry Downie Ph.D.; Fiona Jarrett-Thelwell, D.C.; Bruce Steinberg, D.C.; Anthony Morgante, D.C.; Anne Reid, Public Member

ABSENT: Sonali Lal, M.D.

STAFF: Dolores Cottrell, Executive Secretary; Michael Puspurs

Extended

Board Members: Ellen Coyne, D.C.

Guests: Thomas R. Ventimiglia, D.C., New York Chiropractic College; Amy Kellogg, Esq. Harter, Secrest & Emery; Gregori Pasqua, D.C., NYSCA Regional Director

Welcome and Review of Agenda:

Dr. Pirro-Lombardi made a motion to call the meeting to order at 10:02 AM. (Morgante/Craft).

MINUTES:

The minutes of the October 19, 2017 meeting were reviewed and approved as amended. A motion was made to accept the minutes with changes (Morgante/Reid).

BOARD CHAIR REPORT:

Dr. Pirro-Lombardi stated the letter requesting a permanent Executive Secretary for Chiropractic was submitted to Deputy Commissioner Lentivech. As of today, a response hasn't been received.

Dr. Pirro-Lombardi ended her report encouraging members to participate in Part IV Board Exams.

EXECUTIVE SECRETARY REPORT:

Dr. Cottrell started her report by welcoming Dr. DiBenedetto a new member to the Board. Dr. Cottrell stated that Dr. DiBenedetto was instrumental in negotiating the Scope Modernization Bill and she looks forward to working with him on the Board.

COMMITTEE REPORTS:

Legislative Committee - Dr. Morgante, Chair, stated that the Workers Compensation Board is forming an advisory committee to look into the Independent Medical Examination process.

Practice Committee - Dr. Craft, Chair, stated that the New York Chiropractic College sent out practice alerts to educate chiropractors about acceptable CE's. Dr. Craft suggested that having case studies on the practice alerts may be a good way for chiropractors to understand the limits of their scope. Dr. Craft stated the importance of having licensees become members in the chiropractic associations.

Public Information Committee - Dr. Steinberg, Chair, and all Board Members discussed the procedure for Chiropractic Practice Alerts.

Outreach Committee - Dr. Morgante, Chair, informed Board Members that he is going to reach out to D'Youville College and invite Dr. Clemo to the spring Board meeting. Dr. Morgante stated that he will draft the invitation letter and the Board can review it.

Program Review Committee – Dr. Jarrett-Thelwell, Chair, stated that Kinesio-taping, functional medicine, weight loss, work hardening and conditioning and worker's compensation codes are topics that need to be reviewed and summarized.

OLD BUSINESS:

- Scope Modernization – The Scope Modernization Bill is S7427/A8541.
- Part IV Examiners for May 2018 – The Board discussed how there is a call for two board members to participate with Part IV. The Board agreed that the delegate to the National Board of Chiropractic Examiners will be Dr. Steinberg and the alternate delegate will be Dr. Jarrett-Thelwell. They will also as the voting and alternate for the Federation of Chiropractic Licensing Boards (FCLB).
- Functional Medicine Practice Alert- Dr. Cottrell stated that the Functional Medicine practice alert was sent to legal in October and legal did say they would look at it again. The Board discussed the primary purpose of the Functional Medicine alert is to inform chiropractors that CE courses having to do with Functional Medicine are not acceptable CE in New York and NYS Chiropractors cannot advertise using Functional Medicine in their practice as it is not within scope.
- Cannabis Oil- The Board discussed how using cannabis oil is not within their scope of practice. Dr. Cottrell stated that Chiropractors cannot prescribe or recommend the use of medical marijuana products to their patients. The NYS Department of Health only allows physicians and PA's to prescribe for specific conditions. The Board discussed how a chiropractor cannot apply it if a patient brings it in as a cream and that it cannot be sold as a nutritional supplement.

NEW BUSINESS

- Weight Loss-Update Letter- The Board discussed updating a weight loss letter from 2001 as it applies to patient care. The Board agreed to revise the letter and have a draft prepared for the next meeting.
- CCE Letter – The CCE Regents discussion item is temporarily on hold.
- Continuing education- Part IV Boards-. The Board discussed how chiropractors only receive 2 hours of CE for participation in the Part IV Board exams. The Members discussed how in other states chiropractors get 12 to 24 CE hours per weekend. Dr. Cottrell stated that our Board Office will look back at the past meeting minutes to determine how many CE previous members received.

NEXT MEETING:

The next meeting will be held on Thursday, June 14, 2018 from 10:00 a.m. to 2:00 p.m. at D'Youville College in Buffalo.

ADJOURNMENT:

The Chair thanked all for attending and asked for a motion to adjourn at 12:45 PM. (Jarret-Thelwell) Motion unanimously approved.

EXECUTIVE SESSION:

A motion was made to enter executive session at 12:47 PM (Downie/Morgante). The Board came out of executive session at 1:00 PM (DiBenedetto/Morgante).