

**RHODE ISLAND BOARD OF CHIROPRACTIC EXAMINERS
MINUTES OF OPEN MEETING**

October 18, 2012

A meeting of the Board of Chiropractic Examiners was held on the above date at the Rhode Island Department of Health, 3 Capitol Hill, Conference Room 104, Providence, Rhode Island

Board members in attendance:

Donald Murphy, DC

Paul Miele, DC

Ronald Marsh, DC

Louis Marciano, M.Ed.

Board members not in attendance:

Robert Ricci, PH.D.

Staff members in attendance:

Mike Simoli, Acting Health Program Administrator

Thomas Corrigan, Esq., Department Legal Counsel

Linda Julian, Investigator

Others in attendance:

None

A quorum was established and the meeting was called to order at 8:34 am.

Motion to move to Open Session proposed by Dr. Murphy and seconded by Dr. Miele.

Open Minutes:

Lipo-laser

1. A chiropractor from the community had asked lipo-laser treatment was within the scope of practice of chiropractic care in Rhode Island. She had been asked to send in additional information for the board; i.e., a website, a brochure, or a detailed explanation in her own words. No response has been received to date.

The Joint

2. Mr. Corrigan presented a final version of the Department's response letter to The Joint. In summary, the Department's position is that The Joint cannot operate under Rhode Island law as a healthcare practice because not all of the owners are healthcare practitioners. The board unanimously approved the final version of the letter.

Regulations

3. Mr. Simoli invited any proposed changes to the Rules and Regulations for Licensure and Discipline of Chiropractic Physicians [R5-30-CHI]. The board unanimously agreed that the following proposed changes are appropriate and will inform Mr. Simoli if any

other changes are proposed:

- a. Add "non-refundable" wherever a fee is mentioned.**
- b. Change continuing education (CE) cycle from triennial to annual to match the renewal cycle. This will result in 20 CE's per year.**
- c. Add "webinar" to the list of live CE options.**

Policy Statement

4. Dr. Murphy asked if the board could develop and publish a policy statement on the Department of Health website, similar to that of the Board of Medical Licensure and Discipline. The question arose when Dr. Miele mentioned that a chiropractor cannot bill two different insurance carriers simultaneously for the same treatment even if the affected part received two different injuries on different dates. Mr. Corrigan and Mr. Simoli will raise issue with the Associate Director.

At 8:54 am, a motion to adjourn the "Open Session" and enter into "Closed Executive Session" for the purpose of discussing disciplinary matters pursuant to the applicable exceptions of the Open Meeting Law, so called of Chapter 42-46-5 subdivision (1) and (4) of the Rhode Island General Laws. Upon motion by Dr. Murphy, the Board voted unanimously to enter into "Executive Session" at 8:54 am.

The next meeting will be held on February 14, 2013, at 8:30am at the

Rhode Island Department of Health Conference Room 104.

At 10:15 am Dr. Murphy made a motion to adjourn which was unanimously seconded.

Mike Simoli, Acting Health Program Administrator

**Office of Health Professionals, Regulation, Rhode Island Department
of Health**