

NEW HAMPSHIRE BOARD OF CHIROPRACTIC EXAMINERS AGENDA

Thursday, October 24, 2019
Public Minutes

The regularly scheduled meeting of the New Hampshire Board of Chiropractic Examiners (the “Board”) was held at the Office of Professional Licensure and Certification (“OPLC”), 121 South Fruit St., Concord NH on October 24, 2019 beginning at 8:15 a.m., with the following members present:

Dr. Keith J. Zimmermann, Chair, Dr. David Lundgren, Dr. Lisa Lanzara-Bazzani, Dr. Tamara L. Lovelace and Lawrence Patten, Public Member

- I. Upon motion by Dr. David Lundgren, with a second by Dr. Lisa Lanzara-Bazzani, the Board motioned to approved the public minutes of September 5, 2019. ~ ***Motion Approved***

- II. New Certificates for Signatures

N/A

- III. New Business:

- A. Upon motion by Dr. David Lundgren, with a second by Dr. Lisa Bazzani, the Board voted to approve the Continuing Education presented to the Board from Dr. Gary L. Walsemann D.C. License #52-A. ~ ***Motion Approved***
- B. The Board requested that the Administrator, Michelle Thibeault update the Boards New Hampshire Employment Security Licensed page for the Occupation Book. Board requests that the 1st paragraph be replaced with RSA 316-A:1
- C. Dr. Lisa Lanzara-Bazzani addressed the Board. Dr. Lanzara-Bazzani attended the District III & V Federation of Chiropractic Licensing Boards (FCLB) meeting in New Jersey. The information provided in the Highlights from District III meeting was provide Dr. Lanzara-Bazzani will be attending the Annual Conference in Denver, CO from April 22 to 26, 2020. Dr. Lisa Lanzara-Bazzani will be the voting delegate.

- IV. Question

1. Nikki Miller Chiropractic for the Sport Living: Currently South Dakota has corporate hiring restrictions in hospitals for Chiropractors. We are doing a poll to inquire each state's individual laws regarding this. Could you please give us any information regarding your State? We appreciate any help you can provide us.

Question: No, The State of New Hampshire does not have corporate hiring restrictions in hospitals for Chiropractors, it is up to the individual hospitals.

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V. New Licensees

N/A

Motion to commence 1st Non-Public Session:

On motion at 8:21a.m. of Lawrence Patten, seconded by Dr. Lisa Lanzara-Bazzani, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

On motion at 8:37 a.m. by Lawrence Patten, with a second by Dr. Tamara Lovelace, the Board voted to go out of non-public session and reconvened in public.

Adjourned for non-meeting 8:37 am
Reconvened for public meeting at 9:05 am

VI. Board Hearing:

The Chair, Dr. Keith Zimmermann, called the Public Hearing of Andrew Gallinaro, D.C., Docket No 19-DC-010 at 9:10 a.m. with all parties present. Dr. David Lundgren addressed the Board Chair and reported he would recuse himself for deliberating.

At 9:46 am the Board heard from the witnesses on the Hearing Counsel's list, Melissa Mawn, Complainant; Paul Mawn, Complainant's husband; Allison Vachon, Investigator for APU; Dr. David Letellier, Board Investigator. Hearing Counsel concluded at 11:26 am.

At 11:27 am. the Board heard from the witnesses on the respondent's list, Dr. John Merrick, and Jennifer Henry. Respondent concluded at 12:40 pm.

At 12:40 p.m. the public hearing was adjourned. The record, however, will remain open as the hearing has been continued.

The hearing shall reconvene at 8:00 a.m. on October 31, 2019 at the Office of Professional Licensure and Certification.

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Motion to commence 2st Non-Public Session:

On motion at 12:40 p.m. of Lawrence Patten, seconded by Dr. Lisa Lanzara-Bazzani, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, RSA 329:18, I, RSA 329:18-a, IV, RSA 329:29, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

Non-Public Session:

[Minutes kept separately]

On motion at 12:50 p.m. by Dr. Tamara Lovelace, with a second by Dr. David Lundgren, the Board voted to go out of non-public session and reconvened in public

Motion to keep minutes of non-public session confidential:

Upon the motion at 12:50 p.m. by Dr. Tamara Lovelace, with a second by Dr. David Lundgren, the Board voted to withhold and seal the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A: 3 III, that divulgence of the information likely would affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

VII. On motion at 12:51 p.m. by Dr. Tamara Lovelace, with a second by Dr. David Lundgren, the Board voted to adjourn the Board Meeting.

VIII. Public Hearing Continued October 31, 2019 8:00 am
Next Meeting November 7, 2019 8:30 am