

# State of New Hampshire

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION

DIVISION OF HEALTH PROFESSIONS

**Board of Chiropractic Examiners**

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## **BOARD OF CHIROPRACTIC EXAMINERS AUGUST 6, 2020, PUBLIC SESSION**

The regularly scheduled meeting of the Board of Chiropractic Examiners was held via ZOOM on August 6, 2020, beginning at 8:34 a.m., with the following members present:

Dr. Keith J. Zimmermann, Chair  
Dr. David Lundgren  
Dr. Lisa Lanzara-Bazzani  
Dr. Tamara Lovelace  
Mr. Lawrence Patten

### Also Present:

Dr. Denise Pickowicz  
Dr. William Reddy

- I. Meeting Minutes. Review of July 14, 2020, meeting minutes. Upon motion by LLB, with a second by DL, the Board voted unanimously via roll call vote to approve the minutes as written. (LBC to correct name misspelling).
- II. Public Hearing: N/A
- III. New Business:
  - a. Recruiting investigator to help with complaints (LBC update). LBC explained the need for a job description. LBC can reach out to Dr. Letellier regarding obtaining a job description.
  - b. Recruiting monitors to assist with settlement agreements (LBC update). LBC noted the need for a job description. The Board discussed that it does have some criteria that has been standard with people who have done monitoring agreements. The Board has individually looked at those and allowed licensees to provide candidates to the Board. TL noted that the Board decided not to do that anymore. The Board would prefer to provide a list of possible monitors to licensees. The

next step is to determine the criteria to be a monitor. The Board will review and discuss at subsequent meetings.

- c. OPLC Agency Update (LBC). LBC provided update on agency operations. KZ mentioned statute of limitations as an issue. LLB—the cases need to be on the agenda so they do not get lost in shuffle. Discussion ensued about possible changes/rule changes.
- d. LLB noted she wanted to let the minutes reflect that the NH Board of Chiro Examiners in October 2016/2017 voted to alternate appointing a member of the NH State Chiro Society and NH State Chiro Association as Chair of the Board.

IV. Applications: Discussion ensued regarding applications.

Upon motion by TL, with a second by DL, the Board voted unanimously via roll call vote to approve the applications of the following individuals:

Daniel, Darin  
Frobese, Jacquelyn  
Kuntz, Tyler  
Smith, Nicole

Upon motion by TL, with a second by LLB, the Board voted unanimously via roll call to issue a conditional denial to Joseph Marfisi. The Board had questions regarding whether his FL license is encumbered. There was an August 30, 2011, order for failure to comply with disciplinary order, as he did not pay the full fine or portion of the fine.

TL noted that the Board should contact Florida to obtain information as to his compliance with the disciplinary order. LBC will contact FL, and GA as well.

V. Continuing Education/Questions: N/A

VI. Other:

The Board discussed signatures for certifications. The Board will provide signatures electronically to the Board Administrator.

VII. Non-Public Session:

At 9:23 a.m., on motion at LLB, which was seconded by TL, the Board voted unanimously via roll call vote 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.

**[Minutes kept separately]**

**Motion to keep minutes of non-public session confidential:**

At 9:45 a.m., upon the motion of LLB, which was seconded by TL, the Board voted unanimously via roll call vote 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.

Meeting Adjourned at: 9:48 a.m.