

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
**BOARD OF CHIROPRACTIC LICENSURE**  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0035

Janet T. Mills  
Governor

Anne L. Head, Esq.  
Commissioner

Geraldine L. Betts  
Administrator

Maine Board of Chiropractic Licensure  
Minutes of February 21, 2024, Board Meeting

Virtual Meeting Public Notification and Hearing/Viewing Instructions Provided at the  
Opening of the Meeting by Board Chair Paul Morin.

**CALL TO ORDER**

Chair Paul Morin called the meeting to order at 9:04 a.m.

**MEMBERS PRESENT**

Dr. Paul Morin, D.C., Chiropractor member, Chairperson  
Dr. Joseph Kerwin, D.C., Chiropractor member, Vice Chair and Complaint Officer  
Dr. John Mark Laney, D.C., Chiropractor member  
Dr. Luc Dionne, D.C., Chiropractor member

**MEMBERS ABSENT**

Dr. Richard Bruns, D.C., Chiropractor member

**STAFF PRESENT**

Geraldine L. Betts, Administrator  
Nicole Sawyer, Assistant Attorney General, Board Counsel  
Diane Perry, Comprehensive Health Planner II  
Meagan McLaughlin, Comprehensive Health Planner II  
Heather Bronish, Sr Consumer Assistant Specialist  
Dominic Cotone, Comprehensive Health Planner I (present virtually)

**MINUTES REVIEW AND APPROVAL**

*Review, discussion, and approval of the minutes of October 18, 2023*

An amendment was proposed to add a correction of the travel section, it is missing 2 motions.  
First, designated travel for FCLB Conference and second, delegating FCLB Delegate.  
Dionne moved to accept the minutes after discussion of changes; seconded by Kerwin.  
Dionne, Laney, Kerwin, and Morin in favor. Bruns absent



## **LICENSURE RENEWAL APPLICANTS RELATED TO CONTINUING PROFESSIONAL EDUCATION**

The Board discussed the matter applications from licensee who did not fully complete the required continuing professional education for purpose of licensure renewal. Assistant Attorney General, Nicole Sawyer and Board Administrator, Jeri Betts, summarized the situation of the fifteen applications and three recommended options to resolve the matter.

**1) Extend Time to Fully Complete CEs.** Pursuant to Board Rule Chapter 6, the Board may extend the time for licensee to fully complete required continuing education requirements. Discipline will not be imposed, and each licensee will be granted an extension of time to complete fully 48 hours of continuing education hours no later than midnight August 31, 2024. Deficient hours completed may be in either Category 1 or Category 2. Upon completion of all deficient hours, the licensee shall submit to the Board documentation attesting to continuing education completed which must clearly identify if the course/seminar was in Category 1 or Category 2. Such hours may not be used for purposes of meeting 2024/25 continuing education hours. If the licensee fails to follow through the Board will file a complaint for noncompliance and may be subject to discipline; *or*

**2) The Board shall docket a complaint against the licensee for noncompliance of continuing education.** However the Board will not enforce the continuing education requirement for licensees who did not fully complete the require CEs for the licensing period 2022/23 and agrees to dismiss and close the case, issue the license renewal, and issue to each licensee a **Letter of Guidance** to inform the licensee that with the end of the civil pandemic emergency, licensees must comply with current rules outlined in Chapter 6, which includes completing 48 hours of continuing education of which no more than 12 hours may be in Category 2 continuing education hours. Licensees are reminded to reinforce knowledge of all applicable Maine Board of Chiropractic Examiners laws and rules, including but not limited to Board Rules Chapter 6 Continuing Professional Education Requirements; *or*

**3) Preliminarily deny renewal and offer a consent agreement to resolve noncompliance.** Using a 2016 example of discipline, the licensee's chiropractic license renewal will be preliminarily denied for noncompliance with continuing education requirements and a consent agreement will be offered to resolve the noncompliance, which shall include: A warning, \$100.00 civil penalty per continuing education hour deficient to be paid upon signing the consent agreement, complete 2 continuing education hours for each continuing education hour deficient to be completed within 6 months of the date of the fully executed consent agreement. The make-up deficiency may be in either Category 1 or Category 2. Upon completion of all deficient hours, the licensee shall submit to the Board documentation attesting to continuing education completed which must clearly identify if the course/seminar was in Category 1 or Category 2. The renewal license will be issued upon payment of the civil penalty.

**Additional administrative recommendation.** Sent a continuing education reminder notice to all licensed chiropractors that with the end of the pandemic civil emergency licensees must comply with current continuing education rules as outlined in Board Rule Chapter 6. The Board recognizes that since the pandemic the option for virtual and web-based continuing education seminar and course options have greatly expanded. The Board will be initiating updates to the rules to address the matter of available continuing education options that will facilitate access for licensees and continue to ensure that licensees keep current with practice changes.

**Licensees:**

1. CR1010 Joanne Chapman
2. CR2324 Andrew Debethune
3. CR2158 Haley Girard
4. CR2626 Steven Knowles
5. CR2247 Teri Langford
6. CR1867 Christina Steenstra
7. CR1739 Robert Tenney
8. CR1221 Kevin Bardwell
9. CR1098 Cindy Bouchard
10. CR1967 Johanna Hill
11. CR2717 Erin McGonigle
12. CR2069 Colleen Monroe
13. CR1162 Matthew McDonnell
14. CR2308 Jennifer Cotone
15. George Demaertelaere – allowing a withdrawal.

Kerwin motioned to accept Option 2 with the Letter of Guidance to remain on file for 5 years; seconded by Morin, Kerwin and Morin in favor, Laney and Dionne in opposition, motion failed to pass.

Dionne motioned to move item to next board meeting to further evaluate each individual's continuing education to determine what category of CE should be complete, no second, motion failed to pass.

Laney motioned that in light of the pandemic to accept Option 1 which extends the time for licensees to complete continuing education and by accepting the combination of Category 1 and 2 hours, some licensees who completed a total of 48 hours or more will have sufficiently met the CE requirement, seconded by Morin, Dionne, Morin, Laney in favor, Kerwin in opposition, Bruns absent, motion passes by majority vote.

**CORRESPONDENCE**

*Zev Myerowitz, Jr D.C.* MCA President and Cape Integrative Health, *Director, Health Services*  
Dr. Myerowitz is requesting the board's interpretation of chiropractic methodology with regard to injections of non-pharmaceutical mediums.

AAG Sawyer – recommended that the board decline to issue advisory ruling and to inform Dr. Myerowitz that the board may not render legal advice and he may wish to seek private legal counsel or to take the matter of his request to the Legislature if proposing a statutory change. No discussion by the board and Dr. Morin stated that the board accepts AAG Sawyer’s recommendation.

### **ELECTION OF OFFICERS**

**Chairperson** – Dionne moved to nominate Morin to be serve as chair, seconded by Laney.

**Vice-Chairperson** – Dionne moved to nominate Kerwin to serve as Vice-Chair, seconded by Laney

**Board Complaint Officer** - Dionne moved to nominate Kerwin to serve as Board Complaint Officer, seconded by Laney.

For all three nominations, Laney, Dionne, Kerwin, Morin voted in favor, Bruns absent.

### **Federation of Chiropractic Licensing Boards, Inc. (FCLB)**

The Board discussed participation at the FCLB annual conference May 1-5, 2024 in Phoenix, AZ. Dr. Morin is available and selected as the member who will attend the conference and report back to the board.

### **National Board of Chiropractic Examiners (NBCE), Part IV Test Development Committee Conference.**

The Board discussed participation at the NBCE Part IV Test Development Committee, which is scheduled to meet in Greeley, CO on February 8, 2024, date to be confirmed. Dr. Dionne is available and selected to attend test development committee meeting and will report back to the board.

### **PUBLIC OPPORTUNITY TO COMMENT**

Before taking public comment, the Chair called for a five-minute recess at 10:26 p.m. The meeting was called back to order at 10:30 a.m.

**Robert Reed**, Executive Director of the Maine Chiropractic Association raised concerns about an item passed by the board at the last meeting, regarding online CE classes.

**Administrator Betts** interjected to remind the board that the topic raised is not a matter for the board to address under public comments.

**Robert Reed**- commented that his group is seeing a trend across States to accept continuing education offered virtual, some are using a 50/50 model. He stated that the MCA is favorable to accepted continuing education by topic or subject matter such as ethics.

End of Public Comment.

Administrator Betts addressed the board about sending a reminder to all licensed chiropractors about compliance with current board Rule Chapter 6 on continuing professional education requirements in light of the end of the pandemic. As requested by Dr. Dionne information about, information about the CE rule and the CE timeline will be included. The message will also express the board’s understanding that the pandemic may have contributed to availability of in-person CE seminars and its understanding that virtual and web-based CE offerings have greatly

expanded and that current rules will be reviewed with the goal of updating continuing education to meet today's needs and trends.

Administrator Betts provided current board members on the status of rule making that began just prior to the pandemic under different membership, which did not move forward due to other priorities related to the pandemic. Ideally depending on office work loads, rulemaking will be considered for the June 2024 board agenda to revitalize rulemaking updates. For the benefit of newer members and refreshment for other members, Administrator Betts indicated that rulemaking is a long process that can take up to a year and is guided by the Maine Administrative Procedures Act.

**ADJOURN**

There being no further business Kerwin moved to adjourn at 10:48a.m., seconded by Laney, Dionne, Kerwin, and Morin in favor, Bruns absent.

*Prepared By: Diane Perry, Comprehensive Health Planner II  
Board approved: November 20, 2024*