

# Guam Board of Allied Health Examiners

REGULAR VIRTUAL BOARD MEETING

**Friday, March 1, 2024 at 12PM**

Join Zoom Meeting: <https://us06web.zoom.us/j/81205474980?pwd=jdJlAQOaDV45VSQA1tt6zglmYJg7kP.1>

Meeting ID: 812 0547 4980; Passcode: 731924

## MINUTES

Item		Discussion	Responsible Party	Reporting Timeframe	Status	
I	Call to Order	Meeting Chaired by Dr. Balajadia		Chair	1200	Call to Order
II	Proof of Publication	Guam Daily Post 2/23/24; 2/28/24;		Chair	1200	Confirmed
III	Roll Call	<b>GBAHE Members</b> <u>Present at HPLO Conference:</u> ☑Dr. Mamie Balajadia, Clinical Psychology, Chair ☑Vince Pereda, Licensed Professional Counselor, Vice-Chair ☑Dr. Gregory Miller, Chiropractic Medicine ☐Sibyl Crisostomo, Speech Language Pathology ☑Dr. Dennis Triolo, Audiology <u>Virtual Attendance:</u> ☑Catherine San Nicolas, Clinical Dietician, Secretary & Treasurer ☑Dr. Richard Chong, Acupuncture ☑Nadine Cepeda ☑Ray Tajalle	<b>Other Attendees</b> <u>Present at HPLO:</u> Daniel Morris, Asst AG Rosemary Carman, HPLO <u>Virtual Attendance:</u> Zenna Pecina Administrator Breanna Sablan, HPLO Carla win	Chair	1200	Quorum Established
IV	Adoption of Agenda	Motion to Approve: Dr. Miller; 2 <sup>nd</sup> . V. Pereda		GBAHE	1203	Unanimously Adopted Agenda
V	Approval of Minutes	<b>Draft Minutes</b> dated 1/5/2024 and 2/4/2024. <i>Motion to approve: Dr. Triolo; 2<sup>nd</sup>: V. Pereda</i>		GBAHE	1203	Unanimously Approved
VI	Treasurer's Report	The Chair reported that C. San Nicolas will remain as the Treasurer for the time being. C. San Nicolas reported that she has not received any new financial information.		C. San Nicolas	1204	No Report
VII	Administrator's Report	A. Z. Pecina reported the following: 1. Board Composition: a. Ray Tajalle and Nadine Cepeda have been confirmed. b. Still awaiting confirmation for Dr. Miller, Greg Cruz, Alicia Ogo, Dr. Claros and Dr. Lee (podiatry). 2. New Board Orientation: no update due to procurement delays. 3. Ethics in Government: noted that this is a requirement to take this training once every 4 years. 4. Noted that the old rules and regulations will apply for Podiatry and Physician Assistant. Z. Pecina		Z. Pecina	1025	Noted

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		reported that the GBME is willing to oversee Physician Assistants due to the related scope of practice. Therefore, the GBME Rules and Regulations will be updated to include Podiatry and Physician Assistant.			
VIII	Legal Counsel's Report	Asst AG Morris reported that he met with S. Crisostomo to go over the minimum application requirements, minimum public notice requirements, and whether appointments to the Board need to be ratified by the Legislature. The Chair stated that the mandated requirements will be provided to Asst AG Morris in order to properly advise the GBAHE.	Asst AG Morris	1206	No Report
IX	GBAHE Complaints	The following complaints were reviewed by the GBAHE.	GBAHE	1207	
		A. GBAHE-CO-15-04, Veterinarian, Received 9/4/15.	Referred to Procured Attorney		In Progress
		B. GBAHE-CO-15-06, Veterinarian, Received 11/30/15.			
		C. GBAHE-CO-17-02, Veterinarian, Received 6/6/17.			
		D. GBAHE-CO-19-02, Veterinarian, Received 8/22/19.			
		E. GBAHE-CO-19-03, Veterinarian, Received 11/7/19.			
		F. GBAHE-CO-19-04, Veterinarian, Received 11/7/19.			
		G. GBAHE-CO-20-01 Veterinarian, Received 5/4/20.			
		H. GBAHE-CO-20-02 Veterinarian, Received 3/13/20.			
		I. GBAHE-CO-20-03 Veterinarian, Received 3/13/20.			
		J. GBAHE-CO-20-04 Veterinarian, Received 3/13/20.			
		K. GBAHE-CO-20-05, Veterinarian, Received 3/13/20.			
		L. GBAHE-CO-20-06, Veterinarian, Received 1/31/20.			
		M. GBAHE-CO-20-07, Veterinarian, Received 1/31/20.			
		N. GBAHE-CO-21-01, Chiropractor, Received 4/13/21. Dr. Miller reported that Mr. Koo had informed the GBAHE that he was licensed in CA; however, the Chair stated he has yet to provide a copy of his license. Upon further research, the Chair reported that he is not listed in the CA system. To date, the procured attorney at the time (Visosky) has not provided any information regarding the complaint; last contact was in December 2022. Z. Pecina subsequently reported that the case was transferred to Asst AG Finney, OAG. Dr. Miller reported that numerous videos on their services were posted on-line by LeBalance even though it is not licensed to perform the services, i.e., acupuncture, chiropractic, and physical therapy. The Chair reported that the complaint still needs to be investigated by the Board. In addition, she stated that a Guam Police officer is allegedly providing the services but is not licensed. The Chair stated that she has informed the Chief of Police. Asst AG Morris will contact Atty Finney to get more information on the case. He also described the options and processes once a lawsuit is filed (temporary restraining order, preliminary injunction and a permanent injunction) with additional information that support the merits of the complaint. If the individual failed to comply with a cease-and-desist order, Asst AG Morris stated that injunctive relief and statutory remedies could be imposed for unauthorized practice. Criminal charges would have to be brought by the OAG. A successful prosecution would likely be sufficient for LeBalance to stop	Dr. Miller		In Progress

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	providing services.			
	<b>O. GBAHE-CO-21-07, Veterinarian, Received: 11/22/21.</b>	Referred to Procured Attorney		In Progress
	<b>P. GBAHE-CO-21-08, Veterinarian, Received: 11/22/21.</b>			
	<b>Q. GBAHE-CO-22-03, MF Therapist, Received 2/21/22.</b>			In Progress
	NOTE: All the complaints listed below GBAHE-CO-22-05 thru GBAHE-CO-22-14 are complaints lodged against LeBalance. Dr. Miller reported that the business is advertising and providing services, in spite of the issuance of a cease-and-desist order.	Referred to Procured Attorney		In Progress
	<b>R. GBAHE-CO-22-05 Non-Licensed Chiro. Rec'd 9/27/22.</b>			
	<b>S. GBAHE-CO-22-06 Non-Licensed Chiro. Rec'd 10/21/22.</b>			
	<b>T. GBAHE-CO-22-07 Non-Licensed Chiro. Rec'd 10/21/22.</b>			
	<b>U. GBAHE-CO-22-08 Non-Licensed Chiro. Rec'd 10/21/22.</b>			
	<b>V. GBAHE-CO-22-09 Non-Licensed Chiro. Rec'd 10/21/22.</b>			
	<b>W. GBAHE-CO-22-10 Non-Licensed Chiro. Rec'd 10/21/22.</b>			
	<b>X. GBAHE-CO-22-11 Non-Licensed Chiro. Rec'd 10/21/22.</b>			
	<b>Y. GBAHE-CO-22-12 Non-Licensed Chiro. Rec'd 11/17/22.</b>			
	<b>Z. GBAHE-CO-22-13 Non-Licensed Chiro. Rec'd 11/17/22</b>			
	<b>AA. GBAHE-CO-22-14 Non-Licensed Chiro. Rec'd 11/17/22</b>			
	<b>BB. GBAHE-CO-23-01 Physician Assistant Rec'd 11/17/23.</b> The Chair stated she would set a meeting with the complainee to obtain their version of the complaint.	M. Balajadia		In Progress
	Note: In reference to the complaints listed below, the Chair stated that she is currently assigned to the Veterinarian complaints due to a conflict of interest; however, Z. Pecina suggested that these be reassigned to other GBAHE members. Dr. Miller inquired was constitutes a conflict of interest. Asst AG Morris indicated that, if a person believes there could be potential conflict or if there may be a perception of a conflict, then it would be prudent for one to re-evaluate their continued involvement and recommended that this be discussed openly in the GBAHE meetings.			
	<b>CC. GBAHE-CO-23-02 Veterinarian (new) Rec'd 12/28/23</b>	M. Balajadia		In Progress
	<b>DD. GBAHE-CO-23-03 Veterinarian (new) Rec'd 12/28/23</b>	M. Balajadia		In Progress
	<b>EE. GBAHE-CO-24-01 Physical Therapist Rec'd 1/29/24 (new).</b> The Chair stated that the complaint most likely will be reassigned once a physical therapist to the GBAHE. In the meantime, the Chair stated that she will investigate the complaint.	M. Balajadia		In Progress
	<b>FF. GBAHE-CO-24-02 Non-Licensed Acup. Rec'd 2/14/24 (new).</b> The Chair reported that she requested credentialling information from the Medical Director, SDA.	R. Chong		In Progress
	In addition to the above complaints, Dr Chong reported that Jong Yu had filed a complaint that 360 SPA is performing cupping, infrared, and spinal manipulation without a license; therefore, he inquired if a police report should be filed or whether the Board should file a complaint. Asst AG Morris stated that the GBAHE actions are dependent on what is stated in its Rules and Regulations guidelines. Since it is illegal for someone to practice in Guam without a license, it may be within the GBAHE's jurisdiction unless other actions are required in accordance with the Rules and Regulations. The Chair stated that the			Issue a Cease-and-Desist Order to 360 SPA

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		GBAHE will issue a cease-and-desist order. Dr. Miller suggested that HPLO publish the requirement for a license to provide services, to include Chinese and Korean media publications. NOTE: HPLO to follow-up on the status of the Letter of Concern for 360 SPA.			
X.	New Business	<b>A. Initial/New Applications:</b>	GBAHE	1300	
		1. <b>Lagutang, Gabrielle K. for Physical Therapist (G. Miller)</b> <i>Motion to approve: N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		2. <b>Ishii-Adajar, Hiroshi for Acupuncturist (R. Chong)</b> <i>Motion to approve: N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		3. <b>Rankin, Kristin N. for Occupational Therapy (S. Crisostomo)</b> <i>Motion to approve: N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		4. <b>Rofail, Fironia for Physician Assistant (R. Tajalle)</b> <i>Motion to approve: N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		5. <b>Smith, Donna for Licensed Professional Counselor (V. Pereda)</b> <i>Motion to approve: N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		6. <b>Wang, Kamille D. for Physician Assistant (R. Tajalle)</b> <i>Motion to approve: N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		7. <b>Wang, Karla D. for Physician Assistant (R. Tajalle)</b> <i>Motion to approve N. Cepeda; 2<sup>nd</sup>: Dr. Chong</i>			Unanimously Approved
		<b>B. Collaborative Practice Agreement</b>			
		1. <b>Rofail, Fironia for Physician Assistant (R. Tajalle)</b> <i>Motion to approve: Dr. Miller; 2<sup>nd</sup>: V. Pereda</i>			Unanimously Approved
		2. <b>Wang, Kamille D. for Physician Assistant (R. Tajalle)</b> <i>Motion to approve: Dr. Miller; 2<sup>nd</sup>: V. Pereda</i>			Unanimously Approved
		3. <b>Wang, Karla D. for Physician Assistant (R. Tajalle)</b> <i>Motion to approve: Dr. Miller; 2<sup>nd</sup>: V. Pereda</i>			Unanimously Approved
XI	Announcements	<b>Announcements – Next Meeting - Friday, April 5, 2024 at 12:00 p.m.</b>	GBAHE	1304	Set Date
XII	Adjournment	<i>Motion to adjourn: Dr. Triolo; 2<sup>nd</sup>: V. Pereda</i>	GBAHE	1304	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 3/4/2024

Submitted by the GBAHE Secretary:



Date:

4/5/2024

Approved by the GBAHE with or without changes:

Date:

Certified by or Attested by the Chairperson:



Date:

4/5/24