

Guam Board of Allied Health Examiners

REGULAR VIRTUAL BOARD MEETING

Friday, February 3, 2023 at 12PM

Join Zoom Meeting

<https://us06web.zoom.us/j/83611739981?pwd=QkNwV3RSWGIBNVp0UmQ2QVJ5ckkwUT09>

Meeting ID: 836 1173 9981

Passcode: 080227

MINUTES

Item		Discussion		Responsible Party	Reporting Timeframe	Status
I	Call to Order	Meeting Chaired by Dr. Balajadia		Chair	1204	Call to Order
II	Proof of Publication	– January 27 and February 1, 2023		Chair	1204	Confirmed
III	Roll Call	GBAHE Members <u>Present at HPLO Conference:</u> ☒Dr. Mamie Balajadia, Clinical Psychology, Chair ☒Vince Pereda, Licensed Professional Counselor, Vice-Chair ☒Sibyl Crisostomo, Speech Language Pathology <u>Virtual Attendance:</u> ☒Catherine San Nicolas, Clinical Dietician, Secretary&Treasurer ☒Dr. Gregory Miller, Chiropractic Medicine ☒Dr. Richard Chong, Acupuncture ☐Dr. Paul Pomes, Veterinary Medicine ☒Alesia Ogo, Occupational Therapy ☒Dr. Ryan Claros, Physical Therapy ☒Dr. Dennis Triolo, Audiology ☐Raymond Tajalle, Physician Assistant ☐Nadine Cepeda, Marriage & Family Therapist ☒Gregory Cruz, Respiratory Therapy	Other Attendees <u>Present at HPLO:</u> Rosemary Carman, HPLO Attorney J. Cook Dr. Alan Butler <u>Virtual Attendance:</u> Rob Weinberg, Asst Attorney General Breanna Sablan, HPLO Shania Nitaro Jessica Smith Mc Jason De Luna John Formoso Kendra Taylor Teresa G. Shalene Crisostomo Ladera Linn Mary Parrish Eddy Reyes, FTFC	Chair	1204	Quorum Established
IV	Adoption of Agenda	Motion to adopt: V. Pereda; 2 nd : S. Crisostomo.		GBAHE	1209	Unanimously Adopted Agenda
V	Approval of Minutes	– January 13, 2023 Motion to approve: V. Pereda; 2 nd : G. Miller.		GBAHE	1210	Unanimously Approved
VI	Treasurer's			HPLO	1211	No Report

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	Report				
VII	Administrator's Report		HPLO	1211	No Report
VIII	Legal Counsel's Report	Asst AG Weinberg reported that another hearing date for the Lobofsky case Judicial notice on development of RR and webpage	Asst AG Weinberg	1211	No Report
IX	GBAHE Complaints		GBAHE	1212	
		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.	Referred to Procured Attorney		In Progress
		C. GBAHE-CO-17-02, Veterinarian, Received 6/6/17.	Referred to Procured Attorney		In Progress
		D. GBAHE-CO-19-02, Veterinarian, Received 8/22/19.	Referred to Procured Attorney		In Progress
		E. GBAHE-CO-19-03, Veterinarian, Received 11/7/19.	Referred to Procured Attorney		In Progress
		F. GBAHE-CO-19-04, Veterinarian, Received 11/7/19.	Referred to Procured Attorney		In Progress
		G. GBAHE-CO-20-01 Veterinarian, Received 5/4/20.	Referred to Procured Attorney		In Progress
		H. GBAHE-CO-20-02 Veterinarian, Received 3/13/20.	Referred to Procured Attorney		In Progress
		I. GBAHE-CO-20-03 Veterinarian, Received 3/13/20.	Referred to Procured Attorney		In Progress
		J. GBAHE-CO-20-04 Veterinarian, Received 3/13/20.	Referred to Procured Attorney		In Progress
		K. GBAHE-CO-20-05, Veterinarian, Received 3/13/20.	Referred to Procured Attorney		In Progress
		L. GBAHE-CO-20-06, Veterinarian, Received 1/31/20.	Referred to Procured		In Progress

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		Attorney		
	M. GBAHE-CO-20-07, Veterinarian, Received 1/31/20.	Referred to Procured Attorney		In Progress
	N. GBAHE-CO-20-08 Respiratory Therapist, Received 9/20/20, S. Melville. Report received.	S. Melville		In Progress
	O. GBAHE-CO-20-09 Respiratory Therapist, Received 9/20/20.	Referred to Off-Island Consultant		In Progress
	P. GBAHE-CO-20-10 Respiratory Therapist, Received 9/20/20.	Referred to Off-Island Consultant		In Progress
	Q. GBAHE-CO-21-01, Chiropractor, Received 4/13/21. In consultation with Asst AG Weinberg, Dr. Miller reported that. Gates had verbally agreed to issue a public apology; pay a \$1,000.00 fine \$1000.00; and reimburse clients who had received services from Dr. Rodman. The Chair requested that Dr. Miller obtain written agreement from Dr. Gates prior to recommending closure of the case. In addition, the Chair stated that she would inform the state board where he is currently licensed, as well as write to Dr. Rodman. Asst AG Weinberg stated that Dr. Miller would need to provide a written disposition for the GBAHE's consideration to recommend closure of the case.	G. Miller		G. Miller to obtain Written Agreement from Dr. Gates on Terms. Chair to contact Dr. Rodman and State Board.
	R. GBAHE-CO-21-02, Chiropractor, Received 6/4/21.	G. Miller		Reference GBAHE-CO-21-01
	S. GBAHE-CO-21-03, Acupuncturist (Atty. V. Williams), Received 7/6/21. M. Balajadia reported that the complainant has acquired an attorney and she will be in contact with the assigned Attorney Visosky.	M. Balajadia		In progress
	M. GBAHE-CO-21-04, Audiologist, Received 9/7/21. S. Crisostomo stated that an excessive amount of time has passed without any action and, based on discussions with Asst AG Weinberg, she recommended to dismiss the case. <i>Motion to dismiss: S. Crisostomo; 2nd: G. Miller.</i>	S. Crisostomo / D. Triolo		Unanimously Dismissed
	N. GBAHE-CO-21-05, Acupuncturist (Atty. V. Williams). Received 9/17/21.	M. Balajadia		In progress
	O. GBAHE-CO-21-07, Veterinarian, Received: 11/22/21.	P. Pomes		Tabled
	P. GBAHE-CO-21-08, Veterinarian, Received: 11/22/21.	Referred to Procured Attorney		In progress
	Q. GBAHE-CO-22-02, Acupuncturist, Received 2/11/22.	M. Balajadia		In progress
	R. GBAHE-CO-22-03, MF Therapist, Received 2/21/22.	Referred to Procured Attorney		In progress
	In reference to the Complaints listed below, G. Miller stated that Attorney Visosky is in the process of filing an injunctive relief through the Superior Court of Guam. Asst AG Weinberg explained that the injunctive relief is an order from the court to do something, e.g., stopping actions, or the party			

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		could be held in contempt of court. This recommended action should be processed through the GBAHE for approval. G. Miller stated that a cease-and-desist order was issued to Le Balance in July 2021, which has essentially been ignored. G. Miller expressed concern for the public's safety and recommended that the public be informed via the DPHSS Public Information Office of the mandated requirements for perform spinal manipulation. The Chair stated that this long-standing issue further justifies the need for GBHE to increase its fees so that HPLO to hire attorneys and investigators.			
		S. GBAHE-CO-22-05 Non-Licensed Chiro. Rec'd 9/27/22.	Referred to Procured Attorney		In progress
		T. GBAHE-CO-22-06 Non-Licensed Chiro. Rec'd 10/21/22	Referred to Procured Attorney		In progress
		U. GBAHE-CO-22-07 Non-Licensed Chiro. Rec'd 10/21/22	Referred to Procured Attorney		In progress
		V. GBAHE-CO-22-08 Non-Licensed Chiro. Rec'd 10/21/22	Referred to Procured Attorney		In progress
		W. GBAHE-CO-22-09 Non-Licensed Chiro. Rec'd 10/21/22	Referred to Procured Attorney		In progress
		X. GBAHE-CO-22-10 Non-Licensed Chiro. Rec'd 10/21/22	Referred to Procured Attorney		In progress
		Y. GBAHE-CO-22-11 Non-Licensed Chiro. Rec'd 10/21/22	Referred to Procured Attorney		In progress
		Z. GBAHE-CO-22-12 Non-Licensed Chiro. Rec'd 11/17/22.	G. Miller (New)		Recently Assigned
X	New Business	A. Initial/New Applications:	GBAHE	1232	
		1) Alan Butler for Clinical Psychologist (M. Balajadia) <i>Motion to approve: C. San Nicolas; 2nd: S. Crisostomo.</i>			Unanimously Approved
		2) Gorniewicz, Ashley for Occupational Therapist (G. Cruz) <i>Motion to approve: C. San Nicolas; 2nd: S. Crisostomo.</i>			Unanimously Approved
		3) Hong, Dae for Physician Assistant (R. Tajalle) <i>Motion to approve: C. San Nicolas; 2nd: S. Crisostomo.</i>			Unanimously Approved
		4) Padayao, Arkee D. for Veterinarian (P. Pomes) <i>Motion to approve: C. San Nicolas; 2nd: S. Crisostomo.</i>			Unanimously Approved
		5) Siderko, Alison C. for Dietitian/Nutritionist (C. San Nicolas) <i>Motion to approve: C. San Nicolas; 2nd: S. Crisostomo.</i>			Unanimously Approved

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		6) Stickney, Megan K. for Licensed Professional Counselor (V. Pereda) <i>Motion to approve: C. San Nicolas; 2nd: S. Crisostomo.</i>			Unanimously Approved
		B. Collaborative Practice Agreement Applications:	GBAHE	1235	Unanimously Approved
		1) Hong, Dae for Physician Assistant (R. Tajalle) <i>Motion to approve: G. Miller; 2nd: C. San Nicolas.</i>			
		C. Renewals. <i>Motion to approve: S. Crisostomo; 2nd:C. San Nicolas</i>	GBAHE	1235	Unanimously approved
		1) Finger, Mia for Dietitian/Nutritionist (C. San Nicolas) <i>Motion to approve: G. Miller; 2nd: C. San Nicolas.</i>			
		D. Title of Doctor in Acupuncture G. Miller stated that he was unaware and concerned with the wording in 10 GCA § 12901.b, where it states that an acupuncturist with a master's degree could use the title "Dr.", as this would set a dangerous precedent. G. Miller solicited a response from the other board members. <ul style="list-style-type: none">V. Pereda stated that his review focused on a review of his respective discipline and he did not review the verbiage for the other disciplines.R. Claros agreed with G. Miller's position that the title of doctor is an earned degree.R. Chong stated that he did not lobby for this wording nor requested a change to this wording.Asst AG Weinberg stated that the wording in the February 2021 and November 2022 versions had not changed. Furthermore, there was a reasonable amount of time for the board's review. He further stated that, since the Board still has to address the provisions for the podiatrist and the physician assistants, the Board should accomplish a comprehensive review and submit recommended changes as required.	GBAHE	1236	GBAHE to Review/ Consider Proposed Changes to the Law and Rules & Regulations
		E. Items in Bill 356-36 without Board's Approval forwarded to the 36th Guam Legislature. F. Miller expressed concern that the GBAHE did not have the opportunity to review the latest version of the draft bill or rules and regulations following the GBAHE public hearings and prior to the final versions being sent to the Legislature.	GBAHE	1257	Noted
XI	Announcements	Announcements – Next Meeting - Friday, March 3, 2023 at 12:00 p.m.	GBAHE	1259	Set Date
6	Adjournment	<i>Motion to adjourn: G. Miller; 2nd: G. Cruz</i>	GBAHE	1300	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 2/6/2023

Submitted by the GBAHE Secretary:

Date:

Approved by the GBAHE with or without changes:

Date:

Certified by or Attested by the Chairperson:

Marianne Chalegria

Date: 3/3/23