

Guam Board of Allied Health Examiners

REGULAR VIRTUAL BOARD MEETING

Friday, August 9, 2024 at 12PM

Join Zoom Meeting

<https://us06web.zoom.us/j/85317463868?pwd=53BD84O2tGYeOiSMqTj4HiVbmV8xVM.1>

Meeting ID: 853 1746 3868

Passcode: 388628

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	Guam Daily Post 7/26/24; 7/31/24;		Chair	1204	Confirmed
III	Roll Call	GBAHE Members <u>Virtual Attendance:</u> <input checked="" type="checkbox"/> Dr. Mamie Balajadia, Clinical Psychology, Chair <input checked="" type="checkbox"/> Vince Pereda, Licensed Professional Counselor, Vice-Chair <input checked="" type="checkbox"/> Sibyl Crisostomo, Speech Language Pathology <input checked="" type="checkbox"/> Dr. Dennis Triolo, Audiology <input checked="" type="checkbox"/> Dr. Richard Chong, Acupuncture <input type="checkbox"/> Nadine Cepeda <input type="checkbox"/> Ray Tajalle	Other Attendees <u>Virtual Attendance:</u> Rosemary Carman Jennifer Bruan Brianna Sablan Graham Botha, OAG Catherine San Nicolas	Chair	1204	Quorum Established
IV	Adoption of Agenda	Motion to Approve: S. Crisostomo; 2 nd : V. Pereda.		GBAHE	1205	Unanimously Adopted Agenda
V	Approval of Minutes	Draft Minutes dated 7/5/2024. During the meeting, it was noted that the draft minutes dated July 5, 2024, required corrections. Specifically, the date should be revised from April 5, 2024, to June 7, 2024. Additionally, it was clarified that Catherine was not a virtual attendee; rather, she was present at the meeting, though not in the capacity of a Board member. The correction involved removing her name from the list of virtual attendees and acknowledging her presence in a different role. After discussing these adjustments, it was confirmed that the minutes would be corrected to reflect that Kathy St. Nicholas attended the meeting, but not as a Board member. No further corrections were proposed. Motion to approve as amended: V. Pereda; 2 nd : Dr. Triolo		GBAHE	1206	Unanimously Approved as Amended
VI	Treasurer's Report	No report.		C. San Nicolas	1208	No Report
VII	Administrator's Report	Z. Pecina presented the Administrator's report, beginning by introducing Graham Botha as the new attorney for the Board overseeing GBAHE. She welcomed Mr. Botha to his new role. Z. Pecina then		Z. Pecina	1208	Noted

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		<p>informed the Board that changes were being made to the Board's rules and regulations in line with national standards. She emphasized the importance of reviewing these changes, with a specific recommendation provided to R. Carman, who would assist in making necessary amendments. The goal is to have all Board regulations submitted to the legislature by the end of the month.</p> <p>Z. Pecina also addressed the Board's composition, noting that while the Board currently has five members under the old law, new members are awaiting final confirmation. These new members include Dr. Miller, Catherine St. Nicholas, Dr. Kim Soon-Wok, Dr. Velma Harper, and Rosalind Taitingfong, representing various specialties. Once confirmed, they will join the Board's meetings. Additionally, Greg Cruz, a respiratory specialist, is scheduled for a confirmation hearing on August 8th, with two other members pending nomination. Z. Pecina expressed gratitude to outgoing Board members Alicia Ogo, Dr. Ryan Claros, and Dr. Paul Palmes for their service.</p>			
VIII	Legal Counsel's Report	<p>The Board moved on to the legal counsel's report, with Mr. Graham Botha, the newly appointed legal counsel, taking the floor. He began by welcoming everyone and acknowledged the presence of both outgoing and incoming Board members, noting that further updates would follow once all new members were confirmed. Mr. Botha mentioned that he had observed a significant number of both new and old complaints. He emphasized the importance of addressing these older complaints, some of which date back to 2015 through 2019. He highlighted the need to either close these cases or forward them for further action, as it is crucial to provide resolution for both the complainants and those accused. He suggested that if a complaint involves a failure to meet the standards of care or any other wrongdoing, decisive action should be taken to resolve the case.</p> <p>M. Balajadia responded by expressing appreciation for Mr. Botha's input, acknowledging that legal counsel is essential for handling these matters. He agreed on the importance of moving forward with the complaints and mentioned that some complaints were still awaiting legal counsel's advice before further action could be taken. He confirmed that the Board would continue to discuss these issues with Mr. Botha.</p>	G Botha	1213	Noted
IX	GBAHE Complaints	The following complaints were reviewed by the GBAHE.	GBAHE	1215	
		A. GBAHE-CO-15-04, Veterinarian, Received 9/4/15.	M Balajadia		In Progress
		B. GBAHE-CO-15-06, Veterinarian, Received 11/30/15.	M Balajadia		
		C. GBAHE-CO-17-02, Veterinarian, Received 6/6/17.	M Balajadia		
		D. GBAHE-CO-19-02, Veterinarian, Received 8/22/19. Still under investigation and awaiting the legal council's advice.	M Balajadia		
		E. GBAHE-CO-19-03, Veterinarian, Received 11/7/19. Off-Island expert has reviewed the case and recommendations will be voted on in the next Board meeting	Off-Island Expert, Kevin Litwag		In Progress
	F. GBAHE-CO-19-04, Veterinarian, Received 11/7/19. Off-Island expert has reviewed the case and recommendations will be voted on in the next Board		In Progress		

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	meeting.			
	G. GBAHE-CO-20-01 Veterinarian, Received 5/4/20.	M. Balajadia		In Progress
	H. GBAHE-CO-20-02 Veterinarian, Received 3/13/20. Legal Advice is required.	M. Balajadia		
	I. GBAHE-CO-20-03 Veterinarian, Received 3/13/20. Three attempts were made to contact the complainant on three different dates, contact was not successful. There was no response from the phone number listed on the complaint form. If complainant wishes to re submit the complaint, they are encouraged to do so but the Board recommends closure of the case. <i>Motion to Close: Dr. Triolo; 2nd: Dr. Chong</i>	V. Pereda		Unanimously Closed
	J. GBAHE-CO-20-04 Veterinarian, Received 3/13/20. Three attempts were made to contact the complainant on three different dates, contact was not successful. There was no response from the phone number listed on the complaint form. If a complainant wishes to re submit the complaint, they are encouraged to do so but the Board recommends closure of the case. <i>Motion to Close: Dr. Triolo; 2nd: Dr. Chong</i>	V. Pereda		
	K. GBAHE-CO-20-05, Veterinarian, Received 3/13/20. Three attempts were made to contact the complainant on three different dates, contact was not successful. The phone number listed on the complaint form is incorrect. If a complainant wishes to re submit the complaint, they are encouraged to do so but the Board recommends closure of the case. <i>Motion to Close: Dr. Triolo; 2nd: Dr. Chong</i>	V. Pereda		
	L. GBAHE-CO-20-06, Veterinarian, Received 1/31/20. Z. Pecina recommended the removal of the Off Island Consultant assigned to this case since the Board is awaiting a veterinarian expert to come on Board. It was recommended to wait for Dr. Velma Harper to join the Board.	Off-Island Consultant		In Progress
	M. GBAHE-CO-21-01, Chiropractor, Received 4/13/21. Will be sent to OAG.	Dr. Miller		In Progress
	N. GBAHE-CO-21-07, Veterinarian, Received: 11/22/21. Complaint will be given to the new Board veterinarian.	Dr. Harper		In Progress
	O. GBAHE-CO-21-08, Veterinarian, Received: 11/22/21. Complaint will be given to the new Board veterinarian.	Dr. Harper		
	P. GBAHE-CO-22-03, MF Therapist, Received 2/21/22. Z. Pecina informed the Board that an outside attorney, who was hired at significant expense, had completed an investigation and provided a recommendation. She emphasized the need to act on this recommendation, given the substantial funds allocated to the attorney's work. In response, it was acknowledged that the recommendation had not been reviewed yet, and it was agreed that the matter would be discussed at a later time, with plans to revisit it at the next meeting.	M. Balajadia		
	Q. GBAHE-CO-22-05 Non-Licensed Chiro. Rec'd 9/27/22.	G. Botha		
	R. GBAHE-CO-22-06 Non-Licensed Chiro. Rec'd 10/21/22.			

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	S. GBAHE-CO-22-07 Non-Licensed Chiro. Rec'd 10/21/22.			
	T. GBAHE-CO-22-08 Non-Licensed Chiro. Rec'd 10/21/22.			
	U. GBAHE-CO-22-09 Non-Licensed Chiro. Rec'd 10/21/22.			
	V. GBAHE-CO-22-10 Non-Licensed Chiro. Rec'd 10/21/22.			
	W. GBAHE-CO-22-11 Non-Licensed Chiro. Rec'd 10/21/22.			
	X. GBAHE-CO-22-12 Non-Licensed Chiro. Rec'd 11/17/22.			
	Y. GBAHE-CO-22-13 Non-Licensed Chiro. Rec'd 11/17/22			
	Z. GBAHE-CO-22-14 Non-Licensed Chiro. Rec'd 11/17/22 Z. Pecina expressed her satisfaction with Attorney Botha's presence, as the Board was dealing with a case involving individuals who were allegedly practicing chiropractic procedures without a license. She clarified that these individuals do not currently hold licenses, raising the question of whether the Board has jurisdiction over unlicensed practitioners. The Board had previously recommended referring the matter to the Attorney General to take necessary action to halt these activities. While the Board had issued a cease and desist order, the individuals continued their practice, leading to non-compliance with the Board's directive. Since the individuals are unlicensed, the Board has no authority to revoke a license, prompting the need for legal guidance on whether referring the case to the Attorney General was the appropriate course of action and what further steps should be taken. The discussion continued with a query about whether practicing without a valid license constitutes a criminal offense and, if so, whether it falls under the jurisdiction of the Attorney General's office for further action. S. Crisostomo added that while the professional license could not be revoked, the business license of the individuals involved could be. M. Balajadia then suggested that the Board should meet with Mr. Botha to seek his advice on how to proceed, particularly considering the background information they have on the matter. In response, Mr. Botha agreed that a meeting would be beneficial and inquired whether the Board had previously conducted an investigation into the company's activities to determine if they fell within the scope of chiropractic practices. M. Balajadia confirmed that a meeting with Mr. Botha would be arranged to discuss the details and next steps.			In Progress
	AA. GBAHE-CO-23-02 Veterinarian Received 12/28/23	Off-Island Consultant		In Progress
	BB. GBAHE-CO-23-03 Veterinarian Received 12/28/23	Off-Island Consultant		In Progress
	CC. GBAHE-CO-24-02 Non-Licensed Acupuncturist Rec'd 1/29/24	Referred to OAG		In Progress
	DD. GBAHE-CO-21-02 Unlicensed Chiropractor M. Balajadia addressed the case of an unlicensed chiropractor, identified as case GBAHE-CO-21-02, which had been referred to the Attorney General. She mentioned that this case, along with others, would be discussed with Mr. Botha, the Board members, and herself. The chiropractor in question	G Miller/M. Balajadia		In Progress

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		<p>had provided chiropractic care as a substitute for a local licensed practitioner at a clinic in Guam. Letters had been sent to this individual, and a response was received from his attorney, necessitating further discussion with legal counsel.</p> <p>Z. Pecina clarified that this case had already been closed at the Board level. The Board had taken several actions, including reporting the chiropractor's license to the National Practitioner Data Bank (NPDB) and sending information to the licensing boards in Nevada and California, where the individual holds licenses. Both states had responded, and the case information had been forwarded to them for further action. Z. Pecina emphasized that the case had been closed, and both Nevada and California are now handling the situation following the Board's referral.</p>			
X.	Old Business	A. Election of Officers The election of officers has been tabled due to the need for more members. <i>Motion to Table: V. Pereda; 2nd: S. Crisostomo.</i>	GBAHE	1216	Unanimously Tabled
		B. Approval of Licensure Renewal Form <i>Motion to Approve: S. Crisostomo; 2nd: Dr. Chong.</i>	GBAHE	1216	Unanimously Approved
XI.	New Business	A. Initial/New Applications:	GBAHE	1216	
		1. Flynn, Andrew M. for Speech Language Pathologist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong.</i>			Unanimously Approved
		2. Hasan, Sana. for Occupational Therapist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		3. Humes, Cody for Occupational Therapist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		4. Kim, Jinyoung for Physical Therapist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		5. Lantry, Lauren J. for Occupational Therapist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		6. Lee, Steven A. for Occupational Therapist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		7. Piel, Jordan S. for Speech Language Pathologist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		8. Plumb, Rebecca A. for Occupational Therapist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		9. Salazar, Dennise E. for Physician Assistant (R. Tajalle) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		10. Valera, Tiffany A. for Speech Language Pathologist (S. Crisostomo) <i>Motion to Approve: Dr. Triolo; 2nd: Dr. Chong</i>			Unanimously Approved
		B. Collaborative Practice Agreement			
		1. Salazar, Dennise E. (R. Tajalle) <i>Motion to Approve: S. Crisostomo; 2nd: V. Pereda</i>			Unanimously Approved

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	C. Application to Sit for Exam			
	1. Cruz, Yvette Marie R.L.G. for Licensed Professional Counsel Exam (V. Pereda) <i>Motion to Approve: S. Crisostomo; 2nd: Dr. Chong</i>			Unanimously Approved
	D. Requirement of CE Hours in Ethics for Renewal of Licensure due December 31, 2024 M. Balajadia discussed the requirement for Continuing Education (CE) hours in ethics for license renewal, which is due by December 31, 2024. She noted that this requirement was clearly outlined in the renewal form. The form had been sent to Board members for review, and it pertains to the upcoming renewal period. For general professions, the requirement is two hours of ethics training. However, licensed professional counselors, licensed mental health counselors, marriage and family therapists, and clinical psychologists must complete six hours of ethics training. M. Balajadia opened the floor for any questions regarding this requirement. <i>Motion to Approve: Dr. Chong; 2nd: Dr. Triolo</i>			Unanimously Approved
XII	Workgroup Session	GBAHE	1239	Noted, No Workgroup Session
XIII	Announcements	GBAHE	1240	Set Date
XIV	Adjournment	GBAHE	1242	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 8/20/2024

Submitted by the GBAHE Secretary:



Date:

9/6/2024

Approved by the GBAHE with or without changes:

Date:

Certified by or Attested by the Chairperson:



Date:

9/6/24