

GUAM BOARD OF ALLIED HEALTH EXAMINERS**HEALTH PROFESSIONAL LICENSING OFFICE**

194 Hernan Cortez Avenue, Terlaje Professional Bldg., HPLO Room 213

Hagåtña. Guam 96910 Telephone: 671-735-7407/8/9/10

VIRTUAL REGULAR BOARD MEETING**AGENDA**

Friday, May 7, 2021

VIA GoToMeeting**MEMBERS PRESENT:**

- ☒ Dr. Mamie Balajadia, Chair
- ☒ Vincent Pereda, Vice-Chair
- ☒ Catherine San Nicolas, Treasurer
- ☒ Nadine Cepeda, Secretary
- ☒ Sibyl Crisostomo
- ☒ Dr. Richard Chong
- ☒ Dr. Dennis Triolo
- ☒ Alesia Ogo
- ☒ Greg Cruz
- ☐ Ray Tajalle
- ☒ Dr. Ryan Claros
- ☒ Dr. Gregory Miller
- ☐ Dr. Paul Pomes

OTHERS PRESENT:

- ☒ Assistant AG Rob Weinberg, Legal Counsel
- ☒ Newt
- ☒ Almond Lamucu, Law Office of Vanessa Williams
- ☒ Zennia Pecina, HPLO Administrator
- ☒ Deborah Borja, HPLO Staff
- ☒ Rosemary Carman, HPLO Staff
- ☒ Andrea Pellacani, Office of the Speaker of the 36th Guam Legislature
- ☒ Chantay Benitez, FLAME TREE Freedom Center
- ☒ Eddy Reyes, FLAME TREE Freedom Center

TOPIC		DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
I.	CALL TO ORDER AND ROLL CALL	Public Notice advertised in the Pacific Daily News on April 30 & May 5, 2021 for virtual regular Board meeting via GoToMeeting Link - Meeting Called to order at 12:06pm	Chair	12:06	Called to Order
II.	ADOPTION OF AGENDA	Approved with amendment - C. San Nicolas requested to add Michelle Johnson for Clinical Dietician to Section VII. New Business C. Initial/New Applicants of the Agenda - Motion: Sibyl Crisostomo, 2 nd Nadine Cepeda	GBAHE	12:07	Approved with Amendment
III.	MINUTES OF April 2, 2021 MEETING	Approved the Minutes from Apr. 2, 2021 - Motion: Dr. Gregory Miller, 2 nd Catherine San Nicolas	GBAHE	12:10	Approved
IV.	TREASURER'S REPORT – Catherine San Nicolas	● GBAHE Treasurer submitted a detailed report with a FY 2022 budget proposal via email to all the GBAHE members which was based on a meeting with other Treasurers of different Boards and HPLO. She will be requesting to meet with HPLO one more time. GBAHE Chair suggested HPLO and the Treasurer meet with the Director first to address how to best move forward.	GBAHE Treasurer	12:12	Noted

TOPIC		DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
		<ul style="list-style-type: none"> There are some highlighted areas with question marks and invited the GBAHE to provide comments or address questions to the Treasurer. 			
V.	HPLO ADMINISTRATOR'S REPORT <i>Zennia Pecina, RN</i>	<p>The HPLO Administrator:</p> <ul style="list-style-type: none"> Reminded for all Virtual Board Meetings, Board Members need to keep their webcam videos on during the call. Reported GuamWebz won the bid to work on all Board Websites. HPLO is working closely with GuamWebz to populate information so be prepared to provide information about the GBAHE if needed. Reported there are previous complaints from 2015 and earlier that need to remain on the agenda until they are closed. HPLO will discuss putting these complaints back on the agenda. GBAHE Chair stated the Board is diligently working on the cases; however, legal services are required to help address and eventually close the cases. Unfortunately, it is difficult to move forward without the necessary support. 	HPLO	12:15	Noted
VI.	OLD BUSINESS	<p>A. Legal Counsel Report – Robert Weinberg, Assistant Attorney General reported that, in reference to the Bill that addresses contracting of expert services to support the HPLO complaints:</p> <ul style="list-style-type: none"> is still under review and in coordination with Senator Tina Muna. Received some objection and reported there was different Bill that was circulated which undermined the Bill drafted by Asst AG Weinberg. GBAHE Chair stated conflicts of interest exists and there are procurement issues in getting assistance from the OAG. HPLO Administrator stated that Atty Minakshi and Atty Concepcion are two other Attorneys procured since 2019 using the RFQ process; they are working for the HPLO in prioritizing older cases and moving them along. GBAHE should be coming up soon. Atty Concepcion may be working on Allied Health cases soon. Asst AG Weinberg advised that the best way to move forward is to work on the GBAHE Treasurer Report and Budget, identify gaps, such as Investigators, Legal Counsel, etc., in order to identify and justify funding request. <p>B. Workgroup Report from the Committee on Continuing Education (CE)</p> <ul style="list-style-type: none"> The Committee on Continuing Education completed their tasks and gave it to the Work Group, who worked on and completed it. The next Work Group session is Friday, May 14 at 12:00PM. Board Members can attend to understand the Rules and Regulations and share concerns and comments to improve the documents. Rules and Regulations and Amendments are still being drafted with the assistance of Asst AG Weinberg. GBAHE Chair is thankful for Legal Counsel's assistance. <p>C. Follow-up on the following:</p> <ol style="list-style-type: none"> Complaint 2020-08. Against Respiratory Therapist Cleopatra Menzon. <ol style="list-style-type: none"> Board was able to obtain from GMHA via FOIA on CMS Report. Some required reports have yet to be delivered. <ul style="list-style-type: none"> HPLO Administrator followed up and they are waiting for other vendors to reply. Asst AG Weinberg explains there's a process to obtain a small purchase for professionals. 	OAG	12:21	Noted
			GBAHE	12:34	Noted
			GBAHE	12:37	On-going

TOPIC		DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
		<p>There's a new process stepping through with HPLO, but GSA and DOA are still saying there are additional steps. Hopefully the process is successful in getting the files to an off-island Respiratory Therapist.</p> <ul style="list-style-type: none"> - The Board needs to figure out if they want to notify the licensee about the complaint regarding them and if so, how. <p>2. Complaint 2020-11. Against Dr. Noel Silan, Podiatrist.</p> <ul style="list-style-type: none"> a. Waiting on off-island Podiatrist(s) availability to review Medical Records. <ul style="list-style-type: none"> - HPLO Administrator requested Dr. Gregory Miller to send a list of possible Podiatrists to review the Medical Records and to reach out to the Podiatry Association for resources to assist as well. 			
VII.	NEW BUSINESS	<p>A. Complaint 2021-01, Dr. Robert Gregory, Chiropractor against Jacky Kim, Max Koo, Miki Yim, and Rachel Kim of Le Balance for “Unauthorized Practice of Chiropractic; Acupuncture; and/or Physical Therapy.”</p> <ul style="list-style-type: none"> - Asst AG Weinberg has drafted a Notice to Cease and Desist Letter for unauthorized practice of chiropractic; acupuncture; and/or physical therapy. He highlights the law and specific quotes to explain why the Le Balance business is breaking the law. - The Board voted on approving a Cease and Desist (C&D) Order. Letter for C&D is to be signed by the Chair and delivered to Le Balance by the AG’s Office. - Motion: Sibyl Crisostomo, 2nd: Catherine San Nicolas 	GBAHE	12:51	Approved
		<p>B. Complaint 2020-12, Patricia Roberts against Dr. Kevin Malakooti, DVM. Appeal of Decision filed by Mr. & Mrs. John Roberts</p> <ul style="list-style-type: none"> - The particular letter in question showed that there were no findings or connection to Dr. Kevin Malakooti of any wrongdoing. It took the complainants ten days to bring their dog back to see Dr. Malakooti. - GBAHE Chair recommended dismissal of this Complaint. <ul style="list-style-type: none"> - Motion: Sibyl Crisostomo, 2nd: Nadine Camacho 	GBAHE	12:58	Dismissed
		<p>C. Initial/New Applications:</p> <ol style="list-style-type: none"> 1. Quitugua, Tiana N. for <i>Speech, Language Pathology</i> (Crisostomo) 2. Yasukawa, Shiina for <i>Speech, Language Pathology</i> (Crisostomo) 3. Kaneshina, Penny Lou for <i>Clinical Dietician/Nutritionist</i> (San Nicolas) 4. Vande Berg, Cara J. for <i>Clinical Dietician/Nutritionist</i> (San Nicolas) 5. Sharon Burch for <i>Occupational Therapy</i> (Balajadia) 6. Michelle Johnson for <i>Clinical Dietician</i> (San Nicolas) <ul style="list-style-type: none"> - Motion: Nadine Camacho, 2nd: Sibyl Crisostomo 	GBAHE	12:59	Approved
		<p>D. Renewal Applications:</p> <ol style="list-style-type: none"> 1. Tom Poole for <i>Veterinary Medicine</i> (Balajadia) 2. Julie Murrell for <i>Licensed Professional Counselor</i> (Balajadia) 	GBAHE	1:02	Approved

TOPIC		DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
		- Motion: Sibyl Crisostomo, 2 nd : Vince Pereda			
		E. Collaborative Practice Agreement (CPA): 1. Ray Tajalle, PA-C - Motion: Mamie Balajadia, 2 nd : Catherine San Nicolas	GBAHE	1:03	Approved
		F. Public Hearing on Bill 110-36... Relative to allowing Electronic Transmission of Prescriptions for Schedule II, III, IV, and V Substances. - Bill 110-36 was sent to all Board Members via email for review. Ordinarily, a physician phone in the prescription to the pharmacy; however, Schedule II, III, IV, and V Substances (e.g. Opiates and Narcotics) cannot be called in, and the patients have to pick up their prescription(s) at the pharmacy. This Bill allows the prescriber electronic transmission of prescription and allow the patient to pick-up prescriptions at their pharmacy of choice at their convenience. Board Members can individually submit any comments or concerns about the Bill and send it to the Speaker of the 36 th Guam Legislature and Chair of the Committee of Health.	GBAHE	1:04	Noted
VIII.	MISCELLANEOUS	A. Re-appointments by the Governor to the GBAHE of Ray Tajalle, PA-C and Dr. Gregory Miller; Legislative Confirmation Hearing was on April 12 and confirmed on April 30, 2021.	GBAHE Members	1:11	Noted
		B. For the record: 1. Marion Watkins-Ortiz, Renewal of his Registered Respiratory Therapy License (Approved by Cruz) January 8, 2021; 2. Franz Leo Aragon, Renewal of his Respiratory Therapy License (Approved by Cruz) January 8, 2021.		1:11	Noted
IX.	NEXT MEETING	Next Meeting - Friday, June 4, 2021, at 12:00 noon	GBAHE	1:11	Noted
X..	ADJOURNMENT	Motion: Vince Pereda, 2 nd : Nadine Cepeda	GBAHE	1:13	Adjourned

Approved by: Mamie Balajadia, Chairperson / Date 6/4/21

Minutes by: Chantay Benitez, FLAME TREE Freedom Center, Inc.
Edited by: Mamie Balajadia, GBAHE Chairperson 6/3/21