

**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

**SCHEDULED REGULAR BOARD MEETING**

**via GoToMeeting Friday, June 4, 2021**

Public Notice advertised in the Pacific Daily News on May 27 & June 2, 2021

**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 (Wayne Butler)
- Zennia Pecina, HPLO Administrator
- Deborah Borja, HPLO
- Rosemary Carman, HPLO Staff
- Eddy Reyes, FLAME TREE Freedom Center

TOPIC	DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
I.	<b>CALL TO ORDER AND ROLL CALL</b> Public Notice advertised in the Pacific Daily News on May 27 & June 2, 2021 for virtual regular Board meeting via GoToMeeting Link - Meeting Called to order at 12:12pm	Chair	12:13	Called to Order
II.	<b>ADOPTION OF AGENDA</b> Approved with exception of the spelling of Surname in Agenda Item VI.C.5 "Manzon" Motion: S. Crisostomo , 2 <sup>nd</sup> G. Miller	GBAHE		Approved
III.	<b>MINUTES OF May 7, 2021 MEETING</b> Approved the Minutes of 7 May 2021, as edited by the Chair (Noted "Newt" signed in; but, when probed, identified himself as "Mr. Wayne Butler" under <u>Others Present</u> ) - Motion: G. Miller, 2 <sup>nd</sup> C. San Nicolas	GBAHE	12:22	Approved
IV.	<b>TREASURER'S REPORT - Catherine San Nicolas</b> <ul style="list-style-type: none"> <li>● GBAHE Treasurer Report:                             <ul style="list-style-type: none"> <li>● As of April 9, Fiscal Year 2022 due by the end of May. Budget was reviewed but was not finalized during May 28 and June 4, 2021 Workgroup meetings.                                     <ul style="list-style-type: none"> <li>▪ Next Working Group meeting will be held on June 18, 2021.</li> <li>▪ No extension after June 2021.</li> </ul> </li> <li>● June 18, 2021 Workgroup Agenda: Need input for Investigator, Inspector, Administrative support, membership dues for Federated Association of Regulatory Boards (FARB), computer equipment, drug testing, stipend for Board meetings (12 or 13 meetings); on- and off-island training/conferences travel and support; internet costs, reserve fund (10-15%).</li> <li>● Total 371 licensees as of April 29. Deficit of \$66K (need justification); fees currently insufficient to sustain operations for the GBAHE.</li> </ul> </li> </ul>	GBAHE Treasurer	12:25	Noted

TOPIC	DECISION(S) / ACTION(S) MADE	PARTY	TIMEFRAME	
	<ul style="list-style-type: none"> <li>● Still awaiting HPLO updated Financial Report.</li> <li>● GBAHE Treasurer Template is being used, as an example, for other Boards under HPLO.</li> <li>● Ass't AG emphasized the need to complete the Budget Proposal as soon as possible</li> </ul>			
V. HPLO ADMINISTRATOR'S REPORT <i>Zennia Pecina, RN</i>	<p>The HPLO Administrator:</p> <ul style="list-style-type: none"> <li>● Supported the Treasurer's efforts and appreciated the financial template being used.</li> <li>● Rules &amp; Regulations need to be updated as soon as possible. Applauded GBAHE's effort that 90% is completed, which is far ahead of the other Boards.</li> <li>● The Chair requested that the individual professions/disciplines provide input to their respective sections as soon as possible.</li> </ul>	HPLO	12:29	Noted
VI. OLD BUSINESS	<p><b>A. Legal Counsel Report</b> – Robert Weinberg, Assistant Attorney General reported that Bill 102-36: requires livestreaming for Board Meetings. HPLO has been working on technical solutions. This Bill's new requirement for Agendas to be published in advance of scheduled meetings.</p> <ol style="list-style-type: none"> <li>1. No last minute changes due to 5-day notice. Purpose is to provide advance notice to the Public; Agenda could be amended at the scheduled meeting under Item II. Adoption of Agenda.</li> <li>2. Need to address whether names should be listed on published Agenda, as each Board handle items differently. Suggested that under Complaints, names of Complainant and Licensee be not listed and standardized for all Boards, (i.e. names remain unlisted during the course of the investigation).</li> <li>3. Special Meetings required staying on the agenda topics and not discuss matters unrelated.</li> <li>4. Fiscal Report may be required to be broadcasted; however, could be cost prohibitive. HPLO could use Live Streaming via webpage</li> <li>5. Workgroup has been looking at the Law; currently reviewing Texas Law and should consider addressing it and using it in our local Statue on subjects such as:             <ol style="list-style-type: none"> <li>a. Veterinarian Record Keeping</li> <li>b. Provision for Temporary Licensure</li> <li>c. Inactive Licensure</li> <li>d. Removal of Collaborative Practice Agreement, e.g. Prescriptive Authority</li> <li>e. Executive Sessions regarding pending cases against Licensees. Some Boards are mandated to handle complaints in Executive Session, while other Board's, such as the GBAHE, do not have that authority.</li> </ol> </li> <li>6. Challenge finding legal representations for cases, such as those filed against local Veterinarians</li> <li>7. On Chiropractor Case:             <ol style="list-style-type: none"> <li>a. Cease and Desist Letter initiated to be served on one unlicensed "chiropractor" based on information from the social media, at an establishment called "Le Balance."</li> <li>b. Another matter is on a local Chiropractor going off-island and leaving another "Chiropractor" from California to take charge of her clinic to see patients, who is not licensed on Guam. Dr. Miller said that he is in the process of determining whether treatment was actually provided based on appointment log. Noted that a Complaint file will be filed with this Board.</li> <li>c. Procurement of Investigators: A necessity to have investigators complete pending investigations and provide recommendations or disposition to the Board for consideration.</li> </ol> </li> </ol>	OAG	12:32	Noted

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	<b>B. Workgroup Report from the Committee on Continuing Education (CE)</b> Completed the newly edited Report on April 26 and emailed to all Board members on 5 May 2021. Requested the Board members to conduct final review and provide comments.	GBAHE	12:52	Noted
	<b>C. Complaints:</b>			
	<b>1. Complaint 2021-01</b> Against Jacky Kim, Max Koo, Miki Yim, and Rachel Kim of Le Balance <ul style="list-style-type: none"> <li>• Board voted on a Cease and Desist Order to be issued to Individuals stated.</li> <li>• Motion: S. Crisotomo, 2<sup>nd</sup> G. Miller.</li> </ul>	GBAHE		Noted
	<b>2. Complaint 2020-11</b> Against Dr. Noel Silan, Podiatrist <ul style="list-style-type: none"> <li>• Letter sent requesting a response to the Complaint from Dr. Silan</li> </ul>			Tabled
	<b>3. Complaint 2020-10</b> Against Respiratory Therapist (RT) Staff 9 <ul style="list-style-type: none"> <li>• Discussed the challenge of identifying an Investigator locally who could review the Complaint without poses a Conflict.</li> <li>• Legal Counsel said that from a FOIA issued to GMHA for the CMS Report, the RT Staff 9 can be identified as to who was on duty at the time.</li> <li>• The Chair had requested from Dr. Mike Cruz, CEO of GRMC, via a letter, for assistance to identify a RT to review the Complaints, but no response to date.</li> <li>• HPLO Administrator reported that three vendors have been identified and who have submitted quotes. Currently under review at GSA.</li> <li>• Difficult to make progress in closing Compliant cases; as that Legal Counsel has attempted a draft bill to bypass regular procurement but faced unexpected resistance and obstacles from outside forces</li> <li>• Similar issues with complaints against Veterinarians – complaining parties often resulted in allegations of a conflict of interest.</li> <li>• Expressed frustration with the lengthy process and resulting conflicts of interest, which have led to lost time and repeatedly having to restart the process numerous times.</li> </ul>	GBAHE	13:00	Tabled
	<b>4. Complaint 2020-09</b> Against Respiratory Therapist (Staff 8)			Tabled
	<b>5. Complaint 2020-08</b> Against Cleopatra Manzon, Respiratory Therapist <ul style="list-style-type: none"> <li>• Letter sent requesting a response from the Licensee</li> </ul>			Tabled
	<b>6. Complaint 2019-02</b> Against Dr. Joel Joseph, Veterinarian			Tabled
	<b>7. Complaint 2019-03</b> Against Dr. Lisa Silk, Veterinarian			Tabled
	<b>8. Complaint 2019-04</b> Against Dr. Lisa Silk, Veterinarian			Tabled
	<b>9. Complaint 2017-02</b> Against Dr. Weaver/Dr. Madison, Veterinarian			Tabled
	<b>10. Complaint 2016-08</b> Against Dr. Jong C. Yu, Acupuncturist <ul style="list-style-type: none"> <li>• No formal complaint was ever filed; the Complainant needed to submit a formal complaint.</li> <li>• Recommended to close the file.</li> </ul> Motion: S. Crisostomo 2 <sup>nd</sup> : G Miller			Closed
	<b>11. Complaint 2015-04</b> Against Dr. Joel Joseph, Veterinarian			Tabled
	<b>12. Complaint 2015-04</b> Against Dr. Joel Joseph, Veterinarian			Tabled

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		<b>D. Public Hearing on Bill 110-36...</b> Relative to allowing Electronic Transmission of Prescriptions for Schedule II, III, IV, and V Substances. Bill was passed on May 28, 2021	GBAHE	13:14	Noted
VII.	NEW BUSINESS	<b>A. Initial/New Applications:</b>			
		<b>1. Ashley Nelson</b> for <i>Physical Therapy</i> (Miller) Motion Pomes; 2 <sup>nd</sup> Miller	GBAHE	12:51	Approved
		<b>2. Johnson, Andrea L.</b> for <i>Speech Language Pathologist</i> (Crisostomo) Motion Pomes; 2 <sup>nd</sup> Miller			Approved
		<b>3. John Oceretko</b> for <i>Respiratory Therapy</i> (Cruz) Motion Pomes; 2 <sup>nd</sup> Miller			Approved
		<b>B. Renewal Applications:</b>			
		<b>1. Aquino, JoBeth M.</b> for <i>Licensed Professional Counselor</i> (Balajadia) Motion: C. San Nicolas 2 <sup>nd</sup> : G. Miller	GBAHE	12:53	Approved
		<b>2. Aquino, JoBeth M.</b> for <i>Marriage &amp; Family Therapist</i> (Balajadia) Motion: C. San Nicolas 2 <sup>nd</sup> : G. Miller			Approved
		<b>3. Hoff, Jennifer R.</b> for <i>Occupational Therapist</i> (Miller) Motion: C. San Nicolas 2 <sup>nd</sup> : G. Miller			Approved
		<b>4. Tajeron, Dolores M.</b> for <i>Licensed Professional Counselor</i> (Balajadia) Motion: C. San Nicolas 2 <sup>nd</sup> : G. Miller			Approved
		<b>C. Tiny Eye Company – Sibyl Crisostomo</b> <ul style="list-style-type: none"> <li>Discussed several Applicants requesting licensure; however, noted that proper federally issued documents are required before granting a License, e.g. SSA#; or Working Visa required by Federal law.</li> <li>Asst AG Weinberg expressed the need to ensure that applicants are properly licensed by law.</li> <li>To date, the Board has licensed 18 from Tiny Eye Company.</li> </ul>	GBAHE	13:16	Noted
		<b>D. Letter from Senator Telena Nelson on Exemption of Licensure</b> <ul style="list-style-type: none"> <li>Asst AG Weinberg provided an overview of the letter for a request for an exemption or emergency /temporary licensure to an Oregon Intern under supervision with an Oregon licensed Psychologist as of October 2020.</li> <li>Determined that the individual “therapist” in question, who was providing CBT sessions to a child diagnosed with OCD, would not have met qualifications for licensure; however, if the Oregon licensed psychologist with a Psy.D. was to get licensed on Guam, then the “therapist” concerned could be supervised by the licensed psychologist. HPLO, twice, sent the psychologist an Application for Licensure; but as of date, no Application was received.</li> <li>Ass’t AG Weinberg alerted the Board to anticipate increasing situations of this nature due to Telemedicine and Tele-health practices, such as supervision of “interns” off-island when the patient is on-island.</li> </ul>	GBAHE	13:21	Noted

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VIII.	MISCELLANEOUS	None			
IX.	NEXT MEETING	Next Meeting - Friday, July 2, 2021, 12:00pm	GBAHE	13.28	Noted
X.	ADJOURNMENT	Motion: C. San Nicolas, 2 <sup>nd</sup> Miller	GBAHE	13.28	Adjourned

Reviewed by: *[Signature]* 7/2/21  
Secretary / Date

Edited and Approved by: *[Signature]* 7/2/21  
Chairperson / Date

Minutes By: FLAME TREE Freedom Center, Inc.