

Guam Board of Allied Health Examiners

194 Hernan Cortez Avenue Terlaje Professional Building, Suite 213 Hagåtña, Guam 96910-5052

REGULAR VIRTUAL BOARD MEETING

Friday, July 2, 2021 via GoToMeeting

Public Notice advertised in the Pacific Daily News on June 25 & June 30, 2021

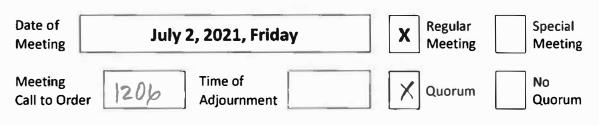
<u>AGENDA</u>

- I. Call to Order and Roll Call
- II. Adoption of Agenda
- III. Minutes of June 4, 2021 for approval
- IV. Treasurer's Report Catherine San Nicolas
- V. HPLO Administrator's Report Zennia Pecina, RN
- VI. Legal Counsel Report Robert Weinberg, Assistant Attorney General
- VII. GBAHE Complaints:
 - a) GBAHE-CO-21-01
 - b) GBAHE-CO-20-11
 - c) GBAHE-CO-20-10
 - d) GBAHE-CO-20-09
 - e) GBAHE-CO-20-08
 - f) GBAHE-CO-19-02
 - g) GBAHE-CO-19-03
 - h) GBAHE-CO-19-04
 - i) GBAHE-CO-17-02
 - j) GBAHE-CO-15-04
 - k) GBAHE-CO-15-06
- VIII. Old Business
 - a) Workgroup Report
- IX. New Business
 - a) Initial/New Applications:
 - 1) Kara E. Brown for Occupational Therapy (Claros)
 - 2) Keri Jo Felmet for Speech Language Pathologist (Crisostomo)
 - 3) Mariana Q. Turner for Veterinary Medicine (Pomes)
 - 4) Brennan T. Vandeveld for Acupuncture (Chong)
 - 5) Rieza Mari R. Sabido for Physical Therapy (Claros) *Conditional
 - b) Speaker Therese Terlaje sent E-Notice of Public Hearing Memo on Bill 112-36 "...all relative to Medical Malpractice in the Territory of Guam" scheduled on July 12, 2021 at 5pm at the Guam Legislature.
- X. Miscellaneous
- XI. Next Meeting Friday, August 6, 2021, at 12:00 p.m.
- XII. Adjournment

GUAM BOARD OF ALLIED HEALTH EXAMINERS

Board Meeting Attendance Sheet

194 Hernan Cortez Ave, Hagatna, GU 96910 Health Professional Licensing Office Room 213



VIRTUAL "GOTOMEETING"

BOARD MEMBERS	POSITION	SIGNATURE
Balajadia, Mamie	Chairperson	VIRTUALLY PRESENT
Pereda, Vincent	Vice Chairperson	Present
San Nicolas, Catherine	Treasurer	Present
Cepeda, Nadine	Secretary	Present
Claros, Ryan	Member	Present
Chong, Richard	Member	Present
Crisostomo, Sibyl	Member	Present
Cruz, Greg	Member	Present
Ogo, Alesia	Member	Obsent
Miller, Gregraory	Member	Present
Pomes, Paul	Member	Present
Tajalle, Ray	Member	Absent
Triolo, Dennis	Member	Absent

OTHERS PRESENT

PRINT NAME	AGENCY		SIGNATURE
Rob Weinberg	Legal Counsel	V	VIRTUALLY PRESENT
Zennia Pecina	DPHSS/HPLO	X	VIRTUALLY PRESENT
Rosemary Carman	DPHSS/HPLO	~	VIRTUALLY PRESENT
Deborah Borja	DPHSS/HPLO	V	VIRTUALLY PRESENT
Eddie Reyes	FTFC	~	VIRTUALLY PRESENT
Chantay Benitez	FTFC	7	VIRTUALLY PRESENT
Chantay Benitez Breanne Seblan	HPLO	~	VIRTUALLY PRESENT
almin Manlucu	Vwilliams	1	VIRTUALLY PRESENT
Roma Couz	DOE	1	

(Newt) Wayne

GUAM BOARD OF ALLIED HEALTH EXAMINERS

Board Meeting Attendance Sheet

194 Hernan Cortez Ave, Hagatna, GU 96910 Health Professional Licensing Office Room 213

VIRTUAL "GoToMeeting"

FOR DOA DIRECT PAYMENTS

Date of Meeting	July 2	, 2021, Frida	У	X	Regular Meeting	Special Meeting
Meeting Call to Orde	er 12:06pm	Time of Adjournment			Quorum	No Quorum

BOARD MEMBERS (Printed Name)	SIGNATURE
Balajadia, Mamie	VIRTUALLY PRESENT 🖌
Pereda, Vincent	VIRTUALLY PRESENT
Claros, Ryan	Virtually Present
Cepeda, Nadine	11 H
Chong, Richard	VIRTUALLY PRESENT
Crisostomo, Sibyl	VIRTUALLY PRESENT 🗸
Cruz, Greg	VIRTUALLY PRESENT 🖌
)go, Alesia	Ab sent
Ailler, Greg	VIRTUALLY PRESENT
Pomes, Paul	VIRTUALLY PRESENT 🗸
San Nicolas, Catherine	VIRTUALLY PRESENT
Гajalle, Ray	VIRTUALLY PRESENT
Triolo, Dennis	VIRTUALLY PRESENT

CERTIFIED BY:

Rosemary Carman

HPLO/EMS BOARD SECRETARY (Print Name & Signature)

DATE

GUAM BOARD OF ALLIED HEALTH EXAMINERS

Board Meeting Attendance Sheet

194 Hernan Cortez Ave, Hagatna, GU 96910 Health Professional Licensing Office Room 213

OTHERS PRESENT

PRINT NAME	AGENCY	SIGNATURE
		VIRTUALLY PRESENT
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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 **OTHERS PRESENT: MEMBERS PRESENT:** ⊠Dr. Mamie Balajadia, Chair Assistant AG Rob Weinberg, Legal Counsel □ Alesia Ogo ⊠Vincent Pereda, Vice-Chair Greg Cruz ⊠ Newt (Wayne Butler) ⊠Catherine San Nicolas, Treasurer Zennia Pecina, HPLO Administrator ⊠Ray Tajalle □Nadine Cepeda, Secretary Dr. Ryan Claros Deborah Borja, HPLO Sibyl Crisostomo ⊠Dr. Gregory Miller ⊠Rosemary Carman, HPLO Staff ⊠Dr. Richard Chong ⊠Dr. Paul Pomes ⊠Eddy Reyes, FLAME TREE Freedom Center ⊠Dr. Dennis Triolo

1	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 May 27 & June 2, 2021 for virtual regular Board meeting via GoToMeeting Link	Chair	12:13	Called to Order
11.	ADOPTION OF AGENDA	- Meeting Called to order at 12:12pm Approved with exception of the spelling of Surname in Agenda Item VI.C.5 "Manzon" Motion: S. Crisostomo, 2 nd G. Miller	GBAHE		Approved
III.	MINUTES OF May 7, 2021 MEETING	 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, 2ndC. San Nicolas 	GBAHE	12:22	Арргочес
IV.	TREASURER'S REPORT Catherine San Nicolas	 GBAHE Treasurer Report: 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. Next Working Group meeting will be held on June 18, 2021. No extension after June 2021. 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%). Total 371 licensees as of April 29. Deficit of \$66K (need justification); fees currently insufficient to sustain operations for the GBAHE. 	GBAHE Treasurer	12:25	Noted

ioric	DECISION(S) ACTION(S) MADE	PARTY	TIMEFRAME	
	 Still awaiting HPLO updated Financial Report. GBAHE Treasurer Template is being used, as an example, for other Boards under HPLO. Ass't AG emphasized the need to complete the Budget Proposal as soon as possible 			
V. HPLO ADMINISTRATOR REPORT Zennia Pecina, RN	The HPLO Administrator	HPLO	12:29	Notes
71. OLD BUSINESS	 A. Legal Coursel Report – 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. I. No last minute changes due to 5-day notice. Purpose is to provide advance notice to the bublic; Agenda could be amended at the scheduled meeting under Item II. Adoption of Agenda. 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). 3. Special Meetings required staying on the agenda topics and not discuss matters unrelated. 4. Fiscal Report may be required to be broadcasted; however, could be cost prohibitive. HPLO could use Live Streaming via webpage 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: a. Veterinarian Record Keeping b. Provision for Temporary Licensure c. Inactive Licensure d. Removal of Collaborative Practice Agreement, e.g. Prescriptive Authority 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. 6. Challenge finding legal representations for cases, such as those filed against local Veterinarians 7. On Chiropractor Case: 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." b. Another matter is on a local Chiropractor going off-island and leaving another "Chiropractor" from	OAG	12:32	Notec

	DECISION(5) FACHUN(5) MADE	PARTY	TIMEFRAME	
	B. Workgroup Report from the Committee on Continuing Education (CE) 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
	C. Complaints:		1	
	 Complaint 2021-01 Against Jacky Kim, Max Koo, Miki Yim, and Rachel Kim of Le Balance Board voted on a Cease and Desist Order to be issued to Individuals stated. Motion: S. Crisotomo, 2nd G. Miller. 	GBAHE		Noted
	 2. Complaint 2020-11 Against Dr. Noel Silan, Podiatrist Letter sent requesting a response to the Complaint from Dr. Silan 		-	Tabled
	 3. Complaint 2020-10 Against Respiratory Therapist (RT) Staff 9 Discussed the challenge of identifying an Investigator locally who could review the Complaint without poses a Conflict. 			Tabled
	 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. 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. HPLO Administrator reported that three vendors have been identified and who have submitted quotes. Currently under review at GSA. 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 Similar issues with complaints against Veterinarians – complaining parties often resulted in allegations of a conflict of interest. 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. 	GBAHÉ	13:00	
	4. Complaint 2020-09 Against Respiratory Therapist (Staff 8)			Tabled
	 5. Complaint 2020-08 Against Cleopatra Manzon, Respiratory Therapist Letter sent requesting a response from the Licensee 			Tabled
	6. Complaint 2019-02 Against Dr. Joel Joseph, Veterinarian			Tabled
	7. Complaint 2019-03 Against Dr. Lisa Silk, Veterinarian			Tabled
	8. Complaint 2019-04 Against Dr. Lisa Silk, Veterinarian			Tabled
	9. Complaint 2017-02 Against Dr. Weaver/Dr. Madison, Veterinarian			Tabled
	 10. Complaint 2016-08 Against Dr. Jong C. Yu, Acupuncturist No formal complaint was ever filed; the Complainant needed to submit a formal complaint. Recommended to close the file. 			Closed
5	Motion: S. Crisostomo 2 nd : G Miller 11. Complaint 2015-04 Against Dr. Joel Joseph, Veterinarian			Tabled
	12. Complaint 2015-04 Against Dr. Joel Joseph, Veterinarian			Tabled

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- Cert	TUPIC	DECISION(S) / ACTION(S) MADE	PARTY	TIMEFRAME	
		D. Public Hearing on Bill 110-36 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	A. Initial/New Applications:			
		1. Ashley Nelson for Physical Therapy (Miller) Motion Pomes; 2 nd Miller	GBAHE	12:51	Approve
		 Johnson, Andrea L. for Speech Language Pathologist (Crisostomo) Motion Pomes; 2nd Miller 			Approve
		3. John Oceretko for Respiratory Therapy (Cruz) Motion Pomes; 2 nd Miller			Approve
		 B. Renewal Applications: Aquino, JoBeth M. for Licensed Professional Counselor (Balajadia) Motion: C. San Nicolas 2nd: G. Miller 			Approve
		 Aquino, JoBeth M. for Marriage & Family Therapist (Balajadia) Motion: C. San Nicolas 2nd: G. Miller 	GBAHE	12:53	Approve
		3. Hoff, Jennifer R. for Occupational Therapist (Miller) Motion: C. San Nicolas 2 nd : G. Miller			Approve
		4. Taijeron, Dolores M. for Licensed Professional Counselor (Balajadia) Motion: C. San Nicolas 2 nd : G. Miller	CDAUE	12.14	Approve
		 C. Tiny Eye Company – Sibyl Crisostomo 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. Asst AG Weinberg expressed the need to ensure that applicants are properly licensed by law. To date, the Board has licensed 18 from Tiny Eye Company. 	GBAHE	13:16	Noted
		 D. Letter from Senator Telena Nelson on Exemption of Licensure 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. Determined that the individual "therapist' in question, who was providing CBT sessions to a child 	GBAHE	13:21	Noted
		 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. 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. 			

	TOPIC	DECISION(S) / ACTION(S) MADE	RESPONSIBLE PARTY	REPORTING TIMEFRAME	STATUS
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 ^{nd:} Miller	GBAHE	13.28	Adjourned

	Sam 7/2/21	manie Chalogadia		
Reviewed by:	Jellin 7/2/21	Edited and Approved by: 7/2/21		
8	/ Secretary / Date	Chairperson / Date	2	

Minutes By: FLAME TREE Freedom Center, Inc.

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