

MASSAGE NEWS

A Publication of the
**Maryland Board of Chiropractic & Massage
Therapy Examiners**

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**Summer
2016 Renewal Edition**



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SCHEDULE OF THE REMAINING 2016 MEETINGS

BOARD MEETINGS

(Board meetings commence at
10 a.m. unless otherwise noted)

AUGUST 11
SEPTEMBER 08

**BOARD OF MASSAGE
THERAPY EXAMINERS
OFFICIALLY
COMMENCES
OCTOBER 2016**

OCTOBER 27
NOVEMBER (TBD)
DECEMBER 22

**MASSAGE
THERAPY
JP EXAMINATIONS**

JULY 25
AUGUST 22
SEPTEMBER 19
NO EXAM OCTOBER 2016

A MESSAGE FROM THE PRESIDENT

Dear Licensees and Registrants:

The Maryland State Board of Chiropractic & Massage Therapy Examiners (the "Board") has seen numerous changes this last year. I took the presidential reins from Dr. Michael Fedorczyk in July 2015. I am grateful for Dr. Fedorczyk's leadership and dedication to the mission of the Board; that of protecting the citizens of Maryland and promoting quality health care in the fields of chiropractic and massage therapy.

After the death of Executive Director, James Vallone, in December 2014, the Board was led by Mr. Richard Procter, Interim Executive Director. In July 2015, the Board hired Laurie Sheffield-James as Executive Director.

This year has seen many exciting and new developments. Perhaps the greatest development was the passage of a bill introduced by the Maryland Massage Therapy Association by the Maryland legislature. The bill mandated the splitting of the Board into two separate boards: one to regulate chiropractors; and the other to regulate massage therapists and massage practitioners.

Once the bill was introduced to the legislature, the Board held an emergency public meeting to listen to what stakeholders from the chiropractic and massage therapy community had to say about the possibility of two separate boards. The Board also heard from representatives of Maryland community colleges with massage therapy education programs, the Maryland Massage Therapy Association, and the Maryland Chiropractic Association; all of whom supported the legislation. After considerable discussion and deliberation, the Board concluded that passage of the bill was in the public's best interest as the two professions are fundamentally distinct.

As most of you know, the mission of the Board is to protect the public and promote quality health care in the fields of chiropractic and massage therapy by:

- Licensing applicants while insuring competency through continuing education;
- Receiving and resolving complaints from the public regarding licensees who may have violated the law and its regulations; and
- Setting standards for the practice of the profession that reflect new and emergent trends and developments through regulations and legislation.

(continued on page 2)

(Continued from page 1)

The Board reasoned that subject matter experts and consumers are best equipped to vet applications for licensure and renewal, to review and resolve complaints, and to set standards for the profession. Consequently, effective October 1, 2016, the Board of Massage Therapy Examiners will consist of 5 massage therapists and 2 consumer members and the Board of Chiropractic Examiners will consist of 5 chiropractors and 2 consumer members. It is the Board's opinion that two autonomous boards will best serve the interests of the public.

There is much to do prior to October 1, 2016. Our most immediate need is to identify massage therapists who would like to serve on the new massage therapy board. If you know massage therapists who has been practicing in the State for at least 5 consecutive years, please let them know about this opportunity. They are welcome to contact the Board office for more information.

To keep up to date on issues surrounding the formation of the new boards as well as other interesting issues, plan on attending the current Board's open session meetings which are held the second Thursday of every month at 10am. Open session meetings are a great opportunity to meet board members, network with other professionals, and keep abreast of new developments. In addition, by attending the meeting, you are eligible to earn continuing education units (CEUs).

If you have any questions or concerns, please feel free to contact the Board office at (410)764-4726.

Best wishes,
Jonathan Nou, D.C.
Board President

The great thing in this world is not so much where we stand, as in what direction we are moving.

Oliver Wendell Holmes

New Staff

The Board is pleased to announce the hiring of Laurie Sheffield-James, M.Div., as Executive Director to the Board. Laurie has been working for Maryland Health Occ. Regulatory Boards for the last 14 years. Prior to her work as a regulator, Laurie was the Executive Director of [Sarah's House](#) a 110 bed homeless shelter.

Laurie looks forward to working for the Board and learning all she can about the field of Chiropractic. She recently had her first neck adjustment – and reports a positive outcome!

Kim Link joined the Board's staff as an Administrative Officer. Kim graduated from law school with her J.D. She brings a wealth of knowledge, legal and otherwise, to the Board. Welcome, Kim.

Continuing Education Units for Board Attendance

In an effort to encourage licensees and registrants to attend Board meetings, the Board has decided that licensees and registrants may receive up to 10% of their CEUs by attending Open Session Board meetings. One (1) CEU will be given to Board attendees for each Board meeting. Simply attend an entire Open Session meeting, ensure that you have signed your name on the attendance roster and receive your free CEU.

You will receive valuable information at Board Meetings including: possible regulation changes, statutory changes, possible policy and process changes and more. It is your chance to meet all the Board members ...and to express your opinion either by appointment or as time permits for that session.

MASSAGE THERAPY LICENSURE TIMELINES & STATUS CATEGORIES

MASSAGE THERAPY BIENNIAL RENEWAL 2016 –2018

All Maryland Massage Therapists Licenses and Massage Practitioners Registrations will expire October 31, 2016. Specific Information regarding the renewal of the licenses and registrations will be forthcoming in the summer with a **"Reminder Postcard"** sent via USPS mail to active license holders, active registration holders and inactive license and registration holders in June. Following in July, all active and inactive status license and registration holders will receive by USPS mail, the specific **"Instructions and Procedures"** which provides the step-by-step procedures to navigate the online renewal system which will be assessable through links on the Board's official website (www.dhmh.maryland.gov/massage). **License and Registration Renewals are strictly completed online through the Board's website and during the specified online 'Open Renewal' dates (Aug. 15th thru Oct. 30th) and the online "Open Late Renewal" dates (Oct. 31st thru Nov. 30th) in 2016. On Dec. 1, 2016 online renewal portal will be closed and any licensee/registrant that did not renew their license or registration will have a status change to "Non-renewed".**

ACTIVE AND INACTIVE STATUS REGARDING ONLINE 2016 –2018 BIENNIAL RENEWAL

All active and inactive license and registration holders must renew their respective status every biennial renewal window (every two years-on the even years) this year regardless of the original or initial date of licensure. **If a license or registration holder obtains an initial (very first ever for the State of MD) license or registration 12 months or less from the expiration date printed on the license or registration; the licensee or registrant is exempt from continuing education requirements only during the renewal BUT MUST STILL RENEW THE LICENSE OR REGISTRATION.** Note: licensees and registrants should confirm their current licensure status by either going to the website and clicking on the 'verification link' located on the homepage in the of the Board's website. Also a license or registration holder can be sure of the expiration date of his/her license or registration by either going to the "verification link" on the website or simply by looking at the expiration box of the board issued license or registration which is conspicuously displayed at the place of employment. **YOU CANNOT REACTIVATE OR REINSTATE A LICENSE OR REGISTRATION ONLINE; YOU MUST CONTACT THE BOARD OR MAKE A REQUEST IN WRITING.**

ADMINISTRATIVE FLAG(S) —EITHER TAX DELINQUENCY, CHILD SUPPORT DELINQUENCY: If you have been flagged by the MD State Office of Comptroller for state tax or the Child Support Enforcement Office for child support delinquencies; you will be notified by the Board at the address on file and **will not be allowed to complete renewal unless/until you satisfy the delinquency with the Comptroller of CSE. FAILURE TO NOTIFY BOARD OF A CHANGE OF ADDRESS:** If you fail to notify the Board of a change of address in writing, by either use of the Board 'Change Address/Name Form located on the website at www.mdmassage.org or the back of the wallet portion of your current license/registration by mail within 60 days of the change; (1) you may not received your Board correspondence AND (2) you may be assessed an Administrative Penalty of \$100.

***OTHER CATEGORIES BELOW - IF YOU ARE NOT SURE OF YOUR STATUS; PLEASE CONTACT THE BOARD.**

INACTIVE STATUS—REACTIVATION (\$386.00 LMT—\$350.00 RMP) - Reactivation Form on Board website

Licensees and Registrants who are actively 'inactive' may reactivate a license or registration at anytime (Note: if you reactivate near a biennial renewal window; licenses or registrations fees are not prorated and you will need to renew during the renewal period). The licensee or registrant may download the 'Reactivation Application' located on the Board's website under the "Form" tab and remit into the Board the completed application, copies of the required regulatory CEUs and a copy of the a valid CPR certification for the workplace. Note: licensees and registrants should confirm their current licensure status by either going to the website and clicking on the 'verification link' located on the homepage in the 'Online Services' box or contacting the Board.

NON-RENEWED STATUS—REINSTATEMENT (\$686.00 LMT—\$650 RMP) - Reinstatement Form on Board website

Licensees and Registrants who are in a non-renewed status for less than 24 months and wish to reinstate their license or registration may do so anytime (Note: if you reinstate near a biennial renewal window; licenses or registrations fees are not prorated and you will need to renew during the renewal period). You may download the "Reinstatement Application" located on the Board's website under the "Form" tab and remit into the Board the completed application, copies of the required regulatory CEUs and a copy of the a valid CPR certification for the workplace. Note: licensees and registrants should confirm their current licensure status by either going to the website and clicking on the 'verification link' located on the homepage in the 'Online Services' box or contacting the Board.

NON-RENEWED STATUS—24 MONTHS OR MORE NON-RENEWED (RE-APPLICATION) Requires new current application.

Licensees and Registrants who failed to renew a license or registration within 2 years after the last expiration date of the license or registration shall meet all regulatory requirements currently in effect at the time of request and make reapplication to the Board for licensure. Note: licensees and registrants should confirm their current licensure status by either going to the website and clicking on the 'verification link' located on the homepage or contact the Board for any updates to regarding "waivers or grandfathering".

MESSAGE THERAPY BIENNIAL RENEWAL INFORMATION - DEADLINE IS OCTOBER 30, 2016

IMPORTANT TIMELINES FOR 2016

Online Biennial Renewal will open live approximately August 15, 2016 and will run through October 31, 2016. Late renewal will begin November 1, 2016 and close November 30, 2016.

December 1, 2016 the Biennial Online System will close. Any licensee or registrant who has not renewed his/her license or registration or licensure status by November 30, 2016 will automatically become a category status of Non-Renewed on December 1, 2016.

WALK-INS

In order to facilitate audit tracking and fiscal procedures implemented by the Office of Legislative Audits, the Board must insist that all correspondences such as: applications, payments, documentation inclusive of audits be submitted by mail or electronic submission per authorization **with the exception of electronic on-line renewals.** Unless special circumstances are approved by the Board, all business must be transacted **via USPS mail.** Of course any licensee/registrant may make an appointment to personally come in and discuss any relevant issue with the Massage Program Manager. Information may also be obtained and questions promptly answered via phone or email.



TAX OR CHILD SUPPORT DELINQUENCIES WILL DELAY YOUR ABILITY TO RENEW YOUR LICENSE OR REGISTRATION HAVE YOU PAID YOUR STATE TAXES?

Maryland law requires that anyone who qualifies for a renewal license, certificate or registration must be current with state taxes and/or child support payments prior to the issuance of the renewal license, certificate, or registration. **THIS MEANS THE BOARD CANNOT ISSUE A RENEWAL LICENSE, CERTIFICATE OR REGISTRATION UNLESS ALL TAX OBLIGATIONS AND/OR CHILD SUPPORT OBLIGATIONS TO THE STATE ARE PAID OR AN AGREEMENT HAS BEEN MADE TO CURE THE TAX / CHILD SUPPORT DEBT— THERE ARE NO WAIVERS OR EXCEPTIONS.**

NOTE: The Board cannot intervene in any delinquent tax or child support matter unless the licensee or registrant has reason to believe there has been an error on the Board's part. It is the responsibility of the licensee or registrant to contact the Comptroller's Office to resolve any outstanding issues/matters of the State of Maryland prior to renewing a license or registration online during the Biennial Renewal window. The Comptroller's Office will then notify the Board via email of a clearance status for your license or registration; then and only then will you be able to proceed with the renewal process.

THE BOARD MUST ADHERE TO THE REGULATION AND CANNOT MAKE ANY EXCEPTIONS!
Refer to COMAR 10.31.02.02

CHANGE OF ADDRESS OR CHANGE OF NAME NOTIFICATION REQUIREMENT

A "Change of Address" or "Change of Name" is to be submitted every time a licensee or registrants changes mailing address or their legal name. The Board regulations require all licensees and registrants to maintain a current address with the Board. The licensee and registrant shall notify the Board of any change in the name or address of the license or registration holder, in writing within 60 days after the change occurs. You may make notification in writing by U.S.P.S. mail, by fax (410) 358-1879, or by simply completing and mailing to the Board the "Change of Name/Address" card connected to the wallet portion of your license or registration.

THERE IS A \$100.00 ADMINISTRATIVE PENALTY FOR FAILURE TO MAINTAIN A CURRENT ADDRESS WITH THE BOARD!
Refer to COMAR 10.43.17.12

THE BOARD



BOARD OF CHIROPRACTIC & MESSAGE THERAPY EXAMINERS COMPOSITION FOR 2016 (Effective June 09, 2016)

Jonathan Nou, D.C., President
Robert Frieman, D.C., Vice President
Gregory Lewis, D.C., Secretary/Treasurer
David Cox, L.M.T., Past Vice President
Ernestine Jones Jolivet, Consumer Member
Michael Fedorczyk, D.C., Board Member
Karen Biagiotti, L.M.T., Board Member
Gwenda Harrison, L.M.T., Board Member
Gloria Boddie-Epps, Consumer Board Member
Michael Moskowitz, D.C., Board Member
Kindra Ingram, D.C., Board Member

BOARD OF CHIROPRACTIC & MESSAGE THERAPY EXAMINERS COMPOSITION FOR 2015 (Effective June 11, 2015)

Jonathan Nou, D.C., President
David Cox, L.M.T., Vice President
Ernestine Jones Jolivet, Secretary/Treasurer
Michael Fedorczyk, D.C., Board Member
Robert Frieman, D.C., Board Member
Karen Biagiotti, L.M.T., Board Member
Gwenda Harrison, L.M.T., Board Member
Gloria Boddie-Epps, Consumer Board Member
Michael Moskowitz, D.C., Board Member
Gregory Lewis, D.C., Board Member
Kindra Ingram, D.C., Board Member

Applications for the Maryland State Board of Massage Therapy Examiners are being accepted through July 11 2016.

Recent legislation has resulted in the establishment of the Maryland State Board of Massage Therapy Examiners effective October 1, 2016. Applications for members are being accepted through July 11, 2016 for the following Board seats:

5 Licensed Massage Therapists

2 Consumer (public) members

Criteria for Massage Therapist members:

Interested Massage Therapy Licensee candidates should carefully review the criteria to ensure that they are eligible. Licensees interested in being nominated for appointment consideration must contact the Maryland Chapter of the American Massage Therapy Association (AMTA) no later than **July 11, 2016**. Please note that **Massage Therapists do not need to be members of the AMTA to be nominated**. Contact for the AMTA is:

Sabrina Lopez, LMT

Board President

Maryland Chapter of the American Massage Therapy Association.

213 Polk Drive

Glen Burnie, Maryland, 21061

443.599.6293

president.amta.maryland@gmail.com

Terms are staggered but will not exceed more than four years. All Interested candidates must be licensed by the Board, in good standing with the Board, actively practicing for at least five years and be a resident of Maryland.

Board member duties:

Attend month Board meetings which are held on the 4th Thursday of every month at 10:00 AM at the Board office in Baltimore. The meetings normally last until 3 PM and lunch is provided. The meeting includes a closed and a public (open) session. Members receive a stipend of \$150 per meeting plus mileage. Members receive documents in advance of the meeting for review. There are attendance requirements in order to remain a board member.

Members serve on various Board committees including discipline and complaints, regulations and legislation, scope of practice and by-laws committee. Committees meet as-needed in person and by phone.

Members participate in disciplinary hearing and case resolution conferences.

Board members may be asked to testify before the General Assembly regarding legislation that affects consumers and/or licensees.

Board members are subject to the State Ethics Law and are required to file an annual financial disclosure with the State Ethics Commission.

Please note that all applicants are thoroughly vetted and may be interviewed by a subject matter expert. The Governor appoints all board members with the advice of the Secretary of the Department of Health and Mental Hygiene and advice and consent of the Senate.

All interested applicants must submit an online application with the Governor's Appointments Office (GAO) by July 11. The application link is <https://govapps.md.gov/appointments/apply/>.

The Board has worked diligently and in cooperation with local law enforcement authorities to close unlicensed practices. Over the past months, the police have been especially diligent in responding to reports in shutting down illegal businesses engaged in massage therapy without licensed therapist/practitioners. However, again, we must remind licensees and registrants that the Board DOES NOT have jurisdiction in these cases. Illegal massage or chiropractic practice is a criminal violation punishable by fine and/or imprisonment. The board administratively assists the police in providing information and license/registration verification services to the arresting officer and prosecutor.

DISCIPLINARY CASE SUMMARIES FORMAL AND INFORMAL SANCTIONS 2014-2016

(Note: Only formal public sanctions permit the release of the Respondent's identity)

FORMAL PUBLIC ORDERS FORMAL PUBLIC ORDERS – Massage Therapy

- **NELSON, CARL ERIC, APPLICANT** 4/30/14: Final Order of Denial of Application for Registration to Practice Non-Therapeutic Massage Therapy; failure to meet pre-requisite of good moral character; failure to disclose criminal history.
- **FANG, DANA, LMT** 5/15/14: Final Order of Revocation of License to Practice Massage Therapy; violation of probation by failure to abide by terms and conditions of Order dated 8/13/13 re: permitting unlicensed therapists to practice under her supervision; dishonest and deceitful conduct during course of investigation; recordkeeping violations.
- **MYERS, BRIDGET** 5/16/14: Order of Registration Suspension for Delinquent Child Support; 5/29/14: Order Lifting Registration Suspension for Delinquent Child Support.
- **DAWSON, MARK, APPLICANT** 7/17/14: Final Order of Denial of Application for Licensure or Registration to Practice Massage Therapy; failure to meet prerequisite of good moral character; crime involving moral turpitude.
- **BETTER, JASMINE M, APPLICANT** 3/18/14: Notice of Intent to Deny Application; failure to meet prerequisite of good moral character; fraudulently or deceptively obtains or attempts to obtain a registration; conduct violating professional code of ethics; failure to disclose criminal record. 8/6/14: Final Order: application for massage therapy registration granted; 3 year probationary period subject to terms and conditions.
- **HAYNES, DWAYNE, RMP** 9/16/14: Order Lifting Suspension of Registration to Practice Massage Therapy for Delinquent Child Support.
- **FLYNN, ANDREW D., RMP** 9/22/14: Order of Suspension of Registration for Delinquent Child Support.
- **BEARD-BUSHEY, SHERRY, LMT** 10/20/14: Order of Suspension of Registration for Delinquent Child Support.
- **HOLCOMB, KINSTON R.** 12/1/14: Final Order: crime of moral turpitude. Registration suspended for 3 years; probationary period of 5 years to run concurrently with suspension and subject to terms and conditions.
- **ORTIZ, RUBEN** 4/20/15: Order of Suspension of License for Delinquent Child Support; 3/24/16: Order of Suspension of License for Delinquent Child Support; 3/29/16: Order Lifting Suspension of License for Delinquent Child Support.
- **JIN, YING AI, RMP** 4/20/15: Final Order of Revocation of Massage Therapy Registration; allowing unlicensed individuals to practice massage therapy, recordkeeping violations, failure to cooperate with board investigation.
- **BABRA, DEVINDER S., RMP** 5/4/15: Consent Order: Revocation of License to Practice Non-Therapeutic Massage; acts inconsistent with generally accepted professional standards, conduct that violates professional code of ethics, violation of professional boundaries.
- **LIU, XIAORONG, RMP** 5/14/15: Consent Order: fraudulently or deceptively using a license or registration; recordkeeping violations. Reprimand of license; \$500 fine; 1 year probation subject to terms and conditions.
- **WILLIAMS, LOUIS, LMT** 7/28/15: Letter of Surrender of License to Practice Massage Therapy: convicted/disciplined by a court of any State; act that would be grounds for disciplinary action; act inconsistent with generally accepted professional standards, conduct that violates professional code of ethics.
- **PUMPHREY, ROBERT, LMT** 10/8/15: Final Order of Revocation of License to Practice Massage Therapy: conduct involving moral turpitude, act inconsistent with generally accepted professional standards, violation of professional code of ethics, knowingly does an act in violation of board regulations, recordkeeping violations, violation of professional boundaries. Revocation of license; cannot apply for 5 years and subject to terms and conditions.
- **SNYDER, TIMOTHY, RMP** 12/29/15: Order for Summary Suspension of registration to practice as a massage practitioner in Maryland; emergency action to protect public health, safety or welfare.
- **OTTO, GAVIN A., RMP** 12/30/15: Order for Summary Suspension of registration to practice as a massage practitioner in Maryland; emergency action to protect public health, safety or welfare.
- **BANKS-SMITH, ANGELA, LMT** 12/29/15: Order of Suspension of License for Delinquent Child Support.
- **LEE, JENG SUK, APPLICANT** 1/28/16: Final Order Denying Application for License for Massage Therapy: failure to disclose prior disciplinary proceeding; lacking good moral character.
- **DAVENPORT, GARY, LMT** 5/3/16: Order of Suspension of License for Delinquent Child Support.
- **HOLDER, ANGELA N., RMP** 5/3/16: Order of Suspension of License for Delinquent Child Support.
- **ROBERTS, REYNOLD,** 5/3/16: Order of Suspension of License for Delinquent Child Support; 5/23/16: Order Lifting Suspension of License for Delinquent Child Support.

Note: All Formal Orders and Informal Actions are the result of the decision of the quorum of the full Board of Chiropractic & Massage Therapy Examiners, meeting and deliberating in closed, Executive Session. Informal Actions are not releasable to the public.

UNIT 83
MD BOARD OF CHIROPRACTIC &
MASSAGE THERAPY EXAMINERS
4201 Patterson Avenue, Suite 301
Baltimore, MD 21215-2299



REMEMBER TO CHECK THE BOARD'S WEBSITE
FOR UPDATES AND BULLETINS

DO NOT DISCARD THIS IMPORTANT NEWSLETTER REGARDING YOUR MASSAGE LICENSE OR REGISTRATION

REQUEST FOR RESTRICTION OF EMAIL ADDRESS FROM RELEASABLE DATABASE ROSTER

I, _____, License No. _____, request that my email address not be included on the Board releasable database roster. By this request, I acknowledge and agree that **this restriction may result in me not having access to updated electronic information, advertisements and CEU programs that may be distributed, offered, advertised and disseminated by providers and contractors.**

Signature

date

Mail to: MD Board of Chiropractic & Massage Therapy Examiners, 4201 Patterson Avenue, Suite 301, Baltimore, Maryland 21215
4201 Patterson Avenue, Baltimore, MD 21215-2299.

ADDRESS CHANGE FORM

All licensees and registrants must notify the Board in writing upon changing their mailing address. Failure to do so will result in the assessment of a \$100.00 fine pursuant to COMAR 10.43.06.S.

I, _____, submit that I have changed my official mailing address to:

_____, effective on:

_____, 20____. I understand that upon receipt of this form, my official mailing address will be changed in my

Message Therapy file and in the licensee /registrant database.

Print Name

Mail to: Board of Chiropractic & Massage Therapy Examiners
Suite 301
4201 Patterson Ave.
Baltimore, MD 21215-2299
Attn: Ms. Emily Jones

Signature

Date