

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

January 9, 2014

GENERAL SESSION AGENDA

1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (*December 12, 2013*).**
3. **Review of Administrative Issues, Mr. J.J. Vallone, Executive Director and Ms. Adrienne Congo, MS Deputy Director**
 - (a) **Important Revisions to Code of Maryland Regulations – (12/18/13 Letter Out to Associations and Other Pre-Approved Providers)**
 - (b) **Meeting with Senator Forehand Staff re Human Trafficking-- initiative relating to energy practitioners**
4. **Chiropractic Petition(s):**
 - (a) **Application of Preceptorship, Timothy W. Morrison, D.C. (Extern-Jonathan Murphy)**
5. **Massage Therapy Petition(s):**
 - (a) **Sylvia Seo—Petition to Waive Accreditation Requirement and Accept Application for Massage Therapy. Graduated with 513 hours from *Bellevue Massage School* in Bellevue, WA. *Bellevue Massage School* is accredited under the State of Washington.**
6. **Requests for Chiropractic trade name approval:**
 - (a) ***Healthy Wayz, Chiropractic, Massage, Nutrition* – Theresa Hutzel, D.C.**
 - (b) ***Summit Chiropractic, Inc.*—Tyler Smardzewski, D.C.**
 - (c) ***Precise Chiropractic & Rehabilitation*- Lief Hands, D.C.**
7. **Requests for massage trade name approval:**
 - (a) ***Annie's Massage Spa* – XiaoRong Liu, RMP**
 - (b) ***MASSAGE BY DAVE*—David Sprouse, LMT**
 - (c) ***Body Mind Spirit MFR + Therapeutic Massage*—Emily Jacobs, LMT**
 - (d) ***Massage on East*- Natalia Ibbott, LMT**
8. **Federation of State Massage Therapy Boards Annual Meeting – *Mr. David Cox, LMT***
9. **Discussion of Massage Therapy Schools Indicating Ethics Courses on Transcripts**
10. **Discussion on Dry Needling and Violations of the U.S. Food, Drug, and Cosmetic Act**
11. **Follow-up Discussion of Parental Oversight of Minors at Healthcare Visit**
12. **Application of Preceptorship Reevaluation, Dr. Jeffrey C. Michael D.C., (Extern Sarah C. Kernan)**

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

January 9, 2014

Members Present

Michael Fedorczyk, DC, Board President
Jonathan Nou, DC, Board Vice President
Robert Frieman, DC, Board Treasurer
Stephanie J. Chaney, DC, Fmr Board President
Michael Moskowitz, DC
Gwenda Harrison, LMT
David Cox, LMT
Gloria Boddie-Epps, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Non-Members Present

James Vallone, Executive Director
Adrienne Congo, Deputy Director
Grant Gerber, Esq., AAG, Board Counsel
James Gamble, Admin Specialist II
Michelle Czarnecki, Compliance Manager
Tim McKenna, MCA
Sen. Sharon Bloom Hollinger, DHMH
Kristen Neville, DHMH

Members Absent

Karen Biagiotti, LMT

Dr. Michael Fedorczyk called the meeting to order at 10:02am

Review of Agenda and Minutes

The January 9, 2014 agenda was reviewed by the Board and the following revisions were suggested:
(1) Addition of #12 Application of Preceptorship Reevaluation, Dr. Jeffrey C. Michael D.C., (Extern Sarah C. Kernan).

Dr. Frieman moved to approve the January 9, 2014 Agenda with those revisions; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

The December 12, 2013 Board minutes were reviewed by the Board. Dr. Frieman moved to approve the December 12, 2013 Board Minutes as written; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

a) Important Revisions to Code of Maryland Regulations

On January 6, 2014, new regulations will affect both the Board's review and approval of CEU courses. The regulations will also affect the qualifications for applicants for chiropractic licensure. A letter will be issued to all licensed chiropractors, registered chiropractic assistants, licensed massage therapists, and registered massage practitioners that outline these significant changes. Any questions regarding these revisions will be addressed to the Board's compliance manager, Ms. Michelle Czarnecki.

b) Meeting with Senator Forehand Staff re: Human Trafficking—Initiative relating to energy practitioners.

Jim Vallone, Executive Director met with Senator Forehand to discuss issues concerning human trafficking and the use of reflexology and acupuncture to avoid the Board's jurisdiction. The discussion was focused on those individuals who are engaging in prostitution under the guise of massage therapy, reflexology, and acupuncture. Mr. Vallone suggested that a revision of the Board's statutory definition of "Massage Therapy" to require exempted energy practitioners to be nationally certified could help to combat the human trafficking issue that has resulted in individuals avoiding the Board's jurisdiction. Under this revision, energy practitioners would have to be nationally certified

under FSMTB and other nationally recognized institutions to operate under the rules of these institutions. This would allow for state law enforcement to monitor these energy practitioners and prevent non-nationally certified individuals from practicing. Mr. Vallone advised the Board that he is currently working with Senator Forehand and her team to draft this revised statute.

Chiropractic Petitions:

a) Application of Preceptorship, Timothy W. Morrison, D.C. (Extern- Jonathan Murphy)

Dr. Frieman was assigned to accompany Mr. David Ford on his inspection of Dr. Morrison's practice and will report his recommendation to the Board upon completion.

Massage Therapy Petitions:

a) Sylvia Seo, (Massage Applicant) – Petition to waive accreditation requirement and accept application for massage therapy licensure/registration.

Ms. Seo graduated with 513 hours from Bellevue Massage School in Bellevue, WA. Bellevue Massage School is accredited under the State of Washington.

Based on this information, Dr. Nou moved to waive the accreditation requirement and accept Ms. Seo massage therapy application; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

Requests for Chiropractic Trade Name Approval:

The following chiropractic trade name requests were approved by Board motions. Dr. Frieman moved to approve; Dr. Chaney seconded, and the motions were unanimously voted by the Board:

- a) *Healthy Wayz, Chiropractic, Massage, Nutrition* – Theresa Hutzler, D.C.
- b) *Summit Chiropractic, Inc.*- Tyler Smardzewski
- c) *Precise Chiropractic & Rehabilitation*- Lief Hands, D.C.

The following massage therapy trade name requests were approved by Board motions. Dr. Frieman moved to approve; Mr. Cox seconded, and the motions were unanimously voted by the Board:

- a) *Annie's Massage Spa* – XiaRong Liu, RMP
- b) *MASSAGE BY DAVE* – David Sprouse, LMT
- c) *Body Mind Spirit MFR +Therapeutic Massage* – Emily Jacobs, LMT
- d) *Massage on East* – Natalia Ibbott, LMT

Federation of State Massage Therapy Boards Annual Meeting- Mr. David Cox, LMT

Mr. Cox informed the Board of the issues raised during the FSMTB annual meeting held on October 10-12th. Mr. Cox informed the Board that the issue of human trafficking and its impact on the Massage Therapy profession was a major point of discussion at the meeting. During the meeting, Mr. Cox was elected to the nominating committee. The next FSMTB conference will be held in Tucson, AZ.

Discussion of Massage Therapy Schools indicating Ethics Courses on Transcripts

Discussion on this issue was tabled until February Board meeting.

Discussion on Dry Needling and Violations of the United States Food, Drug, and Cosmetic Act

The Board received a letter from Field Jerger, LLP, from Portland, Oregon on behalf of the National Center for Acupuncture Safety and Integrity (NCASI), on the subject of Dry Needling and expressed concern regarding the use of dry needling by chiropractors and other individuals who are not licensed acupuncturists. The NCASI encouraged the Board to carefully review enclosed regulations and other documents related to the regulation of acupuncture needles. The Board discussed this correspondence and affirmed that chiropractors are authorized to use acupuncture needles for dry needling in the State of Maryland. Dr. Chaney moved to take no action regarding this issue; Dr. Moskowitz seconded, and the motion was unanimously approved by the Board.

Follow-up Discussion of Parental Oversight of Minors at Healthcare Visit

Discussion on this issue was tabled for the February Board meeting.

CEU Pre-Approved Provider Petition- Dr. Keith Scott and Associated Bodywork & Massage Professionals (ABMP)

Dr. Keith Scott petitions the Board to be considered a "Pre-approved Provider" for his chiropractic assistant course.

Dr. Chaney moved to approve Dr. Scott's petition and to add him to the Board's "Pre-Approved Provider" list; Mr. Cox seconded, and the motion was unanimously voted by the Board.

Application of Preceptorship Reevaluation, Dr. Jeffrey C. Michael D.C., (Extern Sarah C. Kernan)

Former Board member Dr. Joanne Bushman completed a re-inspection of Dr. Michael's recordkeeping in response to a previous inspection revealing inadequacies in that regard. Board Investigator Mr. Ford informed the Board that during her inspection, Dr. Bushman found that Dr. Michael's recordkeeping issues had been resolved and recommended that he be approved as a preceptor. Mr. Ford concurred with Dr. Bushman's recommendation.

Based on this information, Dr. Frieman moved to approve Dr. Jeffrey Michael, D.C.'s application for preceptorship for Sarah C. Kernan; Dr. Chaney seconded, and motion was unanimously voted by the Board.

Upon motion by Dr. Frieman, seconded by Mr. Cox, the Board unanimously voted to adjourn General Session at 10:55am.

Respectfully submitted:


Robert G. Frieman, D.C.

Board Secretary/Treasurer