

MASSAGE NEWS

Newsletter of the Maryland Board of Chiropractic
& Massage Therapy Examiners

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RENEWAL EDITION



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SCHEDULE OF THE REMAINING 2012 MEETINGS

*BOARD MEETINGS

JULY 12
AUGUST 9
SEPTEMBER 13
OCTOBER 11
NOVEMBER 8
DECEMBER 13

Applicants, Licensees, and Registrants are Welcome to Attend ANY General Session Meeting

JP EXAMINATIONS

JULY 23, 2012
AUGUST 27
SEPTEMBER 24
NO EXAM BIENNIAL OCT.
NOVEMBER 26
NO EXAM DECEMBER

*ALL DATES SUBJECT TO CHANGE DUE TO WEATHER OR DISCIPLINARY HEARINGS

BOARD PRESIDENT'S MESSAGE

Dr. Stephanie J. Chaney, D.C.

Board Members are appointed by the Governor of Maryland from a list supplied to the Office of Executive Appointments by the professional massage and chiropractic associations and the general public. Members serve for an initial 4 year term and are eligible for an additional 4 year renewal appointment upon recommendation to the Governor by the Department of Health & Mental Hygiene (DHMH). All members serve solely as volunteers and are paid only per diem and mileage for the time at meetings and at designated events. This Board has been blessed for many years with a diligent, proactive, and professional cadre of members and supporting staff. It is always sad to see old members leave but it is exciting to work with fresh, newly appointed professionals.

Major Board Transitions

DEPARTURES OF DR. DUANE R. SADULA, D.C., DR. KAY B. O'HARA, D.C., LAC & MRS. MARYANNE FRIZZERA-HUCEK, M.S.

The Board will lose three long-time distinguished members in July 2012. Dr. Duane Sadula, D.C. and Dr. Kay B. O'Hara, D.C. are departing after eight years of service to the Board. The Board presented testimonial plaques to the departing members. Notably, these members served as both President and Vice President. In addition they provided outstanding representational service to the National Board of Chiropractic Examiners (NBCE) and the Federation of Chiropractic Licensing Boards (FCLB). Prior to Board service, both of these doctors served admirably in various executive positions within the Maryland Chiropractic Association (MCA). Ms. Frizzera-Hucek served for eight years as a valuable Consumer Member to the Board and in the capacity of Secretary/Treasurer. Ms. Frizzera-Hucek is a Professional Counselor and consistently offered cogent, timely advice on issues relating to rehabilitation, counseling, mentorship, and discipline. Notably these departing members served the Board during a time of major transition with the expansion of the Board to include Massage Therapist/Practitioners, re-writes of the Practice Act, Regulations and expansion of the scope of practice for both Chiropractors and Chiropractic Assistants. Also these members helped shepherd the shift to the electronic media of new websites, electronic licensing, databases and communication. All of these departing members will be missed and have been fantastic volunteers contributors to the Maryland regulation of massage and chiropractic practice as well as ensuring the protection of the consumer. We wish all three of these diligent professionals the best in their future endeavors; they will be missed as professionals and friends.

Newly Appointed Board Member DR. JOANNE BUSHMAN, D.C

The Board is pleased to have the aforementioned individual as new member appointed by Governor Martin O'Malley. Dr. Bushman fills a previous vacancy from December 2011. The Board welcomes this new member and wishes her the best of luck in her new position. With the upcoming vacancies created upon the departures of Drs. Sadula, O'Hara, and Ms. Hucek; new appointees by the Governor will be posted on the Board's websites along with the Board's annual officer election to take place at the July 12, 2012 General Session Meeting.

(continue p. 2)

I truly appreciate all feedback, comments and pro-active suggestions to make the Board and its services better. As we continue to transition into the electronic mode, responses, renewals, data postings etc.; it is more accurate and much faster as well as cost-saving. Our website has many new features and up-to-date information on Disciplinary cases, Newsletters, and General Board Minutes. We have begun our electronic email alert system that will enable the Board to notify all licensees and registrants of important matters in real time. Thank you for all of your support. If you have any questions or comments, please feel free to contact the Board via the Deputy Director, Ms. Adrienne Congo, at 410-764-2965.

BEST REGARDS: Stephanie J. Chaney, D.C., President

JURISDICTIONAL LIMITS OF THE BOARD

Every month, the Board receives many questions and request for action. These include requests involving resolving insurance disputes, coding issues, business, corporate and management set-up, civil suits, legal disputes, grievances against patients, vendors and insurers, etc. In fact, the Board has no jurisdiction to act in any of these matters. The following will hopefully clarify the issue of jurisdiction and help licensees and registrants seeking assistance on non-jurisdictional matters. "Jurisdiction" is what controls the authority of the Board of Chiropractic & Massage Therapy Examiners to get involved in issues and to take certain actions. In summary, the Board has jurisdiction to: issue licenses, issue registrations, discipline licensees/registrants, and issue regulations regarding the administration and education of chiropractic and massage licensees and registrants. The Board can entertain relevant questions relating to scope-of-practice, chiropractic devices, record-keeping, professionalism and ethics. It can interpret Chiropractic and Massage Practice Acts, implementing regulations, and policies upon request of licensees and registrants. The Board also has the jurisdictional authority to investigate complaints against licensees and registrants. Significantly, it cannot take action against non-licensees and must refer non-licensees practice cases to the cognizant law enforcement authorities. The Board can help clarify its laws and regulations upon request for insurers, attorneys, vendors, etc., however, it cannot become involved in a dispute. It is important to remember that all insurance coverage and coding issues are specifically a mutual contractual matter between the licensee and the insurance company. Accordingly, the Board does not offer opinions or rulings on insurance coverage, payment,

ADMINISTRATIVE & STAFFING NEWS

DHMH/BOARD IMPLEMENTS DISCIPLINARY SANCTION GUIDELINES:

In March, 2012, the DHMH adopted and implemented disciplinary sanctioning regulations. The DHMH Secretary, Dr. Joshua Sharfstein, mandated that all Boards adopt similar regulations. These regulations provide detailed guidance on issuing fair and appropriate administrative sanctions for violations of law and regulation. The regulation serve to insure that adequate, consistent, and fair sanctions are issued to respondents. The regulations are in COMAR 10.43.16 et seq.

MBLEx EXAMINATION NOW ACCEPTED BY THE BOARD (Eff. 09/08/2011):

Massage licensure applicants now have an additional examination source to fulfill their requirements. In addition to the NCBTMB (NCETM/NCETMB) and NCCAOM; applicants may satisfy requirements by the successful passing of the Federation of State Massage Therapy Board's (FSMTB) MBLEx examination.

BOARD MEMBERS & STAFF ATTEND VARIOUS PROGRAMS: The Board President, Dr. Stephanie Chaney, and Vice President, Dr. Michael Fedorczyk, represented the State and the Board at the May 2012 Federation of Chiropractic Licensing Boards (FCLB) conference in San Antonio, Texas. Many national and regional issues were discussed and considered. Note: The Federation of State Massage Therapy Boards (FSMTB) is the counterpart to the Chiropractic FCLB and deals with both national and regional issues of importance regarding Massage Therapy.

In April 2012, Members, Ms. Karen Biagiotti, LMT, Ms. Gwenda Harrison, LMT; and Mr. David Cox, LMT, attended the American Massage Therapy Association (AMTA) MD Mid-Atlantic Conference in Ocean City, MD. The Board annually sends members and staff to specific meetings and conferences to expand their knowledge and acumen regarding aspects of their duties and responsibilities. Cost for these programs are annually submitted as part of the Board's budget and must be cleared under strict guidelines by DHMH and the Office of General Accounting.

"Fishing For The Right Answer" is not a good idea:

When contacting the Board with a technical or complex issue or question, please discuss it with the Director or Deputy Director. These two staff members hold the "institutional history" of the chiropractic and massage programs. Only they have the authority to speak for the Board in most instances except for routine questions. Only they may interpret and clarify statutory and regulatory issues on behalf of the Board of Examiners. Even if they do not know the answer, they will get you the answer from the Board. Frequently, licensees and registrants will "phone shop" different staff members trying to find the answer they hope for to questions. To avoid ambiguities, it may be preferable to send an email to the Director or Deputy Director. This will avoid any misrepresentation or confusion on the part of the licensee or the staff member.



FORMAL PUBLIC ORDERS / DISCIPLINARY ACTIONS FOR MASSAGE THERAPY

- ADALLA, Ramon, LMT, Aug. 2011: Inappropriate illicit conduct of a sexual nature while practicing massage. *Ordered: Voluntary permanent surrender of license.*
- AKANA, Sun, LMT, May 2002: Participated in illegal activity under the guise of massage therapy. *License suspended because license holder failed to comply with the stipulations in the final order. License remains suspended.*
- ALLEN, David, Applicant, Sept. 2010: Failed to disclose prior criminal conduct on application. *Ordered: Application denied.*
- BALL, Nicole, Applicant, Aug. 2011: Failed to disclose prior criminal conduct on application. Practicing w/o a license/registration. *Ordered: Application denied.*
- BAPTISTE, Herve, LMT, May 2012: Sexual misconduct, misrepresentation/omission about criminal history. *Ordered: Revoked.*
- BASS, Hyun K., LMT, May 2005: Failed to cooperate in a lawful investigation conducted by the Board of Chiropractic Examiners. *Ordered: Revoked.*
- BLAKE, Kathryn, LMT, Jul. 2002: Fraudulently used license and failed to cooperate in a Bd Investigation by the Bd. *Ordered: Suspended & Serve probation.* Licensee required to take and pass the Jurisprudence Exam, pay exam fees, and court fees. *Licensee reinstated 3/11/03.*
- BLOOME, Suk, LMT, Jul. 2004: Inappropriate illicit conduct of a sexual nature while practicing massage. *Ordered: Suspension 6 months; Probation 1 yr.; Pass JP & Proficiency Exams & Record Keeping Course.*
- BROWN, Un Sun, LMT, May 2005: Fraudulently used a license and committed an act inconsistent with generally accepted professional standards. *Ordered: Revoked.*
- BURRIS, Son, LMT, May 2002: Fraudulently or deceptively obtaining a massage certificate by submitting false documentation. *Ordered: Revoked.*
- CAMPBELL, Myong, LMT, Nov. 2006: Unprofessional conduct. *Ordered: Take & pass Jurisprudence and Proficiency exams, \$5000 fine, payment of hearing expenses and exams, suspension until meeting foregoing requirements.*
- CANN, Alverta, Applicant, Feb. 2008: Criminal conduct/conviction of 2nd degree assault. *Ordered: Denial of Application.*
- CHANG, JOUNG, LMT, Mar. 2004: Engaged in an illicit sexual act under the guise of massage therapy. *Ordered: Suspended for 3 months. To be reinstated certificate holder must pass the jurisprudence and massage proficiency exam. Certificate remains suspended.*
- CHEN, Danielle, LMT, Nov. 2010: Engaged in an illicit sexual act under the guise of massage therapy. *Ordered: Application for reinstatement of LMT license denied.*
- CHOI, Mun Suk, LMT, Jun. 2006: Fraudulent use of Certificate. *Ordered: One (1) year suspension and \$5,000 fine.*
- CHUNG, Kyong, LMT, Aug. 2002: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- CLARK, James, LMT, Sept. 2009: Exploited his therapeutic relationship with a patient for his own benefit. Failed to cooperate with Bd Invest. Practiced without a license. *Ordered: Revoked for five years, may not reapply for license for at least five years, pay all Bd Hearing costs.*
- COLE, Christopher, Applicant, Jan. 2011: Failed to disclose prior criminal conduct on application. *Ordered: Application denied.*
- CROWLEY, Hynoun, LMT, Jul. 2002: Submitting false/fraudulent application; criminal conduct involving illicit sexual behavior. *Ordered: Revoked.*
- CULOTTA, Irena, Applicant, Dec. 2000: Failed to disclose prior criminal conviction on application. *Ordered: Application denied.*
- ELLSWORTH, Chong, LMT, Mar. 2004: Engaged in an illicit sexual act under the guise of massage therapy. *Ordered: Suspend for six (6) months.* To be reinstated certificate holder must pass the jurisprudence and massage therapy proficiency exams. *Certificate holder remains suspended.*
- FERGUS, Paul, RMP, Mar. 2007: Board Hearing on the Summary Suspension based on... *Ordered Revoked for five years, may not reapply for registration for at least five years, pay all Bd. Hearing costs.*
- FOXWELL, Fritz, RMP, Jun. 2010: Unprofessional conduct. Participated in behavior inconsistent with the professional standards of massage therapy. *Ordered: Immediate Summary Suspension pending hearing on merits.*
- FULLER, Carrie, LMT, Jul. 2010: Engaged in acts inconsistent with generally acceptable professional standards in the practice of massage therapy, and conduct that violates the professional code of ethics. *Ordered: Revoked for two (2) years, subject to specific conditions of the Order and pay all cost of complying with Order prior to petitioning for reinstatement.*
- GAYLE, Andrea, LMT, May 2003: Erroneously received a certificate under the grandfather waiver provision. *Ordered: Renewal application denied.*
- GREINCH, Suk, Applicant, Apr. 2002: Submitting false/fraudulent application. *Ordered: Denial of Application.*
- HAMMEL, Deok, LMT, May 2004: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- HASTING, Mildred, LMT, Jun. 2003: Erroneously received a certificate under the grandfather waiver provision. *Ordered: Revoked.*
- HENDERICH, Ok, RMP, Jul. 2003: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- HOLSTON, Sun Ok, RMP, Mar. 2004: Failed to maintain client records. *Ordered: Suspended for three (3) months* To be reinstated, registration holder must pass the jurisprudence and massage proficiency examinations.
- HONG, Jong, LMT, Nov. 2002: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- HORN, Stacy, LMT, Jun. 2010: Submitted false information on application. *Ordered \$500 fine, 18 months probation.*
- JACOBS, Robert, LMT, Aug. 2005: Committed an act inconsistent with professional standards; failed to cooperate in a lawful investigation; engaged in conduct that violates the code of ethics and knowingly does an act determined to be in violation of the regulations. *Ordered: Formal Reprimand.*
- JEON, Chung, RMP, Jul. 2003: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Suspended, Probation.* Certificate hold reinstated 11/13/03 after passing jurisprudence exam and pay all exam and court costs. *Certificate holder subsequently Ordered: Revoked in a separate matter.*
- JUNG, Chung (aka: Jeon Chung), RMP, Jul. 2005: Fraudulently obtained a registration and failed to cooperate in a lawful investing conducted by the Bd. *Ordered: Revoked*
- JIN, Yan Zhu, Applicant, Nov. 2011: Failed to disclose prior criminal conduct on application. *Ordered: Application Denied.*
- JUNG, Hoi Kyong, LMT, Apr. 2004: Engaged in an illicit sexual act under the guise of massage therapy. *Ordered: Revoked.*
- KANG, Chung, LMT, Jan. 2003: Certificate holder fraudulently received a massage transcript from the Virginia Learning Institute. *Ordered: Renewal Application Denied.*
- KIM, Chang, LMT, May 2005: Failed to cooperate in a lawful investigation conducted by the Board. *Ordered: Revoked.*
- KIM, Hyun D., LMT, May 2005: Failed to cooperate in a lawful investigation conducted by the Board. *Ordered Revoked.*
- KIM, Kyong Sum, LMT, May 2002: Participated in illegal activities under the guise of massage. *Ordered: Certificate suspended because certificate holder failed to comply with the stipulations in the Final Order. Certificate remains suspended.*
- KIM, Woo J., LMT, May 2005: Failed to cooperate in a lawful investigation conducted by the Board. *Ordered: Revoked.*



FORMAL PUBLIC ORDERS / DISCIPLINARY ACTIONS FOR MASSAGE THERAPY

(continued)

- KIM, Yeon, LMT, Aug. 2011: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- KIM, Yumi, LMT, Apr. 2003: Participated in behavior inconsistent with the professional standards of massage therapy. *Ordered: Suspended and Probation.* After being suspended and serving probation, certificate holder passed the jurisprudence exam and paid all fees. Certificate holder is currently non-renewed.
- LeBEAU, Su, Applicant, Apr. 2002: Inappropriate illicit conduct of a sexual nature while practicing massage. *Ordered: Denial of Application.*
- LE CHEMINANT, Irna, LMT, Oct. 2010: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- LILEY Chan, RMP, OCT., 2011: Fraudulent use of massage license for illicit activities: *License Revoked.*
- LIN, Stephen, LMT, Jan. 2002: Fraudulently or deceptively obtaining a massage certificate by submitting false documentation. *Ordered: Summary Suspension.*
- MANN, Judith, LMT, Feb. 2007: Unprofessional conduct. *Ordered: Six (6) months suspension, must take Board approved ethics course, probation for one(1) yr. period*
- McALPIN, Anjanette, Applicant, Jan. 2003: Failed to meet the requirements for certification under the grandfather waiver provision. *Ordered: Initial Application Denied.*
- McNICHOLS, Lauren, RMP, Jun. 2008: Failed to disclose prior criminal conduct on application. *Ordered: Probation for one (1) year, randomly tested for illegal drugs and pay all costs associated with drug testing.*
- McWILLIAMS-SHEK, Kerry, LMT, Feb. 2008: Practiced massage without a renewed certificate. *Ordered: \$500.00 fine and formal reprimand.*
- MEDINA, Chon, RMP, Jan. 2006: Unprofessional conduct; illicit business activities of a sexual nature. *Ordered: Voluntary surrender of registration; may not reapply for reinstatement for five years, pass a JP Exam, if/when reinstated three (3) years probation.*
- MILLER, Chumei, Applicant, Apr. 2002: Inappropriate illicit conduct of a sexual nature while practicing massage. *Ordered: Denial of Application.*
- MOLAND, Chong, LMT, Apr. 2003: Participated in behavior inconsistent with the professional standards of massage. *Ordered: Suspended and server Probation.* Reinstated by the Bd after passing the JP Exam and paying court costs.
- MOORE, Kyung, LMT, Apr. 2004: Charged with prostitution and sexual offenses. *Ordered: Renewal of Application Denied.*
- MULLIGAN, Paul, Applicant, Dec. 2004: Failed to disclose prior criminal conduct on application. *Ordered: Application Denied.*
- NAULTY, Heather, RMP, May 2011: Convicted of theft-scheme. \$500 plus and prostitution. *Ordered: Probation 24 months.*
- NIELSEN, Chong, LMT, May 2002: Participated in illegal activities under the guise of massage therapy. *Ordered: Suspended. Certificate suspended because certificate holder failed to comply with the stipulations in the Final Order. Certificate was REVOKED 1/22/04 for failure to comply with stipulations in the Final Order*
- OK, Son, LMT, Apr. 2003: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Suspended. Certificate holder was required to take and pass the JP Exam, pay exam fee and court fees and was reinstated.*
- OLAVARRIA, Aecha, LMT, Aug. 2011: Participated in illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- OSBORNE, Heather, RMP, Jun 2008: Failed to disclose prior criminal conduct on application. *Ordered: Probation for one (1) year; randomly tested for illegal drugs and pay all costs associated with drug testing.*
- PARK, Mi Sook, LMT, Sept. 2002: Participated illicit sexual conduct under the guise of massage therapy. *Ordered: Revoked.*
- PERRY, Hui, LMT, Feb. 2003: Participated illegal activity under the guise of massage therapy. *Ordered: Suspended. Certificate suspended because certificate holder failed to comply with the stipulations in the final order. Certificate remain suspended.*
- PLUMMER, Henry, Applicant, Apr. 2011: Failed to disclose prior criminal conduct on application. *Ordered: Probation 24 months.*
- POINDEXTER, Deborah, LMT, Jul. 2004: Violation of conditions of probation. Failure to pass proficiency exam. *Ordered: Revoked.*
- ROSSI, John, Applicant, Jun. 2006: Practicing without certification. *Ordered: Application Denied for five (5) year period.*
- RUBINSHTEYN, Mikhail, Applicant, Sept. 2008: Failed to disclose prior criminal conduct on application. Failed to cooperate with investigation. *Ordered: Application Denied.*
- SCHECTMAN, Carla, RMP, Oct. 2010: Violated Pre-charge consent order by testing positive for illegal drugs & failing to appear for testing as required. *Ordered: Registration Revoked.*
- SCHICK, Aeson, RMP, Nov. 2010: Participated in behavior inconsistent with the professional standards of massage. *Ordered: \$500 fine and two (2) year probation.*
- SHIM, Jae, LMT, Jul. 2006: Violation of law/regulation; engaging in illicit sexual activities under Massage Certificate. *Ordered: Revoked.*
- SMITH, Deborah, LMT, Sept. 2010: Employing uncertified and unregistered massage therapist/practitioner. *Ordered: Monetary fine of \$1000.00, one year probation, complete Bd. Approved Ethics course, and take and pass Bd. JP Exam.*
- SMITH, Stephen Edward, RMP, Jun. 2011: Sexually inappropriate conduct with clients. *Ordered: Revoked.*
- SMITH, Kyong, LMT, May 2007: Using certification to conduct illicit business of a sexual nature. *Ordered: Revoked.*
- SONG, Kum, LMT, Jan. 2003: Participated in behavior inconsistent with the professional standards of massage therapy. *Ordered: Suspended. Renewal Application Denied.*
- STEEVES, Michael, LMT, Oct. 2011: Violation of ethics & professional boundaries by engaging in a sexual relationship with a massage student while he was a massage therapy instructor. *Ordered: Revoked.*
- TCHAMOUROFF, Tatiana, RMP, Nov. 2007: Practicing massage without certificate/registration, employing uncertified and unregistered massage therapists/practitioners. *Ordered: Monetary fine of \$5000.00, 6 months suspension, one year probation, complete Bd. approved Ethics course and pay all Bd. court costs.*
- THOMPSON, John, LMT, Jan. 2006: Unprofessional acts, condoning illicit sexual activity in practice. *Ordered: Certification Revoked.*
- TRAMMEL, Robert, Applicant/ R01420,RMP, Jun. 2011: Failed to disclose prior criminal conduct on application. *Ordered: Probation 12 months, complete Bd. approved Ethics, Anger Management/ Patient relations. Randomly tested for illegal drugs and pay all costs associated with drug testing.*
- TROOP, Kyle, RMP, May 2008: Applicant with prior criminal conduct. *Ordered: Probation for one (1) year, randomly tested for illegal drugs and pay all costs associated with drug testing.*
- TSAGURIYA, Teymuraz, LMT, Apr. 2002: Participated in behavior inconsistent with the professional standards of massage therapy. *Ordered: Suspended. Reinstated 3/11/03 after suspension and probation served. Conditions of reinstatement included passing the JP Exam and paying all exam and court fees.*
- TURLEY, Hae Won, LMT, Mar. 2004: Participated in behavior inconsistent with the professional standards of massage therapy. *Ordered: Suspended. Renewal Application Denied*
- UNIGLICHT, Louis J., LMT, May 2004: Fraudulently used a certificate and committed an act inconsistent with generally accepted professional standards. *Ordered: Revoked.*
- VELEZ, Hwa, Applicant, Apr. 2003: Failed to meet the requirements for certification under the grandfathered waiver provision. *Ordered: Initial Application Denied.*



FORMAL PUBLIC ORDERS / DISCIPLINARY ACTIONS FOR MASSAGE THERAPY

(continued)

- WADSWORTH, Hyo, LMT, Jun. 2004: Arrested & charged with one count of prostitution. Ordered: Suspended for six (6) months. Certificate holder remains suspended.
- WATERS, Megan, Applicant/R01336, Nov. 2010: Providing false information on application. Ordered: 8 month suspension, 4 month stayed; 1 year probation, \$500 fine, take a jurisprudence exam and ethics course.
- WEEMS, Michele, LMT, Apr. 2003: Participated in behavior inconsistent with the professional standards of massage therapy. Ordered: Suspension. Renewal Application Denied.
- WIN, Ai Tin, RMP, Sept. 2010: Inappropriate touching and treatment of client during a massage. Ordered: Revoked, Fine \$5000.
- YANG, Ho, LMT, May 2002: Participated in behavior inconsistent with professional standards of massage therapy. Ordered: Renewal Application Denied.
- YANG, Hyun S., LMT, Nov. 2003: Participated in illicit sexual conduct under the guise of massage therapy. Ordered: Revoked.
- YANG, Yeun, Applicant, Apr. 2002: Inappropriate illicit conduct of a sexual nature while practicing massage. Ordered: Denial of Application.
- YI, Hwa Im, Applicant, Jan. 2007: Making false statements on CMT application. Ordered: Application Denied.
- YIM, Hyunsook, LMT, May 2002: Participated in behavior inconsistent with professional standards of massage therapy. Ordered: Suspended. Renewal Application Denied.
- YU, Pola, Applicant, Jun. 2000: Submitting false/fraudulent application. Ordered: Denial of Application.
- YUN, Hye Sook, Applicant, Aug. 2003: Failed to meet the requirements for certification under the grandfather waiver provision. Ordered: Initial Application Denied.
- ZHANG, Di, LMT, Nov. 2004: Fraudulently obtained and used a certificate, committed an act that is inconsistent with accepted professional standards and engaged in conduct that violated the code of ethics. Ordered: Revoked.
- ZHANG, Di, LMT, Apr. 2006: Decision of Circuit Court, Baltimore County (Judge Cavanaugh). On appeal, Board Revocation Order of 11/14/04 is affirmed. Respondent had fraudulently and deceptively used certificate for illicit activities and violated code of ethics.

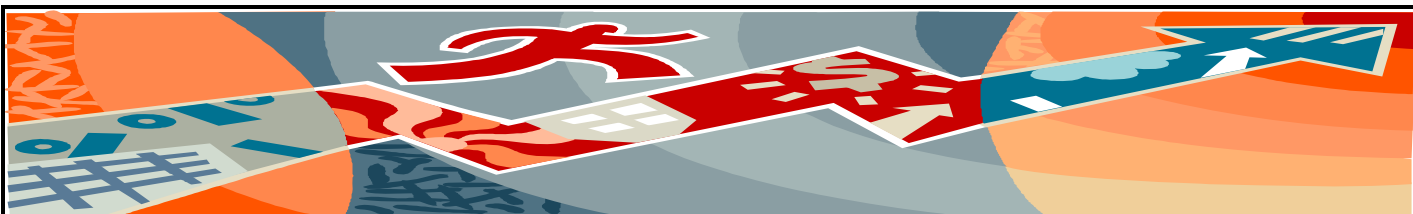
BOARD MASSAGE COMPLIANCE INITIATIVE CONTINUES WITH PRO-ACTIVE ENFORCEMENT

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 and mall managers have been cooperating in shutting down practices 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.

If you are aware of an unlicensed or unregistered practice; CALL THE POLICE and file a report. Illegal massage practice takes money out of the pockets of license/registered practitioners. It also demeans the healthcare practice of massage.

RECENT DISCIPLINARY TRENDS:

There has been a recent drop in massage therapist complaints; however, unauthorized mall practitioners are still an issue requiring coordination with local law enforcement authorities. On the chiropractic side, the most recent spate of complaints continues to involve billing, insurance, record-keeping, and ineffective communications with patients. In particular, elderly patients seem more apt to submit complaints when they believe that they have been professionally mistreated, deceived, or not provided clear, concise information on billing, coding and insurance. Practitioners should review their inter-office communication, including advisory documentation and informed consent formats.



LATEST ELECTRONIC & TECHNOLOGY INITIATIVES

The Board has fully transitioned its websites to include the most recent data uploads. Now, licensees can view all disciplinary summaries, newsletters, laws, regulations, scope of practice bulletins, access to renewal information and online licensing. **The Board is also implementing an online broadcast messaging system that will broadcast Board bulletins to all licensees/regitrants simultaneously via email addresses.** This Fall, the Board and all DHMH offices will transition to business Google mail for all electronic correspondence. Soon, the Board will be uploading copies of all disciplinary orders to the website for viewing and downloading by the public. All of the foregoing are enhancements to communications and service to the massage therapy community.

MASSAGE THERAPY BIENNIAL RENEWAL INFORMATION- DEADLINE IS OCTOBER 31, 2012

Renewal time is fast approaching. Renewal information and notices have begun to be posted on the the MD Board of Chiropractic & Massage Therapy website (www.mdmassage.org). ALL Board information and correspondences regarding this renewal will be posted on the website via a dedicated page, in addition to a "Notice of Instructions and Procedures" which will be mailed out this August containing all of the information you'll need to renew your license/registration electronically online.

All online renewal applications must be completed by October 31, 2012 to avoid late fees. The recent regulatory change from 2008 sets the renewal fee at \$250.00. The MD Health Care Commission (MHCC) fee for renewing LMTs will be lower to \$28.00; the Board collects this statutorily required MHCC fee and passes it to the MHCC. RMPs are exempt from this MHCC fee. The renewal notice will contain a chart to assist the licensee/registrant in determining the appropriate renewal fee. The inactive fee remains at \$50.00.

All licensees and registrants, except those who are exempt, will be required enter CEU information located directly from their certificates onto the online application and attest to a valid, current qualification in CPR. Licensees and registrants issued their initial license/registration on or after November 1, 2011 are exempt from the CEU requirements, but will be required to attest to the validation date of their current CPR card.

The Board request that all renewal applicants provide a valid e-mail address in the identification section of the online renewal application; this information will be stored in the Board's database records but not shared with anyone. Having a valid email address on file will allow for improved communication from the Board to licensees and registrants in the future. A valid e-mail address on file with the Board does not change the requirement that all licensees and registrants must have a valid mailing address on file.

MASSAGE THERAPY 2012 BIENNIAL RENEWAL IS ONLY 4 MONTHS AWAY

The Renewal for the 2012-2014 Biennial Period will be in **October 2012**. This is only 4 months away. Remember, licensees and registrants **MUST** successfully complete at least 24 CEUs of Board approved courses and hold a current valid workplace CPR certification. **NOW IS THE TIME TO START TAKING/ COMPLETING THE REQUIRED CEUs and ENSURING THAT YOUR CEU CERTIFICATES ARE WITHIN THIS CURRENT BIENNIAL RENEWAL WINDOW OF NOVEMBER 1, 2010 UP THROUGH OCTOBER 31, 2012** . Live, online and take-home courses are permitted provided that they are Board Approved. Courses which fit the regulation's criteria of :

- (1) **3 Hours in Professional Ethics or Jurisprudence**
- (2) **3 Hours in Communicable Diseases education Including HIV/AIDS**
- (3) **18 Hours in massage related courses approved by the Board** (excluding business practice courses)

AND ARE COURSES APPROVED BY NCBTMB OR FROM AN INSTITUTION OR SCHOOL ACCREDITED BY THE MARYLAND HIGHER EDUCATION COMMISSION (MHEC); ARE CONSIDERED PRE-APPROVED AND DO NOT NEED TO BE SUBMITTED TO THE BOARD TO GAIN APPROVAL TO TAKE.

THERE ARE NO RETROACTIVE SUBMISSIONS OR REQUEST FOR WAIVERS FOR REQUIRED CEUS.

90 DAY DEADLINE FOR NON PRE-APPROVED CEUS SEEKING APPROVAL

Licensees and registration holders CHOOSING TO TAKE A COURSE THAT DOES NOT MEET THE PRE-APPROVED STATUS are required to submit approval request for CEU

courses to the Board for approval at least ninety (90) days prior to the commencement of the course or program. Either the licensee or course sponsor may submit the request for approval to the Board. The request must include a full timeline of classes, course syllabus, resumes of instructors, description of when, where, how the course is presented as well as a full description of all administrative processes utilized. All request will be reviewed by the Massage Program Educational Subcommittee. No retroactive approval will be granted. Non-approved courses will NOT count towards meeting the 24 CEU credit hour renewal requirement. **IT IS THE SOLE RESPONSIBILITY OF THE LICENSEE OR REGISTRATION HOLDER TO ENSURE THAT CEU REQUIREMENTS ARE FULLY MET.**

NATIONAL CERTIFICATION VS. STATE LICENSURE

As a reminder, **National Certification is NOT required to renew a Maryland License/Registration.** National Certification through the NCBTMB or NCCAOM is not required to renew your Board issued license or registration. **In order to practice massage for compensation in Maryland, you must be licensed or registered by this Board.** National certification is a non-government credential; accordingly, National Certification is optional in Maryland AFTER YOUR INITIAL LICENSE OR REGISTRATION WITH THE STATE.

It is a criminal violation of law to practice massage therapy in Maryland without a Board issued license or registration. DON'T let anyone convince you that it is "OK" to practice massage in Maryland with only a National Certification Certificate.

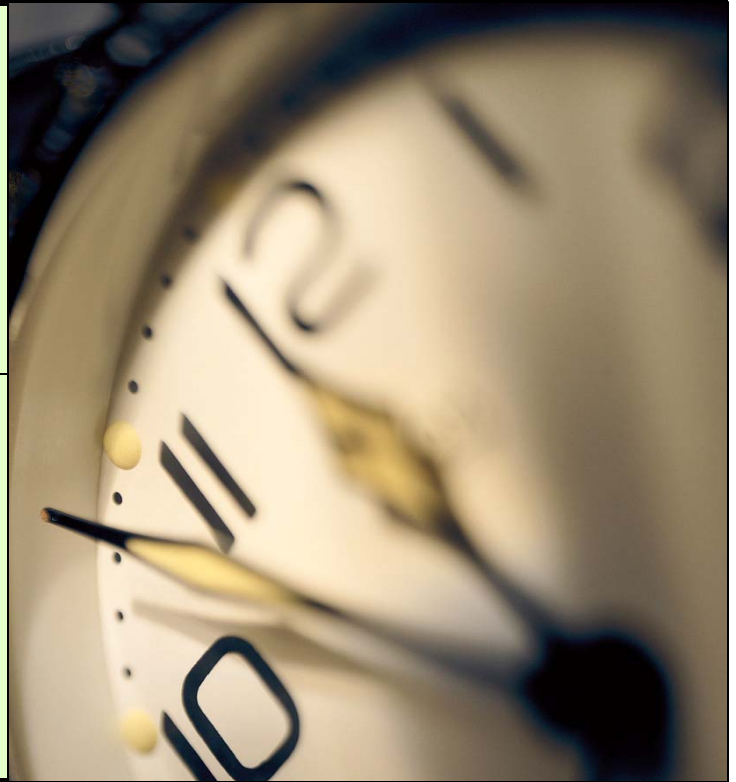
MASSAGE THERAPY BIENNIAL RENEWAL INFORMATION- DEADLINE IS OCTOBER 31, 2012 (CONT.)

IMPORTANT TIMELINES FOR 2012

Online Biennial Renewal will open live approximately August 30, 2012 and will run through October 31, 2012. Late renewal will begin November 1, 2012 and close November 31, 2012. **December 1, 2012 the Biennial Online System will close. Any licensee or registrant who has not renewed his/her license or registration or licensure status by November 31, 2012 will become non-renewed on December 1, 2012.**

WALK-INS

In order to facilitate audit tracking and fiscal procedures recently 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 messenger service **with the exception of the Biennial Online Renewals**. Unless special circumstances are approved by the Board, all business must be transacted via mail service. 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 NOTIFICATION REQUIREMENT

A "Change of Address" is to be submitted every time a licensee or registrants changes mailing address. 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

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

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 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