

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

October 11, 2012

GENERAL SESSION AGENDA

1. **Review, approval of Agenda.**
 2. **Review, approval of Board Minutes of last meeting (*September 13, 2012*).**
 3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director & Ms. Congo, Deputy Director:**
 - a) Update on Meeting Room Reconfiguration
 - b) Update on the 2nd month of the 2012-2014 Massage Therapy Biennial Renewal (*Data/Statistics*): Ms. Congo
 4. **Update – Massage Therapy Regulations Subcommittee by K. Biagiotti, LMT**
 5. **Requests for chiropractic trade name approval:**
 - a) *Gentle Touch Chiropractic Center* – Michael D. Shinkle, D.C.
 - b) *Fort Washington Chiropractic Center, LLC* – (DBA) Chiropractic Professional Center- Bahareh Borhani, D.C.
 6. **Requests for massage trade name approval:**
 - a) *Crescent Moon Massage* – Jennifer Wood, RMP (*trade name change from Quantum Wellness Intuitive Massage & Reiki*)
 - b) *Paul Skidmore, LMT* – Paul Skidmore, LMT
 - c) *Essential Optimal Massage* – Joyce Evelyn Tapscott, RMP
 - d) *OMassage* – Lindsey Porter, LMT (*trade name change from Anahata Massage*)
 - e) *Orthopedic Massage Therapy* – Rebekah Montgomery, LMT (prior 9/12 disapproval of *Orthopedic Movement & Massage Therapy*) Note: Sent letter of explanation as to why she was using a trade name prior to submission/approval/disapproval of each).
 7. **FYI – Miscellaneous correspondence for review/discussion.**
 - a) Massage Therapy Applicant – Renee Marie Royal:
 - Application received August 15, 2012
 - *Attended non-accredited school-the North Carolina School of Natural Healing, Asheville, N.C. [Graduated June 1, 2007]
- *Board’s prior ruling to accept the North Carolina School of Natural Healing, Asheville, N.C.**
From Approved Minutes of General Session – March 8, 2012 (page 3) as follows:

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Petition from Ms. Jessica S. Parks, Massage Therapy Applicant

Ms. Parks petitions the Board to accept her non-accredited massage school training (675-hour program) from the North Carolina School of Natural Healing, Asheville, NC. Ms. Parks, who has a current OR license, attended the school from 2002-2003. The Board reviewed Ms. Parks' documentation and motioned to waive the accreditation requirement and accept her application for Maryland licensure. Dr. Nou supported the motion; Ms. Harrison seconded, and the motion was unanimously voted.

BOARD WORKING LUNCH

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

October 11, 2012

Members Present

Stephanie J. Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice-President
Jonathan C. Nou, D.C., Board Secretary/Treasurer
Joanne M. Bushman, D.C.
Michael Moskowitz, D.C.
Karen Biagiotti, LMT
David A. Cox, LMT
Gwenda Harrison, LMT
Gloria Bodie-Epps, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Non-Members Present

J.J. Vallone, Executive Director
Adrienne Congo, Deputy Director
Grant D. Gerber, Esq., Board Counsel
David Ford, Senior Board Investigator
Christopher Bieling, Board Investigator
Michelle Czarnecki, Legal Assistant
Paul Abash, D.C.
Jean Jeffreys, LMT
Marcy Rothkin, RMP
Kristen Neville, DHMH

Absent Members:

Robert G. Frieman, D.C.

Dr. Stephanie Chaney called the meeting to order at 10:00 A.M.

Review of Agenda and Minutes

The October 11, 2012 Agenda was amended as follows: 1) Addition of a discussion of the FCLB conference that Dr. Chaney and Dr. Fedorczyk attended; 2) Addition of a discussion of the FSMTB conference that Mr. Cox and Ms. Biagiotti attended; and 3) Addition of a discussion of the FARB conference that Mr. Vallone attended. These discussions were added to the October 11, 2012 Agenda as 8 (a), (b), and (c), respectively. Mr. Cox made a motion to approve the Agenda as amended; Ms. Biagiotti seconded, and the motion was unanimously voted.

The September 13th Minutes were revised as follows: 1) Addition of Ms. Bodie-Epps as present at the subcommittee meeting. Dr. Nou made a motion to approve the Minutes with that revision, and the motion was unanimously voted.

Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director

- Update on reconfiguration of conference rooms: The current used rooms will be reconfigured and reconstructed in order to make more space available for meetings and hearings. The cost for the reconstruction will be on the State General Fund, but any audio-visual equipment and/or furniture in the rooms will be at the cost of the Boards split *pro rata*.
- Update Regarding 2012-2014 Massage Therapy Biennial Renewal—Ms. Congo: Out of 4,800 licensed massage therapists and registered massage practitioners, 1274 have renewed and received their licenses/registrations. Also, 480 (10%) have been audited for CEUs; 157 LMTs

and 63 RMPs have pending renewals, despite beginning their renewals early. Ms. Congo believes that the high number of pending renewals is due to the audits, and that audited licensees are stopping the renewal process in order to obtain their CEUs.

Update on Massage Therapy Regulations Subcommittee by Karen Biagiotti, LMT

- During the public meeting, the subcommittee heard from several members of the public who expressed concern as to the use of SOAP notes as the standard for recordkeeping, given the many alternative industry standards. Ms. Biagiotti explained that while the massage therapy schools set the SOAP notes standard for recordkeeping, in practice SOAP notes are not the most practical form of recordkeeping. However, there were no specific objections to the proposed regulations, only the use of SOAP notes as the standard.
- The subcommittee plans to meet with the public in reference to CEUs, specifically the language to be used in the regulations. An open meeting is tentatively planned for November

Requests for Approval of Chiropractic Trade Names

The following chiropractic trade name requests were individually **approved** by Board motions. Dr. Fedorczyk made the motions; Dr. Nou seconded, and the motions were unanimously voted.

1. *Gentle Touch Chiropractic Center*—Michael D. Shinkle, D.C.
2. *Fort Washington Chiropractic Center, LLC*—(DBA) Chiropractic Professional Center—Bahareh Borhani, D.C.

Requests for Approval of Massage Trade Names

The following massage trade name requests were individually **approved** by Board motions. Ms. Biagiotti made the motions; Ms. Harrison seconded, and the motions were unanimously voted.

1. *Crescent Moon Massage*—Jennifer Wood, RMP (**trade name change** from *Quantum Wellness Intuitive Massage & Reiki*)
2. *Paul Skidmore, LMT*—Paul Skidmore, LMT
3. *Essential Optimal Massage*—Joyce Evelyn Tapscott, RMP
4. *OMassage*—Lindsay Porter, LMT (**name change** from *Anahata Massage*)
5. *Orthopedic Massage Therapy*—Rebekah Montgomery, LMT (prior 9/12 disapproval of *Orthopedic Movement & Massage Therapy*)

Miscellaneous

1. **FYI** – Miscellaneous correspondence for review/discussion. Below is a list of 2012 licensees/registrants who were discussed in the Executive Session and have had their licenses/registrations granted by the Board:

a) Renee Marie Royal

Discussion of FCLB/FSMTB Conference, Dr. Stephanie Chaney, Dr. Michael Fedorczyk, Mr. David Cox, and Ms. Karen Biagiotti

- The FCLB conference included open discussions and brainstorming between various boards. A presentation was given regarding the National Certification System for Chiropractic Assistants. National certification requires the applicant to be at least 18 years old, of good moral character, to have received at least a high school diploma, and to submit a fee of \$150. After completing the required education hours, the applicants receive a temporary certificate. Afterwards, they must complete 300 clinical hours to receive their official badge. National certification, while available to current Maryland CAs, has little to no effect on Maryland standards, which are more stringent.
- Use of radiology/x-rays by CAs was also discussed, which is currently permitted by some states. A national certification process is in the works.
- A presentation on the PACE program was also given. The PACE program seeks to ease the burden of state boards to approve CEU education by providing them with lists/categories of courses to choose from. The President of the FCLB wishes to give a presentation to this board regarding the PACE program, which is currently used by 26 state boards.
- “Runners” were also discussed, which refers to those outside individuals who offer to send patients to chiropractic offices for a fee. Running is currently illegal in Maryland.
- A discussion of online media, particularly Facebook, was also discussed, specifically the ethical issues that arise out of chiropractors becoming “friends” with patients.
- The FSMTB meeting included a task force on reciprocity between states and the portability of licenses. Twenty-two territories were represented in this task force.
- Fraud issues were also discussed, particularly an incident at a Pompano Beach, FL massage therapy school where an individual was selling transcripts to applicants. The school discovered the fraudulent activity by instituting random audits.

Discussion of FARB Conference, Mr. J.J. Vallone, Executive Director

- Discussion of jurisdictional issues that arise when medical practitioners receive testing or analysis of patient records from out-of-state practitioners.
- Presentation given on a Missouri case in which the chiropractic board was sued for over 6 million dollars for gross negligence in revoking the license of a chiropractor.
- Both issues will be addressed in a presentation to the board during future meetings.

Upon motion by Dr. Nou, seconded by Ms. Harrison, the Board unanimously voted to adjourn the General Session at 11:30am. Working Lunch commenced.

Respectfully Submitted:


Jonathan C. Nou, D.C.
Board Secretary/Treasurer