

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

December 13, 2012

GENERAL SESSION AGENDA



HAPPY HOLIDAYS!

1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (November 08th).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director & Ms. Adrienne Congo, Deputy Director:**
 - a) Final Report on the 2012-2014 Massage Therapy Biennial Renewal (*Online System closed Dec. 1, 2012*)
4. **Update – Massage Therapy Regulations [Subcommittee Chair – Karen Biagiotti, LMT]**
5. **Petition from Gary Blackden, LMT – Requesting the Board refund \$200.00 late renewal fee.**
6. **Petition from Mr. Adam Lee (applicant) – Requesting Board to accept his non-accredited massage training school (*Dover Star Institute, School of Holistic Technology –Hooksett, New Hampshire*) which was approved by the NH Department of Education –Division of Higher Education-Higher Education Commission Career School Licensing**
7. **Request for chiropractic trade name approval:**
 - a) *Capital Health Chiropractic – Rehman Mirza, D.C. (replacement to: Capital Pain and Injury Center)*
 - b) *Renew-Rebuild-Rehabilitate Chiropractic Center – Sue Ellen Podmijersky, D.C.*
8. **Requests for massage trade name approval:**
 - a) *Esterlann Massage – Shamarrah E. White, LMT*
 - b) *Healing Hands – Butsarakorn Wagner, RMP*
 - c) *Lavender Dreams Mobile Spa – Monique Johnson, LMT*
 - d) *Lotus Bliss Massage Studio – Nicole R. Stokes, LMT (replacement to: Lotus Bliss Therapeutic Massage and Wellness Center)*
9. **FYI – Miscellaneous correspondence for review/discussion.**

BOARD WORKING LUNCH WILL FOLLOW EXECUTIVE SESSION

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

December 13, 2012

Members Present

Stephanie J. Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice-President
Joanne M. Bushman, D.C.
Robert G. Frieman, D.C.
David A. Cox, LMT
Gwenda Harrison, LMT
Gloria Boddie-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
Jean Jeffreys, LMT
Marcy Rothkin, AMTA
Kristen Neville, DHMH
Sharon Bloom, DHMH
Paula Hollinger, DHMH

Members Absent

Jonathan C. Nou, D.C., Board Secretary/Treasurer
Michael Moskowitz, D.C.
Karen Biagiotti, LMT

Dr. Stephanie Chaney called the meeting to order at 10:05 A.M.

Review of Agenda and Minutes

The December 13, 2012 Agenda was amended so that Mr. David Cox would replace Ms. Biagiotti on providing an update on the proposed massage therapy regulations. Dr. Fedorczyk made a motion to approve the December 13th agenda with that revision; Dr. Frieman seconded, and the motion was unanimously voted.

The November 8, 2012 minutes were revised as follows: Addition of Dr. Fedorczyk to the “Members Absent Section.” Dr. Frieman made the motion to approve the minutes with that revision; Ms. Bodie-Epps seconded, and the motion was unanimously voted.

Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director and Ms. Adrienne Congo, Deputy Director

- Update Regarding 2012-2014 Massage Therapy Biennial Renewal—Ms. Congo: Massage Therapy renewals are officially closed. An extension was given due to Hurricane Sandy until December 9th without late penalties. The number of completed renewals exceeded that of last year. There are still six outstanding audits, all of whom were contacted by legal intern, Michelle Czarnecki, in November, and again by Board Investigator Chris Bieling this month. The six outstanding audits have been unresponsive to attempts to contact them via email and telephone. Ms. Czarnecki will be drafting a stern letter to inform these six licensees of the legal consequences of failing to comply with the audit process.
- There were minor technical problems with the renewal process that prevented Apple/Mac users from being able to complete the online renewals; Ms. Congo dealt with these individuals over the phone, facilitating the renewal process for them.
- **Update regarding CA renewals**—Mr. Vallone: CA renewals are approaching, with notices being sent out after the holidays.

Update on Massage Therapy Regulations Subcommittee by David Cox, LMT

- Public turnout for the subcommittee meeting was strong; those who commented on the regulations stressed that board-approval of CEUs is not necessary because they are approved by both the Maryland Higher Education Commission and NCBTMB. A representative from NCBTMB commented that a new vetting process seeks to insure that there is a hierarchy of CEUs. The representative expressed concern about the changing regulations for the Board to be the sole auditor of courses, arguing that it seizes responsibility from independent agencies. There was also a discussion of the importance of hands-on massage therapy training and that it should trump “distance” training. The Board discussed this argument, pointing out that it would be difficult to police compliance. Board counsel, Grant Gerber, explained that it is much more practical for the Board to give a basic outline for the required training rather than to evaluate each individual licensee to determine if they have been sufficiently trained. Executive Director Jim Vallone suggested informing massage therapists of certain courses that *must* be hands-on such as actual initial adjustment/manipulation courses which are not merely reviews.
- The subcommittee is hoping to meet again in January and will start drafting the regulatory revisions at that time. The American Massage Therapy Association would like to increase the number of training hours for massage therapists to 1,000 hours, and to increase the requirements for LMT status.

Petition from Gary Blackden, LMT

- Mr. Blackden petitioned the board to refund his \$200.00 late renewal fee. Mr. Blackden explained that he relied on a letter issued to him from the Board in March when he sought to reinstate, which included an incorrect license number. Mr. Blackden claims that he has been trying to renew since August with that incorrect number, but was prompted by the online system that his license number was incorrect. Mr. Blackden stated that he had received his renewal letter. There is no indication that Mr. Blackden ever called the Board. Based on this

information, Dr. Fedorczyk made a motion to deny Mr. Blackden's request for a refund of his late fee; Dr. Bushman seconded, and the motion was unanimously voted.

Petition from Mr. Adam Lee (applicant)

➤ Mr. Lee petitions the Board to accept his non-accredited massage training school (*Dover Star Institute, School of Holistic Technology—Hooksett, New Hampshire*) which was approved by the NH Department of Education—Division of Higher Education Commission Career School Licensing. Mr. Lee is licensed in another state, has 756 training hours, and is NCBTMB certified. Based on this information, Mr. Cox made a motion to approve Mr. Lee's application; Ms. Harrison seconded, and the motion was unanimously voted.

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. Frieman seconded, and the motions were unanimously voted.

1. *Capitol Health Chiropractic*—Rehman Mirza, D.C. (replacement to: *Capital Pain and Injury Center*)
2. *Renew-Rebuild-Rehabilitate Chiropractic Center*—Sue Ellen Podmijersky, D.C.

Requests for Approval of Massage Trade Names


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

1. *Esterlann Massage*—Shamarrah E. White, LMT
2. *Lotus Bliss Massage Studio*—Nicole R. Stokes, LMT (replacement to: *Lotus Bliss Therapeutic Massage and Wellness Center*)

The following massage trade name requests were individually **denied** by Board motions. An explanation letter will be provided with the denials. Ms. Harrison made the motions; Mr. Cox seconded, and the motions were unanimously voted.

1. *Healing Hands*—Butsarakorn Wagner, RMP
 2. *Lavender Dreams Mobile Spa*—Monique Johnson, LMT
- Upon motion by Ms. Harrison, seconded by Ms. Jones Jolivet, the Board unanimously voted to adjourn General Session at 10:30 am.

Respectfully Submitted:



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