

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY
BOARD MEETING MINUTES
July 11, 2011**

A regular meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Office of Occupation and Professions 911 Leawood Drive, Frankfort Kentucky, on July 11, 2011.

MEMBERS PRESENT

Theresa Crisler, ND, Board Chair
Cheryl Turner, ND, Vice-Chair
Max Maxwell, Citizen-at-Large
Holly Barnhill, LMT
Denise Logsdon, LMT

OCCUPATIONS AND PROFESSIONS STAFF

Jeremy Horton, Deputy Executive Director
Carolyn Benedict, Board Administrator
Adriana Lang, Division of Occupations and Professions

OTHERS

Eric Byrd, AMTA-KY Laws and Legislation
Tom Hansen, NCBTMB Government Relations

MEMBERS ABSENT

Laurie Bond Horsford, Secretary

OFFICE OF THE ATTORNEY GENERAL

Michael West, Board Attorney

CALL TO ORDER

Ms. Crisler, Board Chair, called the meeting to order at 10:26 a.m.

MINUTES

A motion was made by Ms. Logsdon to approve the minutes, as amended, of the June 20, 2011 meeting. Motion, seconded by Ms Barnhill, carried unanimously.

DIRECTOR'S REPORT

Mr. Horton informed members that transition of the board from Ms. Lang to Ms. Benedict was continuing. Ms. Barnhill thanks Ms. Lang for her dedicated service, diligence and attention to details. Mr. Maxwell made a motion that the Board present Ms. Lang a plaque in expression of their appreciation for her dedicated to the Board. Motion, seconded by Ms. Barnhill, carried unanimously.

Mr. Horton reported that there were currently 157 people who had "liked" the board's Facebook page. Ms. Crisler asked that the page be updated with information regarding the change in administrator and that the information regarding regulation changes be added. Ms. Benedict agreed to give the information to Mr. Boler.

Database revision is continuing to make it faster, more efficient and compatible across the boards. The Office of Occupations and Professions will continue to keep the Board members updated as to its progress.

Dates for Ethics Training have been submitted to the Executive Branch Ethics Commission. Mr. Horton stated that he would notify them of the date for training once a date has been confirmed.

KBLMT Minutes

July 11, 2011

Page 2

Ms. Crisler asked that postcards, informing licensee' of recent changes in the laws and regulations, that were returned for incorrect mailing addressed be held so she could copy and develop a list of those not updating their change of address as required by regulation. Mr. West was asked if staff could change the database to reflect changed addresses that were on the returned cards. He stated that the returned postcards can be maintained in the file but any change of address provided by the postal service cannot be used to change the address on file. The change must come from the licensee.

Ms. Benedict was asked to make some amendments to the Board Member Roster. She agreed to make the requested changes and send it to all members.

FINANCIAL STATEMENT

Mr. Horton told members that the format of the financial statements would be changing in the near future. The new format should provide them with month to month comparisons and be in a format that is easier to read. A motion was made by Ms. Barnhill to accept the financial statement ending June 30, 2011, as presented. Motion seconded by Ms. Turner, carried unanimously.

LICENSURE STATUS REPORT

A Licensure Status Report ending July 11, 2011 and report showing licensed expired May 2011, was presented to the Board for review. A motion was made by Ms. Logsdon to approve the report. Motion, seconded by Ms. Barnhill, carried unanimously.

The Board requested Ms. Benedict to provide them with a list of all licenses issued for June and July at the August meeting, and to do that on a monthly basis going forward.

CHAIRPERSON'S REPORT

Ms. Crisler asked the Board if they would approve her to attend the FSMTB conference as a delegate representing the KBLMT. The conference site is in Los Angeles, California and the dates are October 13-15, 2011. She stated that FSMTB was providing the trip. Ms. Logsdon made a motion that Ms. Crisler be allowed to attend the FSMTB conference as a delegate, at the expense of FSMTB, and that any incidental expenses incurred in her travels be reimbursed by the Board. Motion, seconded by Ms. Barnhill, carried unanimously.

Ms. Crisler asked Board Counsel if the Board could grant an extension to the spouse of military personnel who fails to renew in a timely manner. Mr. West stated that he would research the matter and further education the Board at the meeting in August.

ATTORNEY'S REPORT

Mr. West stated that most of his comments would be covered in the committee reports.

OLD BUSINESS

Email correspondence from Denise Logsdon was reviewed. Ms. Logsdon was concerned that incorrect information may have been give to school owners at the meeting last month with regard to a grandfathered therapist that let their license lapse beyond 90 days. Mr. West stated that he interpreted the law to mean that a massage therapy training program approved by the board meant "school program" and that the expired licensee could not put together continuing education hours in an effort to meet the current requirements for licensure as it is written today. Ms. Crisler asked that the email be placed back on agenda for discussion at the upcoming retreat.

NEW BUSINESS

Board Members were informed that the current rate of reimbursement for mileage remains at 47¢ this quarter.

Email correspondence from James Carroll was reviewed. It was determined that Mr. Carroll's concerns with Daymar College's Louisville Campus would fall under the purview of the Council on Post Secondary Education, as the school was no longer regulated by the Kentucky State Board for Proprietary Education. Ms. Benedict was asked to respond to Mr. Carroll giving him the appropriate contact information. Motion made by Ms. Logsdon, seconded by Ms. Turner, carried unanimously.

Email correspondence from Renee Shofner was reviewed. Ms. Shofner had submitted her application for renewal and had questions regarding the carryover of hours from the previous licensure year. It was determined that the hours were eligible for carryover and her license could be renewed.

COMPLAINT COMMITTEE REPORT

The Complaint Committee met on June 20, 2011 at 8:30 a.m. at the Office of Occupations and Professions 911 Leewood Drive, Frankfort Kentucky. Ms. Turner provided the following recommendations:

2010-09 and 2011-03- Administrative Complaint is ongoing.

2010-17- Settlement Agreement accepted by the Board. Closed.

2010-18- Settlement parameters agreed upon. Ongoing.

2010-19- Administrative Complaint is ongoing.

2010-20- Injunction is ongoing. Service of complaint pending.

2011-01 – Ongoing. Civil complaint filed.

2011-02- Injunction is ongoing. Service of complaint pending. Board voted to dismiss if service cannot be perfected within 20 days.

2011-04 – Pending OIG investigative report. Complaint is ongoing.

2011-05 – Pending OIG investigative report. Complaint is ongoing.

2011-07 – Pending OIG investigative report. Complaint is ongoing.

2011-08 – Settlement parameters agreed upon. Ongoing.

2011-09 – Pending OIG investigative report. Complaint is ongoing.

2011-10 – Pending OIG investigation. Complaint is ongoing.

2011-11 – Pending OIG investigation. Complaint is ongoing.

Ms. Logsdon made a motion to approve the Complaint Committee recommendations, as presented. The motion, seconded by Ms. Barnhill, carried unanimously.

APPLICATION COMMITTEE REPORT

The Applications Committee met on July 5, 2011 at 10:00 a.m. at the Office of Occupations and Professions 911 Leewood Drive, Frankfort Kentucky.

Initial Applications

Approved: Amy Austin, Preston Choat, Ashley Cropper, Honey Dozier, Morgan Embry, Anthony Faulkner, Nicholas Gallivan, Kelli Grigsby, Yumi Han, Bryan Huber, David Jarbe, Andrea Jennings, Melikka King, April Kremzar, Penny Law, Lilia Linton, Patricia O'Brien, Evelyn Pitsenbarger, Whitney Russell, Porsche Trulock, Courtney Wells, Kendal Wimpee

Approved pending additional requirements: Melissa Allen, Mark Barbee, Jr., Lillian Brown, Kelsey Garrett, Janet Lawrence, Kelsey-Jo Shacklette

Deferred: Fenxian Cui, Lisa Draskovich-Long, Jonathan Eisenhauer, Laurel Fleury, Pamela Hausgen, Nina Kuskie, Timothy Lane, Amanda Skowronski, Melissa Snowden, Mendi Stone

Deferred after Board Review: *Xian Ling Cheng, Yanru Geary, Hong J.Yang Li, Linda Margolin, Jian Ping Wang*

Preliminary Determination of Denial: *Kelly Devine, Larissa Ellis*

Endorsements

Approved: *Marla Cohen, Toni McArdle*

Approved pending additional requirements: *None*

Deferred to provide additional requirements: *Michael Gadberry, Peipei Holt, William McIlwain, George Owens, Hamrawit Tsegaye, Mary Vanover, Sine Venable and Evelyn Wilkinson*

Online Renewals

Approved: *Jennifer Pinedo, Lauren Rector*

Approved pending additional requirements: *Dan Cetrullo, Judy Murphy, Tabitha Reed, Victoria Snelling*

Preliminary Determination of Denial: *None*

Renewals

Approved: *Shannon Conley, Marsha Harris, Tanya Hinson, Cara Stewart, Denise Willinger*

Approved pending additional requirements: *Christie Johnson*

Deferred After Board Review: *None*

Preliminary Determination of Denial: *Serenity Fitzer, Samantha Slater*

No Action Required –

Appeals

Ongoing: *Ashley Thurman, Catherine Simmons*

Ms. Logsdon moved to accept the report from the applications Committee. The motion, seconded by Ms. Turner, carried unanimously.

Ms. Crisler brought forth the discussion with regard to expenses. After getting a breakdown from Ms. Tivitt regarding miscellaneous expenses it was her recommendation the board stop having lunch catered on board meeting days. It was the consensus of the board that it would be more fiscally responsible to take a break and go to lunch on their own than to continue having lunch catered.

ADDITIONAL NEW BUSINESS

Ms. Logsdon asked Mr. Horton if it would be possible for either he or Ms. Tivitt to give a presentation at the retreat explaining the mail and fiscal process and the back-up process when an employee is absent. He agreed to do so.

Ms. Barnhill brought forth discussion on who should be doing application reviews and approvals. It is of her thoughts that board members affiliated with a school should not be reviewing applications in committee without a non-school affiliate, and that you should recuse if the applicant is from your school. Ms. Barnhill also advised the board that due to her schedule, she will not be able to continue committee meetings the week prior to the board meeting. It was the consensus of the board that one should recuse in these cases. The board also discussed how to proceed with applications reviews now that only one member is left on the committee. It was discussed that the board meet from 8:30 AM to 1:00 PM for application reviews, followed by the board meeting

starting at 1:00 PM. A motion was made by Mr. Maxwell for the entire board to start reviewing applications effective January, 2012, seconded by Ms. Turner, carried unanimously. Ms. Barnhill will continue to review applications through December 2011.

Ms. Barnhill made a motion that the Board purchase a plaque for Michael Mansfield. Motion made by Ms. Barnhill, seconded by Ms. Turner, carried unanimously.

TRAVEL AND PER DIEM

Mr. Maxwell made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Ms. Turner, carried unanimously.

NEXT MEETING

The next meeting is scheduled for August 8-9, 2011 at the Office of Occupations and Professions 911 Leawood Drive, Frankfort, Kentucky.

ADJOURN

With no further business to be brought before the Board Mr. Maxwell made a motion that the meeting be adjourned at 1:00 p.m. The motion, seconded by Ms. Turner, carried unanimously.

Minutes approved August 8, 2011