

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY  
MEETING MINUTES  
July 12, 2010**

A meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Frankfort office on July 12, 2010.

**MEMBERS PRESENT**

Theresa Crisler-Board Chair  
Cheryl Turner  
Laurie Bond Horsford  
Holly Anne Barnhill  
Michael Mansfield  
Denise Logsdon-Secretary  
Max Maxwell

**OCCUPATIONS AND PROFESSIONS STAFF**

Frances Short, Executive Director  
David Garr, Deputy Executive Director  
Michael West, Board Attorney  
Jim Grawe, Board Attorney  
Adriana Lang, Board Administrator

**OTHERS**

Charles Watson, Advanced Massage  
Pam Jenkins, AMTA, KY  
Katie Stewart, AMTA, KY  
Diana Mansfield, MT  
Tracie Squires, Applicant

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**CALL TO ORDER**

Ms. Crisler, Board Chair, called the meeting to order at 10:42 a.m.

**MINUTES**

Motion was made by Mr. Maxwell to approve as presented the minutes of the June 14, 2010 meeting. Motion, seconded by Ms. Turner, carried unanimously.

**FINANCIAL STATEMENT**

A motion was made by Ms. Turner to accept the financial statement, as presented. Motion seconded by Mr. Maxwell, carried unanimously.

**DIRECTOR'S REPORT**

Ms. Short provided the following report:

- 1) Ryan Halloran is researching information regarding staff members' approval of licensure prior to Board approval.
- 2) Informed the Board that by the end of this fiscal year there will be a \$1,800.00 fee sweep.
- 3) E-mail from Ryan Halloran regarding Customer Survey Services.
- 4) Introduced Jennifer Smith as the new Fiscal Section Internal Policy Analyst II.

## **CHAIRPERSON'S REPORT**

Ms. Crisler provided the following report:

- 1) Discussion of e-mails regarding lost files. Ms. Short stated that the new system will resolve the issue.
- 2) E-mail from Kimberly Young regarding pet massage business. Ms. Tuner made a motion for Mr. West to send a response to Ms. Young, and to refer the case to the Kentucky Board of Licensure for Veterinary Examiners.
- 3) E-mail from Denise Logsdon regarding late renewals. The Board discussed the matter.
- 3) E-mail from Denise Logsdon regarding the renewal process. Mr. West suggested that renewals should be reviewed by the full Board. The Board further discussed that a renewal procedure is in place and that all licensees are required to follow it.
- 4) E-mail from the Denise Logsdon regarding Supervision Presentation. The Board reviewed the information.
- 5) E-mail from Denise Logsdon regarding administrative functions. Ms. Short clarified the Office of Occupations and Professions administrative functions and policies. Ms. Short emphasized that staff members will only disclose/ discuss pending or ongoing cases to the applicants/licensees; however, verification of approved license is posted on the website and available to the public. Ms. Short encouraged the Board to enforce the office's policy to better protect the privacy of each applicant or licensee.

## **ATTORNEY'S REPORT**

Mr. Grawe introduced himself and informed the Board that he would be representing Mr. West at today's meeting.

- 1) E-mail from Betsy Giltinan regarding Kentucky Licensure for Massage Therapists. Ms. Turner made a motion for Mr. West to send a response to Ms. Giltinan. The motion seconded by Ms. Horsford, carried unanimously.

## **LICENSURE STATUS REPORT**

A Licensure Status Report for the month ending June 30, 2010 was presented to the Board for review. A motion was made by Mr. Mansfield to approve the report. Motion, seconded by Ms. Horsford, carried unanimously.

A report showing licenses expired month ending June 30, 2010 was presented to the Board for review. A motion was made by Mr. Mansfield to approve licenses expired and to authorize staff members to issue cease and desist letters. Motion, seconded by Ms. Turner, carried unanimously.

A report showing new licenses issued month June, 2010 was presented to the Board for review. A motion was made by Mr. Mansfield to approve the new licenses issued. Motion, seconded by Ms. Horsford, carried unanimously.

## **OLD BUSINESS**

The Board reviewed e-mails from Bev Plested. The Board agreed that until Ms. Plested provides the following documents, a decision will not be made on her case. The Board authorized staff member to send to Ms. Plested the following statement. *1) There is nothing in our statutes or regulations that allows you to "read books" to meet CE requirements. Books are not an option pursuant to 201 KAR 42:110 Section 3. 2) For the Intro to Psychology class, the Board needs more information to accept this higher education experience. Please send immediately a copy of the syllabus and a letter from the professor documenting how many hours of the class were spent in discussion of Ethical Issues that pertain to Massage Therapy. 3) For the Web Design class, please submit a copy of the syllabus and a letter from the instructor or college showing clock hours of the course and your explanation of how the class was relevant to your practice. 4) For both Psychology and web Design classes, please submit proof of completion of the courses in the form of a copy a transcript (unofficial copy is fine for this).*

The Board reviewed and amended the following new regulations:

201 KAR 40:080, 201 KAR 42:010, 201 KAR 42:020, 201 KAR 42:030, 201 KAR 42:035, 201 KAR 42:040, 201 KAR 42:050, 201 KAR 42:060, 201 KAR 42:070, 201 KAR 42:110.

## **NEW BUSINESS**

Tracie Squires was present. She inquired about her application status. The Application Committee informed Ms. Squires that her application was incomplete and requested her to provide additional documentation. Ms. Squires stated that she would do so.

The Board reviewed an e-mail from Shawna Penick regarding inactive license renewal. The Board authorized their Administrator to send a response to Ms. Penick.

The Board reviewed a fax from Wynona Bontrager regarding education equivalency via endorsement. The Board agreed the individual must apply via endorsement.

The Board reviewed an e-mail from Donna Musser regarding Daymar College. Ms. Turner made a motion for Mr. West to send a response to Ms. Musser and to refer her to the statutes in response to her inquiries.

The Board reviewed an e-mail from Sallie Hoelscher regarding Massage Therapy practice law for Kentucky.

The Board reviewed e-mails from Scott Myers. The Board requested their Administrator to send Mr. Myers a response stating that the Board will accept the MBLEX exam from applicants via endorsement.

Mr. Maxwell provided the Board a draft of a KBLMT commercial for Public Service Announcement. Mr. Mansfield made a motion to forward the amended draft to Dick Brown for a review. The motion seconded by Ms. Turner, carried unanimously.

Mr. Mansfield expressed concerns over the Kentucky Board of Licensure for Massage Therapy historically dominated by members belonging to the American Massage Therapy Association (AMTA) and members employed by Massage Schools.

### **COMPLAINT COMMITTEE REPORT**

The Complaint Committee met at 9:30 a.m. and made the following recommendations to the board:

2009-05- Dismissed. Ms. Turner recused herself and left the room, returning after the presentation by Mr. Mansfield.

2010-07- Ongoing.

2010-04- Closed.

2010-08-Ongoing.

2010-09-Ongoing.

2010-10- Send a cease and desist letter.

2010-11- Send a cease and desist letter.

2010-12- Send a cease and desist letter.

2010- 13- Send a cease and desist letter.

2010-14- Send a cease and desist letter.

Mr. Mansfield made a motion to accept the Complaint Committee's recommendations as presented. The motion, seconded by Ms. Logsdon, carried unanimously.

### **APPLICATION COMMITTEE REPORT**

The Applications Committee met on July 6, 2010 at 12:00 p.m. at the Division of Occupations and Professions 911 Leewood Drive, Frankfort Kentucky.

#### **Initial Applications**

1 approved.

3 deferred for additional documentation.

1 denied because applicant listed on the application that she did not take the NCE and submitted no evidence of passing another exam administered by an agency accredited by NCCOAM.

#### **Endorsements**

2 Approved.

1 Approved pending additional fee.

2 deferred to provide additional documentation.

## **APPLICATION COMMITTEE REPORT CONTINUED**

### **Renewals**

14 Approved

10 deferred to provide additional documentation or fee.

1 denied for failure to respond Board letters requesting additional requirements.

1 Approved pending. Ms. Barnhill made a motion for Mr. West to send an Agreed Order to the licensee stating that the renewal is approved pending completion of three additional hours of continuing education within 90 days from the Agreed Order date. The motion, seconded by Mr. Mansfield, carried unanimously.

Mr. Maxwell moved to accept the report from the applications Committee. Mr. Tuner seconded, carried unanimously.

### **TRAVEL AND PER DIEM**

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

### **NEXT MEETING**

The next special meeting/retreat is scheduled for August 13-14, 2010 at the General Butler State Resort Park Carrollton Kentucky.

### **ADJOURN**

Mr. Mansfield made a motion to adjourn at 4:10 p.m., having no further items of discussion. The motion, seconded by Ms. Horsford, carried unanimously.



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Theresa Crisler, Chair