

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY
BOARD MEETING MINUTES
November 8, 2010**

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 November 8, 2010.

MEMBERS PRESENT

Theresa Crisler-Board Chair
Cheryl Turner, Vice- Chair
Laurie Bond Horsford, Secretary
Holly Anne Barnhill, LMT
Michael Mansfield, LMT
Denise Logsdon, LMT

OCCUPATIONS AND PROFESSIONS STAFF

Frances Short, Executive Director
David Garr, Deputy Executive Director
Michael West, Board Attorney
Adriana Lang, Board Administrator
Jeff Boler, Resource Management Analyst

OTHERS

Julie Harper, AMTA
Charles Watson, AMT
Jennifer Wagley, NCBTMB
Rachel Riondar, Student
Danvale Williams, Student
Matt Morris, Student
Ashley McMahan, Student
Wendy Bell, Student
Kimber Hall, Student,
Robert Guddy, Student
Jana Mullenbach, Student
Donald Ashley, Instructor
Peggy Johnson, Student
Scott Sowders, Student
Sara Kleinhenz, Instructor
Pam Jenkins, AMTA
Katie Stewart, AMTA

MEMBER ABSENT

Max Maxwell, Citizen at large

CALL TO ORDER

Ms. Crisler, Board Chair, called the regular meeting to order at 10:09 a.m.

2011 BOARD MEETING SCHEDULE

The Board scheduled the 2011 regular meetings for January 10, February 14, March 21, April 11, May 16, June 20, July 11, September 19, October 17, November 14 and December 12. The regular meetings will be held at the Office of Occupations and Professions 911 Leawood Drive, Frankfort, Kentucky.

The Board scheduled a special meeting/retreat for August 8-9, 2010 at Barren River Lake Resort State Park 1149 State Park Road, Lucas, Kentucky.

MINUTES

A motion was made by Mr. Mansfield to approve the minutes, as amended, of the October 18, 2010 meeting. Motion, seconded by Ms. Barnhill, carried unanimously.

FINANCIAL STATEMENT

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

LICENSURE STATUS REPORT

A Licensure Status Report for the month ending November 5, 2010 was presented to the Board for review. A motion was made by Ms. Logsdon to approve the report. Motion, seconded by Ms. Turner, carried unanimously.

A report showing licenses expired month ending August, September and October were presented to the Board for review. A motion was made by Ms. Logsdon to approve licenses expired. Motion, seconded by Ms. Turner, carried unanimously.

A report showing new licenses issued month November 2010 was presented to the Board for review. A motion was made by Ms. Logsdon to approve the new licenses issued. Motion, seconded by Ms. Turner, carried unanimously.

DIRECTOR'S REPORT

Ms. Short provided the following report:

- 1) Memorandum of Agreement between the Kentucky Board of Licensure for Massage Therapy and The Office of Occupations and Professions is finalized and signed by the Chairman.
- 2) Informed the Board that the deadline for agenda items is 48 hours/ or two days prior to the meeting day.
- 3) Explained the administrative procedures for complaints received by the Office of Occupations and Professions.
- 4) Informed the Board that the request to place the Licensure Status Report on the website in the works.

ATTORNEY'S REPORT

Mr. West provided the following report:

- 1) Tracie Squires hearing is ongoing.
- 2) E-mail from Donna Murray. The Board requested Mr. West to send an e-mail in response and to refer her to 201 KAR 42:110 (3) (7).

ATTORNEY'S REPORT CONTINUED

3) Mr. West provided a detailed explanation of 201 KAR 42:050 Complaint procedure and disciplinary actions. Staff members explained that all complaints should be delivered to the Office of Occupations and Professions Fiscal Section, so staff members can stamp received and forward them to the Board administrator for proper process as required by regulation and administrative procedures.

4) 2010-07 dismissal letter has been mailed.

5) 2010-08 cease and desist letter has been mailed.

6) 2010-10 and 2010-15 are ongoing.

CHAIRPERSON'S REPORT

Ms. Crisler provided the following report:

1) 2010 Newsletter is finalized and posted online.

2) Continuing Education (CE) is scheduled for March 24-25, 2010 at the YMCA 1100 East Main Street in Richmond, Kentucky. The class limit is 300 people. The official deadline to sign up is March 10, 2010 at 5:00 pm E.S.T. Ms. Logsdon made a motion for staff members to follow the same administrative procedures as last year. The motion, seconded by Ms. Turner, carried unanimously. Ms. Lang asked the Board to notify her or Ms. Short if any administrative materials are needed at least 48 hours prior to the class. Ms. Lang recommended for the Board to attach to the CE notification postcards, a map or directions to the YMCA facility.

OLD BUSINESS

The Board reviewed correspondence from the Kentucky Medical Massage Center (KMMC) requesting reinstatement approval. Ms. Barnhill made a motion to request the KMMC to file a new Application for Certificate of Good Standing for a Massage Therapy Training Program. The motion, seconded by Ms. Logsdon, carried unanimously.

The Board reviewed Ms. Barnhill new draft of the cease and desist letter for licensees that fails to renew their licenses. The Board authorized Mr. West to revise Ms. Barnhill's cease and desist draft.

The Board had a lengthy discussion of the proposed regulations. The Board reviewed written comments from Debra Rivera, Charles Watson (Advanced Massage Therapy), Lori Ohlmann (NCBTMB), Katherine Warner, Mellissa Thompson (Spencerian College), Bill Booker (Lexington Healing Arts Academy), Megan Lavery and Julie Harper (AMTA). The Board agreed to amend the proposed regulations based on the written comments. The Board authorized Ms. Logsdon to note all necessary amendments and asked her to e-mail the changes to staff members so the attorney could make all necessary legal changes.

Ms. Logsdon made a motion to change the proposed renewal form as suggested by AMTA. The motion, seconded by Ms. Horsford, carried unanimously.

OLD BUSINESS CONTINUED

Ms. Logsdon made a motion to approve the Endorsement proposed form as suggested by AMTA. The motion, seconded by Ms. Turner, carried unanimously.

Ms. Logsdon made a motion to remark stipulation that CE cannot be divided over two renewal periods, CE should be permissible to use from a divided course to the next renewal period, as suggested by Megan Lavery on proposed 201 KAR 42:110 Section 7 (2). Motion did not carry.

Ms. Logsdon made a motion to approve changes on proposed 201 KAR 42:070, as requested by Julie Harper on behalf of AMTA. The motion, seconded by Ms. Barnhill, carried unanimously.

Ms. Barnhill made a motion to make changes to proposed KAR 42:030 (1), as requested by Julie Harper on behalf of AMTA. The motion did not carry.

Ms. Horsford made a motion to make changes to 201 KAR 42:010 (3) as requested by Charles Watson on behalf of Advanced Massage Therapeutics. The motion, seconded by Ms. Barnhill, carried unanimously.

Ms. Turner made a motion to defer all proposed regulations for 30 days. The motion, seconded by Ms. Barnhill, carried unanimously.

Ms. Short informed the Board that the current Application Review list was posted on the website. She explained that due to some discrepancies from the minutes, the list was not accurate as provided on the AMTA website. Mr. Mansfield made a motion not to place the Application Review list on the website. The motion, seconded by Ms. Turner, carried unanimously. The Board further agreed to continue to list the names of all applicants on the minutes as approved, deferred, approved pending or denied. Ms. Barnhill opposed the decision.

Mr. West clarified that the Application Review Committee meeting is open to the Public under the open meeting law.

NEW BUSINESS

Mr. Mansfield left the meeting at 2:45 pm.

The Board reviewed an e-mail from the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) regarding their NCBTMB school compliance 11/01/2010 and certification revocations 11/01/2010.

The Board reviewed a correspondence from the NCBTMB regarding Nationally Certified Advanced Practitioner (NCAP).

The Board reviewed an e-mail from the NCBTMB regarding News Release.

APPLICATION COMMITTEE REPORT

The Applications Committee met on November 2, 2010 at 8:00 a.m. at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky.

APPLICATION COMMITTEE REPORT CONTINUED

Initial Applications

Approved: *Ann Maxted, Antonio Medina and Feng Zhang.*

Approved pending: *Lindsey Page, Elizabeth Peden, Christopher Sheldon and Sharron Smith.*

Deferred: *Candice Hamilton and Anne-Katrin Scalf.*

Endorsements

Approved: *Evette McClure.*

Approved pending: *Caleb Eaves, James Vices and Eriks Peterson.*

Deferred: *Gary Vernatter.*

Renewals

Approved: *Sally Chapman, Jimmy Cloud, George Collins, Roetta Farthing, Peggy Fields, Rebecca Force, Pattie Gavin, Amy Guyton, Alexis Mosvold, Anne Pafford, Jaclyn Priest, Shelley Spears and Judith Weise.*

Approved pending: *Tracy Jordan Sybill Kidd and Barbara Rutecki.*

Deferred: *Elanie Cassidy, Rachel Foltz and Mary Muchmore.*

Maintain Denied status: *Erin Grigsby.*

Ms. Logsdon moved to accept the report from the applications Committee. Ms. Horsford seconded, carried unanimously.

TRAVEL AND PER DIEM

Ms. Horsford 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 special meeting is scheduled for December 3, 2010 at the Office of Occupations and Professions 911 Leawood Drive Frankfort, Kentucky.

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ADJOURN

Ms. Turner made a motion to adjourn at 5:05 p.m., having no further items of discussion. The motion, seconded by Ms. Logsdon, carried unanimously.

Theresa Crisler, Chair