

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

February 14, 2013

Members Present

Stephanie J. Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice President
Michael Moskowitz, D.C.
Joanne M. Bushman, D.C.
Robert G. Frieman, D.C.
Karen Biagiotti, LMT
Gwenda Harrison, LMT
Gloria Boddie-Epps, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Non-Members Present

Adrienne Congo, Deputy Director
Grant Gerber, Esq., Board Counsel
Michelle Czarnecki, Legal Assistant
Philomena Queen, LMT
Anthony Hinkle, LMT, NCB
Wayne M. Parker, AMTA MD Chapter
Mary Psaromakis, D.C.
Sharon Bloom, DHMH
Sen. Paula Hollinger, DHMH

Members Absent

Jonathan C. Nou, D.C.
David A. Cox, LMT

Dr. Stephanie Chaney called the meeting to order at 10:15am.

Review of Agenda and Minutes

The agenda was revised as follows: (1) Discussion of Michelle Czarnecki status tabled to March meeting when Executive Director Jim Vallone is present; (2) petition from Nathan D. Nevius, RMP moved to Executive Session. Dr. Fedorczyk made a motion to approve the agenda with these revisions; Ms. Harrison seconded, and the motion was unanimously voted.

The January 10, 2013 minutes were reviewed by the Board. Dr. Fedorczyk made a motion to approve the January 10, 2013 minutes as written; Dr. Frieman seconded, and the motion was unanimously voted.

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

- a) **General update by Regulations Committee revision project—Dr. Stephanie Chaney:**
 - The subcommittee met last week. Dr. Chaney made the agreed changes to the regulations and forwarded to Mr. Vallone. Dr. Chaney is going to meet with Mr. Vallone and Kristen Neville, DHMH Regulations Expert when Mr. Vallone returns to the office. The committee hopes to present the proposed changes in the March meeting, but if not possible, in the following April meeting.

- b) **Update—Michelle Czarnecki status & possible split with Dental Board**
 - Due to Mr. Vallone's absence, this discussion is table till the March board meeting.

- c) **Update – Maria Ware, Administrative Assistant II status**
 - Ms. Ware is still on extended leave.
- d) **Update – Building configuration(s) remodeling (delay):**
 - An administrative meeting was held regarding the delayed reconfigurations that Mr. Vallone attended. Construction is set to begin in April or May. The MTA is going to be moved to the first floor and have its own private entrance and parking lot. There will be three meeting rooms to include equipment for presentations.
- e) **Dr. Chaney summary of January 31st meeting with J.J. Vallone and Paula Hollinger on Board Issues.**
 - Dr. Chaney had a short meeting with Mr. Vallone and Senator Hollinger on January 31st. In the meeting, the massage regulations were formalized and updated. There was a discussion of the merger between RMPs and LMTs, as well as expanding CA education requirements based on what other states are requiring. Telecommunication issues were also discussed, such as consultations being held via web cam/video between chiropractors and patients in different states. Some states have restrictions whereby a licensed chiropractor/physician/etc. can only communicate with a patient if the chiropractor is licensed *in the state the patient is located*. There is an ongoing debate regarding telecommunication issues in health occupations, with federal legislation in the works. Mr. Vallone also discussed the issue of reclassification of board employees and discrepancies among the health occupation boards. A reclassification request regarding this board's employees has been sent to DHMH for an upgrade and reclassification is currently in progress. In the future, more transparency is desired regarding this reclassification process in the various boards.
- f) **SB 285**
 - Senate Bill 285 would require kinseotherapists to be licensed and regulated in the State of Maryland. The Board's position on this bill was discussed. Dr. Fedorczyk recommended that a Board member participate in the committee in charge of the research process of this bill. Mr. Gerber clarified that if the Board supports the bill, a boardmember would be required to testify at the upcoming hearing. Mr. Gerber stressed that the legislature wants to hear from boardmembers regarding this bill, not board staff. Ms. Biagiotti volunteered to attend the February 20, 2013 meeting on SB 285. Dr. Fedorczyk made a motion to support SB 285 and to include a chiropractor and massage therapist from the board to join the committee for SB 285; Dr. Frieman seconded, and the motion was unanimously voted.
- g) **HB 818**
 - House Bill 818 amends the Massage Therapy regulations by requiring 600 hours of education for RMPs and redefines "health care setting" as it relates to RMPs. Mr. Gerber emphasized that any legal issues regarding this bill will need to be discussed in executive session. Dr. Chaney discussed the potential merger of LMT and RMP licensure in the future. Ms. Harrison clarified that HB 818 would raise the number of hours to 600 for both RMPs and LMTs. Mr. Wayne Parker, AMTA MD Chapter President, interjected that while Ms. Harrison was correct, this was an oversight by

the legislators in writing HB 818 and that the AMTA would be submitting an amendment request so that LMTs would be raised to 1000 hours along with the 600 hours for RMPs. In response to this information, Dr. Chaney and other boardmembers expressed concern over supporting the amended version of the bill because of the further differentiation it would cause between RMPs and LMTs. Mr. Anthony Hinkle, an LMT massage therapy educator, pointed out that the distinction between LMT and RMPs creates confusion and that there is a desire to raise the standard for all massage therapists so that everyone is on the same page. Mr. Gerber suggested that the Board not take a position on HB 818, as no hearing has been scheduled yet and the Bill is to be amended in the near future. Dr. Fedorczyk made a motion to table the Board's opinion until further information is gathered on HB 818; Ms. Biagiotti seconded, and the motion was unanimously voted.

h) SB 608

➤ SB 608 addressed radiation protection procedures that had previously not be applicable to chiropractors and chiropractic offices. The bill adds these entities to the radiation protection procedures required in other medical facilities. Several board members emphasized that they already have radiation inspections take place in their offices. The board discussed speaking to the MCA regarding this bill before taking a position.

i) MOU between Dept. of Human Resources & Board of Chiro. & Mst. Examiners

➤ This memorandum of understanding between the Department of Human Resources and the Board essentially requires licensees who are delinquent on their child support payments to be flagged/placed on administrative holds during renewals, and requires notification to be sent to these licensees regarding their status. The memorandum also contemplates potential suspension of these licenses for failing to pay court ordered child support. Mr. Gerber explained that he does not recall any public orders issued by the board suspending a license based on tax or child support delinquencies.

j) FCLB—May 2013 Delegate (Dr. Stephanie Chaney, D.C.); Alternate (Dr. Michael Fedorczyk, D.C.)

➤ The FCLB conference will be held the first week of May, which Drs. Chaney and Fedorczyk will be attending. Dr. Chaney emphasized that if any massage therapists or chiropractors on the board would like more information on this conference, to let the board know.

k) FSMTB Job Task Analysis (JTA) Test Plan Review Meeting Scheduled February 22-23rd will be attended by Gwenda Harrison, LMT and Karen Biagiotti, LMT.

➤ This meeting, to be held in Charleston, SC, will be attended by Ms. Harrison and Ms. Biagiotti. The meeting will include review and development of test questions for massage therapist licensure.

Petition from Renee Marie Royal for Waiver of Accreditation Requirement – Adrienne Congo, Deputy Director

Ms. Royal graduated from North Carolina School of Natural Healing in 2007, and received her Bachelor of Science degree in 2010. She is also nationally certified. Her education meets the Board education eligibility criteria set for North Carolina School of Natural Healing, voted upon March 8, 2012 general session as an approved school. Ms. Biagiotti made a motion to approve Ms. Royal'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. *Applied Chiropractic Center*—Brian A. Lancaster, 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. *Lavender Dreams Mobile Spa, Monique Johnson, LMT* – Monique Johnson, LMT (resubmission regarding denial Jan. 2013 of "Lavender Dreams Mobile Spa, LMT")
2. *Mia Massage, LMT: A Safe Place to Get Away* – Marlene Robertson, LMT
3. *Baltimore Massage & Wellness* – Diana Schulin, LMT
4. *Tranquil Escape Island Massage* – Patricia J. Bell, LMT
5. *Therapeutic Massage Delivered 2 U* – Tammy Deatethauser, LMT
6. *Tropical Relaxation Massage* – Myriam Coimin, RMP

FYI – Miscellaneous Correspondences for Review/Discussion - Adrienne Congo, Deputy Director

There was a correction to the December 13, 2012 Agenda for a Chiropractic Trade Name Request for *Capital Pain and Injury Center* – Rehman Mirza, D.C., which was a replacement for *Capital Health Chiropractic*. Upon discussion, the board discovered that due to a typo in the agenda, the wrong trade name had been approved. Ms. Congo offered to resolve the issue via email with the Board.

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Upon motion by Dr. Fedorczyk, seconded by Dr. Frieman, the Board unanimously voted to adjourn General Session at 11:17am.

Respectfully Submitted:

Jonathan C. Nou, D.C.
Board Treasurer