

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

March 12, 2015

GENERAL SESSION

1. Review approval of Agenda
 2. Review approval of Board Minutes of last meeting (*February 12, 2015*)
 3. Review of Administrative Issues, Mr. Richard Proctor, Interim Executive Director, Ms. Adrienne Congo, MS, Deputy Director:
 - a) FCLB Delegate & Alternate Voting Designation
 - b) Citizens Advocacy Center – Membership
 - c) Legislative Update – Michelle Verdis, JD, Compliance Manager
 - d) Executive Director Recruitment Update
 - e) North Carolina State Board of Dental Examiners v. Federal Trade Commission – Grant Gerber
 - f) Final Action: COMAR 10.43 Chiropractic and Massage Therapy Regulation
 - g) Dry Needling results from hearing
 4. Chiropractic Petition(s):
 - a) Euraine Brooks, LMT – Petition to request Massage Therapy Coursework and/or college coursework to be applied towards meeting the CA coursework requirement.
 - b) Kimberly Welch, CA - Request waiver of administrative fine for “Failure to Notify” change of address
 5. Massage Petition(s):
 - (a) Yimei Wang, (Massage Applicant) - **Petition to Waive Accreditation Requirement and Approval to continue the Application Process for Massage Therapy.** Ms. Wang graduated with 541 hours of education from the Bellevue Massage School in Bellevue, WA. This massage therapy program is approved under the Washington State Department of Health.
 - (b) Piera Bastidas, (Massage Applicant) – **Petition to Waive Accreditation Requirement and Approval to continue Application for Massage Therapy.** Ms. Bastidas graduated with 640 hours of education from the Hawaii Massage Academy in Honolulu, HI and successfully passed the MBLEX in 2014. The Hawaii Massage Academy in Honolulu, HI is approved under the Hawaii Department of Education
 - (c) Doug Wittich, LMT – **Inquiry Re: Massagebook.com agreements and compliance with Board Code of Ethics**
 6. Requests Chiropractic Trade Name Approval:
 - a) *Towson Health and Wellness Chiropractic Acupuncture Massage* – Jerry Stuckey, D.C.
 7. Requests Massage Trade Name Approval:
 - a) *A Serene Experience Massage* – Shantel Lee, RMP
- FYI: Miscellaneous Correspondence for review/discussion**

BOARD WORKING LUNCH

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
GENERAL SESSION BOARD MEETING

March 12, 2015

Members Present

Michael Fedorczyk, DC, Board President
David Cox, LMT, Board Vice President
Karen Biagiotti, LMT, Board Secretary
Stephanie Chaney, DC, Fmr Board President
Jonathan Nou, DC
Gregory Lewis, DC
Robert Frieman, DC
Gwenda Harrison, LMT
Ernestine Jones Jolivet, Consumer Member
Gloria Boddie-Epps, Consumer Member

Non-Members Present

Richard Proctor, Interim Executive Director
Grant Gerber, AAG, Board Counsel
James Gamble, Admin Spec II
Michelle Verdis, Compliance Manager
Paul Abosh, MCA
Paula Hollinger, DHMH
Sharon Bloom, DHMH

Members Absent

Michael Moskowitz, DC

Dr. Fedorczyk called the meeting to order at 10:05am.

Review Agenda and Minutes:

The March 12, 2015 Agenda was reviewed by the Board and the following revisions were suggested: (1) Addition of subsection g "Dry Needling results from hearing" under Review of Administrative Issues, Richard Proctor, Interim Executive Director, Ms. Adrienne Congo, MS, Deputy Director.

Dr. Frieman moved to approve the March 12, 2015 Agenda with those revisions; Ms. Boddie-Epps seconded, and the motion was unanimously approved by the Board.

The February 12, 2015 Board Minutes were reviewed by the Board. Dr. Frieman moved to approve the February 12, 2015 Board Minutes as written. Mr. Cox seconded, and the motion was unanimously voted by the Board.

Review of Administrative Issues, Mr. Richard Proctor, Interim Executive Director, Ms. Adrienne Congo, MS Deputy Director:

a) FCLB Delegate & Alternate Voting Designation

FCLB Delegate & Alternate Delegate for 2015 has been designated by the Board as Dr. Fedorczyk and Dr. Nou.

b) Citizens Advocacy Center – Membership

Mr. Proctor notified the Board that the Citizens Advocacy Center is a national group that advocates for consumers to regulatory Boards. Mr. Proctor also notified the Board that the Citizens Advocacy Center has extended membership to the Board of Chiropractic and Massage Therapy Examiners.

Based on this information, Ms. Boddie-Epps moved for the Board to become a member of the Citizens Advocacy Center; Dr. Nou seconded, and the motion was unanimously voted by the Board.

c) Legislative Update – Michelle Verdis, JD, Compliance Manager

Ms. Verdis provided an update on the status of current legislation that is of interest to the Board. Ms. Verdis advised the Board that HB 208 has passed the House and is now in the Senate; this bill would repeal the requirement that the Board's licensees obtain approval from the Board before use of a trade name. Ms. Verdis also notified the Board that SB 580 and HB 979, which sought to set educational standards for the practice of dry needling, have been pulled by their sponsors.

d) Executive Director Recruitment Update

Mr. Richard Proctor notified the Board that Executive Director job posting has been posted to the state job board and will remain posted for a period of 30 days. Mr. Proctor also stated that the new Executive Director will be named by June 2015.

e) North Carolina State Board of Dental Examiners v. Federal Trade Commission – Grant Gerber

Mr. Gerber reviewed and generally discussed the Supreme Court's decision regarding the North Carolina State Board of Dental Examiners v. Federal Trade Commission. Mr. Gerber notified the Board that the Office of the Attorney General is currently reviewing the decision in order to advise the Department of its legal and procedural impact. Mr. Gerber will update the Board with new information as it becomes available.

f) Final Action: COMAR 10.43 Chiropractic and Massage Therapy Regulation

Mr. Proctor notified the Board that regulations have completed the thirty-day public comment period and will be forwarded to AELR for review and final approval.

g) Dry Needling results from hearing

Dr. Fedorczyk informed the Board of the results of the hearing for SB 580, held on March 5th in front of the Education, Health and Environmental Affairs Committee. Dr. Fedorczyk informed the Board that the hearing went as well as possible, with strong opposition towards the bill from the Chiropractic and Physical Therapy Boards and associations. The chair of the committee notified the testifying individuals that SB 580 would not be voted on by the committee due to the opposition. The Board then held a discussion regarding the future of the proposed physical therapy regulations regarding dry needling, including what role and/or involvement the Board would prefer in the promulgation of those regulations.

Chiropractic Petition(s):

a) Euraine Brooks, LMT – Petition to request Massage Therapy Coursework and/or college course work to be applied towards meeting the CA coursework requirement.

In her petition, Ms. Brooks stated that she is an actively practicing licensed massage therapist in Maryland and is interested in becoming a registered chiropractic assistant. Ms. Brooks stated that she requests the Board to review her massage credentials to determine if any of her coursework could be applied to the required C.A. practicum.

Based on this information, Ms. Harrison moved to waive 24 hours of training in anatomy/physiology from the necessary C.A. coursework; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

b) Kimberly Welch, CA – Request waiver of administrative fine for “Failure to Notify” change of address

Dr. Chaney moved to table Ms. Welch’s petition until more information is gathered regarding Ms. Welch’s petition; Ms. Boddie-Epps seconded, and the motion was unanimously voted by the Board.

Massage Petition(s):

a) Yimei Wang, (Massage Applicant) – Petition to Waive Accreditation Requirement and Approval to continue the application process for Massage Therapy

Ms. Wang graduated with 541 hours of education from the Bellevue Massage School in Bellevue, WA. This massage therapy program is approved under the Washington State Department of Health.

Based on this information, Dr. Chaney moved to table this applicant’s petition until proof of medical education/licensure is verified; Ms. Harrison seconded, and the motion was unanimously voted by the Board.

b) Piera Bastidas, (Massage Applicant) – Petition to Waive Accreditation Requirement and Approval to continue the application process for Massage Therapy

Ms. Bastidas graduated with 640 hours of education from the Hawaii Massage Academy in Honolulu, HI and successfully passed the MBLEX in 2014. The Hawaii Massage Academy in Honolulu, HI is approved under the Hawaii Department of Education.

Based on this information, Ms. Biagiotti moved to approve Ms. Bastidas’s petition to continue on waive the accreditation requirement and allow her to continue the application process for massage therapy licensure/registration; Dr. Chaney seconded, and the motion was unanimously voted by the Board.

Based on this information, Dr. Chaney moved to add the Hawaii Massage Academy in Honolulu, HI to the Board's list of approved schools.

c) Doug Wittich, LMT – Inquiry Re: Massagebook.com agreements and compliance with Board Code of Ethics

Based on this information Dr. Chaney moved to issue a letter to Mr. Wittich referring him to current Board policy on internet advertising.

Requests Chiropractic Trade Name Approval:

The following chiropractic trade name requests were approved by Board motion. Dr. Frieman moved to approve; Dr. Chaney seconded, and the motion was unanimously voted by the Board:

a) *Towson Health and Wellness Chiropractic Acupuncture Massage* – Jerry Stuckey, D.C

Requests Massage Trade Name Approval:

The following massage therapy trade name request was approved by Board motions. Mr. Cox moved to approve; Ms. Harrison seconded, and the motion were unanimously voted by the Board:

- a) *A Serene Experience Massage* – Shantel Lee, RMP

FYI: Miscellaneous Correspondence for review/discussion

Upon motion by Dr. Frieman, seconded by Ms. Biagiotti, the Board unanimously voted to close General session at 11:44 am.

Respectfully Submitted:



**Karen Biagiotti, LMT
Board Secretary/Treasurer**