

DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE
BOARD OF MASSAGE THERAPY

MINUTES
GENERAL BUSINESS MEETING
OCTOBER 25-26, 2012

Hilton Naples
5111 Taimiami Trl. N.
Naples, FL 34103
239.659.3132

1 **Thursday, October 25, 2012**

2 The meeting was called to order by Ms. Karen Ford, LMT, Chair, approximately 9:05 a.m. Those present for
3 all or part of the meeting included the following:

MEMBERS PRESENT:

Karen Ford, LMT, Chair
Bridget Burke-Wammack, LMT, V-Chair
Joy Buckley, LMT
Lydia Nixon, LMT

STAFF PRESENT:

Anthony Jusevitch, Executive Director
Paula Mask, Program Operations Administrator
Alexandra Alday, Regulatory Supervisor

MEMBER ABSENT:

Robert Tuttle, Consumer Member

COURT REPORTER

Martina Reporting Services
Telephone: 239.334.6545
Fax: 239.332.2913

BOARD COUNSEL:

Lee Ann Gustafson, Esq.
Assistant Attorney General

DEPARTMENT PROSECUTING ATTORNEYS:

S. J. DiConcilio, Esq.
Manshi Shah, Esq.

4 *Please note that the meeting minutes reflect the actual order agenda items were discussed during*
5 *the meeting and may differ from the agenda outline.*

6
7 *An audio of this meeting can be found by clicking on "Audio Files" at*
8 *<http://ww10.doh.state.fl.us/pub/osteo/Massage/2012%20Meetings/>*

9 * Items with an asterisk are untimed items and may be taken up on either day of the meeting.

10 **Tab 1 State Surgeon General and Secretary of Health, John H. Armstrong, M.D., FACS**

The State Surgeon General addressed the Board regarding the recent emergency suspension orders and transcript integrity.

11 **DISCIPLINARY PROCEEDINGS**

12 **Informal Hearings**

2 Respondent was present without counsel. Respondent was duly sworn in by the court reporter. Ms.
3 DiConcilio represented the Department and presented the case to the Board.

4 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(n),
5 480.046(1)(o), and 480.047(1)(b), F.S.

6 Ms. Nixon moved to adopt the material facts as alleged in the Administrative Complaint are not in dispute
7 and to adopt the allegations of fact in the administrative complaint as the Board's conclusions of fact in this
8 proceeding. Ms. Burke-Wammack seconded the motion, which carried unanimously.

9 Respondent addressed the Board and gave an account of the events surrounding the material facts of the
10 complaint.

11 Ms. Burke-Wammack moved to adopt the allegations of law in the administrative complaint as the Board's
12 conclusions of law in this proceeding, and to adopt the case materials and any materials in the addendum
13 into evidence as a part of the record in this proceeding. Ms. Nixon seconded the motion, which passed
14 unanimously.

15 **Action Taken:** After lengthy discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:

- 16 • Reprimand
- 17 • Pay \$2,150 fine within 30 days of the filed final order
- 18 • Pay \$558.77 costs within 30 days of the filed final order

19 Ms. Nixon seconded the motion, which passed unanimously.

20 ***(Moved to Settlement Agreements)***

22 Respondent was present without counsel. Respondent was duly sworn in by the court reporter. Ms.
23 DiConcilio represented the Department and presented the case to the Board.

24 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
25 456.072(1)(h) and 480.047(1)(f), F.S.

26 Ms. DiConcilio presented the recommended settlement agreement:

- 27 • Reprimand
- 28 • Pay \$1,000 fine within 180 days of the filed final order
- 29 • Pay \$430.18 costs within 180 days of the filed final order
- 30 • Submit another application and complete correctly, producing all required documents.

31 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement. Ms. Nixon seconded the
32 motion, which passed unanimously.

33 **Additional Action Taken:** Ms. Burke-Wammack moved to revoke the license based on fraud and a Section
34 456.0635 violation, which would preclude him from licensure at this time. Ms. Nixon seconded the motion,
35 which passed unanimously.

36 Ms. Shah addressed the Board and indicated that the Chapter 18 U.S.C. s.s.1347 charge was not a violation
37 that would preclude him from licensure.

38 **Additional Action Taken:** After further discussion, Ms. Burke-Wammack moved to open this tab for
39 reconsideration. Ms. Nixon seconded the motion, which passed unanimously.

1 **Additional Action Taken:** Ms. Burke-Wammack moved to accept the Settlement Agreement as presented
2 by Ms. DiConcilio. Ms. Nixon seconded the motion, which failed 1/3 with Ms. Ford, Ms. Buckley, and Ms.
3 Nixon in opposition.

4 **Additional Action Taken:** Ms. Ford moved to reject the settlement agreement. Ms. Nixon seconded the
5 motion, which passed unanimously.

6 **Additional Action Taken:** Ms. Burke-Wammack moved to revoke the license based on fraud on the
7 application. Ms. Buckley seconded the motion, which failed 1/3 with Ms. Nixon, Ms. Buckley and Ms. Ford in
8 opposition.

9 **Additional Action Taken:** After lengthy discussion, Ms. Ford, moved to accept the terms of the settlement
10 agreement with the following penalty changes: \$2,000 fine, 2 years probation with a monitor to report
11 quarterly, reprimand, costs of \$430.18 to be paid within 180 days of the filed final order, completion of a 10
12 hours Florida laws and rules course, and completion of a minimum of 6 hours in boundaries and ethics to be
13 completed within 6 months. Ms. Buckley seconded the motion, which failed 2/2 with Ms. Burke-Wammack
14 and Ms. Nixon in opposition.

15 **Additional Action Taken:** Ms. Nixon moved to accept the terms of the previous motion with the increase in
16 fines to \$5,000 to be paid within 2 years. Ms. Burke-Wammack seconded the motion, which passed 3/1 with
17 Ms. Ford in opposition.

18 **Tab 30 STEVEN GLENN GREYE, LMT, CASE # 2008-20221** **PCP: Harrison & Haynes**

19 Respondent was not present. Counsel Joanna Kenna, Esq. spoke on respondent's behalf.

20 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
21 456.072(1)(u), 456.072(1)(v), 480.0485, 456.072(1)(w), F.S., and rule 64B7-26.010(1), (2), (3) & (4), F.A.C.

22 Ms. DiConcilio presented the recommended settlement agreement:

- 23 • Reprimand
- 24 • Suspension – 4 years with time credited against this 4 year suspension for the period of
25 time the license has been under Order of Emergency Suspension of License, which
26 commenced November 19, 2008; suspension would terminate November 19, 2012
- 27 • Pay \$2,500 fine within 36 months of the filed final order
- 28 • Pay \$10,500 costs within 36 months of the filed final order

29 **Action Taken:** Ms. Burke-Wammack moved to reject the settlement agreement as presented by Ms.
30 DiConcilio. Ms. Buckley seconded the motion, which passed unanimously.

31 **Additional Action Taken:** Ms. Burke-Wammack moved to accept the terms of the settlement agreement
32 with a change in penalty to revocation of the license due to the aggravating factors that he is a danger to the
33 public being charged by two clients with sexual misconduct. Ms. Nixon seconded the motion, which passed
34 unanimously.

35 **(Break)**

36 **(Returned to Informal Hearings)**

37 **Tab 2 SALON DU SOLEUX MEDI-SPA, CASE # 2011-15381** **PCP: Harrison & Oliver**

38 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
39 presented the case to the Board.

40 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
41 480.047(1)(b), F.S., and rule 64B7-28.002, F.A.C.

1 Ms. Nixon moved to adopt the material facts as alleged in the Administrative Complaint are not in dispute
2 and to adopt the allegations of fact in the administrative complaint as the Board's conclusions of fact in this
3 proceeding. Ms. Burke-Wammack seconded the motion, which passed unanimously.

4 Ms. Nixon moved to adopt the allegations of law in the administrative complaint as the Board's conclusions
5 of law in this proceeding, and to adopt the case materials and any materials in the addendum into evidence
6 as a part of the record in this proceeding. Ms. Burke-Wammack seconded the motion, which passed
7 unanimously.

8 **Action Taken:** After lengthy discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:
9 • Reprimand
10 • Pay \$150 fine within 30 days of the filed final order
11 • Pay \$1,005.51 costs within 30 days of the filed final order

12 Ms. Buckley seconded the motion, which passed unanimously.

13 **Tab 3 LAURA M. WALKER, LMT, CASE # 2011-12625** **PCP: Harrison & Stoehs**

14 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
15 presented the case to the Board.

16 The Department filed an administrative complaint alleging a violation of section 480.046(1)(n), F.S.

17 Ms. Nixon moved to adopt the material facts as alleged in the Administrative Complaint are not in dispute
18 and to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact
19 in this proceeding; and to adopt the case materials and any materials in the addendum into evidence as a
20 part of the record in this proceeding. Ms. Burke-Wammack seconded the motion, which passed unanimously.
21 Ms. Burke-Wammack seconded the motion, which passed unanimously.

22 **Action Taken:** After lengthy discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:
23 • Pay \$500 fine within 365 days of the filed final order
24 • Pay \$367.85 costs within 365 days of the filed final order
25 • Reprimand

26 Ms. Buckley seconded the motion which passed unanimously.

27 **Tab 5 KENNETH JAY FLANDERS, LMT, CASE # 2010-18269** **PCP: Harrison & Stoehs**

28 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
29 presented the case to the Board.

30 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
31 456.072(1)(q), F.S.

32 Ms. Burke-Wammack moved to adopt the material facts as alleged in the Administrative Complaint are not in
33 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
34 conclusions of fact in this proceeding; and to adopt the case materials and any materials in the addendum
35 into evidence as a part of the record in this proceeding. Ms. Nixon seconded the motion, which carried
36 unanimously.

37 **Action Taken:** After lengthy discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:
38 • Pay \$250 fine within 90 days of the filed final order
39 • Pay \$448.22 costs within 90 days of the filed final order
40 • Reprimand and suspension of license until proof of continuing education and additional
41 terms required by citation final order is provided

1 Ms. Nixon seconded the motion, which passed unanimously.

2
3

4 **Tab 6 ANN'S NAILS & SPA, CASE # 2011-19247** **PCP: Harrison & Oliver**

5 Respondent was not present. Attorney of record is Thomas Summerville, Esq. Ms. DiConcilio represented
6 the Department and presented the case to the Board.

7 The Department filed an administrative complaint alleging a violation of section 480.046(1)(o), F.S., and rule
8 64B7-26.010(1), (2) and (4), F.A.C.

9 Ms. Nixon moved to adopt the material facts as alleged in the Administrative Complaint are not in dispute
10 and to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact
11 in this proceeding; and to adopt the case materials and any materials in the addendum into evidence as a
12 part of the record in this proceeding. Ms. Burke-Wammack seconded the motion which carried unanimously

13 **Action Taken:** After lengthy discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:

- 14
 - Reprimand and revocation of license

15 Ms. Nixon seconded the motion, which passed unanimously.

16 **Tab 7 HOUR OF BLISS MASSAGE THERAPY, CASE # 2011-02869** **PCP: Harrison & Oliver**

17 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
18 presented the case to the Board.

19 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
20 480.046(1)(o) and 480.047(1)(c), F.S.

21 Ms. Burke-Wammack moved to adopt the material facts as alleged in the Administrative Complaint are not in
22 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
23 conclusions of fact in this proceeding; and to adopt the case materials and any materials in the addendum
24 into evidence as a part of the record in this proceeding. Ms. Nixon seconded the motion, which passed
25 unanimously.

26 **Action Taken:** After lengthy discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:

- 27
 - Reprimand and revocation of license

28 Ms. Nixon seconded the motion, which passed unanimously.

29 **Tab 9 CHIU SHIN HUANG, LMT, CASE # 2011-19235** **PCP: Harrison & Oliver**

30 Continued to next regularly scheduled Board meeting.

31 The following cases were withdrawn:

32 **Tab 8 JUAN A. RODRIQUEZ, LMT, CASE # 2010-08338**

33 **Tab 10 FANG LIN, LMT, CASE # 2012-07059**

34 **Tab 11 AIYUN LIU, LMT, CASE # 2012-07044**

PCP: Harrison & Burke-Wammack

PCP: Harrison & Burke-Wammack

PCP: Harrison & Burke-Wammack

35

1 **Settlement Agreements**

2 **Tab 12 SALON DU SOLEUX MEDI-SPA, CASE # 2011-12479** **PCP: Harrison & Oliver**

3 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
4 presented the case to the Board.

5 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(d),
6 480.046(1)(f), 480.046(1)(o), 480.0465, F.S., and rule 64B7-26.001(1), (2) and (3), F.A.C.

7 Ms. DiConcilio presented the recommended settlement agreement:

- 8 • Reprimand
- 9 • Pay \$500 fine within two years (730 days) of the filed final order
- 10 • Pay \$2,383.36 costs within two years (730 days) of the filed final order

11 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Buckley
12 seconded the motion, which passed unanimously.

13 **Additional Action Taken:** Ms. Ford moved to counter-offer with a reprimand, pay \$2,383.36 costs and
14 increase the fine to \$750, and pay all fine and costs within two years. Ms. Nixon seconded the motion, which
15 passed unanimously.

16
17 The Petitioner (Department) accepted the amendment on the record.

18 **Tab 13 ELAINE F. PYZIKIEWICZ, LMT, CASE # 2011-03358** **PCP: Harrison & Stoehs**

19 Respondent was not present. Attorney of record is, Andrew J. Banyai, Esq. Ms. DiConcilio represented the
20 Department and presented the case to the Board.

21 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(n),
22 480.046(1)(o), 480.0485, F.S., and rule 64B7-26.010(1), (3) and (4), F.A.C.

23 Ms. DiConcilio presented the recommended settlement agreement:

- 24 • Reprimand
- 25 • Pay \$250 fine within 180 days of the filed final order
- 26 • Pay \$1,930.97 costs within 180 days of the filed final order

27 **Action Taken:** Ms. Ford moved to reject the Settlement Agreement as presented. Ms. Burke-Wammack
28 seconded the motion, which passed unanimously.

29 **Additional Action Taken:** After discussion, Ms. Ford moved to accept the settlement agreement with the
30 addition of a minimum 6 hour boundaries and ethics continuing education course, a minimum 10 hours laws
31 and rules continuing education course, and increase the fine to \$750. Ms. Burke-Wammack seconded the
32 motion, which passed unanimously.

33 The Petitioner (Department) accepted the amendment on the record.

34 **Tab 14 LIYA MA, LMT, CASE # 2011-06981** **PCP: Harrison & Stoehs**

35
36 Respondent was not present. Attorney of record is Gennaro Cariglio, Esq. Ms. DiConcilio represented the
37 Department and presented the case to the Board.

38 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o), 480.0485,
39 456.072(1)(v) and 456.063(1), F.S., and rule 64B7-26.010(1), (3) and (4), F.A.C.

40 Ms. DiConcilio presented the recommended settlement agreement:

- 1 • Reprimand
- 2 • Pay \$1,000 fine within 90 days of the filed final order
- 3 • Pay \$1,349.58 costs within 90 days of the filed final order
- 4 • Probation -1 year with a monitor
- 5 • 6 hours boundaries continuing education course

6 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Ford
7 seconded the motion, which passed unanimously.

8 **Additional Action Taken:** Ms. Burke-Wammack moved to offer a counter-agreement with revocation of
9 license and payment of \$1,349.58 costs within 90 days and reprimand, fine, continuing education and
10 probation are deleted. Ms. Ford seconded the motion, which passed unanimously.

11 The Petitioner (Department) accepted the amendment on the record.

12 **Tab 16 ASSA DAY SPA, CASE # 2008-20112**

PCP: Harrison & Oliver

13 Respondent was not present. Attorney of record is Robert Sauerheber, Esq. Ms. DiConcilio represented the
14 Department and presented the case to the Board.

15 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
16 480.046(1)(o), 480.047(1)(c), F.S., and rule 64B7-26.010(1), (3) and (4), F.A.C.

17 Ms. DiConcilio presented the recommended settlement agreement:

- 18 • Reprimand
- 19 • Pay \$3,250 fine within two years (730 days) of the filed final order
- 20 • Pay \$4,854.07 costs within two years (730 days) of the filed final order
- 21 • Probation 2 years with 8 quarterly inspections at new location

22 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Nixon
23 seconded the motion, which passed unanimously.

24 **Additional Action Taken:** Ms. Burke-Wammack moved to accept the terms of the settlement agreement
25 and change the penalty to revocation of license and \$4,854.07 costs. Ms. Ford seconded the motion, which
26 passed unanimously.

27 **Additional Action Taken:** Ms. Burke-Wammack moved to allow respondent to pay fine within 30 days. Ms.
28 Ford seconded the motion, which carried unanimously.

29 **Tab 18 MELANIE M. DIZOR, LMT, CASE # 2011-04272**

PCP: Harrison & Oliver

30 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
31 presented the case to the Board.

32 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(j), 480.046
33 (1)(o), and 480.047(1)(c), F.S.

34 Ms. DiConcilio presented the recommended settlement agreement:

- 35 • Reprimand
- 36 • Pay \$2,000 fine within 365 days of the filed final order
- 37 • Pay \$1,007.81 costs within 365 days of the filed final order

38 **Action Taken:** Ms. Nixon moved to reject the Settlement Agreement as presented. Ms. Ford seconded the
39 motion, which passed unanimously.

1 **Additional Action Taken:** Ms. Nixon moved to change the penalty to revocation and \$1,007.81 costs due
2 within 30 days of filed final order. Ms. Ford seconded the motion, which passed unanimously.

3 **Tab 19 QIAN FENG HE, LMT, CASE # 2011-04263** **PCP: Harrison & Stoehs**

4 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
5 presented the case to the Board.

6 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
7 480.046(1)(o), 480.047(1)(b) and 480.047(1)(c), F.S.

8 Ms. DiConcilio presented the recommended settlement agreement:

- 9 • Reprimand
- 10 • Pay \$1,250 fine within 90 days of the filed final order
- 11 • Pay \$1,019.39 costs within 90 days of the filed final order

12 **Action Taken:** Ms. Ford moved to reject the settlement agreement as presented. Ms. Nixon seconded the
13 motion, which passed 3/1 with Ms. Burke-Wammack in opposition.

14 **Tab 20 SUNNY MESSAGE, CASE # 2011-17683** **PCP: Harrison & Oliver**

15 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
16 presented the case to the Board.

17 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
18 480.046(1)(o), and 480.047(1)(c), F.S.

19 Ms. DiConcilio presented the recommended settlement agreement:

- 20 • Reprimand
- 21 • Pay \$2,000 fine within one year (365 days) of the filed final order
- 22 • Pay \$1,234.53 costs within one year (365 days) of the filed final order

23 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Buckley
24 seconded the motion, which passed unanimously.

25 **Tab 21 CHAE I. JEONG, LMT, CASE # 2010-13126** **PCP: Harrison & Stoehs**

26 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
27 presented the case to the Board.

28 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o), 456.072(1)(c)
29 and 456.072(1)(x), F.S.

30 Ms. DiConcilio presented the recommended settlement agreement:

- 31 • Reprimand
- 32 • Pay \$2,000 fine within one year (365 days) of the filed final order
- 33 • Pay \$1,413.38 costs within one year (365 days) of the filed final order

34 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Nixon
35 seconded the motion, which passed unanimously.

36 **Tab 22 CHUNMEI XU, LMT, CASE # 2011-06979** **PCP: Harrison & Stoehs**

1 Respondent was not present. Attorney of record is Sidney Z. Fleischman, Esq. Ms. DiConcilio represented
2 the Department and presented the case to the Board.

3 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o), 480.0485,
4 456.072(1)(v) and 456.063(1), F.S., and rules 64B7-26.010(1), (3) and (4), F.A.C.

5 Ms. DiConcilio presented the recommended settlement agreement:

- 6 • Reprimand
- 7 • Pay \$2,250 fine within one year (365 days) of the filed final order
- 8 • Pay \$1,737.28 costs within one year (365 days) of the filed final order

9 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Ford
10 seconded the motion, which passed unanimously.

11 **Tab 23 HAN SUK KIM, LMT, CASE # 2008-27433** **PCP: Harrison & Oliver**

12 Respondent was not present. Attorney of record is Sidney Z. Fleischman/ Robert Sauerheber, Esq. Ms.
13 DiConcilio represented the Department and presented the case to the Board.

14 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
15 480.046(1)(e), 480.046(1)(j), and 480.047(1)(c), F.S., and rule 64B7-26.010(1), (2), (3) and (4), F.A.C.

16 Ms. DiConcilio presented the recommended settlement agreement:

- 17 • Reprimand
- 18 • Pay \$1,250 fine within two years (730 days) of the filed final order
- 19 • Pay \$1,737.28 costs within two years (730 days) of the filed final order

20 **Action Taken:** Ms. Burke-Wammack moved to reject the Settlement Agreement as presented. Ms. Buckley
21 seconded the motion, which passed unanimously.

22 **Tab 24 CARLOS A. PEREGRIN, LMT, CASE # 2011-15631** **PCP: Harrison & Oliver**

23 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
24 presented the case to the Board.

25 The Department filed an administrative complaint alleging a violation of sections 456.072(1)(c),
26 456.072(1)(x), 480.046(1)(o) and 456.035(1), F.S.

27 Ms. DiConcilio presented the recommended settlement agreement:

- 28 • Reprimand
- 29 • Pay \$1,500 within two years of the filed final order
- 30 • Pay \$3,660.37 costs within two years of the filed final order

31 **Action Taken:** Ms. Ford moved to reject the Settlement Agreement as presented. Ms. Nixon seconded the
32 motion, which passed unanimously.

33 **Tab 25 SHAUN R. PADGETT, LMT, CASE # 2011-15374** **PCP: Harrison & Oliver**

34 Respondent was not present. Attorney of record is Dale Sisco, Esq. Respondent was duly sworn in by the
35 court reporter. Ms. DiConcilio represented the Department and presented the case to the Board.

36 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
37 456.072(1)(x), F.S.

38 Ms. DiConcilio presented the recommended settlement agreement:

- 1 • Reprimand
- 2 • Pay \$500 fine within one hundred eighty (180) days of the filed final order
- 3 • Pay \$4,744.89 costs within one hundred eighty (180) days of the filed final order

4 **Action Taken:** Ms. Ford moved to accept the Settlement Agreement as presented. Ms. Burke-Wammack
 5 seconded the motion, which passed unanimously.

6 **Tab 26 BEAU RICHARD BOSHERS, LMT, CASE # 2011-15198** **PCP: Harrison & Oliver**

7 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the Department and
 8 presented the case to the Board.

9 The Department filed an administrative complaint alleging a violation of sections 480.046(1)(o), 456.072(1)©
 10 and 456.072(1)(II), F.S.

11 Ms. DiConcilio presented the recommended settlement agreement:

- 12 • Reprimand
- 13 • Pay \$500 fine within six months (180 days) of the filed final order
- 14 • Pay \$1,407.74 costs within six months (180 days) of the filed final order

15 **Action Taken:** Ms. Ford moved to reject the Settlement Agreement as presented. Ms. Nixon seconded the
 16 motion, which passed 3/1 with Ms. Burke-Wammack opposing.

17 The following tabs were withdrawn:

18 Tab 15 RANJIE XU, LMT, CASE # 2010-23066	PCP: Harrison & Stoehs
19 Tab 27 FRANCES R. DAVENPORT, LMT, CASE # 2012-01148	PCP: Harrison & Burke-Wammack
20 Tab 28 FRANNY DAVENPORT, MM, CASE # 2012-01154	PCP: Harrison & Burke-Wammack
21 Tab 29 EDWIN A. HERRERA, LMT, CASE # 2011-15618	PCP: Harrison & Burke-Wammack

22 **Voluntary Relinquishments**

23 Respondents were not present nor represented by counsel. Ms. DiConcilio represented the Department.

24 Voluntary Relinquishment cases, tabs 31 – 34, 39 - 56 listed below, were voted on en masse.

25 Tab 31 MICHELLE THERAPY, CASE # 2011-02707	PCP: Harrison & Oliver
26 Tab 32 MICHELLE DAVIS CHAMBERLAIN, LMT, CASE # 2011-02470	PCP: Harrison & Oliver
27 Tab 33 AUTO INJURY DOCTORS OF TAMPA, LLC, CASE # 2012-03011	PCP: Waived
28 Tab 34 ORIENTAL THERAPY SPA, CASE # 2010-02312	PCP: Harrison & Stoehs
29 Tab 39 MARC D. TRAPANI, LMT, CASE # 2012-00983	PCP: Harrison & Oliver
30 Tab 40 JORGE TIRADO, LMT, CASE # 2012-07713	PCP: Waived
31 Tab 41 HONORE M. HADLEY, LMT, CASE # 2012-04295	PCP: Waived
32 Tab 42 JAMES CURRY, LMT, CASE # 2012-08497	PCP: Waived
33 Tab 43 EXCELLENT GROUP SERVICES, INC., CASE # 2012-06653	PCP: Waived
34 Tab 44 SONIA ARROYO, LMT, CASE # 2012-04440	PCP: Waived
35 Tab 45 NICOLE FILIATRAULT, LMT, CASE # 2012-04275	PCP: Waived
36 Tab 46 JOHN CLAUDE STEEN, LMT, CASE # 2012-03155	PCP: Waived
37 Tab 47 ROBERT J. BRADLEY, LMT, CASE # 2012-07584	PCP: Waived
38 Tab 48 OLINDA RODRIQUEZ, LMT, CASE # 2012-03241	PCP: Waived
39 Tab 49 BETHEL HEALTH & REHAB CENTER, INC., CASE # 2011-07561	PCP: Waived
40 Tab 50 IRIS ROCA, LMT, CASE # 2012-05345	PCP: Waived
41 Tab 51 TOP SPA, CASE # 2012-03455	PCP: Waived
42 Tab 52 YAN CHEN, LMT, CASE # 2012-11620	PCP: Waived

1 **Tab 53 JIANPING HE, LMT, CASE # 2012-11918** **PCP: Waived**
2 **Tab 54 WEN CHIUNG CHENG, LMT, CASE # 2012-11641** **PCP: Waived**
3 **Tab 55 WENFANG HE, LMT, CASE # 2012-12138** **PCP: Waived**
4 **Tab 56 HUIRU JIANG, LMT, CASE # 2012-12149** **PCP: Waived**

5 **Action Taken:** Ms. Ford moved to accept the voluntary relinquishment of licensure for the above listed
6 cases. Ms. Burke-Wammack seconded the motion, which passed unanimously.

7 The following were tabled until the January Board meeting due to lack of quorum.

8 **Tab 35 LI QU, LMT, CASE # 2012-07025** **PCP: Harrison & Burke-Wammack**
9 **Tab 36 SHAOLING HU, LMT, CASE # 2012-07067** **PCP: Harrison & Burke-Wammack**
10 **Tab 37 BEI LI, LMT, CASE # 2012-07042** **PCP: Harrison & Burke-Wammack**
11 **Tab 38 SHUYUAN WEN, LMT, CASE # 2012-07057** **PCP: Harrison & Burke-Wammack**
12 **Tab 57 YAFENG YU, LMT, CASE # 2012-00884** **PCP: Harrison & Burke-Wammack**

13 ***(Break for lunch)***

14 **Tab 121 DOE standards for approving Massage therapy programs**

15 Rhesa Rudolph and Debra Wanger from the Department of Education, Commission for Independent
16 Education addressed the Board.

17 The Board discussed section 480.033(9), F.S. and the requirements for faculty to be a currently licensed
18 massage therapist and have practiced for 1 year.

19 Mr. Pete Whitridge, Mr. Michael McGillicuddy, Ms. Donna Fishkin, and Ms. Sharon Phillips each addressed
20 the Board.

21 The Board ultimately chose to have data gathered by Mr. Jusevitch, Ms. Gustafson, and Mr. Whitridge to
22 present before a future Board meeting. No changes to the rules will be made at this time.

23 ***(Moved to Determination of Waivers)***

24 **Determination of Waiver**

25 **Tab 58 NORWOOD L. JOHNSON, LMT, CASE # 2011-08037** **PCP: Harrison & Oliver**

26 Respondent was not present nor represented by counsel. Attorney of record, Thomas Nicholl, Esq. Ms.
27 DiConcilio represented the department and presented the case to the Board and advised the respondent had
28 waived the right to a formal hearing.

29 The department filed an administrative complaint alleging a violation of sections 480.046(1)(f), 480.046(1)(o),
30 456.072(1)(l) and 480.046(1)(h), F.S.

31 Ms. Nixon moved to find that the respondent was properly served and waived their rights to a hearing as to
32 the material issues of fact by not filing a response. Ms. Ford seconded the motion, which carried
33 unanimously.

34 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
35 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
36 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
37 evidence in this proceeding. Ms. Ford seconded the motion, which carried unanimously

38 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 39
 - Revocation

1 Ms. Nixon seconded the motion, which passed unanimously.

2 **Tab 59 ASIAN MASSAGE SPA, CASE # 2011-09190**

PCP: Harrison & Oliver

3 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
4 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

5 The department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
6 480.046(1)(o) and 480.047(1)(c), F.S.

7 Ms. Nixon moved to find that the respondent was properly served and waived their rights to a hearing as to
8 the material issues of fact by not filing a response. Ms. Burke-Wammack seconded the motion, which
9 carried unanimously

10 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
11 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
12 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
13 proceeding. Ms. Burke-Wammack seconded the motion, which carried unanimously

14 **Action Taken:** After discussion Ms. Nixon moved to IMPOSE the following penalty:

- 15 • Revocation
- 16 • Pay \$598.44 costs within 30 days of the filed final order

17 Ms. Burke-Wammack seconded the motion, which passed unanimously.

18 **Tab 61 XUEFANG HU, LMT, CASE # 2011-02766**

PCP: Harrison & Oliver

19 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
20 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

21 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and 480.0465,
22 F.S., and rule 64B7-33.001(1), (2) and (3), F.A.C.

23 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
24 hearing as to the material issues of fact by not filing a response; and to adopt the material facts as alleged in
25 the administrative complaint are not in dispute and to adopt the allegations of fact and law in the
26 administrative complaint as the Board's conclusions of fact and law in this proceeding; and to adopt the
27 materials and any addendum materials into evidence in this proceeding. Ms. Nixon seconded the motion,
28 which carried unanimously.

29 **Action Taken:** After discussion Ms. Burke-Wammack moved to IMPOSE the following penalty:

- 30 • Revocation
- 31 • Pay \$1369.73 costs within 30 days of the filed final order

32 Ms. Nixon seconded the motion, which passed unanimously.

33 **Tab 62 PATRICIA ANN JENNINGS, LMT, CASE # 2010-23494**

PCP: Harrison & Stoehs

34 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
35 presented the case to the Board and advised the respondent had waived the right to a formal hearing.
36

37 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
38 456.072(1)(q), F.S.

1 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
2 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion, which
3 carried unanimously

4 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
5 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
6 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
7 evidence in this proceeding. Ms. Nixon seconded the motion, which carried unanimously

8 **Action Taken:** After discussion Ms. Burke-Wammack moved to IMPOSE the following penalty:

- 9 • Revocation
- 10 • Pay \$432.13 costs within 30 days of the filed final order

11 Ms. Nixon seconded the motion, which passed unanimously.

12 **Tab 63 ARLENES CORRAL RODRIGUEZ, LMT, CASE # 2011-03962** **PCP: Harrison & Stoehs**

13 Respondent was not present nor represented by counsel. Ms. Shah represented the department and
14 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

15 The department filed an administrative complaint alleging a violation of section 480.046(1)(n), F.S.

16 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
17 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion, which
18 carried unanimously

19 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute.
20 Ms. Burke-Wammack seconded the motion, which passed unanimously.

21 Ms. Ford moved to adopt the allegations of fact and law in the administrative complaint as the Board's
22 conclusions of fact and law in this proceeding. Ms. Burke-Wammack seconded the motion, which carried
23 unanimously.

24 Ms. Nixon moved to adopt the materials and any addendum materials into evidence in this proceeding. Ms.
25 Burke-Wammack seconded the motion, which carried unanimously

26 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 27 • Reprimand
- 28 • Pay \$200 fine within 365 days of the filed final order
- 29 • Pay \$2,134.22 costs within 365 days of the filed final order

30 Ms. Nixon seconded the motion, which passed unanimously.

31 **Tab 64 MELANIE MARIE BLOOM, LMT, CASE # 2010-18826** **PCP: Harrison & Stoehs**

32 Respondent was not present nor represented by counsel. Ms. Shah represented the department and
33 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

34 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
35 456.072(1)(q), F.S.

36 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
37 hearing as to the material issues of fact by not filing a response. Ms. Ford seconded the motion, which
38 carried unanimously

1 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
2 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
3 conclusions of fact and law in this proceeding; Ms. Nixon seconded the motion, which passed unanimously.

4 Ms. Burke-Wammack moved to adopt the materials and any addendum materials into evidence in this
5 proceeding. Ms. Nixon seconded the motion, which carried unanimously

6 **Action Taken:** After discussion, Ms. Burke-Wammack moved to IMPOSE the following penalty:
7 • Reprimand and suspension of license until fines and costs are paid and continuing
8 education hours from previous and current final orders are complete
9 • Pay \$250 fine
10 • Pay \$814.49 costs

11 Ms. Nixon seconded the motion, which passed unanimously.

12 **Tab 65 MARK A. JACKSON, LMT, CASE # 2010-19631** **PCP: Harrison & Stoehs**

13 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
14 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

15 The department filed an administrative complaint alleging a violation of sections 480.046(1)(n), F.S.

16 Ms. Nixon moved to find that the respondent was properly served and waived their rights to a hearing as to
17 the material issues of fact by not filing a response; and to adopt the material facts as alleged in the
18 administrative complaint are not in dispute and to adopt the allegations of fact and law in the administrative
19 complaint as the Board's conclusions of fact and law in this proceeding; and to adopt the materials and any
20 addendum materials into evidence in this proceeding. Ms. Buckley seconded the motion, which carried
21 unanimously.

22 **Action Taken:** After discussion Ms. Nixon moved to IMPOSE the following penalty:
23 • Revocation of license due to aggravating factors of (b)(f)(h)(i)(j)
24 • Pay \$1,178.18 costs within 180 days of the filed final order

25 Ms. Ford seconded the motion, which failed 4/0 with all opposing the motion.

26 **Additional Action Taken:** Ms. Burke-Wammack moved to accept the alternate recommendation presented
27 by Ms. DiConcilio of a reprimand, \$150 fine, and \$1,178.18 costs to be paid within 180 days of the filed final
28 order. Ms. Buckley seconded the motion, which passed unanimously.

29 **Tab 66 HOLLY ANNE BRACEWELL, LMT, CASE # 2010-16943** **PCP: Harrison & Stoehs**

30 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
31 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

32 The department filed an administrative complaint alleging a violation of sections 480.046(1)(c),
33 480.046(1)(o), 456.072(1)(w) and 456.072(1)(x), F.S.

34 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
35 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion, which
36 carried unanimously

37 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
38 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
39 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
40 proceeding. Ms. Burke-Wammack seconded the motion, which carried unanimously

1 **Action Taken:** After discussion, Ms. Ford moved to IMPOSE the following penalty:

2 • Revocation

3 Ms. Nixon seconded the motion, which passed unanimously.

4

1 **Tab 67 MELANIE M. DIZOR, LMT, CASE # 2011-02782**

PCP: Harrison & Oliver

2 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
3 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

4 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and 480.0465,
5 F.S.

6 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
7 hearing as to the material issues of fact by not filing a response; and to adopt the material facts as alleged in
8 the administrative complaint are not in dispute and to adopt the allegations of fact and law in the
9 administrative complaint as the Board's conclusions of fact and law in this proceeding; and to adopt the
10 materials and any addendum materials into evidence in this proceeding. Ms. Nixon seconded the motion,
11 which carried unanimously

12 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 13 • Reprimand
- 14 • Pay \$250 fine within 30 days of the filed final order
- 15 • Pay \$449.25 costs within 30 days of the filed final order

16 Ms. Nixon seconded the motion, which passed unanimously.

17 **Tab 68 YANKIEL CORDERO, LMT, CASE # 2011-03900**

PCP: Harrison & Oliver

18 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
19 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

20 The department filed an administrative complaint alleging a violation of section 480.046(1)(n), F.S.

21 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
22 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion which
23 carried unanimously

24 Ms. Ford moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
25 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
26 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
27 proceeding. Ms. Burke-Wammack seconded the motion which carried unanimously

28 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 29 • Reprimand
- 30 • Pay \$150 fine within 30 days of the filed final order
- 31 • Pay \$145.11 costs within 30 days of the filed final order

32 Ms. Burke-Wammack seconded the motion, which passed unanimously.

33 **Tab 69 LONNIE W. LYNCH, LMT, CASE # 2011-17132**

PCP: Harrison & Oliver

34 Respondent was not present nor represented by counsel. Respondent requested a continuance of this case
35 until termination of his pending federal criminal trial.

36 Ms. DiConcilio represented the department and presented the case to the Board and advised the respondent
37 had waived the right to a formal hearing.

38 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
39 456.072(1)(x), F.S.

1 **Action Taken:** Ms. Ford moved to not grant continuance because it was not timely filed. Ms. Nixon
2 seconded the motion, which was carried unanimously.

3 Ms. Nixon moved to find that the respondent was properly served and waived their rights to a hearing as to
4 the material issues of fact by not filing a response; and to adopt the material facts as alleged in the
5 administrative complaint are not in dispute and to adopt the allegations of fact and law in the administrative
6 complaint as the Board's conclusions of fact and law in this proceeding; and to adopt the materials and any
7 addendum materials into evidence in this proceeding. Ms. Burke-Wammack seconded the motion, which
8 carried unanimously

9 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 10 • Reprimand
- 11 • Pay \$1000 fine within 30 days of the filed final order
- 12 • Pay \$1,420.40 costs within 30 days of the filed final order

13 Ms. Nixon seconded the motion, which passed unanimously.

14 **(Break)**

15 **EDUCATOR'S FORUM**

16 Board of Massage Online Systems/Services Presentation

(Continued Determination of Waivers)

17 **Tab 70 DANIELA A. PAPETTI, LMT, CASE # 2011-19381** **PCP: Harrison & Oliver**

18 Respondent was not present nor represented by counsel. Attorney of record is Maria Alana Perez, Esq. Ms.
19 DiConcilio represented the department and presented the case to the Board and advised the respondent had
20 waived the right to a formal hearing.

21 The department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
22 480.046(1)(o) and 480.047(1)(c), F.S.

23 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
24 hearing as to the material issues of fact by not filing a response. Ms. Ford seconded the motion, which
25 carried unanimously

26 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
27 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
28 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
29 evidence in this proceeding. Ms. Nixon seconded the motion, which carried unanimously

30 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 31 • Revocation

32 Ms. Burke-Wammack seconded the motion, which passed unanimously.

33 **Tab 71 NATALIE ANN SANTIAGO, LMT, CASE # 2010-21514** **PCP: Harrison & Stoehs**

34 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
35 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

36 The department filed an administrative complaint alleging a violation of section 480.046(1)(n), F.S.

1 Ms. Buckley moved to find that the respondent was properly served and waived their rights to a hearing as to
2 the material issues of fact by not filing a response. Ms. Burke-Wammack seconded the motion, which
3 carried unanimously

4 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
5 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
6 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
7 evidence in this proceeding. Ms. Nixon seconded the motion, which carried unanimously

8 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:

- 9 • Reprimand
- 10 • Pay \$200 fine within 30 days of the filed final order
- 11 • Pay \$930.85 costs within 30 days of the filed final order

12 Ms. Burke-Wammack seconded the motion, which passed unanimously.

13 **Tab 72 THE SPA AT ONE BAL HARBOUR, CASE # 2011-19386** **PCP: Harrison & Oliver**

14 Respondent was not present. Attorney of record is Maria Alana Perez, Esq. Ms. DiConcilio represented the
15 department and presented the case to the Board and advised the respondent had waived the right to a
16 formal hearing.

17 The department filed an administrative complaint alleging a violation of sections 480.046(1)(e), 480.046(1)(j),
18 480.046(1)(o) and 480.047(1)(c), F.S.

19 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
20 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion, which
21 carried unanimously

22 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
23 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
24 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
25 evidence in this proceeding. Ms. Nixon seconded the motion which carried unanimously

26 **Action Taken:** After discussion Ms. Nixon moved to IMPOSE the following penalty:

- 27 • Revocation

28 Ms. Burke-Wammack seconded the motion, which passed unanimously.

29 **Tab 74 CARLOS I. VICTORIA, LMT, CASE # 2010-10179** **PCP: Harrison & Stoehs**

30 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
31 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

32 The department filed an administrative complaint alleging a violation of sections 480.046(1)(d), 480.046(1)(f),
33 480.046(1)(i), 480.046(1)(o) and 456.063(1), F.S.

34 Ms. Nixon moved to find that the respondent was properly served and waived their rights to a hearing as to
35 the material issues of fact by not filing a response. Ms. Burke-Wammack seconded the motion, which
36 carried unanimously

37 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
38 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
39 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
40 proceeding. Ms. Burke-Wammack seconded the motion, which carried unanimously

- 1 **Action Taken:** After discussion Ms. Ford moved to IMPOSE the following penalty:
 2 • Reprimand
 3 • Pay \$2,250 fine within 365 days of the filed final order
 4 • Pay \$3,417.30 costs within 365 days of the filed final order
 5 • Complete a minimum 6 hours ethics continuing education course and minimum 10 hours
 6 laws and rules continuing education course within 6 months of the filed final order

7 Ms. Nixon seconded the motion, which passed 3/1 with Ms. Burke-Wammack opposing.

8 **Tab 87 JOSE RODRIGUES, LMT, CASE # 2012-00014** **PCP: Harrison & Oliver**

9 Respondent was not present nor represented by counsel. Ms. DiConcilio represented the department and
 10 presented the case to the Board and advised the respondent had waived the right to a formal hearing.

11 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
 12 456.072(1)(v), 456.063(1), 480.0485, 456.035(1), F.S., and rule 64B7-26.010(1), (3) and (4), F.A.C.

13 Ms. Nixon moved to find that the respondent was properly served and waived their rights to a hearing as to
 14 the material issues of fact by not filing a response. Ms. Burke-Wammack seconded the motion, which
 15 carried unanimously

16 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
 17 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
 18 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
 19 proceeding. Ms. Buckley seconded the motion, which carried unanimously

- 20 **Action Taken:** After discussion Ms. Nixon moved to IMPOSE the following penalty:
 21 • Revocation

22 Ms. Burke-Wammack seconded the motion, which passed unanimously.

23 The following tabs were withdrawn:

- | | |
|--|--|
| 24 Tab 60 YUN ZHANG, LMT, CASE # 2011-04158 | PCP: Harrison & Stoehs |
| 25 Tab 73 ASIAN PALACE DAY SPA, INC., CASE # 2012-04048 | PCP: Harrison & Burke-Wammack |
| 26 Tab 75 CHEN LIANG, LMT, CASE # 2012-07033 | PCP: Harrison & Burke-Wammack |
| 27 Tab 76 XIUZHEN QI, LMT, CASE # 2012-07028 | PCP: Harrison & Burke-Wammack |
| 28 Tab 77 JINKUI QI, LMT, CASE # 2012-07076 | PCP: Harrison & Burke-Wammack |
| 29 Tab 78 JIE HU, LMT, CASE # 2012-07031 | PCP: Harrison & Burke-Wammack |
| 30 Tab 79 HAIYANG YU, LMT, CASE # 2012-07063 | PCP: Harrison & Burke-Wammack |
| 31 Tab 80 YONGWEN WANG, LMT, CASE # 2012-07046 | PCP: Harrison & Burke-Wammack |
| 32 Tab 81 DAIHONG YIN, LMT, CASE # 2012-07058 | PCP: Harrison & Burke-Wammack |
| 33 Tab 82 YAN LUO, LMT, CASE # 2012-00879 | PCP: Harrison & Burke-Wammack |
| 34 Tab 83 NA LIU, LMT, CASE # 2012-00867 | PCP: Harrison & Burke-Wammack |
| 35 Tab 84 GUOJUN SUN, LMT, CASE # 2012-07070 | PCP: Harrison & Burke-Wammack |
| 36 Tab 85 LIN SHI, LMT, CASE # 2012-00882 | PCP: Harrison & Burke-Wammack |
| 37 Tab 86 HUAN XU, LMT, CASE # 2012-00869 | PCP: Harrison & Burke-Wammack |

38 **PROSECUTOR'S REPORT**

39 **Tab 88 Year Old Case Report as of October 2, 2012**

40 YEAR	<u>NO. OF CASES</u>
41 2008	3

1	2009	1
2	2010	12
3	2011	36

4 ***REVIEW AND APPROVAL OF MINUTES**

5 **Tab 100 April 19-20, 2012, General Business Meeting**

6 Ms. Burke-Wammack made a motion to approve the minutes. Ms. Nixon seconded the motion, which carried
7 unanimously.

8 **Tab 101 August 9, 2012, General Business Meeting Conference Call**

9 Ms. Burke-Wammack made a motion to approve the minutes. Ms. Nixon seconded the motion, which carried
10 unanimously.

11 **Tab 102 September 11, 2012, General Business Meeting Conference Call**

12 Ms. Burke-Wammack made a motion to approve the minutes. Ms. Nixon seconded the motion, which carried
13 unanimously.

14 **REPORTS**

15 **Board Chair Report – Karen Ford**

16 **Tab 131 Board Chair’s Written Report Summary** Informational

17 **Tab 103 FSMTB Meeting September 28-29, 2012** Informational

18 **Tab 104 Health Insurance Portability and Accountability Act (HIPAA)** Informational

19 **Establishing Documentation/Record Keeping Requirements**

20 The Board does not have authority to draft rules

21 **Legislative Liaison Report – Karen Ford**

22 **Tab 133 PIP: Complaint for Declaratory and Injunctive Relief** Informational

23 **Vice Chair Report – Bridget Burke-Wammack** No report

24 **Rules Liaison Report-Bridget Burke-Wammack** No report

25 **Continuing Education Liaison Report – Bridget Burke-Wammack**

26 **Tab 107 Approved CE Providers 08/08/2012 to 10/03/2012**

1 **Action taken:** Ms. Ford moved to ratify the continuing education providers. Ms. Nixon seconded the motion,
2 which carried unanimously.

3 **Tab 108 Approved Pro Bono Requests 08/08/2012 to 10/03/2012**

4 **Action Taken:** Ms. Ford moved to ratify the pro bono requests. Ms. Burke-Wammack seconded the motion,
5 which carried unanimously.

6 **Budget Liaison Report – Lydia Nixon**

7 **Tab 111 Board of Massage Therapy Expenditures for Period Ending 06/30/2012**

8
9 Ms. Nixon presented the expenditure report to the board.

10 **Unlicensed Activity Report – Lydia Nixon** No report

11 The Board recessed at 6:23 p.m.

12 **FRIDAY, October 26, 2012**

13 The meeting was reconvened and called to order by Ms. Karen Ford, LMT, Chair, approximately 9:05 a.m.
14 Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Karen Ford, LMT, Chair
Bridget Burke-Wammack, LMT, V-Chair
Joy Buckley, LMT
Lydia Nixon, LMT

STAFF PRESENT:

Anthony Jusevitch, Executive Director
Paula Mask, Program Operations Administrator
Alexandra Alday, Regulatory Supervisor

MEMBER ABSENT:

Robert Tuttle, Consumer Member

COURT REPORTER:

Martina Reporting Services
Telephone: 239.334.6545
Fax: 239.332.2913

BOARD COUNSEL:

Lee Ann Gustafson, Esq.
Assistant Attorney General

15 ***Please note that the meeting minutes reflect the actual order agenda items were discussed during***
16 ***the meeting and may differ from the agenda outline.***

17 **ADMINISTRATIVE PROCEEDINGS**

18 **Massage Therapist Applicants**

1 **Tab 92 Kenneth Kocen**

2 Applicant was present without counsel.

3 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant
4 undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any
5 and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to
6 contact the PRN within 30 days of the filed final order. The Board delegates to the Executive Director the
7 authority to accept the recommendation of PRN. Ms. Burke-Wammack seconded the motion, which passed
8 unanimously.

9 **Additional Action Taken:** Ms. Nixon then moved to allow 120 days to sign a contract if recommended by
10 the PRN. Ms. Burke-Wammack seconded the motion, which passed unanimously.

11 **Tab 127 Justin Feussner**

12 Applicant was present with Mr. Pete Whitridge.

13 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license with the condition that the
14 applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with
15 any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the
16 applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the
17 applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive
18 Director the authority to accept the recommendation of PRN. Ms. Buckley seconded the motion, which
19 passed unanimously.

20 ***(Moved to Compliance and Probation Review)***

21 **Compliance and Probation Review**

22 **Tab 96 Rolando Cruz**

23 Respondent was present. Attorney of record is Adriana P. Steiner, Esq. Translator was Angel Orozco.

24 The respondent addressed the board.

25 **Action Taken:** After discussion, Ms. Burke-Wammack moved to find him in compliance with the settlement
26 agreement. Ms. Nixon seconded the motion, which carried unanimously.

27 **Applicant Informal Hearings**

28 **Tab 97 Zhirong Eichholtz**

29 Applicant was present with husband, Richard Eichholtz. Attorney of record is Brent A. Gordon, Esq

30 Applicant requested an informal hearing after being issued a Notice of Intent to Deny at the August 9, 2012
31 conference call meeting. The board determined the Texas Department of State Health Services denied the
32 applicant's application for a massage establishment license in 2009 based on the applicant's violation of
33 Texas laws. The applicant had a license application denied by the licensing authority of another state in
34 violation of section 480.046(1)(b), F.S.

35 Applicant and husband addressed the board.

1 **Action Taken:** After discussion, Ms. Ford moved to grant the license unencumbered. Ms. Burke-Wammack
2 seconded the motion, which passed 3/1 with Ms. Nixon opposed.

3 **(Break)**

4

1 **Petition for Variance/Waiver**

2 **Tab 99 Lisa Reeves**

3 Applicant was present with Mark Thompson.

4 Applicant verbally waived the 90 day requirement. Applicant will resubmit a corrected petition to be brought
5 before the Board in December 2012.

6 *(Moved to Massage Therapist Applicants)*

7 **Tab 89 David Dimeglio**

8 Applicant was not present nor represented by counsel.

9 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant
10 undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any
11 and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to
12 contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign
13 a contract within 120 days of the filed final order. The Board delegates to the Executive Director the
14 authority to accept the recommendation of PRN. Ms. Ford seconded the motion, which passed unanimously.

15 **Tab 90 Catherine Kaufman**

16 Applicant was not present nor represented by counsel.

17 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license unencumbered. Ms. Nixon
18 seconded the motion, which passed unanimously.

19 **Tab 91 Hye Kim**

20 Applicant was not present nor represented by counsel.

21 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license unencumbered. Motion
22 failed for lack of a second.

23 **Additional Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license
24 unencumbered. Ms. Ford seconded the motion, which carried 3/1 with Ms. Nixon opposing.

25 **Tab 93 Elodie Salgado**

26 Applicant was not present nor represented by counsel.

27 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant
28 undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any
29 and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to
30 contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign
31 a contract within 120 days of the filed final order. The Board delegates to the Executive Director the
32 authority to accept the recommendation of PRN. Ms. Ford seconded the motion, which passed unanimously.

33 **Tab 126 Ameer McDuffie**

1 Applicant was not present nor represented by counsel.

2 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant
3 undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any
4 and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to
5 contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign
6 a contract within 120 days of the filed final order. The Board delegates to the Executive Director the
7 authority to accept the recommendation of PRN. Motion fails for lack of second.

8 **Additional Action Taken:** After lengthy discussion, Ms. Ford moved to grant the license with the condition
9 that the applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and
10 complies with any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty
11 of the applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the
12 applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive
13 Director the authority to accept the recommendation of PRN. Ms. Buckley seconded the motion, which
14 passed unanimously.

15 **Tab 128 Alicia Hercules**

16 Applicant was not present nor represented by counsel.

17 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant
18 undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any
19 and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to
20 contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign
21 a contract within 120 days of the filed final order. The Board delegates to the Executive Director the
22 authority to accept the recommendation of PRN. Ms. Ford seconded the motion, which passed unanimously.

23 **Tab 129 Brock McConnell**

24 Applicant was not present nor represented by counsel.

25 **Action Taken:** After discussion, Ms. Burke-Wammack moved to as applicant is ineligible for licensure
26 pursuant to s. 456.0635, F.S., based on a felony conviction under Chapter 893, F.S. Ms. Buckley seconded
27 the motion, which passed unanimously.

28 **Section 456.0635(2) Applicants**

29 **Tab 94 Kirk Gage**

30 Applicant was present without counsel.

31 **Action Taken:** After discussion, Ms. Ford moved to deny the application as applicant is ineligible for
32 licensure pursuant to s. 456.0635, F.S., based on a felony conviction under Chapter 817, F.S. and allow the
33 applicant 30 days to withdraw application from date of filed final order. Ms. Nixon seconded the motion,
34 which passed unanimously.

35 **Additional Action Taken:** Ms. Ford moved to amend her previous motion to deny the application and not
36 allow 30 days to withdraw. Ms. Nixon seconded the motion, which carried 3/1 with Ms. Burke-Wammack in
37 opposition.

38

1 **Applicants with Foreign Education**

2 **Tab 95 Sofia Safstrom**

3 Applicant was not present nor represented by counsel.

4 **Action Taken:** After discussion, Ms. Ford moved to deny the application because applicant has not
5 demonstrated that she meets licensure requirements and allow 30 days from date of filed final order to
6 withdraw application. Ms. Nixon seconded the motion, which passed unanimously.

7 **CE Provider Applicants**

8 **Tab 130 Krissy Moses**

9 **Action Taken:** Ms. Burke-Wammack moved to deny the courses as they are beyond the scope of a licensed
10 massage therapist. Ms. Buckley seconded the motion and passed unanimously.

11 **Request for Hearing**

12 **Tab 98 Huizi Zhang**

13 Applicant requested a hearing regarding the Notice of Intent to Deny filed August 16, 2012. The board was
14 notified the applicant was involved in fraud in completing the continuing education thus, a violation of s.
15 480.046(1)(a), F.S.

16 After discussion, it was the consensus of the Board to uphold the Notice of Intent to Deny. Ms. Gustafson will
17 send the case to the Division of Administrative Hearings.

18 ***REPORTS (continued)**

19 **Board Chair Report – Karen Ford**

20 Ms. Ford recommended that two staff and two board members attend the upcoming FSMTA meeting.

21 **Public Service Awareness Campaign** Informational

22 **Tab 132 Press Release from FSMTA**

23 Ms. Ford recommended the Board participate in any human trafficking campaigns if able.

24 **Legislative Liaison Report**

25 **Legislative Awareness Days 2013** Informational

26 **School Liaison Report – Karen Ford**

27 **Tab 106 Approved Schools 08/08/2012 to 10/03/2012**

28 **Action taken:** Ms. Burke-Wammack moved to ratify the approved massage therapy school. Ms. Nixon
29 seconded the motion which carried unanimously.

30

1 **Board Counsel's Report – Lee Ann Gustafson**

2 Robert's Rules of Order – Ms. Gustafson recommends the Board not follow Robert's Rules.

3 **(Break)**

4 **Tab 105 Department of Health's Proposed Amendments to Chapter 480, F.S.**

- 5 • Section 480.033 Definitions
6 • Section 480.042 Examinations

7 Sidney Shaffer, Cathy Shea, Gail Naas, Maureen Gilbert, Iris Burman, and Sally Hackney were among those
8 who addressed the Board.

9 **Action Taken:** Ms. Ford moved to support the legislative change proposal for Section 480.033, F.S. Ms.
10 Nixon seconded the motion, which carried 3/1 with Ms. Burke-Wammack opposed.

11 **Action Taken:** Ms. Ford moved to support the legislative change proposal for Section 480.042, F.S. Ms.
12 Buckley seconded the motion, which passed unanimously.

13 **Executive Director's Report – Anthony Jusevitch**

14 **Tab 109 Ratification of Licensure - Massage Therapists 08/08/2012 to 10/03/2012**

15 This tab was withdrawn.

16 **Tab 110 CE @ Renewal**

17 Mr. Jusevitch presented the new project to verify continuing education at renewal. When a licensee renews
18 their license online, the Department of Health will automatically verify with its electronic tracking system that
19 the licensee completed their continuing education.

20 Beginning in 2015 practitioners will not be able to renew a license without having their continuing education
21 reported into CE Broker's database. If licensees do not have hours to report, their license will move to a
22 delinquent status at expiration.

23 Licensees will be able to report hours free of charge with CE Broker by creating a basic account.

24 Mr. Jusevitch advised the Board that the exam vendor contracts are currently being negotiated. The Board
25 requested a copy of the contract after it is available.

26 ***RULES DISCUSSION**

27 **Tab 112 Rule 64B7-28.010, F.A.C., Requirements for Board Approval of Continuing Education**
28 **Programs**

29 **Action Taken:** After discussion, Ms. Ford moved to change the text "Board website" to "at the following
30 website". Ms. Nixon seconded the motion, which passed unanimously.

31

1 **Tab 113 Rule 64B7-29.003, F.A.C., Apprenticeship Training Program**

2 If Section 480.033, F.S., is amended by the Legislature, this rule will stay in place until all apprenticeships
3 have been completed or expired at which time the rule will be repealed.

4 **Tab 114 Rule 64B7-32.003, F.A.C., Minimum Requirements for Board Approved Massage**
5 **Schools -Other State's Education/CE Requirements**

6 Ms. Burke-Wammack would like to increase the program hour requirement.

7 Mr. Pete Whitridge addressed the Board and advised that the Entry Level Assessment Program (ELAP)
8 conducted a study as to why each state requires the hours that they do. The report notifies what
9 competencies should be taught to enter the profession. There will be an update on this project after the
10 conference in December. Mr. Whitridge offered to provide a preliminary report to review at the next meeting.

11 **Tab 115 Rule 64B7-30.002, F.A.C., Disciplinary Guidelines**

12 The Board discussed the following changes to the guidelines:

13 456.0721(o) - Minimum \$500 fine and a letter of reprimand up to revocation

14 456.0721(p) – Minimum letter of concern up to \$250 fine and a reprimand

15 456.0721(w) – Minimum letter of concern up to \$250 fine and a reprimand

16 456.0721(x) – Minimum revocation

17 456.0721(y) – First offense letter of reprimand, \$250 fine, continuing education

18 Second offense letter of reprimand, \$500 fine, continuing education

19 Third offense revocation

20 456.0721(aa) – First offense PRN evaluation

21 Second offense suspension of license until able to demonstrate safety to practice

22 Third offense revocation

23 456.0721(bb) – First offense reprimand and \$500 fine

24 Second offense \$1000 fine up to revocation

25 456.0721(cc) – First offense \$1000 fine and reprimand

26 Second offense revocation

27 456.0721(ff) – First offense \$5000 fine and reprimand

28 456.0721(ii) - First offense \$5000 fine and reprimand

29 Second offense revocation

30 456.0721(jj) – First offense \$1000 fine and reprimand up to revocation

31 456.0721(kk) – First offense \$1000 fine and reprimand up to revocation

32 456.0721(nn) – First offense letter of concern

33 456.0721(ll) – First offense reprimand and \$10,000 fine up to revocation

34 **(Break for lunch)**

(Continued discussion of rule 64B7-30.001)

1 480.046(1)(e) – First offense \$1000 fine up to revocation

2 480.046(1)(j) – First offense \$500 fine and suspension

3 64B7-26.010 – First offense \$2500 fine and revocation

4 480.0485 – First offense \$2500 fine and revocation

5 456.0721(v) – First offense \$2500 fine and revocation

6 480.046(1)(c) – First offense \$2500 fine and revocation

7 480.0535 – First offense \$500-\$2500 fine up to revocation

8 **Action Taken:** After discussion, Ms. Burke-Wammack moved to accept the amendments as discussed. Ms.
9 Nixon seconded the motion, which carried unanimously.

10 **Tab 116 Rule 64B7-30.005, F.A.C., Mediation**

11 **Action Taken:** After discussion, Ms. Nixon moved to approve the draft. Ms. Burke-Wammack seconded the
12 motion, which carried unanimously.

13 **Tab 117 Rule 64B7-32.005, F.A.C., Minimum Standards for Colonics Training**

14 Audience members Cathy Shea, LMT and Gail Naas, LMT, addressed the Board.

15 The consensus of the Board is to leave the rule as it is written based on testimony of the professionals in the
16 audience.

17 No action taken.

18 **Tab 118 Rule 64B7-31.001(2), F.A.C., Colon Hydrotherapy**

19 The following question was brought before the Board by staff: Does the colonics course of study have to be
20 from a Florida board approved massage school or can it be from an out of state course of study recognized
21 by the Department of Education or equivalent licensing agency in the state in which it is located?

22 The Board came to a consensus that an applicant should file a petition for variance or waiver.

23 **Tab 119 Section 480.041, F.S., Massage therapists; qualifications; licensure; endorsement.**

24 No action taken at this time.

25 ***OLD BUSINESS**

26

1 ***NEW BUSINESS**

2 **Tab 120** **FY11-12 Q3 Massage Therapy Performance Report** Informational

3 **Tab 122** **Update on NCBTMB Approved Provider Program**

4 This item was tabled for January 2013 agenda.

5 **Tab 123** **Colon Hydrotherapy** Informational

6 **Tab 124** **Keiser University**

7 Keiser University is now approved by the Independent Colleges and Universities of Florida and is exempt
8 from licensure by CIE. The following question was brought before the Board by staff: Does this change their
9 approval status with the board?

10 After discussion, Ms. Gustafson recommended contacting the general counsel for Keiser University and
11 requesting they provide proof that they meet the requirements of s. 480.033(9), F.S., and that we update this
12 statute.

13 The Board came to the consensus that Board staff should contact the general counsel for Keiser University
14 as recommended by Board counsel, Ms. Gustafson.

15 **(Break)**

16 **Tab 125** **Liaison Assignments**

17 **Current listing:**

18 The Liaison assignments currently in effect will remain the same with the following changes:

19	Colon Hydrotherapy	Removed/ Deleted
20	History	Removed/ Deleted
21	Human Trafficking	Joy Buckley agreed to serve in this position

22 Ms. Gustafson recommends that every Board member serve on the probable cause panel at least once.

23 Ms. Mask will develop a listing of scheduled dates for the 2013 probable cause panel meetings for Board
24 members to review.
25

26 **Tab 135** **Application and Materials for Continuing Education Provider Approval**

27 Audience member, Mr. Ken Hewes, addressed the board.

28 **Action Taken:** Ms. Ford moved to accept the changes presented to the application. Ms. Nixon seconded the
29 motion, which passed unanimously.

30 **Tab 134** **Rule's Report** Informational

1 Meeting adjourned approximately 3:50 p.m.