

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

**MINUTES
GENERAL BUSINESS MEETING
TELEPHONE CONFERENCE CALL
JUNE 12, 2013**

The meeting was called to order by Ms. Karen Ford, LMT, Chair, approximately 8:30 a.m. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Karen Ford, M.S., LMT, Chair
Bridget Burke-Wammack, LMT, CLT, V-Chair
Joy Buckley, LMT
Lydia Nixon, LMT
Sharon Phillips, LMT, AP, DOM

STAFF PRESENT:

Paula Mask, Program Operations Administrator
Matthew Thompson, Regulatory Specialist II

BOARD COUNSEL:

Lee Ann Gustafson, Esq.
Senior Assistant Attorney General

COURT REPORTER:

For The Record
Phone: 850.222-5491

DEPARTMENT PROSECUTING ATTORNEYS:

Elana Jones, Esq., Assistant General Counsel

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

An AUDIO of this meeting can be found by clicking on "Audio Files" at <http://ww10.doh.state.fl.us/pub/osteo/Massage/2013%20Meetings/>

ADMINISTRATIVE PROCEEDINGS

Massage Therapist Applicants with History

3. Vincent Crognale – exam

Applicant was present without counsel

Action Taken: After discussion Ms. Nixon moved to grant the license with conditions:

- The applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive Director the authority to accept the recommendation of PRN.

Ms. Buckley seconded the motion, which passed unanimously.

NEW BUSINESS

Petition for Variance or Waiver before the Board of Massage Therapy

1. Ms. Krista Perrod, LMT

Ms. Perrod was present without counsel.

Ms. Perrod requested a waiver for the in-class portion of her required continuing education since she is currently in Switzerland.

Action Taken: After discussion, Ms. Ford moved to deny the petition as the petition was not in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code. Ms. Phillips seconded the motion, which passed unanimously.

ADMINISTRATIVE PROCEEDINGS

Massage Therapist Applicants with History

2. Jesse Chalupsky – exam

Applicant was present without counsel.

Action Taken: After discussion Ms. Burke-Wammack moved to grant the license with conditions:

- The applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive Director the authority to accept the recommendation of PRN.
- Probation shall run concurrent with the probation imposed by the Court; the applicant shall submit documentation that the Court-ordered probation has terminated; and after submission of the documentation, the Executive Director is delegated the authority to lift the probation.

Ms Nixon seconded the motion, which passed unanimously.

4. Caitlin Duval – exam

Applicant was present without counsel.

Action Taken: After discussion Ms. Phillips moved to grant the license with conditions:

- The applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive Director the authority to accept the recommendation of PRN.

Ms. Nixon seconded the motion, which passed 4-1 with Ms. Burke-Wammack opposing the motion.

5. Mark Joslyn – exam

Applicant was present without counsel. Mr. Pete Whitridge was also on the call, on Mr. Joslyn's behalf.

Action Taken: After discussion, Ms. Burke-Wammack moved to grant the license with conditions:

- The applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive Director the authority to accept the recommendation of PRN.

Ms. Ford seconded the motion, which failed 1-4 with Ms. Ford, Ms. Nixon, Ms. Buckley, and Ms. Phillips opposing the motion.

Additional Action Taken: After discussion, Ms. Phillips moved to **grant** the license unencumbered. Ms. Ford seconded the motion, which passed 4-1 with Ms. Burke-Wammack opposing the motion.

6. Yolanda McCray – exam

Applicant was present without counsel.

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

7. Katherine Santillian – exam

Applicant was present without counsel.

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

9. Yanyun Wei – exam

Applicant was present with counsel, David Silverstone, Esq.

Action Taken: After discussion, Ms. Buckley moved to grant the license unencumbered. Ms. Burke-Wammack seconded the motion, which passed 4-1 with Ms. Phillips opposing the motion.

10. Xiaohe Zhao – exam

Applicant was present without counsel. Mr. Charles Rogers was also on the call, on Ms. Zhao's behalf.

Action Taken: After discussion, Ms. Burke-Wammack moved to deny the license on the grounds the applicant has not established eligibility for licensure pursuant to Section 480.041, Florida Statutes, because she did not demonstrate she completed a massage therapy program that meets the minimum standards for training and curriculum set forth in Rule 64B7-32.003, Florida Administrative Code. The applicant is missing sufficient hours in theory and history of massage, massage practicum, business, ethics and hydrotherapy. Ms. Phillips seconded the motion, which passed unanimously.

Massage Therapist Applicants with Foreign Education

1. Amanda Foran – exam - Canada

Applicant was present without counsel.

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

2. Stephanie Narbeth – exam – United Kingdom

Applicant was present without counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the license on the grounds the applicant has not established eligibility for licensure pursuant to Section 480.041, Florida Statutes, because she did not demonstrate she completed a massage therapy program that meets the minimum standards for training and curriculum set forth in Rule 64B7-32.003, Florida Administrative Code. Ms. Burke-Wammack seconded the motion, which passed unanimously.

Massage Therapist Applicants with Petition for Variance or Waiver

1. Jo-Ann Marie Hopkins

Applicant was present without counsel.

Action Taken: After discussion, Ms. Ford moved to hear the petition and grant the license unencumbered. Ms. Nixon seconded the motion, which passed 4-1 with Ms. Burke-Wammack opposing the motion.

Massage Therapist Applicants Required Appearance

1. Carlo Lazzari - exam

Applicant was present without counsel.

Action Taken: After discussion, Ms. Burke-Wammack moved to grant the license unencumbered. Ms. Ford seconded the motion, which passed 4-1 with Ms. Ford opposing the motion.

Massage Therapist Applicants with History

1. Walter Butler – exam

Applicant was not present without counsel.

Action Taken: After discussion, Ms. Burke-Wammack moved to grant the license with conditions:

- The applicant undergoes an evaluation coordinated by the Professionals Resource Network (PRN), and complies with any and all terms and conditions imposed by PRN as a result of said evaluation. It is the duty of the applicant to contact the PRN within 30 days of the filed final order. If a contract is recommended, the applicant must sign a contract within 120 days of the filed final order. The Board delegates to the Executive Director the authority to accept the recommendation of PRN.

- Probation shall run concurrent with the probation imposed by the Court; the applicant shall submit documentation that the Court-ordered probation has terminated; and after submission of the documentation, the Executive Director is delegated the authority to lift the probation.

Ms. Ford seconded the motion, which passed unanimously.

8. Carol St James – exam

Applicant was not present without counsel.

Action Taken: After discussion, Ms. Phillips moved to deny licensure on the grounds the applicant had disciplinary action taken against her previous license on three violations of the statutes regulating the practice of massage therapy: Case Numbers 2008-06525, 2009-15523 and 2010-18629. The applicant has demonstrated flagrant disregard of the statutes and rules applicable to the profession of massage therapy. Ms. Nixon seconded the motion, which passed unanimously.

REVIEW AND APPROVAL OF MINUTES

April 25-26, 2013 Board of Massage Therapy General Business Meeting Minutes

Ms. Buckley made a motion to approve the minutes without corrections. Ms. Burke-Wammack seconded the motion which carried unanimously.

OLD BUSINESS

Ms. Buckley presented information related to human trafficking.

Meeting adjourned approximately 9:48 a.m.