

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

MINUTES
GENERAL BUSINESS MEETING
April 19-20, 2012

Double Tree by Hilton
Tampa Airport Westshore
4500 W. Cypress St.
Tampa, FL 33607
(813) 998.2211

1 **Thursday, April 19, 2012**

2 The meeting was called to order by Ms. Karen Ford, LMT, Chair, approximately 9:00 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
Lydia Nixon, LMT
Lisa Oliver, Consumer Member

STAFF PRESENT:

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

BOARD COUNSEL:

Lee Ann Gustafson, Esquire
Assistant Attorney General

COURT REPORTER:

Dempster Berryhill
Telephone: 813.229.8225
Fax: 727.725.8749

DEPARTMENT PROSECUTING ATTORNEYS:

S. J. DiConcilio, Esquire

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 **ADMINISTRATIVE PROCEEDINGS**

7 **Compliance and Probation Review**

8 **Tab 92 Mi S. Nangle, LMT, Case # 2009-21327**

9 Respondent was present, with counsel, Alison Mitchell, Esq.

10 **Action Taken:** After discussion, the Board reached consensus that respondent was compliant with her
11 Settlement Agreement.

12 **(Moved to Settlement Agreements)**

13 **DISCIPLINARY PROCEEDINGS**

1 **Settlement Agreements**

2 Settlement agreement cases, tabs 4, 16, 17, 19, 20, 21, 22, 23 and 25 listed below, were voted on en
3 masse.

4 The respondents were not present nor represented by counsel unless noted under the appropriate tab. Ms.
5 DiConcilio represented the Department and presented the cases to the Board, clarifying actual costs in each
6 of the cases.

7 **Tab 4 AHMED M. MEHDI, LMT, CASE # 2010-19175** **PCP: Harrison & Stoehs**

- 8
 - Reprimand
 - Pay \$650 fine within one year (365) days of the filed final order
 - Pay \$988.45 costs within one year (365) days of the filed final order

11 **Tab 16 TINA J. DAVIS, LMT, CASE # 2010-24319** **PCP: Harrison & Stoehs**

- 12
 - Reprimand
 - Pay \$400 fine within one year (365) days of the filed final order
 - Pay \$350.72 costs within one year (365) days of the filed final order

15 **Tab 17 MICHAEL V. JORDAN, LMT, CASE # 2011-08820** **PCP: Harrison & Stoehs**

- 16
 - Reprimand
 - Pay \$4,250 fine within one year (365) days of the filed final order
 - Pay \$2,637.42 costs within one year (365) days of the filed final order
 - Probation – 1 year
 - DOH make 4 unannounced inspections, once each quarter and respondent pay \$400 for each quarterly probation inspection totaling \$400 payable within 30 days from the date of the filed final order
 - Appearance at first board meeting after probation commences and at last meeting of the board preceding scheduled termination of the probation

25 **Tab 19 RANDI N. RYAN, LMT, CASE # 2011-07955** **PCP: Harrison & Stoehs**

26 Attorney of record is Lester Perling, Esq.

- 27
 - Letter of Concern
 - Pay \$200 fine within one year (365) days of the filed final order
 - Pay \$802.04 costs within one year (365) days of the filed final order

30 **Tab 20 YAMILKA SAVIGNE, LMT, CASE # 2011-12211** **PCP: Harrison & Stoehs**

- 31
 - Reprimand
 - Pay \$150 fine within six months (180) days of the filed final order
 - Pay \$1,166.53 costs within six months (180) days of the filed final order

34 **Tab 21 MARK C. STURM, LMT, CASE # 2011-00407** **PCP: Harrison & Stoehs**

- 35
 - Reprimand
 - Pay \$200 fine within one year (365) days of the filed final order
 - Pay \$727.64 costs within one year (365) days of the filed final order

38 **Tab 22 ROXANNE LEE GRIFFITH, LMT, CASE # 2011-1627** **PCP: Harrison & Stoehs**

- 39
 - Reprimand
 - Pay \$100 fine within six months (180) days of the filed final order
 - Pay \$620.12 costs within six months (180) days of the filed final order

42

1 **Tab 23 DEBORAH VERMEY FALKEN, LMT, CASE # 2011-04155** **PCP: Harrison & Stoehs**
2 • Reprimand
3 • Pay \$3,700 fine within two years (730) days of the filed final order
4 • Pay \$733.01 costs within two years (730) days of the filed final order

5 **Tab 25 TIFFANY K. DIXON, LMT, CASE # 2010-23291** **PCP: Harrison & Stoehs**
6 • Reprimand
7 • Pay \$100 fine within 90 days of the filed final order
8 • Pay \$742.88 costs within 90 days of the filed final order

9 **Action Taken:** Ms. Burke-Wammack moved to accept the Settlement Agreements as presented for the
10 above listed tabs. Ms. Nixon seconded the motion, which passed unanimously.

11 **Tab 18 LIYA MA, LMT, CASE # 2011-06981** **PCP: Harrison & Stoehs**

12 Respondent was not present. Counsel, Gennaro Cariglio, Esq. spoke on respondent's behalf.

13 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o), 480.0485,
14 456.072(1)(v) and 456.063(1), F.S., and rule 64B7-26.010(1)(, (3), and (4), F.A.C.

15 Ms. DiConcilio presented the recommended settlement agreement:

- 16 • Reprimand
- 17 • Pay \$1,000 fine within 90 days of the filed final order
- 18 • Pay \$1,141.75 costs within 90 days of the filed final order
- 19 • Probation – 1 year – Indirect Supervision
- 20 ○ Reports from respondent and monitor when requested

21 **Action Taken:** Ms. Ford moved to continue this case to the next meeting to allow respondent to complete a
22 6 hour course on boundaries and ethics. Ms. Nixon seconded the motion, which passed 4/0.

23 **Tab 24 RANJIE XU, LMT, CASE # 2010-23066** **PCP: Harrison & Stoehs**

24 Respondent was not present. Counsel, Gennaro Cariglio, Esq. spoke on respondent's behalf.

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

27 Ms. DiConcilio presented the recommended settlement agreement:

- 28 • Reprimand
- 29 • Pay \$1,000 fine within 90 days of the filed final order
- 30 • Pay \$1,049.94 costs within 90 days of the filed final order
- 31 • Probation – 1 year – Indirect Supervision
- 32 ○ Reports from respondent and monitor when requested

33 **Action Taken:** Ms. Ford moved to continue this case to the next meeting allowing respondent to complete a
34 6 hour course on boundaries and ethics. Ms. Burke-Wammack seconded the motion, which passed 4/0.

35 **Tab 26 RABECA ASHLEY HOYT, LMT, CASE # 2010-19464** **PCP: Harrison & Stoehs**

36 Respondent was present and represented by counsel, George F. Indest, III, Esq.

1 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
2 456.072(1)(c), and 480.046(1)(c), F.S.

3 Ms. DiConcilio presented the recommended settlement agreement:

- 4 • Reprimand
- 5 • Pay \$250 fine within 90 days of the filed final order
- 6 • Pay \$946.01 costs within 90 days of the filed final order

7 **Action Taken:** Ms. Burke-Wammack moved to accept the Settlement Agreement as presented. Ms. Nixon
8 seconded the motion, which passed unanimously.

9 **Tab 72 STEPHEN GREYE, LMT, CASE # 2008-20221**

10 Respondent was not present. Counsel, George F. Indest, III, Esq. spoke on respondent's behalf.

11
12 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o),
13 456.072(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.

14 Ms. DiConcilio presented the recommended settlement agreement:

- 15 • Reprimand
- 16 • Suspension – 4 years with time credited against this 4 year suspension for the period of
17 time the license has been under Order of Emergency Suspension of License, which
18 commenced November 19, 2008; suspension would terminate November 19, 2012
- 19 • Pay \$2,500 fine within 36 months of the filed final order
- 20 • Pay \$10,500 costs within 36 months of the filed final order
- 21 • Continuing Education – Respondent take a boundaries course within 60 days of the filed
22 final order

23 **Action Taken:** Ms. Ford moved to continue this case to the next meeting allowing respondent to complete a
24 6 hour course on boundaries and ethics. Ms. Nixon seconded the motion, which passed 4/0.

25 **Tab 27 ROLANDO CRUZ, CASE # 2007-10150**

PCP: Harrison & Haynes

26 Respondent was not present. Attorney of record Neil M. Gonzalez, Esq., was not present.

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

28 Ms. DiConcilio presented the recommended settlement agreement:

- 29 • Reprimand
- 30 • Pay \$1,000 fine within one year (365) days of the filed final order
- 31 • Pay \$12,816.64 costs within one year (365) days of the filed final order
- 32 • Probation – 1 year
- 33 • DOH make 4 unannounced inspections, once each quarter and respondent pay \$100 for
34 each unannounced probation visit, for a total of \$400 payable within thirty (30) days from
35 the date the final order accepting the settlement agreement

36 **Action Taken:** Ms. Ford moved to accept the Settlement Agreement as presented. Ms. Nixon seconded
37 the motion, which passed 4/0.

38

1 **Voluntary Relinquishments**

2 Voluntary Relinquishment cases, tabs 28 through 39 listed below, were voted on en masse.

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

4	Tab 28 YANURYS TAIT, LMT, CASE # 2011-14455	PCP: Waived
5	Tab 29 ANNA S. WEDDINGTON, LMT, CASE # 2011-20507	PCP: Waived
6	Tab 30 MAYDA CORRALES, LMT, CASE # 2011-15506	PCP: Waived
7	Tab 31 PAIN SOLUTIONS, LLC, CASE # 2011-08887	PCP: Waived
8	Tab 32 ALEXANDER BOMBINO, LMT, CASE # 2011-09368	PCP: Waived
9	Tab 33 KATHRYN B. SCHOLLES, LMT, CASE # 2011-19566	PCP: Waived
10	Tab 34 EDWARD R. BREWSTER, LMT, CASE # 2011-19063	PCP: Waived
11	Tab 35 GLADYS R. OCHOA, LMT, CASE # 2012-02469	PCP: Waived
12	Tab 36 ERNESTO B. CAL, LMT, CASE # 2012-02584	PCP: Waived
13	Tab 37 LIANET GUERRA, LMT, CASE # 2011-00585	PCP: Harrison & Stoehs
14	Tab 38 WINSTON A. DAWKINS, LMT, CASE # 2011-12398	PCP: Waived
15	Tab 39 NEYVIS MENDEZ, LMT, CASE # 2011-12911 & 2011-12954	PCP: Waived

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

(Break)

18 **Informal Hearings**

19 **Tab 1 LYNN M. RAYMOND, LMT, CASE # 2011-12624** **PCP: Harrison & Stoehs**

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

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

23 Ms Nixon moved to adopt the material facts as alleged in the Administrative Complaint are not in dispute and
24 to adopt the allegations of fact in the administrative complaint as the Board's conclusions of fact in this
25 proceeding. Ms. Oliver seconded the motion which carried 4/0.

26 Ms. Nixon moved to adopt the allegations of law in the administrative complaint as the Board's conclusions
27 of law in this proceeding, and to adopt the case materials and any materials in the addendum into evidence
28 as a part of the record in this proceeding. Ms. Oliver seconded the motion which passed 4/0

29 **Action Taken:** After lengthy discussion, Ms. Nixon moved to IMPOSE the following penalty:

- 30 • Pay \$100.00 fine within 1 year of the filed final order
- 31 • Pay \$473.36 costs within 1 year of the filed final order
- 32 • Letter of Reprimand

33 Ms. Oliver seconded the motion which passed 4/0.

34 **Tab 2 KENNETH JAY FLANDERS, LMT, CASE # 2010-18269** **PCP: Harrison & Stoehs**
Withdrawn

35

1 **Tab 3 JESSICA M. WILLIAMS, LMT, CASE # 2010-22926** **PCP: Harrison & Stoehs**

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

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

5 Ms. Nixon moved to adopt the material facts as alleged in the Administrative Complaint are not in dispute
6 and to adopt the allegations of fact in the administrative complaint as the Board's conclusions of fact in this
7 proceeding; and to adopt the allegations of law in the administrative complaint as the Board's conclusions of
8 law in this proceeding, and to adopt the case materials and any materials in the addendum into evidence as
9 a part of the record in this proceeding. Ms. Oliver seconded the motion which carried 4/0.

10 **Action Taken:** After lengthy discussion, Ms. Nixon moved to IMPOSE the following penalty:

- 11 • Pay \$100.00 fine within 180 days of the filed final order
- 12 • Pay \$349.57 costs within 180 days of the filed final order
- 13 • Letter of Reprimand

14 Ms. Oliver seconded the motion which passed 4/0.

15 **Determination of Waivers**

16 **Tab 5 MELISSA B. WINKLER, LMT, CASE # 2010-18498** **PCP: Haynes & Stoehs**

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

19 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
20 456.072(1)(q), 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 4/0.

24 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
25 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
26 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
27 evidence in this proceeding. Ms. Oliver seconded the motion which carried 4/0.

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

- 29 • Reprimand and revocation of license based on aggravating factors found in rule 64B7-
30 32.002(3)(b), (f), (h), (i) and (j), F.A.C..
- 31 • Pay \$250.00 fine within 365 days of the filed final order

32 Ms. Ford seconded the motion, which passed 4/0.

33 **Tab 6 HAI YUE CUI, LMT, CASE # 2010-20583** **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 sections 480.046(1)(o), 480.046(1)(c)
37 and 456.072(1)(x), 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. Ford seconded the motion which
3 carried 4/0.

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 4/0.

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

- 9 • Reprimand and revocation of license based on guidelines in sections 480.046(1)(c) and
10 456.072(1)(x), F.S.

11 Ms. Nixon seconded the motion, which passed 4/0.

12 **Tab 7 SALON ENTERPRISES, INC., DBA AVANTE SALON AVONDALE, CASE # 2011-05927**
13 **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 and advised the respondent had waived the right to a formal hearing.

16 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
17 456.072(1)(q), F.S.

18 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
19 hearing as to the material issues of fact by not filing a response. Ms. Oliver seconded the motion which
20 carried 4/0.

21 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
22 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
23 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
24 proceeding. Ms. Burke-Wammack seconded the motion which carried 4/0.

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

- 26 • Reprimand and revocation of license based on aggravating factors found in rule 64B7-
27 32.002(3)(b), (h), (i) and (j), F.A.C..
- 28 • Neither Natasha Wiggins and/or Steven Wiggins will be granted a license in the future
29 until terms of previous order have been met

30 Ms. Nixon seconded the motion, which passed 4/0.

31 **Tab 8 LISA M. MANNING, LMT, CASE # 2011-04664**
32 **PCP: Harrison & Stoehs**

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

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

37 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
38 hearing as to the material issues of fact by not filing a response. Ms. Ford seconded the motion which
39 carried 4/0.

40 Ms. Oliver moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
41 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and

1 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
2 proceeding. Ms. Burke-Wammack seconded the motion which carried 4/0.

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

- 4 • Revocation based on aggravating factors found in rule 64B7-30.002(3)(a), (c), (h), (i), (j)
5 and (k), F.A.C.

6 Ms. Nixon seconded the motion, which passed 4/0.

7 **Tab 9 YANKIEL CORDERO, LMT, CASE # 2011-03900**
8 ****Withdrawn***

PCP: Harrison & Stoehs

9 **Tab 10 MIRANDA O. KLEE, LMT, CASE # 2010-20341**

PCP: Haynes & Stoehs

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

12 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o), 456.072(1)(q)
13 and 456.035, F.S.

14 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
15 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion which
16 carried 4/0.

17 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
18 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
19 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
20 evidence in this proceeding. Ms. Oliver seconded the motion which carried 4/0.

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

- 22 • Reprimand and suspension of license until terms of previous order are completed based
23 on the aggravating factors found in rule 64B7-30.002(3)(b), (d), (h), (i) and (j), F.A.C.
- 24 • Pay \$250.00 fine within 30 days of the filed final order
- 25 • Pay \$110.96 costs within 30 days of the filed final order

26 Ms. Nixon seconded the motion, which passed 4/0.

27 **Tab 11 VANESSA MARIE RATZLAFF, LMT, CASE # 2010-18808**

PCP: Haynes & Stoehs

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

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 find that the respondent was properly served and waived their rights to a
33 hearing as to the material issues of fact by not filing a response. Ms. Nixon seconded the motion which
34 carried 4/0.

35 Ms. Oliver moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
36 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
37 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
38 proceeding. Ms. Burke-Wammack seconded the motion which carried 4/0.

- 1 **Action Taken:** After discussion Ms. Burke-Wammack moved to IMPOSE the following penalty:
2 • Reprimand and suspension of license until respondent complies with previous order and
3 this order
4 • Pay \$250.00 fine within 30 / 60 / 90 / 180 days of the filed final order
5 • Pay \$157.03 costs within 30 / 60 / 90 / 180 days of the filed final order

6 Ms. Nixon seconded the motion, which passed 4/0.

7 **Tab 12 AEJA K. MESA, LMT, CASE # 2010-16775** **PCP: Harrison & Stoehs**

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

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

12 Ms. Burke-Wammack moved to find that the respondent was properly served and waived their rights to a
13 hearing as to the material issues of fact by not filing a response. Ms. Oliver seconded the motion which
14 carried 4/0.

15 Ms. Oliver moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
16 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
17 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
18 proceeding. Ms. Burke-Wammack seconded the motion which carried 4/0.

- 19 **Action Taken:** After discussion Ms. Burke-Wammack moved to IMPOSE the following penalty:
20 • Reprimand and revocation

21 Ms. Oliver seconded the motion, which passed 4/0.

22 **Tab 13 UNITED HEALTH & REHAB ASSOCIATES OF FLORIDA, CASE # 2010-22464**
23 **PCP: Haynes & Stoehs**

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

26 The department filed an administrative complaint alleging a violation of sections 480.046(1)(o) and
27 456.072(1)(q), F.S.

28 **Action Taken:** After discussion, Ms. Nixon moved to **dismiss** this case due to the fact that the terms of the
29 previous order were met. Ms. Oliver seconded the motion, which passed 3/1 with Ms. Burke-Wammack
30 opposing the motion.

31 **Tab 14 DAVETT K. STEPHENS, LMT, CASE # 2009-17293** **PCP: Haynes & Stoehs**

32 Respondent was not present nor represented by counsel. Ms. DiConcilio 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),
35 480.046(1)(n), 480.047(1)(b), 480.046(1)(e), 480.046(1)(j), 480.047(1)(c) and 456.065(2)(d)3., 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. Oliver seconded the motion which
3 carried 4/0.

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. Oliver seconded the motion which carried 4/0.

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

- 10 • Revocation of license

11

12 Ms. Nixon seconded the motion, which passed 4/0.

13 **Tab 15 DAMIAN L. SWEET, LMT, CASE # 2010-17381 & 2010-12506**

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 and advised the respondent had waived the right to a formal hearing.

16 **Case # 2010-12506**

17 The department filed an administrative complaint alleging a violation of and sections 480.046(1)(o),
18 480.046(1)(f), 456.072(1)(m), 456.072(1)(n), 456.072(1)(l) and 456.072(1)(ff), F.S., in case No. 2010-12506.

19 Ms. Oliver moved to find that the respondent was properly served and waived their rights to a hearing as to
20 the material issues of fact by not filing a response. Ms. Burke-Wammack seconded the motion which carried
21 4/0.

22 Ms. Nixon moved to adopt the material facts as alleged in the administrative complaint are not in dispute and
23 to adopt the allegations of fact and law in the administrative complaint as the Board's conclusions of fact and
24 law in this proceeding; and to adopt the materials and any addendum materials into evidence in this
25 proceeding. Ms. Burke-Wammack seconded the motion which carried 4/0.

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

- 27 • Reprimand and Revocation of license based on the aggravating factors found in rule
28 64B7-30.002(3)(e), (h), (i), (j) and (l), F.A.C.

29 Ms. Oliver seconded the motion, which passed 4/0.

30 **Case#2010 -17381**

31 The department filed an administrative complaint alleging a violation of and section 480.046(1)(n), F.S., in
32 Case No. 2010-17381.

33 Ms. Oliver moved to find that the respondent was properly served and waived their rights to a hearing as to
34 the material issues of fact by not filing a response. Ms. Burke-Wammack seconded the motion which carried
35 4/0.

36 Ms. Burke-Wammack moved to adopt the material facts as alleged in the administrative complaint are not in
37 dispute and to adopt the allegations of fact and law in the administrative complaint as the Board's
38 conclusions of fact and law in this proceeding; and to adopt the materials and any addendum materials into
39 evidence in this proceeding. Ms. Nixon seconded the motion which carried 4/0.

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

- 41 • Reprimand and Revocation of license based on the aggravating factors found in rule
42 64B7-30.002(3)(f), (h), (i) and (j), F.A.C .

1 Ms. Oliver seconded the motion, which passed 4/0.

2 **PROSECUTOR'S REPORT**

3 **Tab 40 Year Old Case Report**

<u>YEAR</u>	<u>NO. OF CASES</u>
2008	3
2009	4
2010	26
2011	28

(Short Break)

9 **Tab 41 Renee Alsobrook, Deputy General Counsel, Prosecution Services Unit, re: Massage Rule**
10 **Change Proposal**

11 Ms. Alsobrook advised the Board that Alternative Dispute Resolution (ADR) methods such as Mediation,
12 Notices of Non-Compliance, and Citations have been identified by statute as appropriate methods of
13 resolving minor violations. Authority to determine which violation may be resolved by ADR has been given to
14 the Boards. The Board of Massage Therapy has rules authorizing use of Citations, Mediation, and Notice of
15 Non-compliance for specific violations.

16 Enforcement is requesting amendments to rules 64B7-30.004, 64B7-30.005 and 64B7-30.006, F.A.C., to
17 allow more violations to be handled through ADR and in turn save the Board money and focus more
18 resources on more serious allegations.

19 Discussion was held.

20 Ms. Ford inquired if Lee Ann Gustafson, Esq., and Ms. Burke-Wammack would draft language using the
21 proposed Alternative Dispute Resolution (ADR) methods and prepare a draft to be discussed at the next
22 Board meeting.

(Break for Lunch)

23 ***REVIEW AND APPROVAL OF MINUTES**

24 **Tab 57 January 26-27, 2012, General Business Meeting**

25 **Action Taken:** Ms. Burke-Wammack made a motion to approve the minutes. Ms. Nixon seconded the
26 motion which carried unanimously.

27 **Tab 58 March 5, 2012, Legislation Conference Call**

28 **Action Taken:** Ms. Burke-Wammack made a motion to approve the minutes. Ms. Oliver seconded the
29 motion which carried unanimously.

30 **Tab 59 March 13, 2012, General Business Meeting Conference Call**

31 **Action Taken:** Ms. Oliver made a motion to approve the minutes. Ms. Nixon seconded the motion which
32 carried unanimously.

1 ***REPORTS**

2 **Board Chair Report – Karen Ford**

3 Ms. Ford advised she had visited the Irwin Technical Center Massage School in Tampa on this date. She
4 also visited the Tampa Investigation office.

5 **Legislative Liaison Report – Karen Ford**

6 **Tab 60 CS/CS/HB 119 Motor Vehicle Personal Injury Protection – Letter from Board Chair to Florida**
7 **Legislature**

8 **Informational**

9 **Tab 80 HB 4163 - Continuing Education for Athletic Trainers and Massage Therapists**

10 Ms. Ford presented the changes to renewal requirements as a result of this bill which was approved by the
11 Governor and will become effective July 1, 2012.

12 **Tab 81 CS/CS/HB 653 - Health Care Fraud (s.456.0635)**

13 Ms. Ford discussed the changes made to Section 456.0635, F.S., and the bill was approved by the Governor
14 which will become effective July 1, 2012.

15 **Tab 82 HB 7049 - Human Trafficking**

16 Ms. Ford inquired if there would be rulemaking amendments to the disciplinary guidelines for violating this
17 law. Board counsel will review to determine if there is authority for rulemaking.

18 **Tab 83 CS/HB 119 - Motor Vehicle PIP Insurance**

19 **Informational**

20 **Tab 84 CS/CS/CS/HB 1263 – Department of Health**

21
22 Since the bill requires the Department to gather information for the boards, Ms. Ford suggested that Ms.
23 Burke-Wammack be the Board's liaison to assist in this matter should it be necessary.

24 **Public Relations Liaison Report - Karen Ford**

25 Mr. Jusevitch and Ms. Ford were invited to the FSMETA convention in June.

26 **School Liaison Report – Karen Ford**

27 **Tab 65 Approved Schools 12/30/2011 to 03/22/2012**

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

30

1 **Vice Chair Report – Bridget K. Burke-Wammack**

2 No report.

3 **Rules Liaison Report – Bridget Burke-Wammack**

4 Ms. Gustafson presented a rules report to the Board listing the status of recent amendments to rules and
5 rules which are in the rulemaking process.

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

7 **Tab 62 Approved CE Providers 12/30/2011 to 03/22/2012**

8 **Action taken:** Ms. Ford moved to ratify the continuing education providers. Ms. Oliver seconded the motion
9 which carried unanimously.

10 **Tab 64 Question Regarding Continuing Education Course Offering**

11 Ms. Burke-Wammack had inquired if it is allowed for continuing education providers to teach massage
12 therapists to become a continuing education provider.

13 After lengthy discussion, it was decided that the course in question is within the parameters of a continuing
14 education course.

15 **Tab 63 Approved Pro Bono Requests 12/30/2011 to 03/22/2012**

16 **Action Taken:** Ms. Oliver moved to ratify the pro bono requests. Ms. Ford seconded the motion which
17 carried unanimously.

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

19 Previously discussed under the rules liaison report.

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

21 **Tab 61 Ratification of Licensure - Massage Therapists 12/30/2011 to 03/22/2012**

22 **Action taken:** Ms. Oliver moved to ratify the approved massage therapist licensure list. Ms. Burke-
23 Wammack seconded the motion which carried unanimously.

24 **Budget Liaison Report – Lisa Oliver**

25 **Tab 66 Board of Massage Therapy Expenditures for Period Ending 12/31/11**

26 Ms. Oliver presented the expenditure report to the board.

27 **Colon Hydrotherapy Liaison Report**

28 No report

1 **Probable Cause Panel Report – Lisa Oliver**

2 Ms. Oliver advised during the Probable Cause Panel meeting conducted on March 15, 2012 the following
3 cases were discussed:

- 4 5 Reconsiderations
- 5 18 Administrative Complaints
- 6 12 Closing Orders
- 7 1 Letter of Concern

8 **Unlicensed Activity Report – Lydia Nixon**

9 No report

(Short Break)

10 **EDUCATOR’S FORUM**

11 **Board of Massage Online Systems/Services Presentation – Allison Stachnik, DOH/MQA**

12 Ms. Stachnik gave a brief presentation of the massage therapy online application and other payer code
13 option. A question and answer session was held.

14 **Florida Board Approved Schools in Attendance:**

- 15 Arlington School of Massage
- 16 Bene’s International School of Beauty – Adrienne Inman
- 17 Educating Hands – Iris Burman
- 18 Erwin Technical Center – Karen Harrison
- 19 Everest University: Jacksonville - Raymond Chasse
- 20 Everest University: Lakeland – Wanda Reyes and Jeri Gabbard
- 21 Everest University: Tampa
- 22 Lorenzo Walker Institute of Technology
- 23 Ridge Career Center - Sharon Phillips
- 24 Sanford Brown Institute: Tampa – Ken Hewes

25 The board recessed approximately 5:25 p.m. to reconvene on Friday.

26

1 **FRIDAY, April 20, 2012**

2 The meeting was called to order by Ms. Karen Ford, LMT, Chair, approximately 9:00 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
Lydia Nixon, LMT
Lisa Oliver, Consumer Member

STAFF PRESENT:

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

BOARD COUNSEL:

Lee Ann Gustafson, Esquire
Assistant Attorney General

COURT REPORTER:

Dempster Berryhill
Telephone: 813.229.8225
Fax: 727.725.8749

DEPARTMENT PROSECUTING ATTORNEYS:

S. J. DiConcilio, Esquire

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 **ADMINISTRATIVE PROCEEDINGS**

7 **Compliance and Probation Review**

8 **Tab 55 Han Suk Kim, LMT, Case # 2007-23992 – Addendum - Additional Information**

9 Respondent was present. Her monitor, Dan Gregoire, was also present. The attorney of record, Robert
10 Sauerheber, Esq., was not present.

11 The Respondent's presence was required to appear based on the settlement agreement that required her to
12 appear before the board at the first board meeting after probation commences. Ms. Ford had approved the
13 monitor March 7, 2012. This matter was heard at the January 26, 2012 board meeting. The final order was
14 filed February 2, 2012.

15 After discussion, the Board found her in compliance with the settlement agreement. Monitor is to file a
16 quarterly report by May 1, 2012.

(Moved to Applicant Informal Hearings)

17 **Applicant Informal Hearings**

18 **Tab 56 Julio Pelayo**

19 Mr. Pelayo was present with counsel, Rev. James T. Golden, Esq.

20 A Petition for Hearing pursuant to Florida Statute 120.57(2) was filed December 15, 2011.

21 **Action Taken:** After discussion, Ms. Ford moved to grant a continuance until the next Board meeting. Ms.
22 Nixon seconded the motion, which passed 4/0.
23

(Moved to Massage Therapist Applicants)

1 **Massage Therapist Applicants**

2 **Tab 42 Rachel Alter**

3 Applicant was present without counsel.

4 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition to obtain a PRN
5 evaluation to determine if the applicant is safe to practice and accept the recommendation of PRN and if
6 recommended for contract and licensure, the Executive Director may issue the license based on PRN's
7 recommendation. Ms. Burke-Wammack seconded the motion, which passed 4/0.

8 **Tab 43 Raul Pellicane**

9 Applicant was present without counsel.

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

12 **Tab 45 Deborah Vieira**

13 Applicant was present without counsel.

14 **Action Taken:** After discussion, Ms. Ford moved to grant the license with the condition to obtain a PRN
15 evaluation to determine if the applicant is safe to practice and accept the recommendation of PRN and if
16 recommended for contract and licensure, the Executive Director may issue the license based on PRN's
17 recommendation. Ms. Burke-Wammack seconded the motion, which passed 4/0.

18 **Tab 73 Anna Garcia**

19 Applicant was present without counsel.

20 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license with the following
21 conditions: 1) applicant submits proof of completion of a ten (10) hour Florida Laws and Rules course with a
22 Board approved continuing education provider before her probation is complete; 2) applicant submits written
23 documentation when her court-ordered probation has been terminated; and 3) delegated authority to the
24 Executive Director to issue her license upon receipt of the documentation. Ms. Nixon seconded the motion,
25 which passed 4/0.

26 **Tab 74 Ricardo Rivera**

27 Applicant was present without counsel. His mother was also in attendance.

28 **Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition to obtain a PRN
29 evaluation to determine if the applicant is safe to practice and accept the recommendation of PRN and if
30 recommended for contract and licensure, the Executive Director may issue the license based on PRN's
31 recommendation. Ms. Ford seconded the motion, which passed 4/0.

1 **Tab 75 Melanie Russin**

2 Applicant was present without counsel.

3 **Action Taken:** After discussion, Ms. Ford moved to grant the license unencumbered. Ms. Nixon seconded
4 the motion, which passed 4/0.

(Break)

5 **Massage Establishment**

6 **Tab 51 Thee Hair Gallery Salon & Spa of Tampa Bay**

7 Owners, Tom and Mona Daher, were present without counsel.

8 **Action Taken:** After discussion, Ms. Burke- Wammack moved to deny licensure on the grounds that the
9 owners' previous establishment license was voluntarily relinquished and applicant attempted to obtain a
10 license by fraudulent misrepresentation. Ms. Nixon seconded the motion, which passed 4/0.

(Moved to Massage Therapist Applicants)

11 **Tab 77 Margaret Byrne**

12 Applicant was present without counsel.

13 Ms. Byrne's petition was filed March 21, 2012. She sought a waiver or variance of Section 480.041 of the
14 Massage Practice Act with respect to part B, which states that an applicant has completed a course of study
15 at a board-approved massage school or has completed an apprenticeship program that meets standards
16 adopted by the board. Petitioner seeks a permanent variance or waiver from the requirement of this
17 requirement as she received her training in 1987, her massage school no longer has her transcripts and
18 Petitioner has worked in California for the past 24 years with thousands of hours of massage therapy in
19 chiropractic and doctor's offices, spas and in private practice.

20 **Action Taken:** After discussion, Ms. Ford moved to deny the petition for waiver or variance as the Board
21 does not have authority to grant a waiver of Florida Statutes. Ms. Oliver seconded the motion, which carried
22 unanimously.

23 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license unencumbered as
24 applicant has 1) demonstrated that her education received is equivalent to the Board's requirements; and 2)
25 she has been a practicing Massage Therapist in California for the past 24 years. Ms. Ford seconded the
26 motion, which passed 4/0.

27 **Tab 88 Sun Park**

28 Applicant was present without counsel.

29 **Action Taken:** After discussion, Ms. Ford moved to deny licensure based on previous discipline by the
30 Board of Massage Therapy. Ms. Nixon seconded the motion, which passed 4/0.

31 **Tab 89 Emmanuela Metezier**

32 Applicant was present without counsel.

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

(Moved to Applicants with Foreign Education)

3 **Tab 48 Mia Phillips – Costa Rica**

4 Applicant was present without counsel.

5 **Action Taken:** After discussion, Ms. Burke-Wammack moved to deny licensure as applicant has not
6 demonstrated that she meets the educational requirements of Florida as determined in Rule 64B7-32.003;
7 F.A.C. Ms. Nixon seconded the motion, which passed 4/0.

(Moved to Compliance and Probation Review)

8 **Tab 79 Enrique Vela Lopez, LMT, Case # 2007-10284**

9 Respondent was present with monitor, Jennifer Harrison.

10 Mr. Vela requested the board to consider his request for approval of the proposed monitor, Jennifer Harrison.

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

(Moved to Massage Therapist Applicants)

13 **Tab 76 Jacob Selsky**

14 Applicant was present without counsel.

15 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license with the condition to obtain
16 a PRN evaluation to determine if the applicant is safe to practice and accept the recommendation of PRN
17 and if recommended for contract and licensure, the Executive Director may issue the license based on
18 PRN's recommendation. Ms. Ford seconded the motion, which passed 4/0.

19 *(Moved to Compliance and Probation Review)*

20 **Tab 91 Xue Yan Zhou, LMT, Case # 2009-21336**

21 Respondent was present without counsel. Attorney of record is Murray Silverstein, Esq. Dong Ying Gao,
22 proposed monitor was present. Ms. May was present as an interpreter for both individuals.

23 Respondent requested approval of proposed monitor, Dong Ying Gao.

24 **Action Taken:** After discussion, Ms. Burke-Wammack made a motion to approve the monitor. Ms. Oliver
25 seconded the motion which carried unanimously.

(Short Break)

(Moved to Massage Therapist Applicants)

1 **Tab 44 Dane Vecchio**

2 Applicant was not present nor represented by counsel.

3 **Action Taken:** After discussion, Ms. Ford moved to grant the license with the condition to obtain a PRN
4 evaluation to determine if the applicant is safe to practice and accept the recommendation of PRN and if
5 recommended for contract and licensure, the Executive Director may issue the license based on PRN's
6 recommendation. Ms. Burke-Wammack seconded the motion, which passed 4/0.

7 **Tab 46 Brandon Webb**

8 Applicant was not present nor represented by counsel.

9 **Action Taken:** After discussion, Ms. Burke-Wammack moved to require that the applicant appear at one of
10 the next two scheduled Board meetings. Ms. Ford seconded the motion, which passed unanimously.

11 **Applicants with Foreign Education**

12 **Tab 47 Shannon Burkart - Canada**

13 Applicant was not present nor represented by counsel.

14 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license unencumbered based on
15 1) applicant's education meeting the requirements of Florida in Rule 64B7-32.003; F.A.C.; and 2) applicant is
16 licensed in Canada. Ms. Oliver seconded the motion, which passed 4/0.

17 **Tab 78 A. Michelle Mann**

18 Applicant was not present nor represented by counsel.

19 **Action Taken:** After discussion, Ms. Burke-Wammack moved to grant the license unencumbered. Ms. Oliver
20 seconded the motion, which passed 4/0.

21 **Section 456.0635, F.S.**

22 **Tab 49 Lili Nahoom**

23 The Board office received applicant's request to withdraw application on April 18, 2012.

24 **Tab 90 Sara Pugh**

25 Applicant was not present nor represented by counsel.

26 **ACTION TAKEN:** After discussion, Ms. Ford moved to deny the application as applicant is ineligible for
27 licensure pursuant to s. 456.0635, F.S., based on a felony conviction under Chapter 893, F.S., and to allow
28 withdrawal of her application. Ms. Nixon seconded the motion, which passed unanimously 4/0.

1 **Rejected Transcript**

2 **Tab 50 Ling Ling Wan**

3 Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Ford moved to deny licensure on the grounds that the applicant attempted to obtain a license by fraudulent misrepresentation. Ms. Nixon seconded the motion, which passed unanimously.

4 **Continuing Education Provider Application for Approval**

5 **Tab 52 John M. Walcott**

6 Ms. Burke-Wammack requested the board to review these courses to determine if they are within the scope
7 of massage therapy.

8 **Action Taken:** Ms. Ford moved to deny the application as all three courses are beyond the scope of practice
9 of massage therapy as defined in Chapter 480; F.S. Ms. Burke-Wammack seconded the motion which
10 carried 3/1 with Ms. Nixon opposing the motion.

11 **Tab 53 Vocational Institute of Florida**

12 Ms. Burke-Wammack requested the board to review this course to determine if it is within the scope of
13 massage therapy.

14 **Action Taken:** Ms. Ford moved to deny the application as these courses are beyond the scope of practice of
15 massage therapy as defined in Chapter 480; F.S. Ms. Nixon seconded the motion which carried 4/0.

16 **Request for Approval of Continuing Education for Pro Bono Services**

17 **Tab 54 Karla Bradis**

18 Ms. Bradis was not present nor represented by counsel.

19 Ms. Bradis requested approval to provide pro bono services to staff at ECHO (Education Concerns for
20 Hunger Organization). Information was provided to the board to determine if it meets the requirements of
21 Rule 64B7-28.0095(1), F.A.C.

22 **Action Taken:** After discussion, Ms. Ford made a motion to deny the request as it does not meet the
23 requirements of Rule 64B7-28.0095(1), F.A.C. Ms. Nixon seconded the motion which carried unanimously.

24 **OLD BUSINESS**

25 **Tab 69 Diana Richardson: Correspondence from Board Counsel re: Board's Final Order for Petition**
26 **for Declaratory Statement**

27 Ms. Richardson requested a declaratory statement from the board which was heard May 19, 2011. The
28 petition requested the board interpret Section 477.013, Florida Statutes, which is the Cosmetology Practice

1 Act. The board declined to answer on the grounds that it does not have authority to interpret the
2 Cosmetology Practice Act.

3 Ms. Richardson submitted additional correspondence and board counsel responded advising Ms.
4 Richardson the board does not have legal authority to interpret the practice acts of other licensed
5 professions or to require other professions to adopt rules.

6 **NEW BUSINESS**

7 **Tab 86 Massage Therapy Examination Information – Practitioner Reporting & Examination Services –**

8 Discussion was held. The Board reached a consensus that there will be no changes to the exam contracts at
9 this time. Mr. Jusevitch will provide the Board with an updated content outline for each exam vendor as it
10 becomes available.

11 **Tab 70 FSMTB New Continued Competence Model**

12 A news release was received from FSMTB announcing the launch of a project to develop a new national
13 program to provide State regulatory agencies with a centralized quality assurance process for the renewal of
14 State licensure or State certification. The FSMTB convened a task force representing State regulatory
15 boards and agencies, educations and massage therapists.

16 A copy of the proposal for maintenance of core competency program was provided in the agenda. Ms.
17 Lorena Haynes, FSMTB, addressed the Board and advised FSMTB has provided a website for feedback on
18 this proposal.

19 **Tab 71 NCBTMB New Certification Credential**

20 This was provided as information to the Board.

21 Mike Williams, CEO, NCBTMB, via email correspondence, announced implementation of new programs to
22 become available over the next 12 months.

- 23 • Specifically, taking one of the two exams under the NESL option will be discontinued as of 12/31/12.
- 24 • During the first quarter of 2013, NCBTMB will introduce a board certification credential that will
25 replace the current national certification credential.
- 26 • All continuing education courses for the NCBTMB Approved Provider program will be vetted for
27 approval.
- 28 • NCB will launch a new career management system—accessed through a new online portal where all
29 interaction with NCB can be accomplished.

30 No action necessary.

31 **RULES DISCUSSION**

32 **Tab 67 64B7-28.0015(2)(a) Place of Practice Defined**

33 Ms. Ford requested the Board discuss amending, if possible, rule 64B7-28.0015(2)(e), F.A.C., regarding "the
34 place of practice is the residence address of the therapist".

1 Discussion was held. Ms. Gustafson, Esq. informed the Board that section 456.035, F.S., requires a physical
2 address be on record. This would require a statutory change and have to go before the Florida Legislature.
3 The FSMTA made note of this request.

4 **Tab 87 2013 Board Meeting Proposed Dates**

5 The Board of Massage Therapy voted on the following 2013 meeting dates and locations:

6 <u>Date</u>	<u>Location</u>
7 January 24-25, 2013	Ft. Lauderdale
8 April 25-26, 2013	Jacksonville
9 July 24-26, 2013	Orlando
10 October 24-25, 2013	Tampa

11 **Tab 68 64B7-31.001(2) Colon Hydrotherapy**

12 This item was tabled to next Board meeting.

13 **Tab 85 64B7- 25.001, F.A.C., Examination Requirements**

14 This item was tabled to next Board meeting.

15 The meeting adjourned approximately 2:00 p.m.