



DRAFT MEETING MINUTES

**Board of Massage Therapy
General Business Meeting
Conference Call
September 9, 2015
8:30 a.m., EST**

**Meet Me # (888) 670-3525
Participation Code: 428.436.4155**

Call to Order:

The meeting was called to order by Ms. Burke-Wammack, Chair, at 9:00 am. Those present for all or part of the meeting included the following:

MEMBERS PRESENT:

Bridget Burke-Wammack, LMT, CLT, Chair
Lydia Nixon, LMT, Vice-Chair
Sharon Phillips, LMT, AP, DOM
Jonathan Walker, LMT
Robyn Havard, PLCS
Guery Davis, PhD

STAFF PRESENT:

Lee Ann Gustafson, Esq., Board Counsel
Allen Hall, Executing Director, Interim
Alexandra Alday, Program Operations Administrator
Marci Poston, Regulatory Supervisor

STAFF ABSENT:

Christy Robinson, Executive Director

COURT REPORTER:

For The Record
(850) 224-0728

Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from this meeting can be found online: <http://floridasmassagetherapy.gov/meeting-information/past-meetings/>

ADMINISTRATIVE PROCEEDINGS

Applicants with History

1. Xiaoli Cong

Applicant was present without counsel and with husband, Harry Joline.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Ms. Havard seconded the motion, which failed 2/4 with Dr. Davis, Mr. Walker, Ms. Burke-Wammack and Ms. Phillips opposing the motion.

Additional Action Taken: Ms. Burke-Wammack moved to grant the license with the condition the Board investigate exam score validation with FSMTB. The Executive Director is delegated authority to issue the license upon receiving a valid exam score for Xiaoli Cong from FSMTB. Mr. Walker seconded the motion, which passed unanimously.

2. Patrice Gordon

Applicant was present without counsel.

Action Taken: After discussion, Ms. Burke-Wammack made a motion to issue the license unencumbered. Ms. Nixon seconded the motion, which passed 5/1 with Ms. Phillips opposing the motion.

3. Ilona Kriauciunate

Applicant was present without counsel.

Action Taken: After discussion, Ms. Burke-Wammack made a motion to issue the license unencumbered. Ms. Nixon seconded the motion, which passed 5/1 with Ms. Phillips opposing the motion.

4. Orchid Spa

Applicant Xiaoli Cong was present without counsel and with husband, Harry Joline.

Board counsel advised the Board did not need to take action on this application and referred back to board staff.

5. Brianna Rybat

Applicant was present with counsel Lance Leider, Esq.

Action Taken: After discussion, Ms. Phillips moved to grant the license with the following conditions: a \$500 administrative fine, amended application page and a letter of concern for misrepresentation on the licensure application. The Executive Director is delegated authority to lift the conditions once the fine and amended application page have been received. Ms. Burke-Wammack.

6. Aimee Erb

Applicant was present without counsel. Dr. Penny Ziegler, PRN Medical Director, was present.

Action Taken: After discussion, Ms. Burke-Wammack moved to grant the license with the condition that the applicant remain in compliance with the existing PRN contract. The Executive Director is delegated the authority to lift the conditions once the PRN contract has been satisfied. Mr. Walker seconded the motion which passed unanimously.

Applicants with Out of State Education

7. Jessica Breaux

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.

Petition for Variance or Waiver

8. Catherine Chapman

Applicant was not present nor represented by counsel.

Action Taken: Ms. Burke-Wammack moved to grant the petition. Motion seconded by Ms. Nixon, which passed unanimously.

Additional Action Taken: After discussion, Ms. Burke-Wammack moved to approve the application and grant the license unencumbered. Motion seconded by Ms. Nixon, which passed unanimously.

9. Linda Fontenot

Applicant was present without counsel.

Action Taken: Ms. Phillips moved to deny the petition as the petition did not meet the purpose of the underlying statute. In addition, facial and nail tech education are not equivalent to massage therapy education. Motion seconded by Ms. Burke-Wammack, which passed unanimously.

Additional Action Taken: After lengthy discussion, Ms. Fontenot made a verbal request to withdraw the apprentice application.

10. Barbara Stratton

Applicant was present without counsel and with husband, Ted Stratton.

Action Taken: After discussion, Ms. Burke-Wammack moved to deny the petition as the petition did not meet underlying statutory requirements. Ms. Phillips seconded the motion, which passed 4/2 with Ms. Nixon and Ms. Havard opposing the motion.

11. Myra Segui

Applicant was not present nor represented by counsel.

Action Taken: Mr. Walker moved to deny the petition as the petition did not meet the requirements of Chapter 120, F.S. Motion seconded by Ms. Burke-Wammack, which passed unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to deny the application for previous discipline and failure to meet licensure requirements by not providing required documentation. Motion seconded by Ms. Burke-Wammack, which passed unanimously.

12. Skye Walker

Applicant was present without counsel and with Pete Whitridge, Commission for Massage Educators.

Action Taken: Ms. Burke-Wammack moved to grant the petition as the petition. Motion seconded by Ms. Nixon, which passed unanimously.

Additional Action Taken: After discussion, Ms. Burke-Wammack moved to approve the application for licensure and grant the license unencumbered. Motion seconded by Ms. Nixon, which passed unanimously.

13. Ariana Willis

Applicant was present without counsel.

Action Taken: Ms. Burke-Wammack moved to grant the petition as the petition. Motion seconded by Ms. Phillips, which passed unanimously.

Additional Action Taken: After discussion, Ms. Burke-Wammack moved to grant the license with the condition that the applicant complete 15 hours of hydrotherapy with a board approved school or continuing education provider within 6 months of the filed final order. The Executive Director is delegated the authority to lift the conditions once proof of completion of the course has been received by the board office. Mr. Walker seconded the motion which passed unanimously.

break

Petition for Declaratory Statement

14. Heather Bryan

Licensee was present without counsel.

Action Taken: Ms. Burke-Wammack moved to deny the petition as the statute is clear and mobile massage is not permitted. Motion seconded by Ms. Phillips, which passed unanimously.

Chair Report

Ms. Alday presented current compliance numbers in regards to the 2015 renewal.

As of August 31, 2015:

- 29,448 Massage Therapists had renewed their license
- 6,128 Massage Establishments had renewed their license

Ms. Burke-Wammack stated these numbers would have a significant impact on the board's budget, and requested past application fee data be presented at the October board meeting for discussion.

FSMTB will be holding their annual meeting October 8-10, 2015, in Albuquerque, New Mexico. Ms. Burke-Wammack and Ms. Alday will be attending on behalf of the board.

Action Taken: Mr. Walker moved to approve travel and attendance for Ms. Burke-Wammack and Ms. Alday. Motion seconded by Ms. Phillips, which passed unanimously.

New Business

None

ADJOURN

There being no further business, the meeting adjourned at 11:20 a.m.