



DRAFT MEETING MINUTES

**Board of Massage Therapy
General Business Meeting
January 28-29, 2016**

**Renaissance World Golf Village
500 South Legacy Trail
St. Augustine, Florida 32092
904-940-8676**

Call to Order:

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

MEMBERS PRESENT:

Lydia Nixon, LMT, Acting Chair
Sharon Phillips, LMT, AP, DOM
Robyn Dohn Havard, PLCS
Jennifer Wasylyna, LMT
Christopher Brooks, LMT (non-voting)
Victoria Drago, LMT (non-voting)

BOARD COUNSEL:

Lee Ann Gustafson, Esq.
Assistant Attorney General

STAFF PRESENT:

Claudia Kemp, Executive Director
Alexandra Alday, Program Operations Administrator
Alexandra Meredith, Regulatory Specialist II

DEPARTMENT PROSECUTING ATTORNEYS:

Candace Rochester, Esq., Assistant General Counsel

COURT REPORTER:

Volusia Reporting
Paulita Kuldig
(386) 255-2150

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/>

THURSDAY, January 28, 2016

Board Counsel's Report – Lee Ann Gustafson, Esq.

- 35. U.S. Supreme Court Ruling in North Carolina State Board of Dental Examiners v. FTC: Overview, Implications, and the New Regulatory Landscape**
- 36. FTC Staff Guidance on Active Supervision of State Regulatory Boards Controlled by Market Participants**
- 37. Texas Medical Board Teladoc Antitrust Suit**

Ms. Gustafson presented the above items to the Board and gave a brief synopsis of the Supreme Court ruling and its effects on the Board at this time.

DISCIPLINARY PROCEEDINGS

Recommended Orders

1. NA LI, LMT, CASE # 2013-19708

PCP: Smallwood & Walker

This item was continued to the April meeting at counsel's request.

The following items were pulled due to a lack of quorum.

- 2. QUEEN SPA, CASE # 2014-21983**
- 3. JIANPING LIU, CASE # 2014-12347**

PCP: Smallwood & Walker
PCP: Phillips & Nixon

Informal Hearings

*If the Respondent **was present** the board, as appropriate, accepted unanimously the following motions:*
1) The Department asks that you find the Respondent was properly served and that an informal hearing was requested. 2) The Department asks that you adopt the findings of fact as set forth in the Administrative Complaint; 3) The Department asks that you adopt the conclusions of law as set forth in the Administrative Complaint; 4) The Department asks that you accept the case materials and any materials in the addendum into evidence as a part of the record and find that this constitutes a violation of the practice act.

*If the Respondent **was not present**, the board, as appropriate, accepted unanimously the following motion:*
1) The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2) The Department asks you find the Respondent was properly served and an informal hearing was requested. 3) The Department asks that you adopt the findings of fact and conclusions of law as set forth in the Administrative Complaint, and find that this constitutes a violation of the practice act.

4. CHIU SHIN HUANG, L.M.T., CASE # 2011-19235

PCP: Harrison & Oliver

Respondent was not present without counsel of record, Thomas D. Sommerville, Esq.

Ms. Rochester represented the Department and presented the case to the board.

Allegations of the Administrative Complaint:

Count I: Section 480.046(1)(o), FS and Rule 64B7-26.010(1)(2)(3)(4), FAC.

Count II: Section 480.046(1)(o) and 480.0485, FS.

Count III: Section 480.046(1)(o), 456.072(1)(v), and 456.063(1), FS.

Action Taken: Ms. Havard made a motion to impose the following penalty:

- Revocation
- Pay \$15,000 fine within 180 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

Additional Action Taken: Ms. Nixon moved to assess costs in the amount of \$480.84 within 180 days of the filed final order. Motion seconded by Ms. Havard, which passed unanimously.

12. YANHONG LIU, L.M.T., CASE # 2014-16403

PCP: Smallwood & Walker

Respondent was not present nor represented by counsel.

Ms. Rochester represented the Department and presented the case to the board.

Allegations of the Administrative Complaint: Sections 480.046(1)(p) and 480.0485, F.S.

Action Taken: Ms. Havard made a motion to impose the following penalty:

- Revocation
- Pay \$5,000 fine within 180 days of the filed final order
- Pay \$1,938.87 costs within 180 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

The following items were pulled due to a lack of quorum.

5. CASSIDY J. TARBLE, L.M.T., CASE # 2015-00611

PCP: Nixon & Davis

6. EDWARD D. RAMSEY, L.M.T., CASE # 2014-21900

PCP: Harrison & Nixon

7. JORGE QUINTANA, L.M.T., CASE # 2014-21802

PCP: Harrison & Nixon

8. THOMAS M. OGRODNIK, L.M.T., CASE #2014-15825

PCP: Nixon & Phillips

9. ZHENAI KANG, L.M.T., CASE# 2014-16664

PCP: Phillips & Walker

10. CHARITY CARTER, L.M.T., CASE # 2014-22255

PCP: Phillips & Walker

11. MICHELLE D. CHAMBERLIN, L.M.T., CASE # 2015-00688

PCP: Phillips & Walker

13. SHANZI JIANG, L.M.T., CASE# 2014-21628

PCP: Burke-Wammack & Havard

Settlement Agreements

The following items were pulled due to a lack of quorum.

14. JENNIFER XIAO, L.M.T., CASE #2014-22022

PCP: Harrison & Nixon

- 15. LAURA WALKER, L.M.T., CASE #2014-20394
- 16. DANIELLE VALENCA, L.M.T., CASE #2014-20732
- 17. EMILENKO S. REDONDO, L.M.T., CASE # 2014-21422
- 18. JAYNELL BRISTOL, L.M.T., CASE# 2015-04832

- PCP: Harrison & Nixon
- PCP: Harrison & Nixon
- PCP: Nixon & Davis
- PCP: Burke-Wammack & Havard

Voluntary Relinquishments

Ms. Phillips made a motion to accept the following voluntary relinquishments items 19 through 22 en masse. Motion seconded by Ms. Havard, which passed unanimously.

- 19. NOHORA TRIANA, L.M.T., CASE # 2012-06307
- 20. MAYDELIN MATOS FERNANDEZ, L.M.T., CASE #2015-02994
- 21. HUIZHAN ZHANG, L.M.T, CASE #2014-20342
- 22. MEI MEI MASSAGE & SPA, INC., CASE # 2015-29283

- PCP: Harrison & Burke-Wammack
- PCP: Waived
- PCP: Waived
- PCP: Waived

The following items were pulled due to a lack of quorum.

- 23. THOMAS D. MURPHY, L.M.T., CASE # 2013-17243
- 24. STEPHEN R. GOODMAN, L.M.T., CASE #2015-08838
- 25. SEAN HI RHEE, L.M.T. 2014-18035
- 26. GERARDO ESTRADA, L.M.T., CASE # 2014-08205

- PCP: Harrison & Havard
- PCP: Nixon & Davis
- PCP: Nixon & Davis
- PCP: Harrison & Nixon

Determination of Waivers

*If the Respondent **was present**, the board, as appropriate, accepted unanimously the following motions: 1) The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2) The Department asks you find the Respondent was properly served and waived the right to a formal hearing (either by failing to respond at all or timely). 3) The Department asks you adopt the findings of fact as set forth in the Administrative Complaint. 4) The Department asks you adopt the conclusions of law as set forth in the Administrative Complaint, and find that this constitutes a violation of the practice act.*

*If the Respondent **was not present**, the board, as appropriate, accepted unanimously the following motions: 1) The Department asks that you accept the investigative report into evidence for the purpose of imposing a penalty. 2) The Department asks you find the Respondent was properly served and waived the right to a formal hearing (either by failing to respond at all or timely). 3) The Department asks you adopt the findings of fact and conclusions of law as set forth in the Administrative Complaint, and find that this constitutes a violation of the practice act.*

- 27. ORESTE R. CHAVEZ, LMT, CASE # 2013-07924

- PCP: Smallwood & Phillips

Respondent was not present nor represented by counsel.

Ms. Rochester represented the Department and presented the case to the Board.

- Allegations of Administrative Complaint:
 - Count I: Section 480.046(1)(c), FS
 - Count II: Section 456.072(1)(ff), FS

Action Taken: Motion made by Ms. Nixon and seconded by Ms. Havard to impose the following penalty:

- Revocation
- Pay \$5,000 fine within 180 days of the filed final order
- Pay \$459.77 costs within 180 days of the filed final order

Motion passed unanimously.

28. JING CAI, L.M.T., CASE # 2014-16405

PCP: Smallwood & Walker

Respondent was not present nor represented by counsel.

Ms. Rochester represented the Department and presented the case to the Board.

Allegations of Administrative Complaint: Sections 480.046(1)(p) and 480.085, F.S.

Action Taken: Motion made by Ms. Nixon and seconded by Ms. Phillips to impose the following penalty:

- Revocation
- Pay \$5,000 fine within 180 days of the filed final order
- Pay \$459.77 costs within 180 days of the filed final order

Motion passed unanimously.

The following items were pulled due to a lack of quorum.

29. GABRIEL MATA, L.M.T., CASE # 2014-19758

PCP: Havard & Burke-Wammack

30. JESSICA LEIGH ODELL, LMT, CASE # 2014-10674

PCP: Nixon & Phillips

31. BARBARA T. WEST, L.M.T., CASE #2014-21956

PCP: Harrison & Nixon

32. JOHN OGLESBY, L.M.T., CASE #2014-13515

PCP: Harrison & Nixon

(break)

Motion to Assess Costs

33. JOHN D. NIELSEN-COLLINS, L.M.T., CASE # 2014-15663

PCP: Smallwood & Phillips

This item was pulled due to a lack of quorum.

PROSECUTOR'S REPORT

***REVIEW AND APPROVAL OF MINUTES**

34. November 9, 2015, Telephone Conference Call Meeting Minutes

Ms. Havard made a motion to approve the minutes as written, which was seconded by Ms. Nixon and carried unanimously.

***REPORTS**

Board Counsel's Report – Lee Ann Gustafson, Esq.

38. November 2015 Rules Report

This item is informational

Executive Director's Report – Claudia Kemp, Executive Director

39. Ratification of Licensure - Massage Therapists 06/24/2015 – 12/18/2015

Action taken: Ms. Havard made a motion to ratify the massage therapist licenses. Motion seconded by Ms. Phillips, which passed unanimously.

Ms. Kemp introduced and welcomed the three newly appointed board members, Ms. Jennifer Wasylyna, Ms. Victoria Drago, and Mr. Christopher Brooks. She also advised those in attendance that one consumer member seat was still vacant on the board and encouraged those interested to apply.

Ms. Kemp also mentioned that the Department is following two items during that might impact the massage therapy profession. First, HB7055/SB1396, which would enhance penalties for child pornography charges. Second, HB545/SB784, which would enhance the penalties associated with human trafficking.

School Liaison Report – Vacant

40. Massage Therapy Program Approval 06/24/2015 – 12/18/2015

Action taken: Ms. Nixon made a motion to ratify the massage therapy program approvals. Motion seconded by Ms. Phillips, which passed unanimously.

Ms. Nixon appointed Ms. Wasylyna as School Liaison.

Continuing Education Liaison Report – Sharon Phillips

41. Approved Pro Bono Requests 06/24/2015 – 12/18/2015

Action taken: Ms. Havard made a motion to ratify the pro bono requests. Motion seconded by Ms. Nixon, which passed unanimously.

42. Approved CE Providers 06/24/2015 – 12/18/2015

Action taken: Ms. Havard made a motion to ratify the approved CE providers. Motion seconded by Ms. Nixon, which passed unanimously.

Chair Report – Vacant

Legislative Liaison Report – Vacant

Public Relations Liaison Report - Vacant
Vice Chair Report – Lydia Nixon
Rules Liaison Report – Lydia Nixon and Sharon Phillips
Budget Liaison Report – Robyn Havard
Unlicensed Activity Report – Lydia Nixon
Healthy Weight Liaison Report – Vacant

All above had no report at this time

***RULES DISCUSSION**

43. Rule Title 64B7-28.010, F.A.C. – FSMTB Proposed Change

Mary O'Reilly, FSMTB, was present during discussion to answer questions and gave a brief synopsis of the FSMTB continuing education program.

After lengthy discussion, this item was tabled to the following day.

***GENERAL BUSINESS DISCUSSION**

44. FSMTB MBLEx Contract Review

The current contract expires June 2016. Mary O'Reilly, FSMTB, was present during discussion to answer questions.

Action Taken: After review of the previous contract language, Ms. Phillips moved to change the reporting time of examination score results to 5 business days. Motion seconded by Ms. Nixon, which passed unanimously.

45. NBCHT Exam Contract Review

The current contract expires June 2016.

Action Taken: After review of the previous contract language, Ms. Phillips moved to change the reporting time of examination score results to 5 business days. Motion seconded by Ms. Nixon, which passed unanimously.

***INFORMATIONAL**

46. FSMTB Announces MBLEx Study Guide is Available for Purchase

This item is informational only.

47. FSMTB Announces Change to Board of Directors

This item is informational only.

(recess)

FRIDAY, January 29, 2016

ADMINISTRATIVE PROCEEDINGS

Request for Informal Hearing

48. Taylor Dangerman

Applicant was present without counsel.

Action Taken: After discussion, Ms. Havard moved to grant the license unencumbered. Motion seconded by Ms. Nixon, which passed unanimously.

49. Myra Segui

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to deny the license as applicant did not provide an official transcript and is missing the following required education for licensure:

- 2 hours in prevention of medical errors
- 2 hours in ethics
- 15 hours in business

Motion seconded by Ms. Phillips, which passed 3/1 with Ms. Havard opposing the motion.

Conditional Licensee Review

50. Sun Tok Park

Ms. Park, counsel of record Alison Mitchell Esq., and monitor Daniel Gregoire were not present.

Action Taken: After discussion, Ms. Nixon moved to lift the conditions. Motion seconded by Ms. Havard, which passed unanimously.

Applicants with History

51. Rebecca Alford

Applicant was present without counsel.

Action Taken: After discussion, Ms. Havard moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

52. Bunny Sue Baker

Applicant was present without counsel.

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

- Letter of concern
- \$500 administrative fine
- Corrected application

The Executive Director is delegated the authority to issue the license once the fine has been paid. Motion seconded by Ms. Havard, which passed unanimously.

53. Jacqueline Bivens

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the condition that 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 and payment of the fine. Motion seconded by Ms. Havard, which passed unanimously.

54. Patrick Caraghiaur

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Havard moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

55. Brittney Doyen

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

56. Jeffrey Hemann

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Havard, which passed unanimously.

57. Junhong Li

Applicant was not present nor represented by counsel.

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

- Letter of concern
- \$500 administrative fine

The Executive Director is delegated the authority to issue the license once the fine has been paid. Motion seconded by Ms. Havard, which passed unanimously.

58. Michael McCandless

Applicant was present without counsel.

Action Taken: After discussion, Ms. Phillips moved to grant the license unencumbered. Motion seconded by Ms. Havard, which passed unanimously.

59. Nan Shu

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to deny the application as the applicant was convicted of or entered a plea to a charge of unlicensed practice of massage in 2006, which charge was reduced from an arrest for prostitution. Motion seconded by Ms. Phillips, which passed unanimously.

101. Xiuchun Zhang

Applicant was present without counsel. Translator, Hui Chi Lin, was present and sworn I by the court reporter.

Action Taken: After discussion, Ms. Nixon moved to deny the application due to previous disciplinary history. Motion seconded by Ms. Phillips, which passed unanimously.

Applicants with Out of State Education

60. Josh Asel

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to grant the license once applicant submits documentation of successful completion of the deficient classroom hours: 10 hours in Basic Massage Theory and History and five hours in Clinical Practicum. Motion seconded by Ms. Wasylyna, which passed unanimously.

61. Olivia Chittenden

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation of successful completion of the deficient classroom hours: 45 hours in clinical practicum and 15 hours in hydrotherapy. Motion seconded by Ms. Phillips, which passed unanimously.

62. Dianna Lee Duffy

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

63. David Haning

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 75 hours in clinical practicum, 4 hours in ethics, 10 hours in Florida laws and rules, 3 hours in HIV/AIDS and 2 hours in the prevention of medical errors. Motion seconded by Ms. Wasylyna, which passed unanimously.

64. Bing Jiang

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 20 hours in anatomy and physiology, 115 hours of clinical practicum and 5 hours in hydrotherapy. Motion seconded by Ms. Phillips, which passed unanimously.

65. Virginia Klein

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to accept the verbal withdrawal of application. Motion seconded by Ms. Havard, which passed unanimously.

66. Seunghee Neel

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 50 hours in Basic Massage Theory and History, 10 hours in anatomy and physiology and 15 hours in hydrotherapy. Motion seconded by Ms. Phillips, which passed unanimously.

67. Sara Pierce

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Wasylyna, which passed unanimously.

68. Nicholas Ragusa

Applicant was not present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the condition that 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 and payment of the fine. Motion seconded by Ms. Havard, which passed unanimously.

69. Liting Shang

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 27 hours in allied modalities and 75 hours of clinical practicum. Motion seconded by Ms. Havard, which passed unanimously.

70. Wei Tang

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 27 hours in allied modalities and 75 hours of clinical practicum. Motion seconded by Ms. Phillips, which passed unanimously.

71. Jennifer Tramel

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 6 months of successful completion of the deficient classroom hours: four hours in Professional Ethics. Motion seconded by Ms. Havard, which passed unanimously.

72. Carrie Washburn

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 6 months of successful completion of the deficient classroom hours: five hours in hydrotherapy. Motion seconded by Ms. Havard, which passed unanimously.

73. Huixia Wu

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 90 hours in basic massage theory and history, 42 hours in anatomy and physiology, 40 hours of clinical practicum, 15 hours in hydrotherapy, 8 hours in Florida laws and rules, and 3 hours in HIV/AIDS. Motion seconded by Ms. Havard, which passed unanimously.

74. Hangchang Zhao

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant submits documentation within 12 months of successful completion of the deficient classroom hours: 50 hours in basic massage theory and history, 40 hours of clinical practicum and 15 hours in hydrotherapy. Motion seconded by Ms. Phillips, which passed unanimously.

Applicants with Foreign Education

75. Jordi Ferrer Illa

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Havard, which passed unanimously.

Petitions for Variance or Waiver

76. Kelly Adame

Applicant was not present nor represented by counsel.

Action Taken: Ms. Phillips moved to deny the petition. Motion seconded by Ms. Nixon, which passed unanimously.

Action Taken: After discussion, Ms. Phillips moved to deny the application as the transcript demonstrates that the applicant is deficient 40 hours in Basic Massage Theory and History, 76 hours in Allied Modalities, 15 hours in hydrotherapy, 15 hours in business, and 80 hours in clinical practicum. Motion seconded by Ms. Havard, which passed unanimously.

77. Angela Bascou

Applicant was not present nor represented by counsel.

Action Taken: Ms. Havard moved to deny the petition. Motion seconded by Ms. Nixon passed unanimously.

Action Taken: After discussion, Ms. Phillips moved to deny the application because she did not demonstrate that 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, nor did she demonstrate that the requirements for

licensure in California in 1993 were substantially equivalent to the requirements in Florida in 1993. Motion seconded by Ms. Havard, which passed unanimously.

78. Ann Boehnlein

Applicant was not present nor represented by counsel.

Action Taken: Ms. Phillips moved to deny the petition. Motion seconded by Ms. Nixon, which passed unanimously.

Action Taken: After discussion, Ms. Phillips moved to deny the application as the transcript discloses deficiencies of 50 hours in anatomy and physiology, 15 hours in hydrotherapy and 15 hours in business. Motion seconded by Ms. Havard, which passed unanimously.

79. Andrea LiBrizzi

Applicant was not present nor represented by counsel.

Action Taken: Ms. Phillips moved to deny the petition as the Board was unable to determine what provision of the rule the Petitioner wants to have waived. Motion seconded by Ms. Havard, which passed unanimously.

The board took no action on the application as it was not complete.

80. Rebecca Downs

Applicant was not present nor represented by counsel.

Action Taken: Ms. Phillips moved to deny the petition. Motion seconded by Ms. Havard, which passed unanimously.

The board took no action on the application as it was not complete.

81. Tina Grant

Applicant was present without counsel.

Action Taken: Ms. Phillips moved to deny the petition. Motion seconded by Ms. Nixon, which passed unanimously.

Action Taken: After discussion, Ms. Phillips moved to deny the application because applicant did not demonstrate that 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. Motion seconded by Ms. Havard, which passed unanimously.

86. Sarah Westervelt

Applicant was without counsel.

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

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

82. Violet Kaminski

Applicant was not present nor represented by counsel.

Action Taken: Ms. Havard moved to grant the petition. Motion seconded by Ms. Wasylyna, which passed unanimously.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

83. Jennifer H. La Coa

Applicant was not present nor represented by counsel.

Action Taken: Ms. Phillips moved to deny the petition as petitioner seeks a waiver of a statutory provision, which the Board is not authorized to grant. Motion seconded by Ms. Havard, which passed unanimously.

84. Natalia Sablina

Applicant was not present nor represented by counsel.

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

Action Taken: After discussion, Ms. Phillips moved to grant the license once applicant submits documentation within 6 months of successful completion of the deficient classroom hours: 19 hours in allied modalities and 15 hours in hydrotherapy. Motion seconded by Ms. Havard, which passed unanimously.

85. Yanjung Wang

Applicant was not present nor represented by counsel.

Action Taken: Ms. Nixon, moved to deny the petition. Motion seconded by Ms. Phillips, which passed unanimously.

The board took no action on the application as it was not complete.

87. Kelley Williams

Applicant was not present nor represented by counsel.

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

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

Continuing Education Providers

88. Tobi Doering

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The content of course number 20-523100 is outside the scope of the practice of massage therapy as defined by Chapter 480, Florida Statutes.
- Form B for course number 20-523098 did not identify learning objectives in behavioral terms.
- Form B for course number 20-523096 did not include dates for referenced materials.

Motion seconded by Ms. Nixon, which passed unanimously.

89. George Hughes

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- None of the courses indicated an evaluation process for attendees.
- The Form B for Introduction to Reiki: Level 1 and Level 2 do not express learning objectives in behavioral terms.
- The references for Introductory Anatomy of the Energy Body do not have publication dates.
- The Form B for Introductory Anatomy of the Energy Body does not explain how the learning objectives are relevant to the practice of massage therapy as defined in Chapter 480, Florida Statutes.

Motion seconded by Ms. Havard, which passed unanimously.

90. Helen J. Malin-Christiansen

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The content of the course Basic Nutrition is outside the scope of the practice of massage therapy as defined by Chapter 480, Florida Statutes.
- The Learner Objectives for HIV and Clinical Aromatherapy do not detail how each objective is relevant to the practice of massage therapy as defined in Chapter 480, Florida Statutes.

Motion seconded by Ms. Nixon, which passed unanimously.

91. Integrative Therapy Educators, Inc.

Applicant was present without counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- Course #20-504004: The Form B for this course does not establish how the content of the course is relevant to the practice of massage therapy as defined in Chapter 480, Florida Statutes.

- Course 20-504052: The content of this course is out of the scope of practice of massage therapy as defined in Chapter 480, Florida Statutes.

Motion seconded by Ms. Nixon, which passed unanimously.

(lunch break)

Applicants with Out of State Education

102. Joshua Brannon

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

103. Viviana Tabares

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license once applicant proof of a passing MBLEX exam score. Motion seconded by Ms. Phillips, which passed unanimously.

104. Mary Yardley

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Havard, which passed unanimously.

105. Fuhua Zhang

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which passed unanimously.

Continuing Education Providers

92. Melissa Doyle

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Havard moved to deny the application:

- The content of the courses are outside the scope of practice of massage therapy as defined by Chapter 480, Florida Statutes.

Motion seconded by Ms. Nixon, which passed unanimously.

93. Bennet Stellar University

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Havard moved to deny the application:

- The content of the courses are outside the scope of practice of massage therapy as defined by Chapter 480, Florida Statutes.

Motion seconded by Ms. Nixon, which passed unanimously.

94. Alzheimer's Community Care, Inc.

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Havard moved to deny the application:

- The content of the courses are outside the scope of practice of massage therapy as defined by Chapter 480, Florida Statutes.

Motion seconded by Ms. Nixon, which passed unanimously.

95. Natural Health Unlimited

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Havard moved to deny the application:

- Form B for Course 20-489694 does not describe learner objectives in behavioral terms and contains five learner objectives but only four subject matters. Learner Objective #3 does not match subject matter #3.
- Form B for Courses 20-489692 and 20-489682 do not describe learner objectives in behavioral terms. Learner Objective #3 does not match subject matter #3.

Motion seconded by Ms. Nixon, which passed unanimously.

96. Professional Bodyworks of South Florida

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The applicant failed to complete Form B as instructed.
- Learner objectives are not stated in behavioral terms.
- There are no outlines of subject matter that relate to the learner objectives and no evidence of currency and accuracy of subject matter.
- The courses do not provide for evaluation of attendees.

Motion seconded by Ms. Havard, which passed unanimously.

97. MJ Ventures, LLC

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The applicant failed to complete the Form B for each course as directed on the Form.
- Portions of the applications are not visible; apparently the applicant selected a font too large to fit the spaces provided.
- The applicant failed to submit three acceptable continuing education courses.

Motion seconded by Ms. Havard, which passed unanimously.

98. Hoshino Therapy Clinic

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The applicant failed to complete the Form B for each course as directed on the Form.
- Learner objectives are not stated in behavioral terms.
- The applicant references materials that are 23 years old.

Motion seconded by Ms. Havard, which passed unanimously.

99. Lauren Rosenberg

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The content of the courses are outside the scope of practice of massage therapy as defined by Chapter 480, Florida Statutes.

Motion seconded by Ms. Nixon, which passed unanimously.

100. Life Spectrum Institute

Applicant was not present nor represented by counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application:

- The applicant failed to submit current reference materials.

Motion seconded by Ms. Havard, which passed unanimously.

*OLD BUSINESS

43. Rule Title 64B7-28.010, F.A.C. – FSMTB Proposed Change

Mary O'Reilly, FSMTB, was present during discussion to answer questions.

Mr. Pete Whitridge, Alliance for Massage Therapy Educators, presented his concerns and advised that the FSMTB is using the ICE teacher education qualification standards when reviewing continuing education providers for approval.

After lengthy discussion, this rule will be tabled for the next business meeting to include language changes proposed by Ms. Phillips and invite Ms. Lorena Haynes from FSMTB for discussion.

*NEW BUSINESS

Action Taken: Ms. Phillips moved to open Rule Title 64B7-26.002, FAC for development. Ms. Nixon seconded the motion, which passed unanimously.

***ELECTIONS**

2016 Chair and Vice-Chair Elections

Ms. Nixon nominated Ms. Havard as Vice-Chair. Ms. Havard accepted the nomination.

Action Taken: Ms. Nixon moved to elect Ms. Havard as Vice-Chair. Motion seconded by Ms. Phillips, which passed unanimously.

Ms. Havard nominated Ms. Nixon as Chair. Ms. Nixon accepted the nomination.

Action Taken: Ms. Havard moved to elect Ms. Nixon as Chair. Motion seconded by Ms. Phillips, which passed unanimously.

ADJOURN

There being no further business, the meeting adjourned at 2:29pm.