



**MEETING MINUTES**  
**Board of Massage Therapy**  
**General Business Meeting**  
**April 21-22, 2016**

**Tampa Marriot Westshore**  
**N Westshore Blvd**  
**Tampa, Florida 33607**  
**813-287-2555**

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**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, Chair  
Robyn Havard, PLCS, Vice Chair  
Sharon Phillips, LMT, AP, DOM  
Jennifer Wasylina, LMT  
Christopher Brooks, LMT  
Victoria Drago, LMT

**BOARD COUNSEL:**

Tom Barnhart, Esq.  
Assistant Attorney General

**STAFF PRESENT:**

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

**DEPARTMENT PROSECUTING ATTORNEYS:**

Candace Rochester, Esq., Assistant General Counsel  
Louise St. Laurent, Esq., Assistant General Counsel  
Kristen Summers, Esq., Assistant General Counsel  
Shoshana Silver, Esq., Assistant General Counsel  
Cheryl Roberts, Esq., Assistant General Counsel

**COURT REPORTER:**

Murray and Associates  
Larry Murray  
(813) 229-8225

*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/>*

**DISCIPLINARY PROCEEDINGS**

**Recommended Orders**

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

**PCP: Smallwood & Walker**

Respondent was present and represented by S. Patrick Dray, Esq. Ms. Summers represented the Department and presented the case to the Board.

Mr. Barnhart explained the Recommended Order was before the Board for final action and explained the process for reviewing the Recommended Order.

Ms. Summers presented the case to the Board for final action in consideration of the DOAH recommended order. The department filed a one count administrative complaint alleging of Section 480.046(1)(p), F.S. by violating 480.0485, F.S.

Ms. Summers advised the Division of Administrative Hearings (DOAH) recommended the Board of Osteopathic Medicine enter a final order finding Respondent violated the statutes and rules as alleged in the administrative complaint, revocation of Respondent's license, and an administrative fine in the amount of \$2,500.00.

Mr. Barnhart reviewed each exception with the board.

**Petitioner's Exceptions to the Findings of Fact:**

**Exception #1** – Paragraph 6 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #2** – Paragraph 8 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #3** – Paragraph 9 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #4** – Paragraph 11 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #5** – Paragraph 14 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Phillips seconded the motion, which passed unanimously.

**Exception #6** – Paragraph 15 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Phillips seconded the motion, which passed unanimously.

**Exception #7** – Paragraph 16 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #8** – Paragraph 25 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #9** – Paragraph 26 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

**Exception #10** – Paragraph 30 of the Recommended Order

**Action Taken:** A motion was made by Ms. Nixon to deny the exception. Ms. Havard seconded the motion, which passed unanimously.

The board then heard testimony from S. Patrick Dray, Esq., attorney for respondent.

**Final Action Taken:** A motion was made by Ms. Nixon to accept the Findings of Fact and the Conclusions of Law in the Recommended Order and to adopt the penalty recommended by the Administrative Law Judge. The motion was seconded by Ms. Havard, which passed unanimously.

**Additional Action Taken:** Ms. Nixon moved to approve the Department's request to bifurcate the costs and retain jurisdiction. Motion was seconded by Ms. Havard, which passed unanimously.

## 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.

### **5. KANDICE T. SEAY, L.M.T., CASE # 2015-05478**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of the Administrative Complaint:

Count I: Sections 480.046(1)(o) and 456.072(1)(w), FS

Count II: Sections 480.046(1)(o) and 456.072(1)(x), FS

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order

Motion seconded by Ms. Havard, which passed unanimously.

**Additional Action Taken:** Ms. Havard moved to assess costs in the amount of \$28.19 to be paid within 180 days of the filed final order. Motion seconded by Ms. Nixon, which passed unanimously.

### **6. DAVE VAN DEREE, L.M.T. CASE # 2015-05523**

**PCP: Walker & Davis**

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:

Count I: Sections 480.046(1)(o) and 456.072(1)(w), FS

Count II: Sections 480.046(1)(o) and 456.072(1)(x), FS

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order
- Pay \$25.52 costs within 180 days of the filed final order

Motion seconded by Ms. Havard, which passed unanimously.

**7. SHUMEI HAN, L.M.T, CASE # 2015-02739**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of the Administrative Complaint: Section 480.046(1)(a), FS

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

- Revocation
- Pay \$10,000 fine within 180 days of the filed final order

Motion seconded by Ms. Phillips, which passed 5/1 with Ms. Havard opposing the motion.

**8. ALEXIS D. GULABYAN, LMT, CASE # 2014-22440**

**PCP: Walker & Davis**

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: Section 456.072(1)(x), FS

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order
- Pay \$59.10 costs within 180 days of the filed final order

Motion seconded by Ms. Havard, which passed unanimously.

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

**PCP: Phillips & Walker**

Respondent was not present nor represented by counsel.

Ms. Phillips was recused due to participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board.

Allegations of the Administrative Complaint:

Count I: Sections 480.046(1)(o) and 456.072(1)(c), FS

Count II: Sections 480.046(1)(o) and 456.072(1)(x), FS

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

- Revocation
- Pay \$10,000 fine within 180 days of the filed final order

Motion seconded by Mr. Brooks, which passed 5/0.

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

**PCP: Phillips & Walker**

Respondent was not present nor represented by counsel.

Ms. Phillips was recused due to participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board.

Allegations of the Administrative Complaint: Section 456.072(1)(x), FS

**Action Taken:** Ms. Havard moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order

Motion seconded by Ms. Nixon, which passed unanimously.

**Additional Action Taken:** Ms. Havard moved to assess costs in the amount of \$19.48 to be paid within 180 days of the filed final order. Motion seconded by Ms. Nixon, which passed 5/0.

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

**PCP: Phillips & Walker**

Respondent was not present nor represented by counsel.

Ms. Phillips was recused due to participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board.

Allegations of the Administrative Complaint: Section 456.072(1)(x), FS

**Action Taken** Ms. Nixon moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order
- Pay \$13.43 costs within 180 days of the filed final order

Motion seconded by Ms. Havard, which passed 5/0.

**4. JILL R. BAILLARGEON, LMT, CASE # 2015-07563**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of the Administrative Complaint: Section 480.046(1)(a), FS

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

- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$2000 fine within 1 year of the filed final order
- Pay \$33.58 costs within 1 year of the filed final order

Motion seconded by Ms. Nixon, which passed unanimously.

**(break)**

**9. RACHEL DEVAN ALTER, L.M.T., CASE # 2014-15515**

**PCP: Nixon & Walker**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to participation on the probable cause panel. Ms. Silver represented the Department and presented the case to the board.

Allegations of the Administrative Complaint: Sections 480.046(1)(h) and 456.072(1)(hh)(q), FS

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

- Suspension until compliant with previous order

Motion seconded by Ms. Havard, which passed 5/0.

**Additional Action Taken:** Ms. Phillips moved to assess costs in the amount of \$1386 within 180 days after license suspension has been lifted. Motion seconded by Ms. Havard, which passed 5/0.

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

**PCP: Nixon & Davis**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to participation on the probable cause panel. Ms. Roberts represented the Department and presented the case to the board.

Allegations of the Administrative Complaint: Section 480.046(1)(c), FS

**Action Taken:** Ms. Havard made a motion to dismiss the case. Motion seconded by Ms. Phillips, which passed 5/0.

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

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to participation on the probable cause panel. Ms. Roberts represented the Department and presented the case to the board.

Allegations of the Administrative Complaint:

Count I: Section 480.046(1)(c), FS

Count II: Section 480.046(1)(o) through 456.072(1)(w), FS

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

- Suspension until June 23, 2017
- Pay \$500 fine within 90 days after license suspension has been lifted.

Motion seconded by Ms. Phillips, which passed 5/0.

**Additional Action Taken:** Ms. Havard moved to assess costs in the amount of \$18.12 within 6 months after license suspension has been lifted. Motion seconded by Ms. Phillips, which passed 5/0.

**12. JORGE QUINTANA, LMT, CASE # 2014-21802**

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to participation on the probable cause panel. Ms. Roberts represented the Department and presented the case to the board.

Allegations of the Administrative Complaint: Section 480.046(1)(o) via 456.072(1)(w) and 456.072(1)(x), FS

**Action Taken:** Ms. Havard moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order

Motion seconded by Ms. Phillips, which passed 5/0.

**Additional Action Taken:** Ms. Havard moved to assess costs in the amount of \$20.15 to be paid within 180 days of the filed final order. Motion seconded by Ms. Wasylyna, which passed 5/0.

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

**PCP: Nixon & Phillips**

Respondent was not present nor represented by counsel.

Ms. Nixon and Ms. Phillips were recused due to their participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board.

Allegations of the Administrative Complaint:

- Count I: Section 480.046(1)(o) through 456.072(1)(w), FS
- Count II: Section 480.046(1)(o) through 456.072(1)(w), FS
- Count III: Section 480.046(1)(o) through 456.072(1)(x), FS

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

- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1500 fine within 180 days of the filed final order
- Pay \$88.97 costs within 180 days of the filed final order

Motion seconded by Mr. Brooks, which passed 4/0.

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

**PCP: Burke-Wammack & Havard**

This item was continued to the next board meeting.

**Recommended Orders**

**2. QUEEN SPA, CASE # 2014-21983**

**PCP: Smallwood & Walker**

**3. JIANPING LIU, CASE # 2014-12347**

**PCP: Phillips & Nixon**

Respondent was present and represented by Vana Renejuste, Esq. Ms. Summers represented the Department and presented the case to the Board.

Mr. Barnhart explained the Recommended Order was before the Board for final action and explained the process for reviewing the Recommended Order. Ms. Nixon and Ms. Phillips were recused due to their participation on the probable cause panel.



Ms. Silver and Ms. St. Laurent presented the case to the Board for final action in consideration of the DOAH recommended order. The department filed a one count administrative complaint alleging:

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

Sections 480.046(1)(e)(p) and 480.0465, F.S.  
Sections 480.046(1)(o) and (p), F.S.

Ms. St. Laurent advised the Division of Administrative Hearings (DOAH) recommended the Board of Osteopathic Medicine enter a final order finding Respondent violated the statutes and rules as alleged in the administrative complaint, revocation of Respondent's license, and an administrative fine in the amount of \$4,000.00.

Mr. Barnhart reviewed each exception with the board.

**Petitioner's Exceptions to the Findings of Fact:**

**Exception #1**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Mr. Brooks seconded the motion, which passed 4/0.

**Exception #2**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Mr. Brooks seconded the motion, which passed 4/0.

**Exception #3**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #4**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #5**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #6**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #7**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #8**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #9**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #10**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #11**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #12**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #13**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #14**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

**Exception #15**

**Action Taken:** A motion was made by Ms. Havard to reject the exception. Ms. Wasylyna seconded the motion, which passed 4/0.

The board then heard testimony from Vana Renejuste, Esq., attorney for respondent.

**QUEEN SPA, CASE # 2014-21983**

**Final Action Taken:** A motion was made by Ms. Havard to accept the Findings of Fact and the Conclusions of Law in the Recommended Order and to adopt the penalty recommended by the Administrative Law Judge. The motion was seconded by Ms. Wasylyna, which passed 4/0.

**JIANPING LIU, CASE # 2014-12347**

**Final Action Taken:** A motion was made by Ms. Havard to accept the Findings of Fact and the Conclusions of Law in the Recommended Order and to adopt the penalty recommended by the Administrative Law Judge. The motion was seconded by Ms. Wasylyna, which passed 4/0.

**Additional Action Taken:** Ms. Havard moved to approve the Department's request to bifurcate the costs in both of the above cases and retain jurisdiction. Motion was seconded by Ms. Wasylyna, which passed unanimously.

*(lunch break)*

Settlement Agreements

**22. JUDIT JUHASZ, L.M.T., CASE # 2014-20750**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of Administrative Complaint: Sections 480.046(1)(o) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Phillips made a motion to reject the Settlement Agreement and counteroffer the terms of the previous Settlement Agreement with the below changes. Motion seconded by Ms. Havard, which passed unanimously.

**Penalty Imposed:**

- \$1000 fine within 90 days of the filed Final Order
- \$413.94 costs within 90 days of the filed Final Order
- 10 hour Florida Laws and Rules course within 90 days of the filed final order

Respondent verbally accepted the counter offered Settlement Agreement.

**18. PATRICIA MARY SHEPARD, L.M.T., CASE # 2015-04044**

**PCP: Walker & Davis**

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)(o) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Phillips made a motion to reject the Settlement Agreement and counteroffer the terms of the previous Settlement Agreement with the below changes. Motion seconded by Ms. Havard, which passed unanimously.

**Penalty Imposed:**

- Letter of Concern
- 10 hour Florida Laws and Rules course within 90 days of the filed final order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**19. XIAO YING WANG, L.M.T., CASE # 2014-20839**

**PCP: Walker & Davis**

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 456.072(1)(x), F.S.

**Action Taken:** Ms. Havard made a motion to accept the Settlement Agreement. Motion seconded by Ms. Phillips, which passed 5/1 with Ms. Nixon opposing the motion.

**20. ALEXANDER A. KIRBY, L.M.T., CASE # 2015-02907**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of Administrative Complaint: Section 455.624(1)(q) through 455.624(1)(w), F.S.

**Action Taken:** Ms. Nixon made a motion to reject the Settlement Agreement and counteroffer the terms of the previous Settlement Agreement with the below changes. Motion seconded by Ms. Havard, which passed unanimously.

**Penalty Imposed:**

- Letter of Reprimand
- \$500 fine within 90 days of the filed Final Order
- \$195.77 costs within 90 days of the filed Final Order
- 10 hour Florida Laws and Rules course within 90 days of the filed final order

Respondent verbally accepted the counter offered Settlement Agreement.

**21. MELISSA L. LORENTSON, L.M.T., CASE # 2015-00973**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint: Section 480.046(1)(o) through 456.072(1)(x), F.S.

**Action Taken:** Ms. Nixon made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed unanimously.

**Penalty Imposed:**

- Letter of Reprimand
- \$500 fine within 90 days of the filed Final Order
- \$231.13 costs within 90 days of the filed Final Order
- 10 hour Florida Laws and Rules course within 90 days of the filed final order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**23. DAVID ANDREW CLARKE, L.M.T., CASE # 2015-00403**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of Administrative Complaint: Sections 480.046(1)(o) and 456.072(1)(x), F.S

**Action Taken:** Ms. Nixon made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed unanimously.

**Penalty Imposed:**

- Letter of Reprimand
- \$500 fine within 90 days of the filed Final Order
- \$394.45 costs within 90 days of the filed Final Order
- 10 hour Florida Laws and Rules course within 90 days of the filed final order

Respondent verbally accepted the counter offered Settlement Agreement.

**24. CURTIS J. LOCKE, L.M.T., CASE # 2014-17574**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint: Section 480.046(1)(a), F.S.

**Action Taken:** Ms. Havard made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Nixon, which passed unanimously.

**Penalty Imposed:**

- Remove Suspension
- \$467.10 costs within 90 days of the filed Final Order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**25. LUIS N. RODRIGUEZ, L.M.T., CASE # 2015-05565**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of Administrative Complaint: Sections 480.046(1)(o) and 456.072(1)(x), F.S

**Action Taken:** Ms. Phillips made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Nixon, which passed unanimously.

**Penalty Imposed:**

- Remove PRN evaluation
- \$1000 fine within 1 year of the filed Final Order
- \$496.78 costs within 1 year of the filed Final Order
- 10 hour Florida Laws and Rules course within 1 year of the filed Final Order

Respondent verbally accepted the counter offered Settlement Agreement.

**26. CRYSTAL RAE WARRINER, L.M.T., CASE # 2015-04416**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint:

Count I: Section 480.046(1)(a), F.S.

Count II: Sections 480.046(1)(p) and 456.072(1)(x), FS

**Action Taken:** Ms. Phillips made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Nixon, which passed unanimously.

**Penalty Imposed:**

- Letter of Concern
- \$1500 fine within 6 months of the filed Final Order
- \$458.01 costs within 6 months of the filed Final Order
- 10 hour Florida Laws and Rules course within 6 months of the filed Final Order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**27. ZHANG YU, L.M.T., CASE # 2014-22539**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint: Section 480.046(1)(o) through 456.072(1)(x), FS

**Action Taken:** Ms. Nixon made a motion to reject the Settlement Agreement and counteroffer the terms of the previous Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed unanimously.

**Penalty Imposed:**

- Revocation

- \$10,000 fine within 6 months of the filed Final Order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**28. STEVE RANDALL GREEN, L.M.T., CASE # 2015-00116**

**PCP: Walker & Davis**

Respondent was present without counsel.

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

Allegations of Administrative Complaint: Sections 480.046(1)(a) and 456.072(1)(w), F.S

**Action Taken:** Ms. Nixon made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Havard, which passed unanimously.

**Penalty Imposed:**

- \$1500 fine within 1 year of the filed Final Order
- \$1064.80 costs within 1 year of the filed Final Order
- 10 hour Florida Laws and Rules course within 1 year of the filed Final Order

Respondent verbally accepted the counter offered Settlement Agreement.

**29. MICHAEL A. KIRISITS, L.M.T., CASE # 2014-21898**

**PCP: Walker & Davis**

Respondent was present with counsel, A. S. Gus Weekley, Jr., M.D., Esq.

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

Allegations of Administrative Complaint: Sections 480.046(1)(o) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Nixon made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Phillips, which passed unanimously.

**Penalty Imposed:**

- Letter of Concern
- \$500 fine within 90 days of the filed Final Order
- \$434.74 costs within 90 days of the filed Final Order
- 10 hour Florida Laws and Rules course within 90 days of the filed Final Order

Respondent verbally accepted the counter offered Settlement Agreement.

**30. JAYNELL BRISTOL, L.M.T., CASE# 2015-04832**

**PCP: Burke-Wammack & Havard**

Respondent was not present nor represented by counsel.

Ms. Havard was recused due to her participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board

Allegations of Administrative Complaint: Sections 480.046(1)(p) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Phillips made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed 5/0.

**Penalty Imposed:**

- Letter of Concern
- PRN evaluation
- 10 hour Florida Laws and Rules course
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

*(break)*

**31. EMILENKO S. REDONDO, L.M.T., CASE # 2014-21422**

**PCP: Nixon & Davis**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board

Allegations of Administrative Complaint: Section 456.072(1)(w), F.S.

**Action Taken:** Ms. Phillips made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed 5/0.

**Penalty Imposed:**

- \$500 fine within 1 year of the filed Final Order
- \$912.16 costs within 1 year of the filed Final Order
- 10 hour Florida Laws and Rules course within 1 year of the filed Final Order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

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

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board

Allegations of Administrative Complaint: Sections 480.046(1)(c)(p) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Wasylyna made a motion to reject the Settlement Agreement and counteroffer the terms of the previous Settlement Agreement with the below changes. Motion seconded by Ms. Phillips, which passed 5/0.

**Penalty Imposed:**

- \$1500 fine
- \$436.56 costs
- Respondent has 30 days to accept or reject the proposed Settlement Agreement



**33. LAURA WALKER, L.M.T., CASE #2014-20394**

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board

Allegations of Administrative Complaint: Sections 480.046(1)(p) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Havard made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed 3/2 with Ms. Phillips and Ms. Drago opposing the motion.

**Penalty Imposed:**

- \$500 fine
- \$337.49 costs
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**34. DANIELLE VALENCA, L.M.T., CASE #2014-20732**

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel. Ms. Sandra Thompson spoke to Ms. Valenca's character.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Rochester represented the Department and presented the case to the board

Allegations of Administrative Complaint: Sections 480.046(1)(o)(p) and 456.072(1)(v)(w)(x), F.S.

**Action Taken:** Ms. Havard made a motion to accept the Settlement Agreement with the below changes. Motion seconded by Ms. Wasylyna, which passed 3/2 with Ms. Phillips and Ms. Drago opposing the motion.

**Penalty Imposed:**

- \$1500 fine within 1 year of the filed Final Order
- \$694.49 costs within 1 year of the filed Final Order
- 10 hour Florida Laws and Rules course within 1 year of the filed Final Order
- Respondent has 30 days to accept or reject the proposed Settlement Agreement

**Voluntary Relinquishments**

Ms. Havard made a motion to accept the following voluntary relinquishments items 45 through 48 en masse. Motion seconded by Ms. Phillips, which passed 5/0.

**45. GERARDO ESTRADA, L.M.T., CASE # 2014-08205**

**PCP: Harrison & Nixon**

**46. STEPHEN R. GOODMAN, L.M.T., CASE #2015-08838**

**PCP: Nixon & Davis**

**47. SEON HI RHEE, L.M.T. CASE # 2014-18035**

**PCP: Nixon & Davis**

**48. XIAOQIN LI, L.M.T., CASE # 2014-09071**

**PCP: Smallwood & Nixon**

Ms. Nixon made a motion to accept the following voluntary relinquishments items 35 through 42 en masse. Motion seconded by Ms. Havard, which passed unanimously.

**35. GARY DONALD FERAUDO, L.M.T., CASE # 2016-07398**

**PCP: Waived**

**36. ANDREW J. HARDEN, L.M.T., CASE # 2015-31478**

**PCP: Waived**

- |  |                     |
|--|---------------------|
| 37. PROACTIVE SPORTS THERAPY, L.L.C, CASE # 2015-31476 | PCP: Waived         |
| 38. ROBERT SCOTT CARTER, L.M.T., CASE # 2015-22662     | PCP: Waived         |
| 39. JODY JOHNSON, L.M.T., CASE # 2016-09745            | PCP: Waived         |
| 40. JASON SOUTHERLAND, LMT, CASE # 2015-29015          | PCP: Waived         |
| 41. KIMBERLY A. REIDA, LMT, CASE # 2015-04486          | PCP: Walker & Davis |
| 42. CUIPING LIN, L.M.T., CASE # 2015-05824             | PCP: Walker & Davis |

Ms. Nixon made a motion to accept the following voluntary relinquishments items 43 through 44. Motion seconded by Ms. Phillips, which passed unanimously.

- |   |                        |
|---|------------------------|
| 43. MICHAEL E. MYERS, L.M.T., CASE # 2013-17235 | PCP: Harrison & Havard |
| 44. THOMAS D. MURPHY, L.M.T., CASE # 2013-17243 | PCP: Harrison & Havard |

**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.*

- |   |                     |
|---|---------------------|
| 49. PING ZHANG, L.M.T., CASE # 2014-20967 | PCP: Walker & Davis |
|---|---------------------|

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)(c)(p) and 456.072(1)(x), F.S.

- Action Taken:** Ms. Nixon moved to impose the following penalty:
- Revocation
  - Pay \$10,000 fine within 60 days of the filed final order
  - Pay \$17.47 costs within 60 days of the filed final order

Motion seconded by Ms. Havard, which passed unanimously.

- |   |                     |
|---|---------------------|
| 50. MASSAGE CONNECTION 1, CASE # 2015-21482 | PCP: Walker & Davis |
|---|---------------------|

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint: Section 480.046(1)(p), F.S.

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Revocation
- Pay \$10,000 fine within 90 days of the filed final order

Motion seconded by Ms. Wasylyna, which passed unanimously.

**51. DENNIS RORK, L.M.T., CASE # 2015-06536**

**PCP: Walker & Davis**

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)(o) and 456.072(1)(w), F.S.

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course
- Pay \$500 fine within 90 days of the filed final order
- Pay \$22.82 costs within 90 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

**52. ALEXA GABRIELLA DEMARIANO, LMT, CASE # 2015-06037**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint: Section 455.624(1)(w), F.S.

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Letter of Concern
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1500 fine within 180 days of the filed final order
- Pay \$2.69 costs within 180 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

**53. MING YI SUN, L.M.T., CASE # 2015-05924**

**PCP: Walker & Davis**

Respondent was not present nor represented by counsel.

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

Allegations of Administrative Complaint: Section 480.046(1)(a), F.S.

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Suspension of license for one month

Motion seconded by Ms. Wasylyna, which passed unanimously.

**Additional Action Taken:** Ms. Nixon moved to assess costs in the amount of \$91.91 within 180 days of the filed final order. Motion seconded by Ms. Wasylyna, which passed unanimously.

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

**PCP: Havard & Burke-Wammack**

Respondent was not present nor represented by counsel.

Ms. Havard was recused due to her participation on the probable cause panel. Ms. Summers 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:** Ms. Nixon moved to impose the following penalty:

- Revocation
- Pay \$10,000 fine within 180 days of the filed final order
- Bifurcate the costs and retain jurisdiction

Motion seconded by Ms. Phillips, which passed unanimously.

**55. GREGORY HILBERT, L.M.T., CASE # 2015-19549**

**PCP: Phillips & Davis**

Respondent was not present nor represented by counsel.

Ms. Phillips was recused due to her participation on the probable cause panel. Ms. Summers represented the Department and presented the case to the Board.

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

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Revocation
- Pay \$10,000 fine within 30 days of the filed final order
- Pay \$1704.08 costs within 30 days of the filed final order

Motion seconded by Ms. Havard, which passed 5/0.

**56. ARMANDO BERNAL, L.M.T., CASE # 2015-04915**

**PCP: Phillips & Walker**

Respondent was not present nor represented by counsel.

Ms. Phillips was recused due to her participation on the probable cause panel. Ms. Roberts represented the Department and presented the case to the Board.

Allegations of Administrative Complaint: Sections 480.046(1)(p) and 456.072(1)(x)(II), F.S.

**Action Taken:** Ms. Nixon moved to impose the following penalty:

- Revocation

Motion seconded by Ms. Havard, which passed 5/0.

**57. JESSICA LEIGH ODELL, LMT, CASE # 2014-10674**

**PCP: Nixon & Phillips**

Respondent was not present nor represented by counsel.

Ms. Nixon and Ms. Phillips were recused due to her participation on the probable cause panel. Ms. Summers represented the Department and presented the case to the Board.

Allegations of Administrative Complaint: Section 480.046(1)(h)(p), F.S.

**Action Taken:** Ms. Havard moved to impose the following penalty:

- Suspension until compliant with previous Final Order, including PRN evaluation

Motion seconded by Mr. Brooks, which passed 4/0.

**Additional Action Taken:** Ms. Havard moved to assess costs in the amount of \$6131.21 within 18 months of completion of PRN evaluation. Motion seconded by Mr. Brooks, which passed 4/0.

**58. GESLER GARCIA, L.M.T., CASE # 2015-28220**

**PCP: Nixon & Walker**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Summers 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:** Ms. Havard moved to impose the following penalty:

- Revocation
- Pay \$10,000 fine within 30 days of the filed final order
- Pay \$1115.80 costs within 30 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

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

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Roberts represented the Department and presented the case to the Board.

Allegations of Administrative Complaint: Sections 480.046(1)(o) and 456.072(1)(w), F.S.

**Action Taken:** Ms. Havard moved to impose the following penalty:

- Letter of Concern
- Completion of PRN requirement
- 10 hour Florida Laws and Rules course within 180 days of the filed final order
- Pay \$1000 fine within 180 days of the filed final order
- Pay \$17.42 costs within 180 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

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

**PCP: Harrison & Nixon**

Respondent was not present nor represented by counsel.

Ms. Nixon was recused due to her participation on the probable cause panel. Ms. Roberts represented the Department and presented the case to the Board.

Allegations of Administrative Complaint: Sections 480.046(1)(o) and 456.072(1)(x), F.S.

**Action Taken:** Ms. Havard moved to impose the following penalty:

- 10 hour Florida Laws and Rules course within 90 days of the filed final order
- Pay \$500 fine within 90 days of the filed final order
- Pay \$157.44 costs within 90 days of the filed final order

Motion seconded by Ms. Phillips, which passed unanimously.

**PROSECUTOR'S REPORT**

**Action Taken:** Ms. Nixon moved to continue to prosecute the cases over one year old. Motion seconded by Ms. Havard, which passed unanimously.

**\*REPORTS**

**Chair Report – Lydia Nixon**

No report at this time.

**Legislative Liaison Report – Vacant**

No report at this time.

**Public Relations Liaison Report - Vacant**

No report at this time.

**Vice Chair Report – Robyn Havard**

No report at this time.

## **Rules Liaison Report – Lydia Nixon and Sharon Phillips**

No report at this time.

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

### **61. April 2016 Rules Report**

This item is informational.

## **Executive Director's Report – Claudia Kemp, Executive Director**

### **62. Ratification of Licensure - Massage Therapists 12/19/2015 – 4/5/2016**

**Action taken:** Ms. Nixon moved to ratify the massage therapist licenses. Motion seconded by Ms. Phillips, which passed unanimously.

## **School Liaison Report – Jennifer Wasylyna**

### **63. Massage Therapy Program Approval 12/19/2015 – 4/5/2016**

No action taken.

## **Continuing Education Liaison Report – Sharon Phillips**

### **64. Approved Pro Bono Requests 12/19/2015 – 4/5/2016**

**Action taken:** Ms. Phillips moved to ratify the pro bono requests. Motion seconded by Ms. Havard, which passed unanimously.

### **65. Approved CE Providers 12/19/2015 – 4/5/2016**

**Action taken:** Ms. Phillips moved to ratify the approved CE providers. Motion seconded by Ms. Nixon, which passed unanimously.

## **Budget Liaison Report – Robyn Havard**

### **66. Expenditures by Function for Period Ending December 31, 2015**

This item is informational.

## **Unlicensed Activity Report – Lydia Nixon**

No report at this time.

## **Healthy Weight Liaison Report – Vacant**

No report at this time.

*FRIDAY, April 22, 2016*

**\*REVIEW AND APPROVAL OF MINUTES**

**67. March 17 2016, Telephone Conference Call Meeting Minutes**

Ms. Nixon moved to approve the minutes as written, which was seconded by Ms. Wasylyna and carried unanimously.

*Meeting recessed at 5:40pm.*

**ADMINISTRATIVE PROCEEDINGS**

**Applicants with Out of State Education**

**92. Silvia Planas**

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.

**Request for Informal Hearing**

**68. David Haning**

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.



### **108. Ann Boehnlein Russo**

Applicant was present without counsel.

**Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant complete the following deficient education hours: 26 hours of Anatomy & Physiology within 6 months of the filed final order. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed 5/1 with Ms. Havard opposing the motion.

### **109. Alzheimer's Community Care**

Applicant was not present but represented by David Chirino.

**Action Taken:** After discussion, Ms. Nixon moved to approve the continuing education provider. Motion seconded by Ms. Havard, which passed unanimously.

**Additional Action Taken:** Ms. Nixon moved to vacate the Notice of Intent to Deny. Motion seconded by Ms. Havard, which passed unanimously.

### **Applicants with History**

#### **69. Cassie Durham**

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to grant the license with condition of a PRN evaluation. Motion seconded by Ms. Havard, which passed unanimously.

#### **70. Daria Marshall**

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.

#### **71. Susan McKelligott**

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.

#### **72. Laurent Theard**

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.

## Applicants with Out of State Education

### 73. Lara Ann Bailey

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 58 hours in Basic Massage Theory and History. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Phillips, which passed unanimously.

### 74. Carl Baytala

Applicant was present without counsel.

**Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant complete the following deficient education hours: 9 hours in Business, 7.5 hours in Theory and Practice of Hydrotherapy, and 1 hour in Professional Ethics within 60 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed unanimously.

### 75. Erin Boston

Applicant was present without counsel.

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

*(break)*

### 76. Stevina Brascom

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 50 hours in Allied Modalities, 25 hours in Clinical Practicum, and 11 hours in Theory and Practice of Hydrotherapy. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Phillips, which passed unanimously.

### 77. Rongxiu Cai

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.

### 78. Wantong Cai

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 complete the following deficient education hours: 15 hours in Theory and Practice of Hydrotherapy within 60 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Havard, which passed unanimously.

## 79. Wendy Elijah

Applicant was present without counsel.

**Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant pay an administrative fine of \$1500 within one year of the filed final order. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed unanimously.

## 80. Chunlian Gao

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Phillips moved to require the applicant's appearance at one of the next two regularly scheduled board meetings. Motion seconded by Ms. Nixon, which passed unanimously.

## 81. Jianmei Gao

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Phillips moved to require the applicant's appearance at one of the next two regularly scheduled board meetings. Motion seconded by Ms. Nixon, which passed unanimously.

## 82. Michelle Groves

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 complete the following deficient education hours: 5 hours in Theory and Practice of Hydrotherapy within 30 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Wasylyna, which passed unanimously.

## 83. Hailun Hailun

Applicant was present without counsel.

**Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant pay an administrative fine of \$500 within six months of the filed final order. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed unanimously.

## 84. Deandra Heard

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 24 hours in Anatomy and Physiology, 65 hours in Clinical Practicum, and 5 hours in Business. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Phillips, which passed unanimously.

### **85. Chris Hong**

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 complete the following deficient education hours: 15 hours in Theory and Practice of Hydrotherapy within 30 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Havard, which passed unanimously.

### **89. Sandra Martin**

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.

### **98. Evonne Woycitzky**

Applicant was present without counsel.

**Action Taken:** After discussion, Ms. Nixon moved to grant the license with the condition that the applicant complete the following deficient education hours: 2 hours in Professional Ethics within 30 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed unanimously.

## **Applicants with Foreign Education**

### **104. Nicole Schadt**

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.

***(lunch break)***

## **Applicants with Out of State Education**

### **94. Yuanshu Spencer**

Applicant was present without counsel.

**Action Taken:** After discussion, Ms. Nixon moved to accept the applicant's oral waiver of the 90 day statutory requirement to act upon the application. Motion seconded by Ms. Havard, which passed unanimously.

## 86. Shengshi Jin

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 75 hours in Clinical Practicum, and 1 hour in Allied Modalities. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Phillips, which passed unanimously.

## 87. Wai Ping Lau Chu

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license based on applicant's previous criminal history related to the practice of massage therapy. Motion seconded by Ms. Phillips, which passed unanimously.

## 88. Leslie Markham

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.

## 90. Dusti Meeks

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.

## 91. Shen Niu

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 complete the following deficient education hours: 5 hours in Clinical Practicum and 5 hours in Business within 60 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Wasylyna, which passed unanimously.

## 93. Clare Sente

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 36 hours in Clinical Practicum, 15 hours in Theory and Practice of Hydrotherapy, and 4 hours in Professional Ethics. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Wasylyna, which passed unanimously.

### 95. Xinquan Tong

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 complete the following deficient education hours: 25 hours in Clinical Practicum, 5 hours in Business, 15 hours in Theory and Practice of Hydrotherapy, 4 hours in Professional Ethics within 60 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Havard, which passed unanimously.

### 96. Barbara Uniatowski

Applicant was not present nor represented by counsel.

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

### 97. Li Wang

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 75 hours in Clinical Practicum and 1 hour in Allied Modalities. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Phillips, which passed unanimously.

### 99. Hye Yun

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 pay an administrative fine of \$500 within six months of the filed final order. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed unanimously.

### 100. Angel Zhang

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 75 hours in Clinical Practicum. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Phillips, which passed unanimously.

### 101. Jinwei Zhao

Applicant was not present nor represented by counsel.

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 25 hours in Clinical Practicum, 46 hours in Allied Modalities, and 15 hours in Theory and Practice of Hydrotherapy. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Havard, which passed unanimously.

## 102. Yanjun Zhi

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 complete the following deficient education hours: 25 hours in Clinical Practicum, 5 hours in Business, 15 hours in Theory and Practice of Hydrotherapy, 4 hours in Professional Ethics within 60 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Wasylyna, which passed unanimously.

## 110. Xianying Zhang

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 complete the following deficient education hours: 5 hours in Clinical Practicum and 5 hours in Business within 30 days. The Executive Director is delegated the authority to review and approve the documentation and approve the issuance of the applicant's license. Motion seconded by Ms. Phillips, which passed unanimously.

## Applicants with Foreign Education

### 103. Charlotte Baccus

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

### 105. Juan Diego Araoz Giraldo

Applicant was not present nor represented by counsel.

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

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 100 hours in Basic Massage Theory and History, 15 hours in Theory and Practice of Hydrotherapy and 1 hour in Professional Ethics. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Havard, which passed unanimously.

### 106. Andrea LiBrizzi

Applicant was not present nor represented by counsel.

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

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

### **107. Lori Rudman**

Applicant was not present nor represented by counsel.

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

**Action Taken:** After discussion, Ms. Nixon moved to deny the license as applicant does not have sufficient hours of the following educational requirements for licensure: 93 hours in Clinical Practicum, 38 hours in Anatomy and Physiology, and 15 hours in Theory and Practice of Hydrotherapy. Applicant has 15 days to withdraw the application. Motion seconded by Ms. Havard, which passed unanimously.

### **Petitions for Formal Administrative Proceeding**

#### **111. Royce Williams, MA 76305**

This item was continued to the next board meeting.

#### **112. Pichau Chudhabuddhi, Jr., MA 65690**

This item was continued to the next board meeting.

#### **113. James Blumenfeld, MA 61914**

This item was continued to the next board meeting.

### **\*RULES DISCUSSION**

#### **114. CS/CS/CS/HB 221**

**Action Taken:** After discussion, Ms. Nixon moved to open the disciplinary guidelines for rule development. Motion seconded by Ms. Phillips, which passed unanimously.

#### **115. CS/CS/HB 941**

**Action Taken:** After discussion, Ms. Nixon moved to open the application rules for rule development. Motion seconded by Ms. Phillips, which passed unanimously.

#### **116. Rule Title 64B7-26.002, FAC Licensure of Massage Establishments & Rule Title 64B7-28.002, FAC Biennial Renewal of Massage Establishment License, revision by Sharon Phillips 2/2/2016**

No action was taken.

#### **117. Rule Title 64B7-28.010, FAC Requirements for Board Approval of Continuing Education Programs and Continuing Education Providers, revision by Sharon Phillips 2/2/2016**

This item was tabled to the July board meeting.



## **\*GENERAL BUSINESS DISCUSSION**

### **118. Annual Renewal of Delegation of Authority 2016**

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

### **119. 2016-2019 Fee Projection Scenarios**

This item was tabled to the July board meeting to include CE providers in the projections.

### **120. DOE Curriculum Frameworks Review Committee**

Ms. Alday presented the committee agenda and minutes to the board. The committee is seeking comments from board members to bring back to the next committee meeting.

## **\*INFORMATIONAL**

### **121. NCBTMB and FSMTB Release Joint Statement Regarding CE Collaboration**

This item is informational only.

## **\*OLD BUSINESS**

None at this time.

## **\*NEW BUSINESS**

Ms. Phillips discussed an article she would like discussed at the next meeting regarding the MBLEx examination and study guide.

## **ADJOURN**

There being no further business, the meeting adjourned at 3:57pm.