

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
BOARD MEETING

July 14, 2011

GENERAL SESSION AGENDA

1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (June 9th).**
3. **The Board will conduct a discussion/interview with the thirteen (13) new chiropractic applicants who appeared today for the jurisprudence examination.**
4. **Review of Administrative Staff Issues, Ms. Adrienne Congo, Acting Executive Director:**
 - a) Resignation of Chiropractic Board Member: Dr. Daniel Kraus has resigned his position, effective June 19th. The Governor's Office has been notified to begin the selection process of recruiting another candidate.
 - b) **2011-2013 Chiropractor Renewal Update:**
 - Chiropractor Renewal Reminder Postcards sent out May 24, 2011;
 - Notification(s) of Bad Addresses sent June 2011;
 - Executive Director's "Renewal Letter and Instructions/Procedures" sent out July 1, 2011;
 - Notices of Tax Delinquency (applicable licensees) sent July 1, 2011;
 - ALL AFOREMENTIONED BOARD CORRESPONDENCE AND INFORMATION WAS POSTED ON THE BOARD'S CHIROPRACTIC WEBSITE, EFFECTIVE JULY 1, 2011, UNDER "RENEWAL INFORMATION" LINK IN GREEN.
 - c) **2011-2013 Chiropractor On-line Renewal Update:**
 - On-line Renewal System will open live on July 15, 2011 through August 31, 2011 to accept renewal applications;
 - There is a 15% CEU audit (computer random selection);
 - Late on-line renewal from September 1 through Friday, September 30, 2011;
 - On-line Renewal System will be closed October 1, 2011.
 - d) **COMAR Regulations Update: Regulations became effective June 13, 2011:**
 - Currently posted are the Regulations on both Chiropractic and Massage Therapy websites with a succinct summary, effective June 13, 2011;
 - Notification Postcards were mailed out July 1, 2011;
 - Notification Postcards to Massage Therapists/Practitioners, July 15th;
 - Regulations to be printed and bound for distribution are a work in process.
 - e) **Chiropractic extensive Newsletter will be mailed out to all licensees and posted on-line, with a full article on the renewal processes.**
 - f) **Update regarding Training of New Board Member Development.**

GENERAL SESSION AGENDA

Page Two

5. **Presentation by Ms. Debra Persinger, Executive Director, Federation of State Massage Therapy Boards (FSMTB) regarding the Massage & Bodywork Licensing Examination (MBLEx).**
6. **Presentation by Ms. Cher L. Hunter, M.A., LMT, NCTMB, Director, Massage Therapy Program, The Community College of Baltimore County, regarding Standards, Self-Study and Peer Review, COMTA.**
7. **Petition from Mr. Eric Rollins, Massage Therapy Applicant, to accept his non-accredited massage school training.**
8. **Petition from Ms. Kathryn Ashby, Massage Therapy Applicant, to accept her non-accredited massage school training.**
9. **Inquiry from Erika L. Hempey, D.C., regarding whether personal training is in the chiropractic scope of practice. Dr. Hempey has a personal training certification and wants to start personal training in her office on the side.**
10. **Avram Weinberg, D.C., requests Board clearance to utilize an advertisement to promote a nutritional program he wants to start in his office (sample advertisement from Ohio provided by Dr. Weinberg).**
11. **Requests for chiropractic trade name approval:**
 - a) *McDermott Chiropractic Care, P.C.* – Karen L. McDermott, D.C.
 - b) *Life Chiropractic of Gaithersburg* – William M.K. Fullmer, D.C.
 - c) *Dover Chiropractic, LLC* – Laura B. Dover, D.C. (*trade name change*)
12. **Requests for massage trade name approval:**
 - a) *Pure Oasis Massage* – Angela Talley, LMT
 - b) *Dominic's Massage.com* – Dominique Charleston, LMT
 - c) *Zen-Symmetry Therapeutic Massage & Bodywork* – La'Keshia Reed, LMT
 - d) *Rae of Light Massage, RMP* – Lindsey Rae Rego, RMP
 - e) *Pure Tranquility Therapeutic Massage* – Krista Young, LMT
 - f) *Well-Being Massage Studio* – Yoriy Gorodiskiy, RMP
 - g) *JMO Massage Therapy* – Joselito Ocampo, Jr. (*trade name change*)
13. **Membership to the Federation of State Massage Therapy Boards (FMSTB) – Ms. Harrison.**
14. **FYI – Miscellaneous correspondence for review/discussion.**

BOARD WORKING LUNCH

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS
MINUTES – GENERAL SESSION

July 14, 2011

Members Present

Stephanie J. Chaney, D.C., Board President
Michael Fedorczyk, D.C., Board Vice-President
Jonathan C. Nou, D.C., Board Secretary/Treasurer
Kay B. O’Hara, D.C.
Duane R. Sadula, D.C.
David A. Cox, LMT
Gwenda Harrison, LMT
Mary Anne Frizzera-Hucek, Consumer Member
Ernestine Jones Jolivet, Consumer Member

Member Absent

Karen Biagiotti, LMT

Non-Members Present

Adrienne Congo, Acting Executive Director
Delia Schadt, Esq., Acting Board Counsel
Maria Ware, Office Manager
David Ford, Senior Board Investigator
Marc Ware, Board Consultant/Investigator
Michelle Czarnecki, Consultant (Legal)
Emily Jones, License Coordinator
The Hon. Senator Paula Hollinger
Sharon Bloom, DHMH Liaison
Kristen Neville, Legislative Specialist
Debra Persinger, Exec. Dir., FSMTB (*Petitioner*)
Cher Hunter, Dir., MT Prgm., CCBC (*Petitioner*)
Cher Harris, LMT (*Petitioner*)
Anthony Lane Hinkle, LMT, NCBTMB, MD Brd. Liaison
Cheryl Hicks, LMT
Jean Jeffreys, LMT

Dr. Stephanie Chaney called the meeting to order at 10:00 A.M.

Review of Agenda and Minutes

The July 14th Agenda was amended as follows: 1) renumber and add new no. 3, “Board Orientation for New Chiropractic Licensees;” 2) under no. 4, add “f. Update Regarding Training of New Board Member Development;” 3) move no. 8 to the September 8th Board Meeting; 4) move no. 9 to the Executive Session; 5) under no. 12, add “f. Well-Being Massage Studio – Yoriy Gorodiskiy, RMP” and add “g. JMO Massage Therapy – Joselito Ocampo, Jr.”; 6) add no. 13, “Membership to FMSTB – Ms. Harrison”; and 7) move the bulleted information under no. 14 to the Executive Session. Dr. O’Hara motioned to accept the amended Agenda; Dr. Sadula seconded, and the motion was unanimously voted.

The June 9th Minutes were amended as follows: 1) page 2, second bullet, delete the 5th sentence, “*The Board also withdrew the proposed revision to Chapter .02 regarding Rules of Procedure for Board Hearings.*” Dr. O’Hara motioned to accept the amended Minutes; Ms. Jolivet seconded, and the motion was unanimously voted.

Board Orientation for New Chiropractic Licensees

The Board presented an open discussion/interview session for thirteen (13) new chiropractic licensees who appeared today to take their jurisprudence examination. Discussion included various regulatory, disciplinary, and ethical issues relative to practicing in Maryland. The Board also invited the new licensees to indicate on the Board’s Sign-in Sheet if any were interested in taking the Supervisory Chiropractic Examination at a later date.

Review of Administrative Staff Issues, Ms. Adrienne Congo, Acting Executive Director

- Resignation of Chiropractic Board Member: Dr. Daniel Kraus formally resigned his position as a Board Member, effective June 19, 2011. Dr. Kraus began his tenure with the Board in May 2009, and has proven to be a dedicated valuable Member in a short time. The Governor's Office has been notified to begin the selection process of recruiting another chiropractic candidate.
- 2011-2013 Chiropractic Renewal Update: 1) the Renewal Reminder Postcards were mailed May 24th; 2) the Notification of Bad Addresses were mailed in June; the Board has received numerous returns; 3) the Executive Director's Renewal Letter and Instructions were mailed July 1st; and 4) the Tax Delinquency Notices were also mailed July 1st. NOTE: All aforementioned correspondence and information were posted on the Board's chiropractic website July 1st, listed under the "Renewal Information" link highlighted in green.
- 2011-2013 Chiropractic On-line Renewal Update: 1) the on-line renewal system will open live on July 15th; 2) a 15% randomly selected CEU audit of 114 names was computer generated (proof of CEUs must be submitted to the Board); 3) the Comptroller's Office identified 35 chiropractors as tax delinquent; 4 names have already cleared; 4) the deadline for renewing is August 31, 2011; beginning 9/1/2011 thru 9/30/2011, a \$500 late renewal fee will be automatically attached to the on-line system; and 5) the on-line system will close October 1st and chiropractors who have not renewed will be listed in the system as "non-renewed." Any chiropractor who wishes to reinstate his/her license after that date will have to submit his/her request in writing.
- COMAR Regulations Update: On June 13, 2011, the revisions to the Chiropractic, C.A., and Massage Regulations were adopted by DHMH. These revised Regulations are now in full force and effect, with the exception of the CEU revisions, which will not go into effect until after the chiropractic license renewal. The Regulations are currently posted on both the Chiropractic and Massage websites, effective June 13th. Notification postcards to chiropractors were mailed July 1st; notification postcards to massage therapists/practitioners will be mailed July 22nd. The Regulations will be printed and bound for distribution; the Board is currently working with the printers.
- An extensive Chiropractic Newsletter, with a full article on the renewal processes, was mailed out this week to all licensees; it will also be posted on-line.
- Update Regarding Training of New Board Member Development: At the June 9th Board Meeting, Dr. O'Hara discussed the need to continue to develop Board Members' skills, knowledge, etc. One option is to have the AG's Office design a program that could be presented quarterly, to discuss administrative hearings, evidence, procedures; the Board could also view videos, tutorials, etc. Currently, Board Counsel is researching the legal aspects and will discuss the progress at the September 8th Board Meeting.

Presentation by Ms. Debra Persinger, Exec. Director, Federation of State Massage Therapy Boards

Ms. Persinger gave a presentation regarding the Federation of State Massage Therapy Boards (FSMTB); FSMTB is a 5-year old Federation which currently has a 41-member Board—with good representation across the country. FSMTB's mission is to support its Member Boards in their work to ensure that the practice of massage therapy is provided to the public in a safe and effective manner. The Program's goal is to develop a national licensure examination that reflects a standard that meets the needs of the regulatory community based on input from massage and bodywork professionals, educators, etc. FSMTB has direct accountability to the State Boards and Agencies. The cost is a baseline fee of \$500.00 + \$.40 per licensee. The fee includes one representative of each participating state to attend the annual meeting.

The Massage & Bodywork Licensing Examination (MBLEX) is the first standardized examination for the massage and bodywork profession, specifically designed for licensure; it only focuses on entry-level competency. The MBLEX was developed to significantly speed up the process between application and examination to avoid unnecessary delays in licensure. The MBLEX, which examines core competencies for safe and effective practice and is not technique specific or specialty focused, is the only examination that is supported by the two major professional organizations—the American Massage Therapy Association (AMTA) and the Associated Bodywork and Massage Professionals (ABMP). The current cost of the MBLEX is \$195.00.

Presentation by Ms. Cher Hunter, Director, Massage Therapy Program, Comm. Coll. of Balto. County

Standards, Self-Study and Peer Review, Commission on Massage Therapy Accreditation (COMTA):

Ms. Hunter gave a presentation regarding information about the accreditation process, the missions, objectives, standards and academic practices which may be useful when evaluating special requests, such as, individuals who come to Maryland from other states seeking licensure.

Petition from Mr. Eric K. Rollins, Massage Therapy Applicant

Mr. Rollins petitions the Board to accept his non-accredited massage school training from The Institute of Massage Therapies, Richmond, VA. The Board reviewed Mr. Rollins' documentation and motioned to waive the accreditation requirement and accept his application for Maryland licensure. Dr. Nou supported the motion; Ms. Jolivet seconded, and the motion was unanimously voted.

Petition from Ms. Kathryn Ashby, Massage Therapy Applicant

Ms. Ashby petitions the Board to accept her non-accredited massage school training from The Art & Science Institute of Cosmetology & Massage Therapy, Charleston, WV. The Board reviewed Ms. Ashby's documentation and motioned to waive the accreditation requirement and accept her application for Maryland licensure. Ms. Harrison supported the motion; Dr. Nou seconded, and the motion was unanimously voted.

Request from Avram Weinberg, D.C.

Dr. Weinberg plans to start a new nutritional program in his office to cleanse and detoxify patients who suffer from diabetes, thyroid conditions, and other metabolic diseases, and requests clearance to utilize an advertisement similar to the one he submitted to the Board for review. The Board reviewed the advertisement and advised that there was no recommendation regarding the content of the advertisement; however, Dr. Weinberg is to identify himself as a chiropractor and use his full Board-approved trade name in his advertisement. Dr. O'Hara made the motion; Dr. Sadula seconded, and the motion was unanimously voted.

Inquiry from Erika L. Hempey, D.C.

Dr. Hempey inquires whether personal training is in the chiropractic scope of practice. Dr. Hempey, who has a personal training certification, wants to start personal training in her office on the side and is considering malpractice carriers. NCMIC advised that personal training would be covered under them if it was in Maryland's scope of practice. Upon full discussion and advice of Board Counsel, the Board motioned to defer Dr. Hempey to the Maryland Statute and Regulations, and defer her back to the malpractice carrier. Dr. Fedorczyk supported the motion; Ms. Harrison seconded, and the motion was unanimously voted.

Requests for Approval of Chiropractic Trade Names

The following chiropractic trade name requests were individually approved by Board motions. Dr. Fedorczyk supported the motions; Dr. O'Hara seconded, and the motions were unanimously voted.

1. *McDermott Chiropractic Care, P.C.* – Karen L. McDermott, D.C.
2. *Life Chiropractic of Gaithersburg* – William M.K. Fullmer, D.C.
3. *Dover Chiropractic, LLC* – Laura B. Dover, D.C.

Requests for Approval of Massage Trade Names

The following massage trade name requests were individually approved by Board motions. Mr. Cox supported the motions; Ms. Jolivet seconded, and the motions were unanimously voted.

1. *Pure Oasis Massage* – Angela Talley, LMT
2. *Dominic's Massage* – Dominique Charleston, LMT (*originally submitted as "Dominic's Massage.com"; Board does not review/approve ".com" trade names*)
3. *Zen-Symmetry Therapeutic Massage & Bodywork* – La'Keshia Reed, LMT
4. *Rae of Light Massage, RMP* – Lindsey Rae Rego, RMP
5. *Pure Tranquility Therapeutic Massage* – Krista Young, LMT
6. *Well-Being Massage Studio* – Yoriy Gorodiskiy, RMP
7. *JMO Massage Therapy* – Joselito Ocampo, Jr.

Membership to FSMTB – Ms. Harrison


After hearing the presentation given today by Ms. Debra Persinger and upon full discussion by the Board, Dr. Sadula made a motion to accept membership in the Federation of State Massage Therapy Boards (FSMTB); Ms. Harrison seconded, and the motion was unanimously voted. Ms. Harrison also made a motion to accept the MBLEX and give to the Education Subcommittee for review; Ms. Jolivet seconded, and the motion was unanimously voted.

Miscellaneous

1. No Board Meeting is scheduled for the month of August; a Board Hearing is scheduled for August 11, 2011. Refer to the Executive Session for details.

Upon motion by Ms. Harrison, seconded by Dr. Nou, the Board unanimously voted to adjourn the General Session at 12:00 P.M.

Respectfully Submitted:



Jonathan C. Nou, D.C.
Board Secretary/Treasurer