

**BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS**  
**BOARD MEETING**

*September 13, 2012*

**GENERAL SESSION AGENDA**

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1. **Review, approval of Agenda.**
2. **Review, approval of Board Minutes of last meeting (August 9<sup>th</sup>).**
3. **Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director:**
  - a) Final update on closeout of FY2012 budget
  - b) Reminder of Disciplinary Hearing @ 1:30 today; refer to Executive Session for details
  - c) Regulations Subcommittee Meeting scheduled for September 20, 2012, 10:00 A.M. – 2:00 P.M., Room 100; open to the public. Listed in two editions of The Maryland Register (August 24<sup>th</sup> and September 7<sup>th</sup>); topic to be discussed is recordkeeping
  - d) Update regarding 2012-2014 Massage Therapy Biennial Renewal – Ms. Congo
4. **Petition from Ms. Anne Marie Johnson, Massage Therapy Applicant, to waive the accreditation requirements and accept her non-accredited massage school training from the Southeastern School of Neuromuscular and Massage Therapy in Charleston, SC. When Ms. Johnson graduated in June 2000, Southeastern was state licensed; in February 2001, they received accreditation from The Accrediting Commission of Career Schools and Colleges of Technology. Ms. Johnson, who has a Bachelors Degree and passed the NCETMB exam, is currently licensed in the state of DE.**
5. **Petition from Ms. Jessica A. Boring, RMP, to waive the regulatory administrative penalty of \$100.00 for failure to notify the Board of address change.**
6. **Requests for chiropractic trade name approval:**
  - a) *Kovach Chiropractic and Wellness Center* – Alicia Marie Kovach, D.C.
  - b) *Optimum Health Chiropractic* – Masood Kureshi, D.C. (*trade name change*)
  - c) *Healing Art Center of Maryland, LLC – Chiropractic, Physical Therapy, Massage Therapy*, Mark D. Roberts, D.C. – Mark D. Roberts, D.C.

**7. Requests for massage trade name approval:**

- a) *Massage by Upright Inspiration* – Sharon M. Howard, LMT
- b) *Ambient Bodyworks: Corporate Massage and Mobile Spa* – James M. Dyett, LMT
- c) *City to Shore Massage* – James Slusher III, LMT
- d) *Monica Weedon L.M.T.* – Monica N. Weedon, LMT
- e) *Create My Massage* – Terry Lee Beale, RMP
- f) *N-ovative Healing & Massage* – Nicole N. Neely, LMT
- g) *Orthopedic Movement & Massage Therapy* – Rebekah Montgomery, LMT
- h) *Anahata Massage* – Lindsey Porter, LMT

**8. FYI – Miscellaneous correspondence for review/discussion.**

***BOARD WORKING LUNCH***

**BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS**  
**MINUTES – GENERAL SESSION**

*September 13, 2012*

**Members Present**

Stephanie J. Chaney, D.C., Board President  
Michael Fedorczyk, D.C., Board Vice-President  
Jonathan C. Nou, D.C., Board Secretary/Treasurer  
Joanne M. Bushman, D.C.  
Robert G. Frieman, D.C.  
Michael Moskowitz, D.C.  
Karen Biagiotti, LMT  
David A. Cox, LMT  
Gwenda Harrison, LMT  
Gloria Boddie-Epps, Consumer Member  
Ernestine Jones Jolivet, Consumer Member

**Non-Members Present**

J.J. Vallone, Executive Director  
Adrienne Congo, Deputy Director  
Grant D. Gerber, Esq., Board Counsel  
Maria Ware, Office Manager  
Michelle Czarnecki, Legal Assistant  
Sharon Bloom, DHMH Liaison  
Kristen Neville, Legislation/Regs Specialist  
Keith Scott, D.C.  
Donald W. Hirsh, D.C., MD Chiro. Assoc.  
Anthony Lane Hinkle, LMT, NCBTMB, MD Brd. Liaison  
Cher Hunter, M.A., LMT, Dir., MT Prgm., CCBC  
Jean Jeffreys, LMT  
James M. Dyett, LMT

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

**Review of Agenda and Minutes**

The September 13<sup>th</sup> Agenda was approved as drafted. Dr. Fedorczyk made a motion to accept the Agenda; Dr. Frieman seconded, and the motion was unanimously voted.

The August 9<sup>th</sup> Minutes were approved as drafted. Dr. Fedorczyk made a motion to accept the Minutes; Dr. Frieman seconded, and the motion was unanimously voted.

**Review of Administrative Staff Issues, Mr. J.J. Vallone, Executive Director**

- Final Update on Closeout of FY2012 Budget: The Board has a carryover of \$350,000; we will not need to raise fees unless there is an unforeseen circumstance. The Budget is set at \$1,000,000+ because of an increase in direct/indirect costs. Unfortunately, there are no pay raises for staff; however, in January 2013, there will be a 2% pay increase across the board for State employees.
- There is a Regulations Subcommittee Meeting scheduled for September 20, 2012, 10:00 A.M. – 2:00 P.M., Room 100; it is open to the public. The meeting is listed in two editions of The Maryland Register (August 24<sup>th</sup> and September 7<sup>th</sup>) and also on the Board's website; the topic to be discussed is the massage therapy recordkeeping regulations. **NOTE:** The Subcommittee Members met briefly this morning before the Board Meeting began. Present at the meeting were: Ms. Biagiotti, LMT (Chair), Mr. Gerber (Board Counsel), Dr. Nou (D.C.), Ms. Harrison, LMT, and Mr. Cox, LMT.

- There is a Disciplinary Hearing @ 1:30 P.M. today; refer to the Executive Session for details.
- Update Regarding 2012-2014 Massage Therapy Biennial Renewal – Ms. Congo: Out of 4,800 licensed massage therapists and registered massage practitioners, 368 have renewed and have received their licenses/registrations. Also, 380 licensees/registrants have been audited for CEUs; 40 are tax delinquent; and 250 have bad addresses (of which 17 have paid the \$100 penalty). There have been problems with a small percentage of users of Apple products; the IT Department says these individuals may need to update their browsers.
- Update on the Board of Physical Therapy’s Proposed Dry Needling Regulations: The regulations are currently being reviewed by the DHMH Health Secretary, Dr. Joshua Sharfstein. The Board will have the opportunity to formally review, discuss, and comment on the regulations once they have been published.
- Update on the North Carolina Dentistry Board vs. the Federal Trade Commission (FTC): The DHMH Boards and Commission are taking notice of the outcome of this important case (involving teeth whitening) which has been in litigation for the past couple of years, costing the Board over a million dollars. The FTC stated the NC Dentistry Board is in violation of the anti-trust laws. The NC Circuit Court should probably give its opinion sometime in 2013.

**Petition from Ms. Anne Marie Johnson, Massage Therapy Applicant**

Ms. Johnson petitions the Board to waive the accreditation requirements and accept her non-accredited massage school training from the Southeastern School of Neuromuscular and Massage Therapy in Charleston, SC. When Ms. Johnson graduated in June 2000, Southeastern had a state license; in February 2001, they received accreditation from The Accrediting Commission of Career Schools and Colleges of Technology. Ms. Johnson, who has a Bachelors Degree and passed the NCETMB exam, is currently licensed in the state of DE. Ms. Biagiotti made a motion to waive the accreditation requirement and accept Ms. Johnson’s massage application for Maryland licensure as sufficiently meeting equivalency standards. Ms. Harrison seconded, and the motion was unanimously voted.

**Petition from Ms. Jessica A. Boring, RMP**

Ms. Boring petitions the Board to waive the regulatory administrative penalty of \$100.00 imposed for failure to notify the Board of address change. Ms. Boring’s husband is in the military and since they frequently move around, she has two addresses: a) military duty stations (temporary); and b) Maryland address (permanent legal residence) which is currently on file with the Board and has not changed. Mr. Cox made a motion to waive the regulatory administrative penalty of \$100.00. 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 made the motions; Ms. Jolivet seconded, and the motions were unanimously voted.

1. *Kovach Chiropractic and Wellness Center* – Alicia Marie Kovach, D.C.
2. *Optimum Health Chiropractic* – Masood Kureshi, D.C.
3. *Healing Art Center of Maryland, LLC – Chiropractic, Physical Therapy, Massage Therapy*, Mark D. Roberts, D.C. – Mark D. Roberts, D.C.

### **Requests for Approval of Massage Trade Names**

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

1. *Massage by Upright Inspiration* – Sharon M. Howard, LMT
2. *Ambient Bodyworks: Corporate Massage and Mobile Spa* – James M. Dyett, LMT
3. *City to Shore Massage* – James Slusher III, LMT
4. *Monica Weedon L.M.T.* – Monica N. Weedon, LMT
5. *Create My Massage* – Terry Lee Beale, RMP
6. *N-ovative Healing & Massage* – Nicole N. Neely, LMT
7. *Anahata Massage* – Lindsey Porter, LMT

The following massage trade name request was **disapproved** by Board motion; the proposed name failed to provide sufficient indicia of a massage practice. Ms. Jolivet made the motion to present to Ms. Montgomery alternate names of choice; Mr. Cox seconded, and the motion was unanimously voted.

1. *Orthopedic Movement & Massage Therapy* – Rebekah Montgomery, LMT

### **Public Comments**

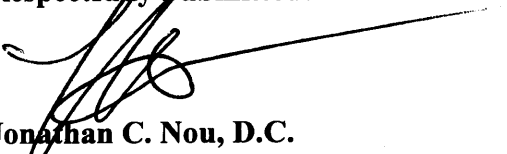
1. Donald W. Hirsh, D.C., Maryland Chiropractic Association (MCA), complimented the Board on its fair-minded approach to handling various issues under current and past leadership (especially under Dr. Kay O'Hara and Dr. Duane Sadula, both former Board Presidents). Many chiropractors have expressed to MCA the professionalism and positive high-level quality of the Board. MCA intends to have an on-going presence at future Board meetings. Dr. Hirsh also spoke about the issue of chiropractic practices owned by non-health care entities. The Board does not have jurisdiction of non-health care owners because they are not chiropractors. Dr. Chaney will look into Massachusetts' handling of this issue.
2. Ms. Cher Hunter, Director, Massage Therapy Program, Community College of Baltimore County, requests that the Board looks at repealing the regulatory requirement that massage school instructors be NCBTMB certified in order to teach.

**Miscellaneous**

1. A Board Hearing is scheduled today, September 13<sup>th</sup>, at 1:30 P.M., following the Board Meeting. Refer to Executive Session for details.
2. The next open public Regulations Subcommittee meeting is scheduled for September 20, 2012 (Thursday) at 10:00 A.M. – 2:00 P.M., 4201 Patterson Avenue, Room 100. The meeting is listed in two editions of The Maryland Register (August 24, 2012 and September 7, 2012), as well as on the Board's website. The topic to be discussed is the recordkeeping regulations. Subcommittee members are: Ms. K. Biagiotti, LMT (Chair), Mr. G. Gerber, Board Counsel, J. Nou, D.C., Ms. G. Harrison, LMT, Mr. D. Cox, LMT, Ms. E. Jones Jolivet, Consumer Member. Also in attendance is Ms. Gloria Boddie-Epps, Consumer Member of the Board.
3. The Federation of Chiropractic Boards (FCLB) District III & V Regional Meetings is scheduled for September 13–16, 2012. The Regional Meeting will be held in Charleston, South Carolina. Dr. S. Chaney and Dr. M. Fedorczyk will attend.
4. The next Federation of State Massage Therapy Boards (FSMTB) Annual Meeting will be held in New Orleans, Louisiana, September 27–29, 2012. Mr. D. Cox will attend as the State delegate. Ms. G. Harrison and Ms. K. Biagiotti will also attend.
5. New Board Member Orientation is scheduled for Monday, November 5, 2012, from 8:00 A.M. – 3:30 P.M.; location: University of Maryland Baltimore County (UMBC) Technology Center, 1450 South Rolling Road, Baltimore, MD 21227. Department representatives will be speaking on issues, i.e., the role and responsibilities of board members, board member ethics, cultural competency, the legislative and regulatory process, and disciplinary procedures. The Board's four new members will be enrolled (Dr. J. Bushman, Dr. R. Frieman, Dr. M. Moskowitz, and Ms. G. Boddie-Epps).
6. Dr. Frieman will not be attending the October 11, 2012 Board Meeting.
7. Per Board Executive Session 8/09/12, Mr. Brian Alexander Thorsett, Massage Therapy Applicant, was approved to take the massage examination.
8. FYI – Miscellaneous correspondence for review/discussion.

*Upon motion by Dr. Fedorczyk, seconded by Mr. Cox, the Board unanimously voted to adjourn the General Session at 10:45 A.M.*

**Respectfully Submitted:**



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