

**LOUISIANA BOARD OF MASSAGE THERAPY
AUGUST 19, 2011
OPEN BOARD MEETING
12022 PLANK ROAD
BATON ROUGE, LOUISIANA 70811**

This meeting was called to order at 10:00 AM by Mary Donker-Syvertsen. Present were Tina Elwood, Mary Donker-Syvertsen, Suzanne Schwing, Julianne Menn, Pam Little and Donna Laseter. Billy Belsom, Jack Miller, Leslie Hill, Kathy Farris and Rhonda McManus as well as representatives of the public were also present.

Pam Little moved to enter Executive Session and Suzanne Schwing seconded the motion. All approved. Open session ended at 10:03 AM.

Pam Little moved to re-enter Open Session at 10:30 AM and Ms. Schwing seconded the motion. All approved.

Tina Elwood moved and Ms. Schwing seconded the motion to allow Mr. Mallon to sit for the LA MT Board exam.

Ms. Laseter moved and Ms. Elwood seconded to accept the May 2011 LBMT meeting minutes as presented in writing.

Treasurer's report was presented by Ms. Elwood: June 30, 2011 Balance Sheet and July 31, 2011 Balance Sheet were reviewed. Cash Basis was presented. Fiscal Year Income Statement Comparison July 2007 through June 2011 was reviewed. Supporting documents and figures are available in the Board office.

Mr. Belsom requested the Board establish procedure for addressing applicants with a criminal history. After Board discussion, it was determined Mr. Miller and Ms. Hill will produce a set of criteria detailing which applications should be reviewed by the Board (e.g., criminal, violent, sexual, battery charges) and which may be processed by staff (e.g., shoplifting, financial fraud charges). This proposal will be presented to the Board at the November 2011 Board meeting so that procedure may be voted upon.

Ms. Elwood moved and Ms. Schwing seconded the motion to adjourn for a short break at 11:32 AM. All approved. At 11:47 AM Ms. Donker-Syvertsen called Open Session meeting into order.

Ms. Schwing gave the Chief Investigative Officer report. The Board has received 7 complaints and responded to all from January 2011 through today's date.

Executive Director (ED) report was presented by Ms. McManus. The Board has been assigned a revenue officer by the IRS. The ED is in the process of gathering documents

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from past CPA's to present to the IRS revenue officer by 9/09/2011. At issue are civil penalties for past late and unpaid payroll taxes through 5/2010.

In May 2011, the Board voted to have an audit done each of next 3 years. The ED has participated in bid opening from 5 agencies. We were assigned Mr. Stephen Yost, CPA. His contract has been signed and our audit started this week. Audit due to the State of LA by September 30, 2011 and Mr. Yost will present findings to the Board at the November 2011 meeting.

The Board's Federation of the State Boards of Massage Therapy membership is active. No dues are required this year due to hardship status (through July 2012) secondary to IRS penalties and back taxes. They request a delegate from LABMT, expenses paid by FSBMT, to attend the annual conference October 2011.

The Board is testing an average of 32 students/month. Pass rate approximately 99%. 53 establishment inspections have been conducted by Advanced Investigative Technologies from January 2011 - Present at a cost of \$2,300.00 total. Staff explained to Board members the current process for LBMT follow-up to AIT report findings and recommendations. Board members agreed process and documentation procedures are satisfactory.

Website information section "Knead to Know" is posting topics in response to public questions called into the Board office.

The ED presented a letter sent to LA law enforcement officials to educate them about LA's Practice Act and problems regarding the practice of non-licensed persons. ED reports the Board has a month-to-month lease on the LBMT office while negotiating a longer term lease.

Ms. Elwood moved to send 2 delegates to the October 2011 FSBMT conference with the Board paying the expenses of 1 delegate and the Federation paying for the other.

Ms. Menn seconded. All approved.

The Board discussed a proposal letter by Art Bailey to alter CE practices. Mr. Belsom noted the Board cannot legally alter CE procedures and rules without amending the state practice act through the LA APA process. Ms. Elwood moved, and Ms. Little seconded the motion to decline action on the proposal at the advice of counsel. All approved.

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Mr. Belsom and the Board reviewed current Standards regarding legally allowed fines and disciplinary actions, Chapter 55, SS 5501 in Title 46, the Professional and Occupational Standards. The CIO will work with legal counsel to determine an equitable, fair and consistent method to apply current standards without being egregious in fining.

The Chair reminded the Board to go through the ED for requests on any work requests of staff, and please to respond in a timely manner to all of the ED's emails. Board members agreed.

Julianne Menn will rotate off the Board in October 2011 after serving a two year appointment. Secretary duties will be assigned to another Board member at the November 2011 meeting.

Ms. Schwing moved and Ms. Elwood seconded the motion to adjourn at 12:53 PM.