

## Louisiana Board of Massage Therapy

Board Meeting, May 20, 2011, 10:00 AM  
12022 Plank Road  
Baton Rouge, LA 70811

The meeting was called to order at 10:00 AM. Donna Laseter, Pam Little, Mary Donker Syvertsen, Suzanne Schwing, Tina Elwood and Faith Miller were present. Julianne Menn was absent.

Ms. Elwood motioned to approve the February board minutes. Ms. Schwing seconded, all board members approved to accept the February minutes.

Mr. Dennis Maciasz, CPA gave the financial report to the board. Mr. Maciasz reported that while there are expenses, the board is on schedule to end the year with a positive balance. Ms. Elwood noted that many expenses at this time are for “clean up” projects in the office in the attempt to run things more efficiently. Ms. Maciasz noted that the board office will have concrete data to use for the budget next year because of the implemented plans in the office. Mr. Belsom then stated that there are still IRS payroll taxes to be negotiated and paid. Ms. McManus stated that the IRS has contacted the office and is assigning a revenue officer to the board. The IRS audit is currently working on the 2007 taxes. Ms. McManus will contact the IRS if she has not heard from an agent within 45 days from May 12, 2011.

Ms. Elwood motioned to go into executive session for the scheduled formal hearing. Ms. Scwhing seconded. The board went into executive session at 10:19 AM. Mr. Berry was not present for the formal hearing when it began.

The Board meeting came out of executive session at 12:00 PM and took a break until 12:30 PM.

The board returned from the break and a motion was made by Ms. Little to go into executive session to discuss contracts for the board attorneys, accountant and investigator. Ms. Elwood seconded. The board went into executive session at 12:33 PM.

The board came out of executive session at 1:15 PM.

Members of the public were allowed to address the board. Ms. DaKenya Douglas and Dr. Joanitt Montano with Blue Cliff College addressed the board about the US Department of Education mandating that any program which has clock hour requirements as part of its licensing provisions must award Title IV (Pell Grants & Student Loans) based on clock hours and their concerns with the laws regulating massage therapy in Louisiana. The new laws affecting schools may take effect July 1, 2011.

Ms. Elwood motioned to return to executive session at 1:36 PM to continue with the formal hearing. Ms. Little seconded. Mr. Berry appeared at the Board meeting and the Board returned to executive session to allow Mr. Berry to submit evidence and make arguments in favor of allowing him to sit for the licensing exam.

The board returned from executive session at 1:51 PM. Ms. Donker-Syvertsen asked the board to each cast their vote in the matter of allowing Mr. Berry to go through the licensing process. Ms. Miller abstained. All other board members voted to not allow Mr. Berry to test for his professional license.

Ms. Donker-Syvertsen asked board members to cast their votes for contracts for legal, accounting and investigative services. All board members present voted to retain the services of Mr. Billy Belsom and Mr. John Miller as the board attorneys, and Advanced Investigative Technologies, LLC as the board investigator. All board members present voted to obtain Ms. Mary Sue Stages as the board accountant/CPA.

Ms. McManus gave the executive director report. She stated that all temporary services for large projects have been completed at this time and that going forward; the board will obtain temporary services on an as needed basis. She gave the quarterly testing update and alerted the board about ongoing random inspections being conducted at massage establishments throughout the state. Ms. McManus stated that the board staff is making contact with therapists and establishments through newsletter via email. The staff is also posting this correspondence on the board website under 'Knead to Know', 'LBMT Newsletter'. She stated that she is continuing to work with the IRS auditor to settle the payroll tax issue for the board.

Firefly, the board website/database creator, sent their Phase II proposal for approval. Ms. McManus stated that Phase I of the project was complete and the system is running well but it is time to complete the rest of the project. Ms. Elwood motioned to approve the Phase II project, Ms. Little seconded. All board members present approved. The motion was passed.

Three computer support companies sent proposals to the board office for regular computer updates/maintenance, security, and back up of the office server. Ms. Elwood motioned to approve JLH Networking to conduct computer updates, maintenance and security for the board office. Ms. Miller seconded. All board members present approved. The motion was passed.

Mr. Belsom addressed the board regarding the posting of a therapist's status online. Mr. Belsom stated that the board may post the status of all therapists online. He cautioned that therapists with disciplinary actions must have a link for consumers to view the infraction and outcome of the case. He also stated that the board may post "imposters" online but must link to evidence that a cease and desist letter was sent to the person. Ms. Elwood motioned to post the status of therapists online. Ms. Miller seconded. All board members present approved. The motion was passed.

The Federation of State Massage Therapy Boards membership is up for yearly renewal. Ms. Elwood motioned to renew with the Federation but ask for a hardship renewal again this year since the board is still working with the IRS on past payroll tax issues. Ms. Schwing seconded. All board members present approved. The motion was passed.

Ms. McManus requested that she be granted permissions to sign checks up to an amount that the board would be comfortable in order to streamline writing regular monthly bills as well as unforeseen bills for other items that may be needed. Ms. Elwood stated that she would be comfortable granting Ms. McManus check writing authority up to \$1000.00 without the need of approval. However, she stated that the treasurer should be able to audit the bank statement monthly. Ms. McManus stated that her bank statements are kept in a binder in chronological order and that it is the duty of the treasurer to view those statements monthly or as often as needed. Ms. McManus welcomed and encouraged board members to enquire about financials if they have any questions or concerns. Ms. Elwood motioned to give the executive director the authority to write checks up to \$1000.00 as well as write checks for regular monthly bills and previously approved projects for any amount. Ms. Laseter seconded. All board members present approved. The motion was passed.

Ms. McManus stated the need to ratify new staff member, Ms. Kathy Farris's employee agreement and allow her ten days of annual leave. Ms. Elwood motioned to ratify Ms. Farris employment agreement and allow her a one-time annual leave of ten days. Ms. Miller seconded. All board members present approved. The motion was passed.

Ms. McManus alerted the board that the laws regulating board audits have recently changed. Boards may now choose to have an audit performed or complete and "Agreed upon Procedure Report" by the CPA. Ms. Elwood motioned to have an audit performed this year due to the financial situation with the IRS to show the legislature that the board is complying with IRS agents to clear past tax issues. Ms. Little seconded. Ms. Schwing voted against the motion. All other board members present approved and the motion was passed.

Ms. Elwood motioned to go into executive session at 3:23 PM. Ms. Miller seconded. The board went into executive session.

The board returned from executive session at 3:39 PM. Ms. Elwood motioned to adjourn the meeting. Ms. Miller seconded. The meeting was adjourned at 3:39 PM.