

LOUISIANA BOARD OF MASSAGE THERAPY (LBMT)

November 13, 2015

Meeting Minutes

PLACE: Louisiana Municipal Association
700 North 10th Street
Baton Rouge, LA 70802

TIME: 10:00 AM

CALL TO ORDER: 10:02 AM by Linda Strickland, Chair.

ROLL CALL - P = Present A= Absent

Sallye Raymond, CIO: P
Faith Miller, Treasurer: A
Colleen Curran, Board Member: P
Linda Strickland, Chair: P
Robin Alexander, Secretary: P
Tim Hobbs, Board Member: A
Shari Harter, Vice Chair: P

Linda Strickland, Chair announced that Tim Hobbs, member of the board submitted a letter of regret to the board for his lack of participation due to various personal reasons. His term will expire unfilled based on his resignation.

APPROVE MINUTES – August 14, 2015

Motion to approve the minutes made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

Linda Strickland, Chair yields the floor to legal counsel for Administrative Hearings. Proper protocol established to meet judicial standards for said hearing.

ADMINISTRATIVE HEARINGS

Timothy A. Fischer

The purpose of this hearing is to determine the licensee's adherence to documentation and record-keeping requirements as established by the Louisiana Board of Massage Therapy (LBMT). Jack Miller is acting prosecutor for the Board. A public call was made for the attendance of the defendant, Timothy A. Fischer. No response to the call. The specifics of the case were presented.

Motion to enter Executive Session at 10:26 AM made by Shari Harter and seconded by Colleen Curran. Motion carried by unanimous vote.

Motion to end Executive Session at 10:36 AM made by Colleen Curran and seconded by Shari Harter. Motion carried by unanimous vote.

Motion to accept the recommendation of the Board on this hearing made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

Motion to accept the finding of fact in the case as presented made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

Motion for the suspension of Timothy A. Fischer's license for six (6) months made by Shari Harter and seconded by Sallye Raymond. Motion carried by unanimous vote.

Motion to draft the facts, findings and conclusion of law then give the Executive Director final approval authorization for the release of facts, findings, and conclusion of law to the public made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

Motion to inform Timothy A. Fischer of Administrative Hearing outcome and request his presence at the next proceedings made by Colleen Curran and seconded by Sallye Raymond. Motion carried by unanimous vote.

Administrative Hearing is concluded.

Motion to lift the agenda to move Old Business item #4 Litigation Discussion LA Board of Massage Therapy vs Kayla Perkins Aymond up on the agenda made by Sallye Raymond and seconded by Colleen Curran. Motion carried by unanimous vote.

Motion to enter Executive Session at 10:44 AM made by Colleen Curran and seconded by Sallye Raymond. Motion carried by unanimous vote.

Motion to end Executive Session made by Sallye Raymond and seconded by Colleen Curran. Motion carried by unanimous vote.

Motion to allow the Board Chair to continue legal negotiations regarding the case against Kayla Perkins Aymond made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

TREASURER REPORT – Faith Miller, Treasurer

Financials – Report reviewed.

Budget – CPA presented the 2016-2017 budget

Motion to accept the budget made by Sallye Raymond and seconded by Colleen Curran. Motion carried by unanimous vote.

Q: How can a copy of the budget be obtained by the public?

A: Request in writing. Email will suffice.

EXECUTIVE DIRECTOR REPORT – Rhonda McManus, ED

Public awareness campaign is still in the planning stages. One complaint lodged. It has been addressed. Update on CE certifications to be sent to providers. Assistant District Attorney (ADA) in Baton Rouge for collaboration with the Massage Therapy Board. A reporter from the newspaper in New Orleans has reached out to the Board staff for information as well. This is good public awareness. Staff wished the Board members a Happy Holiday.

OLD BUSINESS:

1. Agreed Upon Procedures

Required annually by the Legislative Auditor of the state of Louisiana. Griffin and Furman, LLC performed the review. Covered with the board members for informational purposes.

2. Attendance – Title 46, Part XLIV, Chapter 11 Section 1101, C

Motion to table discussion to the future made by Shari Harter and seconded by Sallye Raymond. Motion carried by unanimous vote.

Motion to Recess for thirty minutes made by Colleen Curran and seconded by Sallye Raymond. Motion carried by unanimous vote.

Back in session at 12:42 PM.

**3. Federation of State Massage Therapy Boards
A. Annual Conference Update**

Linda Strickland was the only representative to attend. It was a special 10th anniversary. Voting procedures were open and that was different for the Chair.

**4. Litigation Discussion
LA Board of Massage Therapy vs Kayla Perkins Aymond**

*****Moved up on the agenda*****

**5. Disciplinary Action
Actions taken after expiration of license**

Motion to enter Executive Session at 12:54 made by Robin Alexander and seconded by Colleen Curran. Motion carried by unanimous vote.

Motion to end Executive Session at 1:11 made by Robin Alexander and seconded by Colleen Curran. Motion carried by unanimous vote.

Motion to implement a new policy on how to handle disciplinary action when a licensee voluntarily surrenders and/or fails to renew a license prior to any action being taken by the Board made by Colleen Curran and seconded by Sallye Raymond. Motion carried by unanimous vote.

**6. Continuing Education Programs
1. Rain Drop Therapy**

Motion to not accept or add Rain Drop Therapy as an acceptable Continuing Education Course for required CE credit for license renewal requirements made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

Public Comment – Clarification that Aromatherapy courses can be submitted that are not product specific. The LBMT does not govern the use of Rain Drop Therapy.

NEW BUSINESS:

1. 2016 Board Meeting Dates

Motion to set the board meeting dates for 2016 as February 19, May 13, August 12, and November 4 made by Sallye Raymond and seconded by Colleen Curran. Motion carried by unanimous vote.

Note: Dates will be listed on the LBMT website within a week after the meeting.

2. Continuing Education Programs

A. Nonstandard Program Applications

1. Janeth DeBenedetto – The Experiential Path in the Healing Art of Shiatsu

Motion to approve the CE application as requested by the applicant to use the nonstandard course **The Experiential Path in the Healing Art of Shiatsu** for license renewal made by Collen Curran and seconded by Sallye Raymond. Motion carried by unanimous vote.

2. Dyanne M. Guidry – The Experiential Path in the Healing Art of Shiatsu

Motion to approve the CE application as requested by the applicant to use the nonstandard course **The Experiential Path in the Healing Art of Shiatsu** for license renewal made by Shari Harter and seconded by Sallye Raymond. Motion carried by unanimous vote.

3. Applications

A. Ana M Leger

Motion to deny the request and require applicant to get the remaining 40 clock hours made by Shari Harter and seconded by Robin Alexander. Motion carried on a vote of three to one (3-1) with one (1) abstention.

Legal Counsel made a request to the Board Chair to lift the agenda to add an item.

Motion to lift the agenda and add a New Business item made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

4. Discontinued Massage Therapy Course

Motion to require applicant to request substitute course hours acceptable to the LBMT board in massage theory and/or technique from the institution's curriculum for the program made by Sallye Raymond and seconded by Shari Harter. Motion carried by unanimous vote.

PUBLIC COMMENT

Q: How can one help applicants dealing with licensing issues?

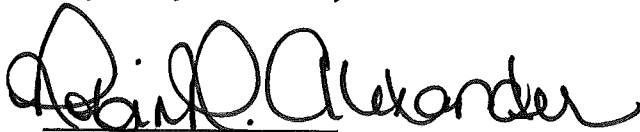
A: They should be referred to the LABMT staff for assistance to determine the correct information and process to take.

ADJOURNMENT

Motion to adjourn made by Sallye Raymond and seconded by Colleen Curran. Motion carried by unanimous vote.

Meeting adjourned at 2:12 PM.

Respectfully Submitted By:



Robin R. Alexander, Secretary