

Louisiana Board of Massage Therapy January 23, 2012 Meeting Minutes

Call to Order – The meeting was called to order by board chair, Mary Donker Syvertsen at 10:12AM

Roll Call – Donna Laseter, Francis Johnson, Tim Hobbs, Mary Donker Syvertsen, Suzanne Schwing, Tina Elwood and Faith Miller were all present.

Approve Minutes for October 10, 2011, board meeting. A motion was made by Tina Elwood to approve the October 10, 2011, board minutes. Donna Laseter seconded the motion, all approved.

Approve Minutes for November 4, 2011, board meeting. Suzanne Schwing motioned to approve the November 4, 2011, board minutes. Tina Elwood seconded, all approved.

Treasurers Report – Tina Elwood reviewed the financials for the second quarter of the fiscal year/year end. The board is in good shape with assets and liabilities totaling \$252,741.06 for a balanced budget.

CIO Report – Suzanne Schwing stated that policies for complaints are being followed and complaints are handled accordingly.

Executive Director's Report – Rhonda McManus stated that the renewal season was completed by January 10, 2012, with all licenses being issued to therapists that were submitted by December 31, 2011. There was a small glitch with the website overcharging about 63 therapists. However, all therapists overcharged were reimbursed of the error and notified quickly. Overall complaints, including non-acceptance of personal checks, was less than 10% of the total therapists renewing for 2012. Testing results for the year of 2011 were totaled. There were 415 students who took the oral exam with the board office during the year of 2011. Of those 415, 94% became professionally licensed as massage therapists. No board member exceeded \$600.00 for the year for their per diem payment for board business. Therefore, no board member will be issued a 1099 to file taxes.

Old Business

Relocation of Board office – Rhonda McManus stated that she received a letter from the Division of Administration Facility Planning & Control indicating the lease on the board office space expired 8/14/2007. Rhonda and Board Attorney, Bill Belsom, have been unable to secure a lease from the landlord in the past year and half; therefore, as stated in the previous board meeting, Rhonda will begin the process to relocate the office.

Internal Revenue Service – Rhonda McManus gave an update on what the board owes with the IRS for back taxes. Ms. McManus stated that she was assigned by the Revenue Officer to write a letter, no more than 2 pages, stating the events and people involved

with the agency during 2005-2007 and enclose W-2's and W-3's for those years as well. Upon review, the civil penalty for December 2005 in the amount of \$12,677.77 was abated and the civil penalty for December 2006 in the amount of \$12,481.20 was abated.

For the year 2007, there were too many issues because 941's filed did not add up. The board's current CPA firm reworked the figures with information that the board office was able to provide and resubmitted it. The civil penalty for 2007 was up to \$18,382.49. Ms. McManus resubmitted a letter asking for abatement of this penalty and the IRS granted abatement of \$12,139.44 and required payment of \$6,243.05 because the late filing of documents could not be justified.

From 2005-2007, the board had a total of \$43,541.46 in civil penalties but only paid \$6,243.05 after \$37,298.41 in civil penalties were abated.

As of December 22, 2011, the revenue officer assigned to the board stated that our case is closed. Everything up to 2007 is clear and completed. She complimented the good job of getting things caught up and done and feels the board is on the right track. Now the board is waiting on the IRS to work up 2008, 2009 and the first quarter of 2010.

On Going Litigation – Tina Elwood motioned to into executive session to discuss ongoing litigation. Faith Miller seconded, all approved. The board went into executive session at 10:41 AM.

The board returned from executive session at 11:08 AM.

New Business

Officer Elections – The new board officers are as follows:

Tina Elwood – Chair
Tim Hobbs – Vice Chair
Francis Johnson – Secretary
Faith Miller – Treasurer
Suzanne Schwing – CIO
Donna Laseter – ad hoc CIO

Change Board Meeting Dates for 2012 – Suzanne Schwing motioned to cancel the February 10, 2012, meeting. Tina Elwood seconded, all approved.

Firefly/Doug Allen - Tina Elwood presented the total dollars spent on the website and database to date to be \$29,002.00. This total includes development, customization, domain renewals, certification, security & maintenance. All costs were approved by the board and are within budget. The online database has produced substantial savings, as much as 50% in a five year comparison in contract labor, office supplies, postage and printing.

Rhonda McManus asked the board to approve hiring a consultant to work with her and the web/database provider, Firefly, on upcoming database features for the website. As a computer consultant, Mr. Allen can articulate to Firefly some of the board's needs for the website and database. Suzanne Schwing motioned to allow Ms. McManus to hire Mr. Allen as a consultant with a monetary amount not to exceed \$5,000.00. Tina Elwood seconded, all approved. Ms. Schwing asked Ms. McManus to invite Mr. Allen to the next board meeting.

Practice Act – Suzanne Schwing motioned to accept the Practice Act as written. Donna Laseter seconded. The practice act was open for discussion. Attorney, Jack Miller explained that the Rules and Regs Committee was given the authority to work on the statute in the last board meeting. They have been working with members from the AOBTA and AMTA for input. Some board members asked questions about the statute. Some members of the public asked questions about the law as well. There was discussion about the law between board members and members of the public for clarification purposes. After discussion, a vote was taken on the previous motion and all denied.

Tina Elwood motioned to adjourn the meeting. Suzanne Schwing seconded, all approved. The meeting was adjourned at 1:51 PM.