

LOUISIANA BOARD OF MASSAGE THERAPY

MEETING MINUTES

AUGUST 15, 2014

I. CALL TO ORDER

MARY DONKER SYVERSTEN CALLED TO ORDER THE REGULAR MEETING OF THE LBMT AT 10:02 AM ON AUGUST 15TH, 2014, AT THE LOUISIANA ARCHIVES, 3851 ESSEN LANE, BATON ROUGE, LA 70809.

II. ROLL CALL

THE FOLLOWING PERSONS WERE PRESENT:

SHARI HARTER

LINDA STRICKLAND

DR. TIM HOBBS

MARY DONKER SYVERSTEN

SALLYE RAYMOND

COLLEEN CURRAN

ABSENT: FAITH MILLER

III. APPROVAL OF THE MINUTES FROM LAST MEETING

DR. TIM HOBBS MOTIONED TO APPROVE THE MINUTES AS WRITTEN. COLLEEN CURRAN 2ND. ALL APPROVED.

IV. FINANCIALS / TREASURERS REPORT

1. MARY SUE STAGES, CPA REVIEWED THE FINANCIALS WITH THE BOARD.

A. LINDA STRICKLAND MADE A MOTION TO DESIGNATE REVENUE OF FUNDS \$214,800 FOR OPERATIONS. COLLEEN CURRAN 2ND. ALL APPROVED.

2. MARY SUE STAGES, CPA REVIEWED THE BUDGET WITH THE BOARD.

A. COLLEEN CURRAN MADE A MOTION TO APPROVE THE BUDGET AS PRESENTED. DR. TIM HOBBS 2ND. ALL APPROVED.

V. EXECUTIVE DIRECTOR'S REPORT

1. RHONDA MCMANUS GAVE THE EXECUTIVE DIRECTOR'S REPORT.

A. ALL COMPLAINTS HAVE BEEN RESOLVED. THERE WERE 14 SINCE LAST MEETING.

B. RHONDA MCMANUS READ A COMPLAINT LETTER ON THE BOARD MEETINGS LACK OF TRANSPARENCY. ATTORNEY, JESSICA THORNHILL, STATED THAT THE BOARD ACTUALLY IS IN COMPLIANCE.

2. DR. TIM HOBBS MOTIONED TO INCLUDE IN THE MINUTES THE DISCUSSION OF POSTING THE MEETING LOCATIONS IN ADVANCE. COLLEEN CURRAN 2ND. ALL APPROVED.

VI. COLLEEN MOTIONED TO AMEND THE AGENDA TO DISCUSS RESOLUTIONS FOR LEGAL CONTRACTS. SALLYE RAYMOND 2ND. ALL APPROVED.

VII. OLD BUSINESS

1. RECIPROCITY: RHONDA MCMANUS SUGGESTED THE BOARD TO DEFINE "ACTIVE" IN THE RECIPROCITY REQUIREMENT.

A. LINDA STRICKLAND MOTIONED THAT WE ADD THAT AN APPLICANT MUST BE ACTIVELY LICENSED FOR AT LEAST ONE YEAR IN ANOTHER STATE FOR RECIPROCITY PURPOSES. SALLYE RAYMOND 2ND ALL APPROVED.

2. CEASE AND DESIST CLARIFICATION:

A. SALLYE RAYMOND MOTIONED TO CONTINUE THE PROCEDURE OF CEASE AND DESIST AS WRITTEN- FOR THOSE THAT ARE OPERATING OUTSIDE OF OUR LAWS. LINDA STRICKLAND 2ND. ALL APPROVED.

3. LEGAL

A. CHAPTER 55 IN RULES: TO CORRECT THE VERBAGE OF DISCIPLINARY ACTIONS.

SALLYE RAYMOND MOTIONED TO CHANGE CHAPTER 55, §5501 GUIDELINES FOR DISCIPLINARY ACTIONS AND TO LOOK AT THE RULES AND BRING SUGGESTIONS FOR CHANGES TO THE NEXT MEETING. DR. TIM HOBBS 2ND. ALL APPROVED.

VIII. NEW BUSINESS:

I. ESTABLISHMENT LICENSE VS. PROFESSIONAL LICENSE STATUS:

A. ALL ESTABLISHMENTS, EVEN WITH ONLY ONE EMPLOYEE, MUST HAVE A REGISTRATION OR LICENSE. RHONDA MCMANUS RECOMMENDED THAT EXPIRED ESTABLISHMENTS HAVE 24 MONTHS TO RENEW, WITH A LATE FEE. IF REGISTRATION WAS MAINTAINED DURING THE TIME THE LICENSE WAS EXPIRED, WE WOULD WAIVE THE LATE FEE. IF ONE DID NOT RENEW WITHIN THE 24 MONTHS THEY WOULD BE CONSIDERED LAPSED AND WOULD NEED TO APPLY FOR A NEW LICENSE.

LINDA STRICKLAND MOTIONED TO ACCEPT THE CLARIFIED POLICY REGARDING ESTABLISHMENT LICENSES AS PUT FORTH BY RHONDA MCMANUS. SALLYE RAYMOND 2ND. ALL APPROVED.

IX. DR. TIM HOBBS MOTIONED TO AMEND THE AGENDA TO BRING UP NUMBER 8 IN NEW BUSINESS. COLLEEN CURRAN 2ND. ALL APPROVED.

X. RESOLUTIONS:

1. SALLYE RAYMOND MOTIONED TO CONTRACT WITH KANTRO, SPAHT, WEAVER & BLITZER AS SPECIAL COUNSEL. DR. TIM HOBBS 2ND. ALL APPROVED. FAITH MILLER WAS ABSENT.

2. SALLYE RAYMOND MOTIONED TO CONTRACT WITH THE DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL, AS LEGAL COUNSEL. COLLEEN CURRAN 2ND. ALL APPROVED. FAITH MILLER WAS ABSENT.

XI. COLLEEN CURRAN MOTIONED TO BREAK FOR LUNCH AT 11:51. DR. TIM HOBBS 2ND. ALL APPROVED.

A. THE BOARD RECONVENED FROM LUNCH AT 12:51 PM.

XII. REGULATION OF ADVERTISING R.S. 37:3564

A. ADVERTISEMENT RECEIVED AT BOARD OFFICE.

1. ESTABLISH A POLICY TO HANDLE ADVERTISEMENTS RECEIVED AT THE BOARD OFFICE FROM FACEBOOK, EMAIL ETC.

2. ATTORNEY, JESSICA THORNHILL, STATED THAT WE CAN'T IGNORE WHAT IS BROUGHT TO OUR ATTENTION AND THAT SOME BOARDS DO WHAT IS CALLED "BOARD INITIATED COMPLIANTS".

SHARI HARTER MOTIONED TO ESTABLISH A POLICY FOR THE BOARD OFFICE TO FILE A BOARD INITIATED COMPLAINT IN REFERENCE TO ANY MAIL, EMAIL, OR SOCIAL MEDIA ADVERTISING. SALLYE RAYMOND 2ND. ALL APPROVED.

B. ADVERTISING: EITHER THE ESTABLISHMENTS LICENSE NUMBER OR THE LMT'S LICENSE NUMBER?

1. DR. TIM HOBBS MOTIONED FOR THE INTERPRETATION OF R.S. 37:3564 TO BE THAT FOR ADVERTISING PURPOSES, AN ESTABLISHMENT MAY USE THEIR ESTABLISHMENT LICENSE NUMBER OR IF THEY HAVE ONLY ONE LMT, THEY MAY USE THE LMT'S NUMBER. LMT'S MAY USE THEIR PROFESSIONAL LICENSE NUMBER, REGISTRATION NUMBER OR ESTABLISHMENT LICENSE NUMBER TO ADVERTISE. LINDA STRICKLAND 2ND. ALL APPROVED.

XIII. MARY DONKER SYVERSTEN ANNOUNCED THAT FAITH MILLER IS PRESENT AT 1:22 PM.

3. INSPECTION OF ESTABLISHMENTS

A. ESTABLISHMENTS THAT OPERATE BY APPOINTMENT ONLY.

1. FAITH MILLER MOTIONED THAT AFTER 2 OR MORE ATTEMPTS AT AN INSPECTION, DISCIPLINARY ACTIONS MAY BE TAKEN. COLLEEN CURRAN 2ND. ALL APPROVED.

B. CLARIFY "IN PLAIN VIEW" IN REFERENCE TO DISPLAYING LICENSES.

1. DISCUSSION ON HOW TO INTERPRET "IN PLAIN VIEW" AS MEANING DISPLAYED AT AN EASILY VISIBLE, AT GENERAL EYE LEVEL IN A WELL LIT ROOM, HALLWAY, AREA OF MASSAGE, LOBBY OR MASSAGE ROOM.

XIV. PROVIDERS FINES / PENALTIES

1. PROVIDERS WITH MISSING INFORMATION ON CEU CERTIFICATES ISSUED.

A. SALLYE RAYMOND MOTIONED TO ACCEPT ATTORNEY, JACK MILLER'S, PROPOSAL OF PROVIDERS FINES AND PENALTIES. FAITH MILLER 2ND. ALL APPROVED.

SALLYE RAYMOND MOTIONED TO TAKE A FIVE MINUTE BREAK AT 2:24 PM. LINDA STRICKLAND 2ND. ALL APPROVED.

MARY DONKER SYVERSTEN CALLED THE MEETING TO ORDER AT 2:33PM.

XV. APPLICATIONS

1. APPLICANT: HAIYAN ZHANG, NAPA VALLEY

SALLYE RAYMOND MOTIONED TO REQUIRE HAIYAN ZHANG TO COMPLETE THE 85 HOURS MISSING OF THE 325 HOURS NEEDED. COLLEEN CURRAN 2ND. ALL APPROVED.

2. ANDREA BOWMAN: LAFAYETTE, LA

SALLYE RAYMOND MOTIONED TO ACCEPT ANDREA BOWMANS TRANSCRIPT. DR. HOBBS 2ND. ALL APPROVED.

3. APPLICANT: YUEYING JIANG,

FAITH MILLER MOTIONED TO DENY YUEYING JIANG LICENSURE REQUEST. COLLEEN CURRAN 2ND. ALL APPROVED.

4. YFENG GUO, NAPA VALLEY, CA

LINDA STRICKLAND MOTIONED THAT YFENG GUO GET THE 85 HOURS OF EDUCATION NEEDED. SALLYE RAYMOND 2ND. ALL APPROVED.

5. APPLICANT: MATTHEW BEASLEY, WEST MONROE, LA

DR. TIM HOBBS MOTIONED TO DENY MATTHEW BEASLEY'S APPLICATION FOR LICENSURE UNTIL HE HAS RETAKEN ALL CLASSES THAT HE DOES NOT HAVE 90% ATTENDANCE IN. LINDA STRICKLAND 2ND. ALL APPROVED.

XVI. FSMTB ANNUAL MEETING

1. THE FSMTB ANNUAL MEETING IS OCTOBER 2ND THROUGH THE 4TH.

FAITH MILLER MOTIONED FOR MARY DONKER SYVERSTEN (CHAIRPERSON), RHONDA MCMANUS (EXECUTIVE DIRECTOR), COLLEEN CURRAN AND LINDA STRICKLAND (BOARD MEMBERS) TO ATTEND THE ANNUAL MEETING AS LONG AS THE BUDGET PERMITS. COLLEEN CURRAN 2ND. ALL APPROVED.

XVII. EXPENSE REPORTS

1. EXPENSE REPORTS MUST BE FILED WITHIN 30 DAYS OF EXPENSE.

A. ONE EXPENSE REPORT WAS SUBMITTED LATE FROM THE LAST BOARD MEETING. WE NEED APPROVAL TO PAY IT.

B. LINDA STRICKLAND MOTIONED TO APPROVE THE PAYMENT OF THE LATE EXPENSE REPORT. SALLYE RAYMOND 2ND. ALL APPROVED.

FAITH MILLER MOTIONED TO ADJOURN THE MEETING AT 3:45PM.

COLLEEN CURRAN 2ND. ALL APPROVED.

MINUTES SUBMITTED BY:

SHARI HARTER, SECRETARY

