

Meeting Minutes  
2-19-10

A call to order for the meeting was made by board chairman Janeth DeBenedeto at 10:15am. Board member Suzanne Schwing made a motion to elect new board members and have the elections added to the agenda. LSBMT office manager Kayla Perkins stated that before any new additions were made to the agenda a roll call had to be taken. A roll call was taken. The motion to add elections to the agenda was then addressed. A vote was taken and the motion was passed. Elections would happen later in the meeting.

Another motion was requested to put CEU approvals (health positive) on the agenda. The motion was passed. Board CPA Eric Vicknair read over the budget and expenditures for the year of 2009. The question of salaries and office expenditures was brought up by the board. Board office manager Kayla Perkins stated that all financial records were held in office. Board licensing coordinator Cassie Culbertson read over minutes from the last board meeting. A question was raised on the posting of minutes in a public forum, possibly hosted on the LSBMT website. This question then extended into public questions. It was stated that in previous meetings public outbursts interrupted the meeting. A move was made to hold all public comments until the end of the meeting. The point was raised that if a member of the public had issue with a vote being made or topic brought up it may be pertinent that they be able to speak during the meeting. Mary Donker Syvertsen made a move that the board use 'Robert's Rule of Order', a standard for meetings such as this board meeting. 'Robert's Rule of Order' suggests that the public is given 3 opportunities to speak at 2 minute intervals. The suggestion is made into a motion, it is passed. The public is now given the opportunity to respond to the meeting 3 times with a 2 minute maximum time limit.

Kayla Perkins, the board office executive director, went over the happenings in the office since the last board meeting. Kayla gave a report on license renewals which had recently entered their final phase of issuance. Kayla reported that over five thousand licenses had been issued and that from this point out only stragglers and late renewals needed to be sent out. She stated that these licenses were still coming into the office on a daily basis. Kayla introduced the board to the newest member of the executive staff, Kyle Crane. Kyle was hired to the board as an investigator during renewals. The question of Kyle's hiring was raised. This would be further discussed in the meeting as members of the board had questions on the hiring of executive staff. Kayla also brought up the idea of adding an expiration date to home studies as the office recently had calls regarding this issue. No motion was passed on this topic as it needed further review.

Board member Suzanne Schwing stated that the board was to hold elections annually in May and there was no record of elections being held in May of 2009. The last time board elections were held was in May of 2008. Suzanne stated that the board was out of compliance by nine months. Board Attorney Donnie Floyd stated that elections were to be held in November of 2009 but on his suggestion they be held at a later date. At this time it was decided that elections would now be held.

The elections were as follows:

- Mary Donker Syvertsen is the new board chairman
- Suzanne Schwing is the new board vice chairman
- Julianne Menn is the new board secretary
- Janeth De Benedetto is the new board treasurer
- Keith Thompson is the new board hearing/complaint officer
- Pam Little is the new board layperson
- J. Bruce Evans is the new board layperson

Tina Elwood, a massage therapist licensed in Louisiana, brought up a question on continuing education units. Her question pertained to the AMTA and documentation on approval of CEU's. A motion was made to raise the rate of Per Diem from \$50 a day to \$300 a day. The public comment was made that \$300 was too high. Board secretary Julianne Menn stated that she was aware of the \$50 per diem when she took the position on the board and that parameters be put in place so that people were not running for board positions just because of the dollar amount attached. The motion was tabled for further review and voting at an upcoming board meeting.

The question on hiring of new executive staff was brought up. Kayla Perkins stated that it has always been the duty of the executive director to hire the board staff. Board vice chair Suzanne Schwing wanted to know what went into the hiring, if resumes were collected, if interviews were held, and if the executive staff had specified roles. The suggestion to further investigate the hiring process and what roles the members of the staff played was made. Member of the public in attendance, Kathie Lee, asked if there was a central housing for policy. Suzanne Schwing asked if this policy may also contain contracts for staff and non staff personnel. Kayla Perkins stated that such documents did exist in the board office and could be collected and presented to the board.

The question of informal conferences was raised. The board wanted to know if there was a protocol or standard on fines that was followed. Board attorney Donnie Floyd stated that per the board rule in chapter 55 under disciplinary actions section B, number 3, the fine for violations shall not exceed \$1000 per violation. The question on how this dollar amount per fine was raised. Donnie stated that the decision of fine was up to the board hearing/complaint officer. Louisiana therapist Kristina Campbell stated that she was at the most recent hearing and there was no board hearing officer present. At this point the board chose to go into executive session in order to discuss what to do about the judgments made at an informal conference without a hearing officer present.

The board went into executive session. At 12:57pm the board adjourned their executive session and went back into a normal meeting. The decision was made to give back all therapists their licenses from the most recent meeting.

Questions on CEU's were raised. The board staff has received several complaints from therapists who were promised that their CEUs would be e-mailed or faxed into the board office. The board has not received these e-mails or faxes and now therapists have

to pay late fees over the issue. A reminder will be sent to therapists in 2010 before renewals to remind therapists that it is their responsibility to get CEUs to the board. Some therapists are asking that the rule for 12 CEUs be waived and some have complained over the \$100 late fee. The board discussed these rules and agreed that they will not change. Both rules will stand.

The board now opened the floor for public comment. Tina Elwood read a prepared letter regarding her time on the board. She stated that transparency and accountability need to be priorities for the board. A gentleman named Vernon then stood and stated that while Tina raised an excellent point, the board should always check itself for conflicts of interest and cites his own time on the board and a fine he had to pay as an example. Kathie Lee stated that a quarterly update to the website highlighting sections of the law where questions may lay would be pertinent to the interest of massage therapists. Louisiana massage therapist Angela Michael asked that the board provide some sort of point of contact if a therapist felt uncomfortable contacting the office.

The meeting was adjourned at approximately 2pm.