

LOUISIANA BOARD OF MASSAGE THERAPY -

Friday August 9th, 2022 - Open Board Meeting – TIME: 9:30am

PLACE:

Jones Creek Regional Branch Library
6222 Jones Creek Road, Meeting Room 1
Baton Rouge, LA 70817

Call to Order by Kathie Lea at 9:34 am

Roll Call P=Present A=Absent

Members:

Kathie Lea: Chairperson	<u>P</u>
Casey Little: Treasurer	<u>A</u>
Jim Steele: Chief Investigating Officer	<u>P</u>
Rosemary Wilkinson: Secretary	<u>P</u>
Karla Swacker	<u>P</u>
Donna Green	<u>A</u>
Sheri Morris: Attorney	<u>P</u>
James Raines: Attorney	<u>P</u>
Mary Sue Stages: CPA	<u>A</u>
Tricia Thibaut, Executive Director	<u>P</u>
Aubry Leiva: Executive Assistant	<u>P</u>
Chandra Wiley:	<u>P</u>

Business:

1. Jim Raines
 - a. Interim Consent Agreement, Kevin Brooks

Mr. Raines presented the Interim Consent Agreement and provided clarification to the board. This agreement's purpose is to suspend the license until Mr. Brook's criminal matters are cleared and the board is able to hold an administrative hearing. Karla Swacker motioned to accept this agreement as written. This was seconded by Jim Steele. No board members opposed.

2. Approval of Meeting Minutes from August 29,2022 board meeting
 - a. Meeting minutes approved.
Motioned by Karla Swacker and seconded by Jim Steele, no board members opposed.
3. Treasurer's Report
No report given
4. Mary Sue Stages, CPA
 - a. Financial Report
No report given
5. Establishment Application Review
 - a. Spa Chi

Karla Swacker motioned to deny this license application. This was seconded by Jim Steele. No board members opposed.

6. B&B Spa 66 INC

Rosemary Wilkerson motioned to deny this license. This was seconded by Jim Steele with the addition to notice the chief of police of Zachary of this finding. No board members opposed.

- c. H&Z Spa LLC, DBA Rich 66 Massage
- d. H&Z Spa LLC, DBA H&Z Spa
- e. H&Z Spa

Jim Steele Motioned to deny H&Z Spa LLC, DBA Rich 66 Massage, H&Z Spa LLC, DBA H&Z Spa and H&Z Spa. This was seconded by Karla Swacker. No board members opposed.

- 6. Jim Steele, Chief Investigative Officer
 - a. Update of fines and penalties schedule

Mr. Steele presented a suggested update to the current fines and penalties schedule, last revised October 16, 2020.

- Item 1a. Increase minimum initial administrative fine from \$50 to \$100
- Item 1b. Increase minimum violation fine from \$120 to \$300
- Item 2. To remove “arising from a single inspection or audit”
- Item 2. To increase the amount of additional fines based on number of violations, \$100 for the first, \$200 for the second and so on, up to a total maximum penalty of \$750.00.
- Item 3. Increase the repeat violation time from 12 months to 24 months.
- Item 3. To add “If the same violation occurs three times or more over a 36 month period, a hearing before the board will be required”
- Item 5. To amend language from may to shall
- Item 5. To add “In addition to the other sanctions, the board office may deny a license renewal application until all outstanding violations are remedied.”
- Item 6. To amend language from may to shall
- Item 7. To amend language from may to shall

Sheri Morris advised to add “The board authorizes office staff to implement the stated fines and penalties and to inform licensees of fines and right to a hearing” to the preamble of this schedule.

Karla Swacker motioned to accept the changes as presented by the CIO. This was seconded by Rosemary Wilkerson. No board members opposed.

Board Chair, Kathie Lea suggested to amend agenda to show item 7 to item 9 and to move items 8 and 9 to 7 and 8, respectively. Rosemary Wilkerson motioned to amend the agenda. Karla Swacker seconded this motion. No members opposed

Motion to add additional report by Jim Steele by Karla Swacker. This motion was seconded by Rosemary Wilkerson.

- b. The CIO informed the board on issues faced while obtaining public records or arrest records. Jim Steele requested assistance and suggestions on this matter. Mr. Raines and Ms. Morris advised to subpoena these agencies for records as opposed to requesting these records.
- 7. Modality Question
 - a. Compression Bandaging/Compression Garments

Ms. Morris suggested that the board request an opinion from the Attorney Generals’ office as to if this modality is within the LABMT scope of practice. Jim Steele seconded this motion. Jim Steele motioned for Donna Green, CEU reviewer to do further research on this modality and present the information to the office staff as to

if this modality can be denied, approved or need further review from the board. This motion was seconded by Karla Swacker. No board members objected.

8. CEU Review

a. Non Standard Request – Aromatherapy for Massage Therapists

Jim Steele motioned to approve this course. Motion seconded by Karla Swacker

b. Provider Review- Therapeutic Scraping

Rosemary Wilkerson motioned to approve this course. Motion seconded by Karla Swacker.

9. Chair Report

The board chair notified the board that they will be in attendance of the FSMTB conference and will bring back information on the FSMTB compact to the board. The chairperson's expenses for this conference are covered by the FSMTB. The board will not ask for a ruling from the Attorney General based on the new parish ordinances at this time.

Adjournment

Motion to adjourn meeting at 11:35 by Karla Swacker and seconded by Jim Steele. Motion carried unanimously

¹Public Comment Policy –Public comments are limited to five (5) minutes per agenda item with the Board's discretion to allow more time if needed.

²The Louisiana Board of Massage Therapy reserves the right to enter into Executive Session, if needed, in accordance with LA R.S. 42:16, 42:17, and La. C.E. art. 506.

In accordance with Americans with Disabilities Act, if you need special assistance regarding the meeting, please contact the Louisiana Board of Massage Therapy at 225.756.3488 or at admin@labmt.org.