

**LOUISIANA BOARD OF MASSAGE THERAPY
AUGUST 20, 2010
OPEN BOARD MEETING
STATE OFFICE BUILDING
150 THIRD STREET
BATON ROUGE, LOUISIANA 70801**

Meeting was called to order at 10:12 am.

Present were Tina Ellwood, Bruce Evans, Pam Little, Mary Donker-Syvertsen, Suzanne Schwing, Julianne Menn, Jack Miller, Billy Belsom, Dennis Maciasz, Leslie Hill, and Rhonda McManus, as well as representatives of the public were also present. Jan DeBenedetto was absent.

Mr. Evans moved to dispense with the reading of the minutes from the past two public meetings, and to approve as they stand. Ms. Schwing seconded the motion. All Board members voted to approve. Ms. Ellwood abstained.

REPORTS

Treasurer report was not available as Ms. DeBenedetto was absent.

Executive Director report was delivered by Ms. McManus. She introduced the Board's new CPA Dennis Maciasz. Tax information and accounting information have been requested from prior CPAs, and Ms. McManus is coordinating the effort to obtain all necessary records for the tax years not settled with the IRS.

The current Statement of Revenue and Expenses was presented in detail by Mr. Maciasz. Information for the 2009-2010 fiscal year has been compiled and the audit will be completed by Mary Sue Stages.

Ms. McManus reported that LBMT's LASERS payments are now up to date.

LWCC notified the LBMT that prior employee Elena Rose applied for unemployment benefits. The Board will pay out a total of \$2200 for Ms. Rose's benefits.

Updated travel forms were presented.

LBMT revenues for FY 2009-2010 exceed \$500,000. Mary Sue Stages, CPA will conduct the required depth of audit by 9/01/2010. This report will be reviewed by Mr. Maciasz and Ms. Stages will come before the Board to review the audit findings and answer Board members' questions during the November meeting.

IRS/Tax update was presented by Ms. McManus. She has been informed by the IRS that the IRS was missing many quarterly payroll tax records and payments for past

years. (LBMT now has contracted with Paychex to maintain all payroll records and manage tax withholdings calculations.) The LBMT has submitted inaccurate past payments from 2004 - February 2010. All required documentation has now been sent to the IRS, as has missing W2 info, for 2005, 2006, March 2008, 2009, and June 2010. Ms. McManus will participate in a call on 9/10/10 with the IRS to determine the LBMT's obligations and work toward final settlement. The LBMT will be assigned a revenue officer to negotiate penalties. LBMT executive staff has been unable to find past records of paystubs, withholding information, etc. LBMT pay stubs with records of leave accrued, as well as tax and retirement contributions, began as of May 2010.

Mr. Belsom clarified that meeting minutes approved were for two different meetings. Motion was made and seconded to approve the June 18, 2010 minutes. All approved and Mr. Evans and Ms. Ellwood abstained.

Ms. McManus reported that Kyle Crane, past employee, will have SS and LASERS payments justified and paid accurately for the period from November 2009 to May 2010.

OLD BUSINESS

The Board clarified that currently a postmark must serve as verification of submission of application for LMT license.

Mr. Evans moved to have Ms. McManus draft online application and payment/confirmation proposal. Ms. Menn seconded. All approved.

USCI Colorado does not meet LA's requirement's for curriculum due to insufficient hours and attendance verification. Ms. Hill informed the Education Director, and will inform prospective LA students if they call to inquire about this program.

Ms. Hill reported of plans to establish a computerized and backup data base. The proposal to have online application, payment, license provision will be integrated with the LBMT website. LBMT staff will have real-time access to modify the site. The Board reviewed proposals from several companies bidding for the website and data base development contract. Ms. Menn motioned, and Mr. Evans seconded the motion, to authorize our Executive Director, Ms. McManus to establish a contract with the company she determines will provide the best service and value. All approved.

Vernon Smith, member of the public, stated his approval of the quality of work of the Board staff. Allison Johns, member of the public requested info on September mail outs still to occur and requested easier correspondence via the website with Board.

Mr. Belsom reported the Board's responsibilities to provide a portion of costs for our ex-Executive Director Ms. Perkins' medical insurance premiums.

Ms. Menn moved that 3 hours of correctly documented Board-related work, including travel time, be required in order for a Board member to request a per diem payment. A Board member's presence at the LBMT office does not exempt the 3 hour requirement. This should be drafted into a Policy Manual. Ms. Little seconded. All approved.

Ms. Ellwood moved to let Executive staff determine CEU program and provider approvals and present applications to the Board if questions arise. Staff will notify Board of approved and declined applications monthly. Ms. Schwing seconded. Mr. Belsom noted that the Board Rules support Board's right to appoint staff for this duty. All approved.

Current Operating Procedures will be put into a binder for future Board members' reference.

Ms. Menn moved and Ms. Schwing seconded to adjourn for a break. All approved. Break began at 12:01pm.

The Open Session reconvened at 12:22pm with all Board members and staff at initial role call still present.

NEW BUSINESS

The Board is in need of a new Chief Investigative Officer. Mr. Miller requests a person who could be available approximately 1-2 times per month to review cases. Ms. Ellwood expressed interest, as did Ms. Schwing. Mr. Evans nominated Ms. Ellwood and Ms. Menn nominated Ms. Schwing. Roll call vote resulted in all members voting for Ms. Ellwood and Ms. Menn voting for Ms. Schwing. Ms. Menn moved and Ms. Little seconded for the Board to appoint Ms. Schwing as ADHOC CIO. All approved.

The Board transitioned to Executive Session from 12:40pm to 1:04 pm to discuss details of a legal case.

Open Session re-adjourned at 1:05 pm.

NEW BUSINESS CONTINUED

Ms. Hill presented the potential benefits of the LBMT contracting with a third party investigator. LBMT staff researched and requested eight different company's proposals, then interviewed three of those companies. These proposals were presented today.

Board members requested details of how the investigator will be monitored, how invoices will be reconciled, and how reference checks will be managed. Staff provided responses. Suzanne moved and Mr. Evans seconded for the Board to accept proposal and authorize contract by Ms. McManus with Kirk Menard, Advanced Investigative Technologies, LLC after acceptable references were obtained. All approved.

Ms. Schwing moved, and Ms. Ellwood seconded, for the development of a temporary complaint/investigation procedure by Ms. Hill and Ms. Ellwood to be emailed to Board members by August 30, until in-depth Standard Operating Procedures are developed by Ms. Ellwood, Ms. Schwing, Board attorneys, and executive staff. All approved.

The mandatory malpractice insurance item was tabled as Ms. DeBenedetto was absent and she had requested this agenda item.

FSMTB membership/dues were discussed. The Board and executive staff determined insufficient benefit for Board membership at the cost of \$2800/year. Ms. Schwing moved and Ms. Ellwood seconded to not renew LBMT membership. All approved.

LBMT currently has 2 executive full employee staff. LBMT also has one part-time staff on contract from Snelling. Ms. McManus proposed additional staff as we approach December license renewals. She outlined a Job Description for Administrative Assistant who would in future be an employee. She proposed the Board and staff determine at our November 2010 meeting if we keep the Snelling position open and for how long. Board discussed possibilities of going contract vs. employee, and variables that would determine salary, salary range. Ms. Menn moved and Ms. Little seconded the motion that the Board authorize Ms. McManus to interview and hire an Administrative Assistant for a salary cap of \$45,000. All approved.

Ms. McManus requested a one-time 15 annual day leave allocation. Mr. Belsom determined that the Board is within rights to grant this as per our State governing legislation. Ms. Ellwood motioned and Ms. Menn seconded the motion that the Board grant Ms. McManus this leave. All approved.

Tommie Maris requested an exception on required education hours during a process of a state to state move. The Board determined that she was required to follow same LA state requirements as all LA licensed practitioners. Exception was denied.

Mr. Evans moved and Ms. Little seconded that the meeting adjourn as there was no further business. All approved. Meeting adjourned at 2:43 pm.

Executive session followed to review an application for permission to sit for the state exam.