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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF MASSAGE THERAPY

TIME: 9:32 a.m.

BOARD ROOM B

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Tuesday, February 6, 2018

1 ***

2 State Board of Massage Therapy

3 February 6, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Massage Therapy was held on Tuesday, February
7 6, 2018. Becky Lesik, LMT, Chairperson, called the
8 meeting to order at 9:32 a.m.

9 Board members, staff and audience members were
10 introduced.

11 ***

12 Report of Prosecutorial Division

13 [Adam Morris, Esquire, Board Prosecutor, presented the
14 Consent Agreement for File No. 17-72-03706.]

15 ***

16 Appointment - BFO Budget Presentation

17 [Kimberly A. Mattis, Director, Bureau of Finance and
18 Operations, introduced herself as well as Kimberly
19 Adams, Chief of Fiscal Management.

20 Ms. Mattis reviewed information on the Board's
21 licensee population from 2012 through 2017-2018. She
22 compared Fiscal Year 2015-2016 and 2017-2018, which
23 were comparable.

24 Ms. Mattis referred to Fiscal Year 2015-2016 and
25 Fiscal Year 2016-2017 biennial totals. She noted that

1 83 percent of the revenue comes from the renewals and
2 applications. She explained that expenses are
3 incurred as direct charges, license-based charges, and
4 timesheet-based charges.

5 Ms. Mattis reviewed the expenses breakdown
6 between administrative and legal costs. She noted
7 expenses for the last two fiscal years, budget for
8 Fiscal Year 2017-2018, and the expenses for the
9 current fiscal year.

10 Ms. Mattis reviewed the projected revenue and
11 expenses for Fiscal Year 2017-2018. She expected with
12 the renewals by Fiscal Year 2020-2021 the Board would
13 be in the black.

14 Ms. Mattis discussed Board member expenses. She
15 stated that the budget for Fiscal Year 2017-2018 was
16 at \$15,000 and expenses as of January 22, 2018, were
17 just over \$7,000.]

18

19 Appointment - Human Trafficking Awareness Presentation
20 [Steven V. Turner, Esquire, Crisis Advocate
21 Coordinator and Training Specialist, discussed human
22 trafficking and its affect on legitimate businesses
23 and the massage industry.

24 Mr. Turner provided a brief summary of his
25 professional background.

1 Mr. Turner discussed Asian organized crime in
2 Philadelphia and his prior work with customs and
3 immigration to gather intelligence.

4 Mr. Turner noted the importance of protecting the
5 legitimate world from illegal operators who engage in
6 sex slavery and commercial serial rape. Mr. Turner
7 mentioned the Pennsylvania Commission on Crime and
8 Delinquency (PCCD), and the home for the Victims
9 Compensation Assistance Program for the Commonwealth
10 to help victims of violent crime and families of
11 homicide victims.

12 Mr. Turner outlined his involvement with the YWCA
13 of Greater Harrisburg as a volunteer for about 20
14 years working with domestic violence, sexual assault,
15 and then human trafficking victims and survivors. He
16 has been the Crisis Advocate Coordinator and Training
17 Specialist of sex trafficking for two years.

18 Mr. Turner noted his complete respect for Polaris
19 and the National Human Trafficking Hotline.

20 Mr. Turner stated the Bureau of Narcotics
21 Investigation (BNI) was part of the Office of Attorney
22 General with statewide narcotic taskforces who work
23 with state police and locals. He stated that BNI were
24 finding sex slaves who were being sold and moved. He
25 urged the Board members to be proactive and call the

1 police or the National Human Trafficking Hotline if
2 they see anything suspicious.

3 Mr. Turner informed the Board that Polaris and
4 the Pennsylvania Coalition Against Rape (PCAR) offer
5 free written material and screening tools, and the
6 YWCA of Greater Harrisburg has a vibrant
7 antitrafficking program.

8 Mr. Turner discussed the importance of training
9 massage therapists and people in the community to give
10 leads to law enforcement with just a phone call.]

11 ***

12 [The Board recessed from 10:20 a.m. until 10:37 a.m.]

13 ***

14 [Chairperson Lesik noted the digital version on the
15 FSMTB website of the Human Trafficking Task Force
16 Report. She suggested adding the information
17 regarding Mr. Turner's presentation to FSMTB website.]

18 ***

19 Approval of Minutes of the December 12, 2017 meeting

20 CHAIRPERSON LESIK:

21 We are going to back up to No. 1, which
22 is the December 12, 2017 draft minutes
23 and their approval or disapproval.

24 [The Board discussed corrections to the December 12,
25 2017 meeting minutes.]

1 CHAIRPERSON LESIK:

2 I will recommend that we approve the
3 minutes as presented with the additions
4 and corrections.

5 MS. BAUGHMAN:

6 So moved.

7 CHAIRPERSON LESIK:

8 So moved, okay.

9 MS. COREY:

10 Second.

11 CHAIRPERSON LESIK:

12 All those in favor? Abstentions?

13 All those opposed?

14 [The motion carried. Shannon Baker and Nancy Porambo
15 abstained from voting on the motion.]

16 ***

17 [Chairperson Lesik welcomed Nancy Porambo to the
18 Board.]

19 ***

20 Report of Regulatory Counsel

21 [Jacqueline A. Wolfgang, Esquire, Regulatory Counsel,
22 updated the Board on pending regulations, including
23 the fee regulation package, massage therapists in
24 cosmetology salons, and general revisions. She also
25 stated the child abuse reporting requirements were

1 with the Office of General Counsel (OGC) in the
2 Governor's Policy Office for comments and
3 recommendations. The Board may have to make
4 revisions.

5 Ms. Wolfgang referred Board members to the list
6 of Status of Cases for review. She noted the proposed
7 Adjudication and Order, Application items, and the
8 Request for CE approval for discussion during
9 Executive Session.

10 Ms. Wolfgang noted a Commonwealth Court Opinion
11 for the Board's review and information.

12 Ms. Wolfgang reviewed Recusal and Extension
13 Guidelines and the Sunshine Act. She also provided
14 handouts for Board members.]

15 ***
16 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
17 10:57 a.m. the Board entered into Executive Session
18 with Jacqueline A. Wolfgang, Esquire, for the purpose
19 of conducting quasi-judicial deliberations. The Board
20 returned to open session at 12:56 p.m.]

21 ***

22 MOTIONS

23 MS. WOLFGANG:

24 Pursuant to Section 708(a)(5) of the
25 Sunshine Act, the Board entered into

1 Executive Session with Board Counsel to
2 have attorney-client consultation and
3 for the purpose of conducting quasi-
4 judicial deliberations regarding the
5 final Adjudication and Order in BPOA vs.
6 Micah Moffett, File No. 16-72-12630;
7 Consent Agreement at Item No. 7 of the
8 agenda, File No. 17-72-03706; and the
9 Applications at 5 and 6 and 8 through 11
10 of the agenda. I believe the Board
11 would consider motions regarding these
12 items.

13 In BPOA vs. Micah Moffett, I
14 believe the Board would entertain a
15 motion to approve and issue as its final
16 determination the draft Adjudication and
17 Order presented by Board Counsel.

18 CHAIRPERSON LESIK:

19 From the floor?

20 MS. COREY:

21 So moved.

22 CHAIRPERSON LESIK:

23 Second, please.

24 MS. BAUGHMAN:

25 Second.

1 CHAIRPERSON LESIK:

2 All those in favor? All those opposed?

3 Any abstentions?

4 [The motion carried unanimously.]

5 ***

6 MS. WOLFGANG:

7 Regarding Consent Agreement Item No. 7
8 of your agenda, File No. 17-72-03706, I
9 believe the Board would entertain a
10 motion to adopt the Consent Agreement.

11 MS. ROSADO:

12 So moved.

13 CHAIRPERSON LESIK:

14 Second, please.

15 MS. COREY:

16 Second.

17 CHAIRPERSON LESIK:

18 Jamie seconds. All those in favor? All
19 those opposed? Any abstentions?

20 [The motion carried unanimously. Camille Baughman,
21 L.M.T., was recused from deliberations and voting on
22 the motion.

23 The name in this case is BPOA vs. Liping Yan
24 a/k/a Li Ping Yan, L.M.T, d/b/a Li's Asian Spa.]

25 ***

1 MS. WOLFGANG:

2 I believe the Board would entertain a
3 motion to provisionally deny the
4 Application of Tianxia Parks.

5 MS. COREY:

6 So moved.

7 MS. NELSON:

8 Second.

9 CHAIRPERSON LESIK:

10 Jessica seconds. All those in favor?

11 All those opposed? Any abstentions?

12 [The motion carried unanimously.]

13 ***

14 MS. WOLFGANG:

15 I believe the Board would entertain a
16 motion to provisionally deny the
17 Application of Yingying Liu.

18 MS. ROSADO:

19 So moved.

20 CHAIRPERSON LESIK:

21 Second, please.

22 MS. COREY:

23 Second.

24 CHAIRPERSON LESIK:

25 Okay. All those in favor? All those

1 opposed? Any abstentions?

2 [The motion carried.]

3 ***

4 MS. WOLFGANG:

5 I believe the Board would entertain a
6 motion to provisionally deny the
7 Application of Shunji Lin.

8 MS. COREY:

9 So moved.

10 MS. NELSON:

11 Second.

12 CHAIRPERSON LESIK:

13 Jessica seconds. All those in favor?
14 All those opposed? Any abstentions?

15 [The motion carried unanimously.]

16 ***

17 MS. WOLFGANG:

18 I believe the Board would entertain a
19 motion to provisionally deny the
20 Application of JungWon Lee.

21 MS. ROSADO:

22 So moved.

23 MS. BAUGHMAN:

24 Second.

25 CHAIRPERSON LESIK:

1 Camille seconds. All those in favor?

2 All those opposed? Any abstentions?

3 [The motion carried unanimously.]

4 ***

5 MS. WOLFGANG:

6 I believe the Board would entertain a

7 motion to provisionally deny the

8 Application of Yi Gao.

9 MS. COREY:

10 So moved.

11 MS. NELSON:

12 Second.

13 CHAIRPERSON LESIK:

14 Jessica seconds. All those in favor?

15 All those opposed? Any abstentions?

16 [The motion carried unanimously.]

17 ***

18 MS. WOLFGANG:

19 I believe the Board would entertain a

20 motion to grant the Application of Tina

21 Marie Flood.

22 MS. ROSADO:

23 So moved.

24 MS. BAUGHMAN:

25 Second.

1 CHAIRPERSON LESIK:

2 All those in favor? All those opposed?

3 Any abstentions?

4 [The motion carried unanimously.]

5 ***

6 MS. WOLFGANG:

7 I believe the Board would entertain a
8 motion to disapprove the CE Request for
9 Vibrational Sound Therapy with Himalayan
10 Singing Bowls.

11 MS. ROSADO:

12 So moved.

13 MS. PORAMBO:

14 Second.

15 CHAIRPERSON LESIK:

16 Nancy seconds. All those in favor? All
17 those opposed? Any abstentions?

18 [The motion carried unanimously.]

19 ***

20 Miscellaneous

21 [Chairperson Lesik addressed the 2018 FSMTB Annual
22 Meeting in Salt Lake City, Utah, October 4-6, 2018.]

23 CHAIRPERSON LESIK:

24 Is anybody interested in going?

25 MS. ROSADO:

1 I would nominate Becka to attend, and if
2 we can have a second, I nominate Jamie.

3 CHAIRPERSON LESIK:

4 Second from the floor?

5 MS. BAKER:

6 I'll second.

7 CHAIRPERSON LESIK:

8 All those in favor? Is that okay?

9 Opposed? Any oppositions? Any
10 abstentions?

11 [The motion carried unanimously.]

12 ***

13 Adjournment

14 CHAIRPERSON LESIK:

15 I'll take a motion from the floor to
16 adjourn, please.

17 MS. PORAMBO:

18 Motion to adjourn.

19 CHAIRPERSON LESIK:

20 Second?

21 MS. BAKER:

22 Second.

23 CHAIRPERSON LESIK:

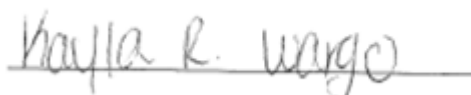
24 All those in favor? All those opposed?

25 [The motion carried unanimously.]

[There being no further business, the State Board of
Massage Therapy Meeting adjourned at 1:14 p.m.]

CERTIFICATE

I hereby certify that the foregoing summary
minutes of the State Board of Massage Therapy Meeting,
was reduced to writing by me or under my supervision,
and that the minutes accurately summarize the
substance of the State Board of Massage Therapy
Meeting.



Kayla R. Wargo,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MASSAGE THERAPY
REFERENCE INDEX
February 6, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7	9:32	Official Call to Order
8		
9	9:39	Appointment - BFO Budget Presentation
10		
11	10:00	Appointment - Human Trafficking
12		Awareness Presentation
13		
14	10:20	Recess
15	10:37	Return to Open Session
16		
17	10:39	Approval of Minutes
18		
19	10:45	Report of Regulatory Counsel
20		
21	10:57	Executive Session
22	12:56	Return to Open Session
23		
24	12:57	Motions
25		
26	1:11	Miscellaneous
27		
28	1:14	Adjournment
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