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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: 9:31 a.m.

BOARD ROOM C

One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania

Tuesday, August 8, 2017

1 State Board of Massage Therapy
2 August 8, 2017

3
4
5 BOARD MEMBERS:
6

7 Becky Lesik, LMT, Chairperson
8 Ian Harlow, Commissioner of Professional and
9 Occupational Affairs - Absent
10 Gloria Rosado, LMT, Vice Chair
11 Camille Baughman, LMT
12 Jamie Smith, LMT
13 Mary Meyers, LMT
14 Shannon Baker, Secretary of Health Designee - Absent
15 Zachary Everidge, Office of Attorney General Designee
16

17
18 BUREAU PERSONNEL:
19

20 Jacqueline Wolfgang, Esquire, Board Counsel
21 Monty Batson, Esquire, Board Prosecutor
22 Adam Morris, Esquire, Board Prosecutor
23 Carol J. Niner, Board Administrator
24

25
26 ALSO PRESENT:
27

28 Nina Kottcamp, Coordinator, Harrisburg Area Community
29 College (HACC)
30 Patricia Landis, Division Chief, PA Department of
31 Education
32 Chantel Rosier, LMT
33 Robin Reynolds
34 Ed Portley, LMT, CE Provider
35 Bethany Lowrie, LMT, Metro Beauty Academy
36 Christopher Deery
37 Xerlan Deery, LMT, BCTMB, CMT & Educator
38 Kelly Givens, LMT
39 Natalie Cook, The Winter Group
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1 ***

2 State Board of Massage Therapy

3 August 8, 2017

4 ***

5 The regularly scheduled meeting of the State
6 Board of Massage Therapy was held on Tuesday, August
7 8, 2017. Becky Lesik, LMT, Chairperson, called the
8 meeting to order at 9:31 a.m. She welcomed Zachary
9 Everidge, Office of Attorney General Designee. Roll
10 Call was taken. A quorum was noted to be present.

11 ***

12 [Board members and staff were introduced, followed by
13 introductions from the audience.]

14 ***

15 Report of Board Prosecutor

16 [Adam Morris, Esquire, Board Prosecution, presented
17 Consent Agreements for File No. 14-72-00453 and
18 File No. 17-72-03589.]

19 ***

20 [Monty Batson, Esquire, Board Prosecutor, presented a
21 Consent Agreement for File No. 16-72-10411.]

22 ***

23 Approval of Minutes

24 [The Board discussed corrections to the June 13, 2017
25 meeting minutes.]

1 CHAIRPERSON LESIK:

2 We need to have a motion from the floor
3 to accept the minutes from our June 13,
4 2017 meeting with corrections.

5 MS. BAUGHMAN:

6 So moved.

7 CHAIRPERSON LESIK:

8 We need a second, please.

9 MS. ROSADO:

10 Second.

11 CHAIRPERSON LESIK:

12 Gloria seconds. All those in favor?

13 All those opposed? Any abstentions?

14 [The motion carried. Mr. Everidge abstained from
15 voting on the motion.]

16 ***

17 Appointment

18 [Patricia Landis, Division Chief, PA Department of
19 Education, presented to the Board regarding the
20 Department of Education's Board of Private Licensed
21 Schools, which is the authority that licenses private
22 proprietary providers. She noted the schools must
23 apply to the Board for a license to operate and also
24 for program approval.

25 Ms. Landis discussed appropriate courses for the

1 message therapy curriculum, accredited schools,
2 federal financial aid, school administration, facility
3 adequacy, and the qualification of instructors.

4 Ms. Landis answered questions with regard to the
5 2010 Higher Education Act reauthorization and referred
6 Board members to the U.S. Department of Education
7 website where institutional data can be found. She
8 also made reference to Education, Names and Addresses
9 (EdNA), which is the PA Department of Education's
10 website used to find names, addresses, administrators
11 and related information on educational entities.

12 Nina Kottcamp, coordinator, Harrisburg Area
13 Community College (HACC) addressed the requirements
14 for accreditation from both the Commission on Massage
15 Therapy Accreditation (COMTA) and Middle States
16 Commission on Higher Education.

17 There was discussion regarding institutional
18 accreditation and programmatic accreditation.
19 Attendance policies as it pertains to financial aid
20 was also discussed.]

21 ***

22 [The Board recessed from 10:55 a.m. to 11:08 a.m.]

23 ***

24 Appointment - Continued

25 [Patricia Landis, Division Chief, PA Department of

1 Education reviewed the procedures followed for the
2 formal and informal complaint investigation processes.

3 Xerlan Deery, LMT, BCTMB, commented on
4 the curriculum approval and instructor qualifications.
5 Possible changes to the regulations and Act were also
6 discussed.]

7 ***

8 Board Administrator

9 [Carol J. Niner, Board Administrator, reported there
10 are currently 8,268 active licensees and 86
11 applications to be reviewed at a rate of approximately
12 20 per week.]

13 ***

14 Report of Board Regulatory Counsel

15 [Jacqueline Wolfgang, Esquire, Board Counsel, referred
16 Board members to the updated Regulatory Status Report
17 for review.

18 Board Counsel noted the proposed amendments to
19 General Revisions (16A-725) to be discussed during the
20 Regulatory Committee Meeting.

21 Ms. Wolfgang referred Board members to the list
22 of Status of Cases for review. She noted Applications
23 for review during Executive Session.]

24 ***

25 Report of Board Chair

1 [Becky Lesik, LMT, Chair, noted the acceptance of
2 Gloria Rosado, LMT, Vice Chair, to the position once
3 held by Donna Ponessa on the CE Approval Committee.]

4 ***

5 Correspondence

6 [Jamie Smith, LMT, Chair, Policy Committee, stated the
7 committee had not recommended the three FSMTB
8 resolutions as listed in the agenda. This information
9 will be provided at the delegates meeting.]

10 ***

11 Public Comment

12 [Ed Portley, LMT, CE Provider, was provided the proper
13 procedure with regard to filing a complaint.]

14 ***

15 [Kelly Givens, LMT, complimented the Board and had
16 questions regarding the revisions to the regulations.]

17 ***

18 [There was discussion regarding incomplete
19 applications and the PALS online licensing system.]

20 ***

21 [Chantel Rosier, LMT, requested information regarding
22 regulations and bylaws. She was referred to the
23 website for review of that information.]

24 ***

25 [There was discussion regarding credentialing becoming

1 a part of the curriculum.]

2 ***

3 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
4 11:50 a.m. the Board entered into Executive Session
5 with Jacqueline Wolfgang, Esquire, to have attorney-
6 client consultations and for the purpose of conducting
7 quasi-judicial deliberations regarding the
8 Applications at numbers 5 and 9 through 15 of the
9 Board's agenda and the Consent Agreements at items 6
10 through 8 of the Board's agenda. The Board returned
11 to open session at 1:45 p.m.]

12 ***

13 MOTIONS

14 MS. WOLFGANG:

15 Pursuant to Section 708(a)(5) of the
16 Sunshine Act, the Board entered into
17 Executive Session with Board Counsel to
18 have attorney-client consultations and
19 for the purpose of conducting quasi-
20 judicial deliberations regarding item
21 numbers 5 and 9 through 15 of the
22 agenda and the Consent Agreements at
23 items 6 through 8 of the Board's
24 agenda.

25 I believe the Board would entertain

1 motions at this time.

2 In the matter of the Application
3 for Massage Therapist Licensure of Ann
4 Gayma Rosenblum, Board Counsel will
5 draft a letter pursuant to discussions
6 in Executive Session.

7 CHAIRPERSON LESIK:

8 Motion from the Board.

9 MS. BAUGHMAN:

10 I motion.

11 CHAIRPERSON LESIK:

12 Second, please.

13 MS. MEYERS:

14 I second.

15 CHAIRPERSON LESIK:

16 All those in favor? All those opposed?

17 All those abstained?

18 [The motion carried unanimously.]

19 ***

20 MS. WOLFGANG:

21 I believe the Board would entertain a
22 motion to grant the application of
23 Jayanne Czerniakowski.

24 MS. MEYERS:

25 So moved.

1 MS. BAUGHMAN:

2 Second.

3 CHAIRPERSON LESIK:

4 All those in favor? All those opposed?

5 Any abstentions?

6 [The motion carried unanimously.]

7 ***

8 MS. WOLFGANG:

9 I believe the Board would entertain a
10 motion to provisionally deny the
11 application of Xiukun Gao pursuant to
12 instructions given to Board Counsel
13 during Executive session.

14 MS. BAUGHMAN:

15 So moved.

16 MS. MEYERS:

17 Second.

18 CHAIRPERSON LESIK:

19 Mary seconds. All those in favor? All
20 those opposed? Any abstentions?

21 [The motion carried unanimously.]

22 ***

23 MS. WOLFGANG:

24 I believe the Board would entertain a
25 motion to table the application of

1 Amanda Herlihy.

2 MS. SMITH:

3 So moved.

4 MS. MEYERS:

5 Second.

6 CHAIRPERSON LESIK:

7 Mary seconds. All those in favor? All
8 those opposed? Any abstentions?

9 [The motion carried unanimously.]

10 ***

11 MS. WOLFGANG:

12 I believe the Board would entertain a
13 motion to grant the application of
14 Stephanie Pope.

15 MS. SMITH:

16 So moved.

17 MS. ROSADO:

18 Second.

19 CHAIRPERSON LESIK:

20 Gloria seconds. All those in favor?
21 All those opposed? Any abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. WOLFGANG:

25 I believe the Board would entertain a

1 motion to grant the application of
2 Jeniferdawn Cantarella.

3 MS. SMITH:

4 So moved.

5 MS. BAUGHMAN:

6 Second.

7 CHAIRPERSON LESIK:

8 Camille seconds. All those in favor?

9 All those opposed? Any abstentions?

10 [The motion carried unanimously.]

11 ***

12 MS. WOLFGANG:

13 I believe the Board would entertain a
14 motion to table the application of Bin
15 Yang.

16 MS. MEYERS:

17 So moved.

18 MS. ROSADO:

19 Second.

20 CHAIRPERSON LESIK:

21 Gloria seconds. All those in favor?

22 All those opposed? Any abstentions?

23 [The motion carried unanimously.]

24 ***

25 MS. WOLFGANG:

1 I believe the Board would entertain a
2 motion to provisionally deny the
3 application of Chris Clarke.

4 MS. SMITH:

5 So moved.

6 CHAIRPERSON LESIK:

7 We need a second.

8 MS. MEYERS:

9 Second.

10 CHAIRPERSON LESIK:

11 Mary seconds. All those in favor? All
12 those opposed? Any abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. WOLFGANG:

16 Regarding the Consent Agreement at Item
17 No. 6 of your agenda, File No.
18 17-72-03589, I believe the Board would
19 entertain a motion to adopt the Consent
20 Agreement.

21 MS. BAUGHMAN:

22 So moved.

23 CHAIRPERSON LESIK:

24 Camille.

25 MS. MEYERS:

1 Second.

2 CHAIRPERSON LESIK:

3 Mary seconds. All those in favor? All
4 those opposed? Any abstentions?

5 [The motion carried unanimously. The name of this
6 case is the Commonwealth of Pennsylvania, Bureau of
7 Professional and Occupational Affairs vs. McCann
8 Education Centers, Inc., dba McCann School of Business
9 & Technology.]

10 ***

11 MS. WOLFGANG:

12 Regarding the Consent Agreement at No.
13 7 of your agenda, File No. 14-72-00453,
14 I believe the Board would entertain a
15 motion to adopt the Consent Agreement.

16 MS. ROSADO:

17 So moved.

18 CHAIRPERSON LESIK:

19 Camille.

20 MS. MEYERS:

21 Second.

22 CHAIRPERSON LESIK:

23 Mary seconds. All those in favor? All
24 those opposed? Any abstentions?

25 [The motion carried unanimously. The name of this

1 case is the Commonwealth of Pennsylvania, Bureau of
2 Professional and Occupational Affairs vs. Michelle
3 Elizabeth Cooper, LMT.]

4 ***

5 MS. WOLFGANG:

6 Regarding the Consent Agreement at Item
7 No. 8 of your agenda, File No.
8 16-72-10411, I believe the Board would
9 entertain a motion to adopt the Consent
10 Agreement.

11 MS. SMITH:

12 So moved.

13 CHAIRPERSON LESIK:

14 Jamie

15 MS. ROSADO:

16 Second.

17 CHAIRPERSON LESIK:

18 All those in favor? All those opposed?
19 Any abstentions?

20 [The motion carried unanimously. The name of this
21 case is the Commonwealth of Pennsylvania, Bureau of
22 Professional and Occupational Affairs vs. Samuel
23 Hunter Arnold, LMT.]

24 ***

25 [There being no further business, the State Board of

1 Massage Therapy meeting adjourned at 1:49 p.m.]

2

3

4

CERTIFICATE

5

6 I hereby certify that the foregoing summary
7 minutes of the State Board of Massage reduced Therapy
8 Directors meeting, was to writing by me or under my
9 supervision, and that the minutes accurately summarize
10 the substance of the State Board of Massage Therapy
11 meeting.

12

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15

Adam Beck,

16

Minute Clerk

17

Sargent's Court Reporting

18

Service, Inc.

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STATE BOARD OF MASSAGE THERAPY
REFERENCE INDEX
August 8, 2017

| | TIME | AGENDA |
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| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | 9:31 | Official Call to Order |
| 8 | | |
| 9 | 9:33 | Roll Call |
| 10 | | |
| 11 | 9:34 | Report of Board Prosecutor |
| 12 | | |
| 13 | 9:49 | Approval of Minutes |
| 14 | | |
| 15 | 9:54 | Appointment - Patricia Landis |
| 16 | | |
| 17 | 10:55 | Recess |
| 18 | 11:08 | Return to Open Session |
| 19 | | |
| 20 | 11:08 | Appointment - Patricia Landis (cont.) |
| 21 | | |
| 22 | 11:20 | Report of Board Administrator |
| 23 | | |
| 24 | 11:31 | Report of Board Regulatory Counsel |
| 25 | | |
| 26 | 11:33 | Report of Board Chair |
| 27 | | |
| 28 | 11:35 | Correspondence |
| 29 | | |
| 30 | 11:41 | Public Comment |
| 31 | | |
| 32 | 11:50 | Executive Session |
| 33 | 1:43 | Return to Open Session |
| 34 | | |
| 35 | 1:45 | Motions |
| 36 | | |
| 37 | 1:49 | Adjournment |
| 38 | | |
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