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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 5, 2019

1 State Board of Massage Therapy
2 February 5, 2019

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4
5 BOARD MEMBERS:

6
7 Becky D. Caufman, LMT, Chairperson
8 Ian J. Harlow, Commissioner of Professional and
9 Occupational Affairs - Absent
10 Nancy M. Porambo, MS, LMT, CNMT, NCTMB, Professional
11 Member, Vice Chair
12 Camille Baughman, BS, MA, LMT, Professional Member
13 Jamie H. Corey, LMT, Professional Member
14 Gloria E. Rosado, LMT, Professional Member
15 Linda A. Chamberlain, MS, BSN, RN, CNDLTC, Secretary
16 of Health designee - Absent
17 Jessica A. Nelson, Office of Attorney General designee
18 Shea M. Rhodes, Esquire, Public Member
19

20
21 BUREAU PERSONNEL:

22
23 Thomas M. Davis, Esquire, Board Counsel
24 Monty J. Batson, Esquire, Board Prosecution Liaison
25 Dean F. Picarella, Esquire, Board Prosecutor
26 Andrea L. Costello, Esquire, Board Prosecutor
27 Glenn P. Masser, Esquire, Board Prosecutor
28 Carol J. Niner, Board Administrator
29

30
31 ALSO PRESENT:

32
33 Nina M. Kottcamp, LMT, NCMT, Coordinator, Harrisburg
34 Area Community College
35 Richard Caufman
36 Carrie Shaley, LMT, Honor Your Body Wellness
37 Carolyn Hubert-Black, LMT, Continuing Education
38 Provider
39 Edward Portley Jr., LMT, Just This Side of Heaven
40 Massage & Continuing Education for Massage
41 Therapists
42 Kelly L. Givens, LMT, CR, American Massage Therapy
43 Association
44 Natalie Cook, Associate, McNees-Winter Group LLC,
45 representing the American Massage Therapy
46 Association Pennsylvania Chapter
47
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1 ***

2 State Board of Massage Therapy

3 February 5, 2019

4 ***

5 The regularly scheduled meeting of the State
6 Board of Massage Therapy was held on Tuesday, February
7 5, 2019. Becky D. Caufman, LMT, Chairperson, called
8 the meeting to order at 9:32 a.m.

9 ***

10 [Chairperson Caufman requested that all cell phones be
11 turned off and audience members register. She also
12 requested the introduction of Board members and
13 staff.]

14 ***

15 [Dean F. Picarella, Esquire, Senior Prosecutor,
16 addressed departmental restructuring in order to
17 better allocate time and better serve the Boards. He
18 is the Senior Prosecutor and Monty Batson is the
19 Prosecution Liaison for the Massage Therapy Board.

20 Mr. Picarella introduced Amanda N. Wojciechowski,
21 Andrea L. Costello, and Glenn P. Masser as new Board
22 prosecutors.]

23 ***

24 [Chairperson Caufman requested the introduction of
25 audience members.]

1 ***

2 Approval of Minutes of the December 4, 2018 meeting

3 CHAIRPERSON CAUFMAN:

4 We are going to turn our attention to
5 approval of the Board minutes from the
6 December 4, 2018 draft.

7 [The Board discussed corrections to the minutes.]

8 CHAIRPERSON CAUFMAN:

9 We need a motion from the Board to
10 accept the draft minutes with
11 corrections and as presented.

12 MS. COREY:

13 So moved.

14 MS. PORAMBO:

15 I'll second.

16 CHAIRPERSON CAUFMAN:

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

19 [The motion carried unanimously.]

20 ***

21 Report of Board Regulatory Counsel

22 [Thomas M. Davis, Esquire, Board Counsel, commented on
23 the General Revisions regulation package, noting that
24 the Regulatory Committee recently met and reviewed the
25 proposed revisions. Mr. Davis was hopeful that the

1 Regulatory Committee would present the package to the
2 Board in April.

3 Nina M. Kottcamp, LMT, NCMT, Coordinator,
4 Harrisburg Area Community College commented that the
5 Massage & Bodywork Licensing Examination (MBLEx) seems
6 to have changed somewhat. Specifically, the questions
7 seem to be increasingly difficult to understand.. She
8 spoke with Debra Persinger at the American Massage
9 Therapy Association (AMTA) Convention regarding MBLEx,
10 who reassured her that the sentences were still at an
11 eighth-grade reading level with the exception of
12 anatomy and physiology terms.

13 Ms. Kottcamp stated a top student contacted her,
14 stating the student utilized four different apps to
15 prepare for the exam and felt that the MBLEx questions
16 were constructed in such a way that none of the apps
17 were applicable.

18 Ms. Kottcamp noted a MBLEx pass rate of 100% for
19 several years, which was now down to 98%. She
20 commented that her curriculum had not changed and the
21 acceptance level had not changed but the MBLEx had
22 changed. She contacted others in education and noted
23 her concern with a nationwide shift. She commented
24 that the question writers were at an academic
25 doctorate level and could be going beyond where entry-

1 level massage therapists should test.

2 Ms. Kottcamp stated the Harrisburg Area Community
3 College requested a background check prior to
4 acceptance, because they do not want to take money
5 from students who will not be accepted. She noted
6 that there are schools that do not do background
7 checks, where money is taken from students who cannot
8 be licensed in the end.]

9

10 Report of Board Counsel

11 [Thomas M. Davis, Esquire, Board Counsel, stated many
12 members on the Board received an email back in January
13 from the Federation of State Massage Therapy Boards
14 (FSMTB) concerning a Subjective, Objective,
15 Assessment, and Plan (SOAP) Note Survey. The Board
16 discussed difficulties during the survey, and
17 Chairperson Caufman will contact FSMTB to see if other
18 Boards were experiencing the same issues.

19 Mr. Davis addressed an issue from November
20 regarding whether or not organizations would be
21 willing to review the international applications. He
22 contacted the National Certification Board for
23 Therapeutic Massage & Bodywork (NCBTMB), where the
24 service was provided for \$75 and that the applicant
25 would be charged, not the Board.

1 Ms. Niner commented that every foreign-educated
2 applicant comes before the Board because there is no
3 regulation.

4 Chairperson Caufman commented that the Associated
5 Bodywork & Massage Professionals (ABMP) just acquired
6 thousands of international classes through the
7 Canadian division. She stated many international
8 classes had been vetted through ABMP. She noted that
9 a United States provider can teach internationally
10 because the classes are there, vetted, and able for
11 people to take.

12 Mr. Davis mentioned FSMTB's Massage Therapy
13 Licensing Database (MLTD), saying he is still
14 attempting to have FSMTB answer some additional
15 questions regarding the project, but he did not yet
16 receive a reply from Laura Simmons regarding the MLTD
17 project.

18 Chairperson Caufman noted the FSMTB Member Board
19 Executive Summit in Cleland, OH, April 18-19, 2019.]

20 CHAIRPERSON CAUFMAN:

21 I would like to ask the Board to approve
22 sending Tom to the FSMTB Member Board
23 Executive Summit in April in Cleveland.
24 The agenda is packed. It is amazing the
25 amount of stuff there. If he is willing

1 to go, I would like to send him.

2 Do we have a motion from the Board?

3 [Chairperson Caufman and Ms. Niner explained what the
4 FSMTB Member Board Executive Summit offers for Board
5 staff.]

6 MS. ROSADO:

7 I would like to make a motion to send
8 Tom.

9 CHAIRPERSON CAUFMAN:

10 We need a second from the Board, please.

11 MS. COREY:

12 I'll second.

13 CHAIRPERSON CAUFMAN:

14 All those in favor? All those opposed?

15 [The motion carried unanimously.]

16 ***

17 [Mr. Davis addressed the PALS issue from October
18 regarding getting approved CE courses on the website,
19 which had not been resolved. Mr. Davis mentioned
20 prior discussion concerning the development of a
21 newsletter.

22 Chairperson Caufman offered to supply a letter
23 from the Chair for the newsletter and suggested it
24 would be a wonderful way for people to start paying
25 attention the website.

1 Mr. Davis cautioned against opinion writings by
2 the Board members.

3 Ms. Porambo suggested highlighting some of the
4 new areas that were changed regarding regulations.

5 Ms. Baughman offered to write an announcement
6 regarding frequently asked questions about the Board.

7 Ms. Niner informed the Board of the newsletter
8 process. She noted that the newsletter does not need
9 to be addressed in public session unless a committee
10 is formed.

11 Chairperson Caufman provided a timeline of
12 approximately a month so the matter can be reviewed at
13 the next meeting and sent to Mr. Davis and Ms. Niner.
14 She commented that it is a wonderful opportunity for
15 the Board to feel involved and reach people with their
16 words.]

17 ***

18 Report of Prosecutorial Division - No Report

19 ***

20 Report of Commissioner - No Report

21 ***

22 Report of Board Chairperson - No Report

23 ***

24 Report of Board Administrator

25 [Carol J. Niner, Board Administrator, reported that

1 the renewals went smoothly with 85% of licensees
2 renewed. Ms. Niner mentioned that the renewal period
3 was still open for an additional 30 days for people
4 who met the requirements on or before January 31 but
5 still need to actually renew their license. She
6 commented that there will no longer be a 30-day grace
7 period next year due to the online system.]

8

9 Miscellaneous - Board Meeting Dates

10 [Becky Caufman, LMT, Chairperson, noted the proposed
11 2020 Board meeting dates.]

12 CHAIRPERSON CAUFMAN:

13 Any objections to those? Can they be
14 adopted? Anything from the Board?

15 I need a motion from the Board to
16 accept the proposed 2020 Board meeting
17 dates.

18 MS. PORAMBO:

19 I so move.

20 CHAIRPERSON CAUFMAN:

21 Second?

22 MS. BAUGHMAN:

23 I second.

24 CHAIRPERSON CAUFMAN:

25 All those in favor? All those opposed?

1 Any abstentions?

2 [The motion carried unanimously.]

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 10:15 a.m. the Board entered into Executive Session
6 with Thomas Davis, Esquire, Board Counsel, for the
7 purpose of conducting quasi-judicial deliberations and
8 to receive advice of Counsel on the matters upon which
9 the Board will be voting. The Board returned to open
10 session at 11:19 a.m.]

11 ***

12 MOTIONS

13 MR. DAVIS:

14 Pursuant to Section 708(a)(5) of the
15 Sunshine Act, the Board met in executive
16 session for the purpose of conducting
17 quasi-judicial deliberations and to
18 receive advice of Counsel on the matters
19 upon which the Board is about to vote.

20 Number 3 on the agenda, based on
21 the Board's discussions in Executive
22 Session, I believe the Chair would
23 accept a motion to approve as final the
24 draft Adjudication and Order in the
25 following matter: Commonwealth of

1 Pennsylvania BPOA v. Christopher C.
2 Atanazy, LMT, Case No. 16-72-12239.

3 CHAIRPERSON CAUFMAN:

4 We would like a motion from the floor?

5 MS. COREY:

6 So moved.

7 CHAIRPERSON CAUFMAN:

8 We need a second.

9 MS. PORAMBO:

10 Second.

11 CHAIRPERSON CAUFMAN:

12 Nancy seconds. All those in favor? All
13 those opposed? Any abstentions?

14 [The motion carried. Ms. Nelson recused herself from
15 voting on the motion.]

16 ***

17 MR. DAVIS:

18 Number 4 on the agenda, based on the
19 Board's discussions in Executive
20 Session, I believe the Chair would
21 accept a motion to approve as final the
22 draft Adjudication and Order in the
23 following matter: Commonwealth of
24 Pennsylvania BPOA v. Duyen Ninh and Van
25 Nguyen t/d/b/a Spalon, Case No. 18-72-

1 003701.

2 CHAIRPERSON CAUFMAN:

3 Motion from the floor?

4 MS. ROSADO:

5 So moved.

6 CHAIRPERSON CAUFMAN:

7 Second, please.

8 MS. COREY:

9 I'll second.

10 CHAIRPERSON CAUFMAN:

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

13 [The motion carried unanimously.]

14 ***

15 MR. DAVIS:

16 Number 5 on the agenda, the Application
17 for Massage Therapist Licensure by
18 Examination of Cynthia B. Lynch.

19 Based on the Board's discussions in
20 Executive Session, I believe the Chair
21 would accept a motion approving the
22 application.

23 MS. PORAMBO:

24 Motion to approve.

25 CHAIRPERSON CAUFMAN:

1 Nancy approves. I need a second,
2 please.

3 MS. ROSADO:

4 I second.

5 CHAIRPERSON CAUFMAN:

6 Gloria seconds. All those in favor?

7 All those opposed?

8 [The motion carried. Ms. Nelson abstained from voting
9 on the motion.]

10 ***

11 MR. DAVIS:

12 Numbers 6 and 7 on the agenda have been
13 tabled.

14 ***

15 MR. DAVIS:

16 Number 8 on the agenda, the Application
17 for Massage Therapist Licensure by
18 Examination of Adam Sky Jaffe. The
19 Board has given the Board Administrator
20 instruction in this matter.

21 ***

22 MR. DAVIS:

23 Numbers 9, 10, and 11 on the agenda,
24 based on the Board's discussions in
25 executive session, I believe the Chair

1 would accept the motion to ratify the
2 Chair's previous decision granting the
3 Continuing Education Waiver Request of
4 Jamelia Campbell, Sarah Thompson, and
5 Lara Paradise.

6 CHAIRPERSON CAUFMAN:

7 From the floor?

8 MS. COREY:

9 So moved.

10 CHAIRPERSON CAUFMAN:

11 Jamie moves. Do we have a second?

12 MS. NELSON:

13 I'll second.

14 CHAIRPERSON CAUFMAN:

15 Jessica seconds. All those in favor?

16 All those opposed?

17 [The motion carried unanimously.]

18 ***

19 MR. DAVIS:

20 Number 12 on the agenda, Sonja Oleniacz,
21 her Request for Exemption in the
22 Statutory Required Child Abuse
23 Recognition and Reporting Training
24 Requirements.

25 Based on the Board's discussions in

1 executive session, I believe the Chair
2 would accept a motion denying her
3 request for exemption.

4 CHAIRPERSON CAUFMAN:

5 We need a motion from the floor.

6 MS. BAUGHMAN:

7 So moved.

8 CHAIRPERSON CAUFMAN:

9 We need a second, please.

10 MS. PORAMBO:

11 Second.

12 CHAIRPERSON CAUFMAN:

13 Nancy seconds. All those in favor? All
14 those opposed?

15 [The motion carried unanimously.]

16 ***

17 Adjournment

18 CHAIRPERSON CAUFMAN:

19 I would like to have a motion for
20 adjournment, please.

21 MS. COREY:

22 So moved.

23 MS. BAUGHMAN:

24 Second.

25 CHAIRPERSON CAUFMAN:

1 All those in favor? All those opposed?
2 Any abstentions?

3 [The motion carried unanimously.]

4 ***

5 [There being no further business, the State Board of
6 Massage Therapy Meeting adjourned at 11:24 a.m.]

7 ***

8

9 CERTIFICATE

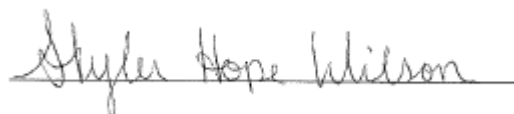
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11 I hereby certify that the foregoing summary
12 minutes of the State Board of Massage Therapy Meeting,
13 was reduced to writing by me or under my supervision,
14 and that the minutes accurately summarize the
15 substance of the State Board of Massage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

17

18

19



20

Skyler Hope Wilson,

21

Minute Clerk

22

Sargent's Court Reporting

23

Service, Inc.

24

25

STATE BOARD OF MASSAGE THERAPY
REFERENCE INDEX

February 5, 2019

TIME	AGENDA
9:32	Official Call to Order
9:33	Roll Call
9:38	Approval of Minutes
9:45	Report of Regulatory Counsel
9:54	Report of Board Counsel
10:11	Report of Board Administrator
10:14	Miscellaneous
10:15	Executive Session
11:19	Return to Open Session
11:19	Motions
11:24	Adjournment

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