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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  
VIA TELECONFERENCE**

TIME: 10:30 A.M.

Wednesday, November 4, 2020



1 \*\*\*

2 State Board of Massage Therapy

3 November 4, 2020

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
6 9:00 a.m. the Board entered into executive session  
7 with Thomas M. Davis, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations and  
9 to receive advice of counsel on the matters upon which  
10 the Board will later vote. The Board commenced open  
11 session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Massage Therapy was held on Wednesday,  
15 November 4, 2020. Becky D. Caufman, LMT, Chair,  
16 called the meeting to order at 10:30 a.m.

17 \*\*\*

18 [Thomas M. Davis, Esquire, Board Counsel, announced  
19 that the meeting was being recorded, and those who  
20 remained on the line were giving their consent to  
21 being recorded.]

22 \*\*\*

23 Introduction of Board Members

24 [Chair Caufman requested Board members introduce  
25 themselves.]

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Report of Board Prosecution

[Monty J. Batson, Esquire, Board Prosecution Liaison,  
presented the Consent Agreements for Case No. 18-72-  
004462 and Case No. 18-72-006418.]

\*\*\*

Approval of minutes of the September 22, 2020 meeting

CHAIR CAUFMAN:

Item No. 1, the draft minutes from our  
September 22, 2020 meeting.

[The Board discussed corrections to the minutes.]

CHAIR CAUFMAN:

Did anybody else notice anything else  
that needed to be fixed in our draft  
minutes from the September 22, 2020  
meeting?

We need a motion to accept the  
minutes.

MS. PORAMBO:

I make a motion.

DR. WALLER:

Second.

CHAIR CAUFMAN:

All those in favor, say aye. All those  
opposed, please state your name. Any

1 abstentions, please state your name.

2 [The motion carried.]

3 \*\*\*

4 Report of Board Counsel

5 Adjudications and Orders

6 MR. DAVIS:

7 Number 5 on the agenda is Case No. 18-  
8 72-003847.

9 Based on the Board's discussions in  
10 executive session, I believe the Chair  
11 would accept a motion to adopt as final  
12 the proposed Adjudication and Order of  
13 the hearing examiner in the following  
14 matter: Commonwealth BPOA v. Cameron  
15 Boone, Case No. 18-72-003847.

16 CHAIR CAUFMAN:

17 Any discussion from the floor? If not,  
18 then we need a motion.

19 MS. PORAMBO:

20 Motion.

21 CHAIR CAUFMAN:

22 Second, please.

23 DR. WALLER:

24 I'll second.

25 CHAIR CAUFMAN:

1 All those in favor, please say aye. All  
2 those opposed, please state your name.  
3 Any abstentions, please state your name.  
4 Hearing none.

5 [The motion carried unanimously.]

6 \*\*\*

7 MR. DAVIS:

8 Number 6 on the agenda is Case No. 20-  
9 72-005329.

10 Based on the Board's discussion in  
11 executive session, I believe the Chair  
12 would accept a motion to adopt the  
13 proposed Adjudication and substitute the  
14 Board's Order in the following matter:  
15 Commonwealth BPOA v. Marquis Kawhan  
16 Sparrow, LMT, Case No. 20-72-005329.

17 CHAIR CAUFMAN:

18 Motion from the floor?

19 MS. NELSON:

20 I'll make the motion.

21 DR. WALLER:

22 Second.

23 CHAIR CAUFMAN:

24 All those in favor, please say aye. All  
25 those opposed, please state your name.

1 Any abstentions, please state your name.  
2 Hearing none.

3 [The motion carried unanimously.]

4 \*\*\*

5 MR. DAVIS:

6 Number 7 on the agenda is Case No. 19-  
7 72-017401.

8 Based on the Board's discussions in  
9 executive session, I believe the Chair  
10 would accept a motion to adopt as final  
11 the proposed Adjudication and Order of  
12 the hearing examiner in the following  
13 matter: Commonwealth BPOA v. Kevin  
14 Williams, LMT, Case No. 19-72-017401.

15 CHAIR CAUFMAN:

16 We need a motion from the floor.

17 MS. BAUGHMAN:

18 I'll move.

19 MS. PORAMBO:

20 I'll second.

21 CHAIR CAUFMAN:

22 Nancy seconds. All those in favor,  
23 please say aye. Any oppositions, please  
24 state your name. Any abstentions,  
25 please state your name. Hearing none.

1 [The motion carried unanimously.]

2

\*\*\*

3 MR. DAVIS:

4

Numbers 8 and 9 on the agenda are

5

consent agreements. As everyone is

6

aware, the prosecution liaison presented

7

these cases this morning and he may have

8

added some information we did or did not

9

know.

10

Is there any Board member who would

11

like to reenter into executive session

12

to further discuss either of these

13

consent agreements before voting?

14

Hearing no answer. I will present

15

them as we discussed in executive

16

session.

17

Number 8 on the agenda is Case No.

18

18-72-004462.

19

Based on the Board's discussions in

20

executive session, I believe the Chair

21

would accept a motion to approve the

22

Consent Agreement in the following

23

matter: Case No. 18-72-004462.

24 CHAIR CAUFMAN:

25

Motion from the floor?



1 MS. BAUGHMAN:

2 I'll move.

3 MS. HICKS:

4 I'll second.

5 CHAIR CAUFMAN:

6 Camille moves. Vicki seconds. All  
7 those in favor, please say aye. All  
8 those opposed, please state your name.  
9 All those abstaining, please state your  
10 name. Hearing none.

11 [The motion carried unanimously.]

12 \*\*\*

13 MR. DAVIS:

14 For the record, that is Commonwealth  
15 BPOA v. Fuzhou Yang, LMT.

16 \*\*\*

17 MR. DAVIS:

18 Number 9 on the agenda.

19 Based on the Board's discussions in  
20 executive session, I believe the Chair  
21 would accept a motion to approve the  
22 Consent Agreement in the following  
23 matter: Case No. 18-72-006418.

24 CHAIR CAUFMAN:

25 Motion from the floor?

1 MS. ROSADO:

2 So moved.

3 CHAIR CAUFMAN:

4 We need a second.

5 DR. WALLER:

6 I'll second.

7 CHAIR CAUFMAN:

8 All those in favor, please say aye. All  
9 those opposed, please state your name.  
10 All those abstaining, please state your  
11 name. Hearing none.

12 [The motion carried unanimously.]

13 \*\*\*

14 MR. DAVIS:

15 For the record, that is Commonwealth  
16 BPOA v. Carmen Sielecki a/k/a Carmen  
17 Trefon d/b/a Russian Massage Spa a/k/a  
18 Reflexology Spa a/k/a Reflexology  
19 Center.

20 \*\*\*

21 Report of Board Administrator

22 Review of Applications

23 MR. DAVIS:

24 Number 10 on the agenda, the Application  
25 for Licensure as a Massage Therapist of

1                   Erin N. Corne.

2                   Based on the Board's discussions in  
3                   executive session, I believe the Chair  
4                   would accept a motion approving the  
5                   application.

6 MS. BAUGHMAN:

7                   I so move.

8 MS. PORAMBO:

9                   Second.

10 CHAIR CAUFMAN:

11                   Camille and Nancy. Those who approve,  
12                   please say aye. Those who oppose,  
13                   please state your name. Any  
14                   abstentions, please state your name.  
15                   Hearing none.

16 [The motion carried unanimously.]

17   \*\*\*

18 MR. DAVIS:

19                   Number 11 on the agenda, the Application  
20                   for Licensure as a Massage Therapist of  
21                   Arielle Golden.

22                   Based on the Board's discussions in  
23                   executive session, I believe the Chair  
24                   would accept a motion approving the  
25                   application.

1 CHAIR CAUFMAN:

2 Motion from the floor?

3 MS. NELSON:

4 I'll make the motion.

5 CHAIR CAUFMAN:

6 Gloria would you second?

7 MS. ROSADO:

8 I second.

9 CHAIR CAUFMAN:

10 All those in favor, please say aye. All  
11 those who oppose, please state your  
12 name. Any abstentions, please state  
13 your name. Hearing none.

14 [The motion carried unanimously.]

15 \*\*\*

16 MR. DAVIS:

17 Number 12 on the agenda, the Application  
18 for Licensure as a Massage Therapist of  
19 Gena Alexis Loyd.

20 In this particular matter, no vote  
21 is necessary. The Board has instructed  
22 Board administration to contact the  
23 applicant and inform her of the  
24 discrepancy.

25 \*\*\*

1 Report of Board Regulatory Counsel

2 [Thomas M. Davis, Esquire, Board Counsel, provided a  
3 regulatory status report for the Board's review. He  
4 referred to 16A-725 regarding General Revisions,  
5 noting the Regulatory Analysis Form (RAF) needed to be  
6 completed.

7 Mr. Davis referred to 16A-722 regarding child  
8 abuse reporting requirements. The Board voted to  
9 promulgate this regulation on August 5, 2020, and it  
10 will be published in the Pennsylvania Bulletin once  
11 policy, OGC, and AG approve. The Board will be  
12 informed when it is published.

13 Mr. Davis addressed Act 41 regarding licensure by  
14 endorsement. The Board voted to promulgate this at  
15 the September 22 meeting. The draft regulation will  
16 be sent to regulatory counsel and sent on if approved.  
17 The RAF is 99.9% finished, which will soon be  
18 forwarded to regulatory counsel. Once comments are  
19 received after being published in the Pennsylvania  
20 Bulletin, the regulation will come before the Board  
21 again.

22 Mr. Davis referred to 16A-726 regarding massage  
23 therapists in cosmetology or esthetician salons. A  
24 joint internal memo was circulated on October 14,  
25 2020. He noted cosmetology had one regulation and the

1 message therapy had one regulation that are related.  
2 The next stage would then be to release the regulation  
3 to interested parties and stakeholders.]

4 \*\*\*

5 MR. DAVIS:

6 I believe the Board Chair would accept a  
7 motion to allow Board counsel to release  
8 an exposure draft of proposed regulation  
9 16A-726, otherwise known as the massage  
10 therapist in cosmetology salons  
11 regulation to interested parties and  
12 stakeholders.

13 CHAIR CAUFMAN:

14 Motion from the floor?

15 MS. PORAMBO:

16 I'll motion.

17 CHAIR CAUFMAN:

18 Nancy. We need a second.

19 MS. BAUGHMAN:

20 Second.

21 CHAIR CAUFMAN:

22 Camille seconds. All those in favor,  
23 please say aye. All those opposed,  
24 please state your name. Any  
25 abstentions, please state your name.



1 Act 53 is to address equitable principles in terms of  
2 providing opportunities for individuals to achieve  
3 licensure and to provide transparency and clarity for  
4 members of the public, licensees, and perspective  
5 licensees. He noted Act 53 provides for publication  
6 of the lists and a best practices guide for online  
7 resources for the public to better understand how  
8 criminal history is processed.

9 Commissioner Johnson mentioned Ms. Montgomery and  
10 Board Counsel have been responsible for curating the  
11 list of offenses by looking at the statutory  
12 provisions of Act 53, existing regulations, and  
13 disciplinary decisions rendered by each of the 29  
14 boards and commissions.

15 Commissioner Johnson thanked Board Counsel,  
16 prosecutorial counsel, and the Office of Chief Counsel  
17 for being instrumental in putting together the  
18 resources for the Board. He also thanked the Board  
19 Administrator and program staff who also provided  
20 guidance.

21 Cynthia K. Montgomery, Esquire, Deputy Chief  
22 Counsel, Department of State, provided a list of  
23 offenses related to the profession of massage therapy.  
24 She referred to drug trafficking offenses and a  
25 provision in § 3113(f) for any Board that has an



1 existing provision that a felony drug conviction will  
2 impede their ability to obtain licensure. She stated  
3 Act 53 refines that and limits it to drug trafficking  
4 offenses 35 P.S. § 780-113(a) subsection 14, 30, and  
5 37.

6 Ms. Montgomery referred to § 3113(d) regarding  
7 sexual offenses applying to health-related boards.

8 Ms. Montgomery referred to § 3113(e) regarding  
9 crimes of violence, where an individual could receive  
10 a license if it has been at least 3 years from  
11 incarceration, or if the individual was not  
12 incarcerated, 3 years from imposition of the sentence,  
13 and in either case the individual must have remained  
14 conviction-free, and able to demonstrate significant  
15 rehabilitation.

16 Ms. Montgomery stated the Board must be convinced  
17 the individual does not pose a substantial risk to the  
18 health and safety of clients or the public or a  
19 substantial risk of further conviction. She commented  
20 that the remaining offenses are identified as directly  
21 related to the profession.

22 Ms. Montgomery addressed rebuttable presumption,  
23 where individuals with crimes on the list of offenses  
24 directly related to the profession would be believed  
25 to pose a significant risk to the safety of their

1 clients or the public or a significant risk of further  
2 criminal offenses. She noted that in such cases,  
3 there would be a rebuttable presumption, which means  
4 the individual would have to prove they do not pose  
5 such a risk.

6 Ms. Montgomery referred to § 3117 of Act 53,  
7 which requires publication and distribution of the  
8 list.

9 Ms. Montgomery addressed preliminary  
10 determination, where an individual who may want to  
11 become a massage therapist would be able to apply up  
12 front for a preliminary determination as to whether  
13 their criminal conviction may be an impediment to  
14 licensure. She stated the list of crimes directly  
15 relating to the practice of massage therapy will be  
16 used for preliminary determinations, in making  
17 determinations for applicants, and making decisions on  
18 disciplinary matters.

19 Ms. Montgomery referred to the list of criteria  
20 in § 3113(c), where individuals would have to provide  
21 information about the facts and circumstances  
22 regarding the offense. She noted the Board already  
23 reviews the facts and circumstances when considering  
24 an applicant.

25 Ms. Montgomery addressed the best practices guide

1 required by the statute, which is a list of crimes for  
2 each board to determine whether the individual's  
3 history may be an impediment to licensure and what the  
4 factors are under § 3113(c). She noted that the Board  
5 will still be able to consider convictions of crimes  
6 not on the list. She provided the definition of  
7 "directly related."

8 Ms. Montgomery stated Board counsel and  
9 prosecution curated the list to be presented to the  
10 Board. She explained the process after Board  
11 approval, where the list will be published by December  
12 27 and go through the rulemaking process.

13 Ms. Montgomery noted Act 53 requires the list be  
14 published as a proposed rulemaking within 180 days and  
15 promulgated as final rulemaking within 2 years. She  
16 deferred to Board counsel, any questions concerning  
17 specific crimes on the list. She also noted  
18 Commissioner Johnson has the responsibility of  
19 updating the list, and there will be time for public  
20 comment before the final version.

21 Chair Caufman requested Mr. Davis provide  
22 advisement to the Board.

23 Mr. Davis and Mr. Batson created the list with  
24 crimes identified as directly related to the  
25 profession. He suggested the Board review the list

1 and determine if any crimes should be added to it or  
2 removed from it. Ms. Rosado requested further  
3 information regarding Aggravated Assault of an unborn  
4 child as defined in 18 Pa. C.S. § 2606, and whether it  
5 is more against a perpetrator of domestic violence  
6 resulting in death.

7 Ms. Montgomery explained that it would apply to  
8 anyone convicted of the crime and usually related to  
9 someone who is assaulting a pregnant woman and injures  
10 the unborn child.

11 Commissioner Johnson addressed violent crimes  
12 enumerated under Act 53. He stated the crimes of  
13 violence specifically identified in Act 53 are defined  
14 as ones that directly implicate public safety and  
15 one's ability to safely practice. He explained that  
16 those convictions under any of those enumerated crimes  
17 would automatically shift the burden over to the  
18 applicant or licensee to show the individual is not a  
19 threat to the public or their clients.

20 Commissioner Johnson questioned whether the Board  
21 had any additions to the list or any crimes on the  
22 list that do not meet the criteria outside of the acts  
23 of violence and sexual offenses, crimes not  
24 specifically enumerated by Act 53, and crimes not  
25 already enumerated under the practice act.

1           Commissioner Johnson commented that the Board  
2 still has the authority to review offenses not on the  
3 list, but the presumption shifts to prosecution to  
4 show the crime in question directly implicates the  
5 person's ability to engage in the profession.

6           Dr. Waller referred to § 5902(b) and § 5902(b.1)  
7 regarding prostitution and requested clarification  
8 regarding the definition of prostitution, noting that  
9 victims who are often being sexually exploited get  
10 arrested for prostitution.

11           Ms. Montgomery explained that § 5902(b) as  
12 promoting prostitution, § 5902(b.1) promoting  
13 prostitution of a minor, but the actual crime of  
14 prostitution is § 5902(a), and § 5902(a) is not on the  
15 list.

16           Ms. Montgomery noted receiving no comments after  
17 sending the list to interested parties and  
18 stakeholders.

19           Laura Hamilton, Government Relations Director,  
20 Associated Bodywork & Massage Professionals, suggested  
21 the addition of money laundering. She also noted  
22 Oklahoma and Texas developed similar lists and  
23 mentioned crosschecking to see what other states are  
24 doing.

25           Commissioner Johnson expressed his gratitude to

1 the Office of Chief Counsel, Board Counsel, and  
2 prosecutorial counsel for their help creating the  
3 list, noting the absence of questions is a testament  
4 to their hard work.

5 Commissioner Johnson requested the Board to move  
6 to accept the list as drafted for formal publication  
7 to be able to begin the promulgation of the  
8 regulations.

9 Mr. Davis addressed money laundering and referred  
10 to § 5111 regarding dealing in proceeds of unlawful  
11 activities, noting that something along those lines  
12 could be added to the list if the Board thought that  
13 would be directly related to the practice of massage  
14 therapy. He also addressed § 5902 concerning  
15 prostitution, where it was determined prostitution  
16 itself at § 5902(a) was not listed under sexual  
17 offenses but could be added to the directly related  
18 list.

19 Dr. Waller noted being comfortable with not  
20 adding § 5902(a), stating she was concerned that  
21 someone who was victimized would not have the  
22 opportunity to practice and is comfortable that the  
23 list includes crimes promoting prostitution.

24 Chair Caufman requested feedback concerning  
25 whether money laundering should be added and received

1 no response.]

2

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3 CHAIR CAUFMAN:

4

I believe the Chair would accept a

5

motion to approve the Act 53 list as

6

presented.

7 MS. PORAMBO:

8

So moved.

9 CHAIR CAUFMAN:

10

Nancy so moves. We need a second.

11

DR. WALLER:

12

Second.

13 CHAIR CAUFMAN:

14

All those in favor, please say aye. Any

15

oppositions, please state your name.

16

Abstentions, please state your name.

17

Hearing none.

18 [The motion carried unanimously.]

19

\*\*\*

20 Report of Board Regulatory Counsel (Continued)

21 [Thomas M. Davis, Esquire, Board Counsel, addressed

22 the concepts of endorsement versus reactivation and

23 the Board's regulations as they apply to the

24 determination of current competence. He stated that

25 for reactivation, according to the regulations,

1 individuals have to prove continuous active practice  
2 during the past 5 years. He stated an individual who  
3 applies for a massage therapy license via endorsement  
4 under Act 41 only has to prove that the applicant has  
5 actively engaged in the practice of massage therapy  
6 for 2 of the last 5 years. Accordingly, he explained  
7 that there is currently a higher standard for  
8 reactivation than for endorsement.

9 Mr. Davis asked the Board to consider the length  
10 of time an applicant would have to be out of practice  
11 before the Board could justifiably say, "to renew your  
12 license you have to take the Massage & Bodywork  
13 Licensing Examination (MBLEx)." Mr. Davis pointed out  
14 that, under the Board's regulations, individuals who  
15 allowed their license to expire and did not practice  
16 for a full year and tried to reactivate would have to  
17 either retake the MBLEx or prove continuous active  
18 practice over the last 5 years to receive a license.

19 Mr. Davis suggested the Board "define continuous  
20 active practice" during the last 5 years. He noted  
21 discussion with Board administration and recommended  
22 permitting applicants up to a 2-year period of  
23 inactivity, and for anyone who hasn't practiced for  
24 more than two years, they be given an opportunity to  
25 explain why they were not working for more than 2



1 years. He stated the exam would be required for those  
2 who cannot provide a valid explanation.

3 Mr. Davis suggested that, for reactivation, the  
4 Board define 5 years of continuous active practice as  
5 working on at least a part-time basis for 3 of the  
6 last 5 years, which will allow for no more than 2  
7 years of inactive practice.

8 Ms. Porambo commented that the 2-year period was  
9 reasonable and did not believe an individual should be  
10 required to retest and take the MBLEX, but believed  
11 there should be at least an ethics requirement.

12 Ms. Townley explained that every person who wants  
13 to reactivate a license must submit 24 hours of  
14 continuing education, which is a separate requirement,  
15 within a 2-year period up to when they submit their  
16 application, and that would require applicants to  
17 fulfill their ethics requirement.

18 Chair Caufman requested feedback concerning the  
19 2-year block Mr. Davis suggested and received no  
20 negative response.

21 Mr. Davis stated individuals would need to  
22 explain any gap larger than a 2-year block, and Board  
23 administration is going to be empowered to reactivate  
24 individuals with gaps of less than 2 years as long as  
25 the individual has the required continuing education.]

1 \*\*\*

2 MR. DAVIS:

3 If you have not been working as a  
4 massage therapist for more than 2 years  
5 out of the last 5, you have to explain  
6 why that is, and then the Board's  
7 Applications Committee, or possibly the  
8 full Board, will have to review the  
9 application.

10 If the applicant has not been  
11 working as a massage therapist for less  
12 than 2 years out of the last 5, Board  
13 admin is going to be empowered to  
14 reactive as long as they have the CEs  
15 and meet all other administrative  
16 requirements.

17 \*\*\*

18 [Thomas M. Davis, Esquire, Board Counsel, addressed  
19 the utilization of tax returns to verify an applicant  
20 has been working as a massage therapist in relation to  
21 Act 41 licensure by endorsement. He stated the Board  
22 has been requesting that applicants for licensure by  
23 endorsement provide tax returns to prove that the  
24 applicant has been working as a massage therapist, and  
25 he clarified that no application has never been denied

1 for failure to provide 2 years of tax returns, but he  
2 suggested the Board should consider lowering its  
3 standard of proof. He stated that, to his knowledge,  
4 no other board at the Bureau of Professional and  
5 Occupational Affairs (BPOA) is asking for tax returns  
6 in relation to licensure by endorsement. He suggested  
7 the Board allow the Applications Committee more leeway  
8 to make their own determination.

9 Commissioner Johnson concurred with Board  
10 counsel, stating that nobody else is requiring tax  
11 documents or using the competency prong as a chance to  
12 relitigate the veracity of someone's credentials.

13 Mr. Davis stated most boards were accepting a  
14 resume detailing work history and recommended the  
15 Board do the same. He noted it to be a crime in and  
16 of itself to submit a fraudulent resume to the Board  
17 in an effort to mislead a public servant and obtain a  
18 license, and cited § 4904 of the Crimes Code.

19 Ms. Porambo suggested requiring a contact along  
20 with the resume to provide accountability.

21 Ms. Townley stated the Board currently asks for a  
22 curriculum vitae (CV) with the name, city, and state  
23 of the employer; dates of employment with month and  
24 year; and a description of practice activity. She saw  
25 no problem with requiring a contact person as well.

1 Mr. Davis wanted to clarify that the Board has  
2 empowered the Applications Committee to approve  
3 applications under Act 41 when, as proof of  
4 competency, the applicant has submitted a CV with a  
5 contact person listed. The Board agreed.]

6

\*\*\*

7 Miscellaneous

8 [Becky D. Caufman, LMT, Chair, requested the procedure  
9 to follow when a time-sensitive matter arises and the  
10 Board is not scheduled to meet for some time to come.

11 Mr. Davis explained that the Chair would be  
12 contacted, and asked to make a decision on the Board's  
13 behalf, and the Board would be asked to ratify the  
14 Chair's decision at a later time.

15 Chair Caufman noted the next scheduled Board  
16 meeting date is February 16, 2021. She also noted  
17 April 7, June 1, August 10, September 28, and December  
18 6 meeting dates in 2021.]

19

\*\*\*

20 Miscellaneous - Election of Officers

21 [Becky D. Caufman, LMT, Chair, expressed a concern  
22 regarding two open positions on the Board, along with  
23 Ms. Baughman and Ms. Rosado not asking for  
24 reappointment. She mentioned Ms. Porambo requested  
25 being recommissioned.]

1 \*\*\*

2 MR. DAVIS:

3 For the position of chairperson, I'll  
4 open the floor for nominations.

5 MS. BAUGHMAN:

6 I nominate Nancy Porambo for chair.

7 MR. DAVIS:

8 Nancy, do you consent to the nomination?

9 MS. PORAMBO:

10 Yes.

11 MS. HICKS:

12 I second that.

13 MS. ROSADO:

14 I nominate Becca for chair.

15 MR. DAVIS:

16 Do we have a second for Becca?

17 COMMISSIONER JOHNSON:

18 Second.

19 MR. DAVIS:

20 So far we have Nancy and Becca. Do we  
21 have any further nominations? Hearing  
22 no further nominations, I am going to  
23 give both Nancy and Becca a moment if  
24 they have anything they want to say.

25 MS. PORAMBO:

1 This is my second year, and I sent a  
2 letter to my senator as well as the  
3 Governor and Kalonji with respect to my  
4 interest in returning as a Board member.  
5 I have a tremendous amount of experience  
6 with respect to inclusion in boards. I  
7 served as a national president of the  
8 national MTA. I have been on all types  
9 of positions on the Pennsylvania State  
10 Board for AMTA as well. I have been on  
11 the Foundation for Massage Therapy.

12 I have a long history with boards.  
13 I feel that I am ready. I know Becca has  
14 been here a long time, and I feel  
15 confident with her assistance. I  
16 certainly would be open to working with  
17 her to move forward.

18 I think we have had discussions in  
19 the past, Becca and I, as to be  
20 transitioned. I think successive  
21 planning is so very important for a  
22 board that someone really does need to  
23 be seasoned for a year. I've served as  
24 vice chair for this last year, I've  
25 listened, and I've paid attention to

1 everything Becca has been doing. I  
2 would be open to working with her. I  
3 think Becca's position is not open for  
4 another year. If I am correct and would  
5 be able to transition, my 2 years, if I  
6 am appointed, would be to obviously have  
7 someone else ready. That's my interest  
8 at the moment. Thank you.

9 CHAIR CAUFMAN:

10 I would love to continue to serve the  
11 Board until I'm done. I am concerned  
12 with commissions and losing. We are  
13 already down one public member and one  
14 professional member. That concerns me  
15 if Nancy does not get reappointed, how  
16 we move forward from there.

17 I want to try and make sure our  
18 regs that we have been working on for a  
19 long time now actually get through, and  
20 I am sure Nancy would do the same thing.  
21 It would be an honor to serve you until  
22 I'm finished. I cannot, not unless they  
23 changed the law, I have one more year  
24 and I will be done.

25 It has been an honor to work with

1                   this Board. You're amazing. I  
2                   appreciate everything you've done. You  
3                   are very prepared every time you come.  
4                   That is stellar. That goes without  
5                   speaking. You guys are amazing to work  
6                   with, and I thank you for that.

7 MR. DAVIS:

8                   I think the easiest way to do this given  
9                   our current situation with Skype would  
10                  be if I were to do a roll call vote.  
11                  When I ask for your name, you give me  
12                  your vote. Is there any objection to  
13                  doing it in that manner?

14  
15                  Camille, Nancy; Becca, me; Vickiann,  
16                  Nancy; Jessica, Nancy; Nancy, Nancy;  
17                  Gloria, Becca; Ellyn Jo, Becca;  
18                  Commissioner Johnson, Becca.

19 MR. DAVIS:

20                  The vote is tied at 4-4. We will try  
21                  one more roll call vote. Becca and  
22                  Nancy, you will have one more  
23                  opportunity to say something.

24                  Nancy, would you like to add  
25                  anything?



1 MR. PORAMBO:

2 I talked about succession planning.  
3 Every board I have ever served on, there  
4 has always been succession planning,  
5 meaning that the chair works with the  
6 vice chair or the president worked with  
7 a president-elect.

8 I think it would be useful to our  
9 Board since we are in a tie situation  
10 that I would not be opposed to a  
11 co-chair situation for a year and have  
12 Becca complete her tenure in that  
13 position.

14 CHAIR CAUFMAN:

15 The only reason I haven't voted for you,  
16 Nancy, is because I don't know what's  
17 going to happen if you don't get  
18 reappointed and then we lose you. Other  
19 than that, we have talked about  
20 succession and everything else, and that  
21 is my biggest concern. I don't know  
22 what is going to happen.

23 We had that with a couple of boards  
24 where the person did not get reapproved  
25 and all of the sudden we had no chair.

1 I didn't want to see that happen with us  
2 losing Camille and Gloria. If you don't  
3 get reappointed, then you have the  
4 temporary meeting and then you're done.  
5 That does concern me because we could  
6 lose all three of them. Either one of  
7 us are more than capable.

8 MS. PORAMBO:

9 This is a little early for this meeting,  
10 to have us voting this early.  
11 Typically, we would be doing this in  
12 December. When everything was pushed  
13 up, I feel I've done the appropriate  
14 groundwork for that because of COVID,  
15 the election, among a variety of other  
16 things may be held up. I'm not quite  
17 sure how to resolve it.

18 I think I would not be opposed to a  
19 co-chair situation if you would be open  
20 to sharing information. In the event  
21 that I did not get put in the position,  
22 there would be no issue.

23 MR. DAVIS:

24 I reviewed the act, and it does say the  
25 boards shall annually select a

1 chairperson from the board members. I  
2 am not leaning toward a co-chair  
3 situation based upon the act itself. I  
4 just think that would confuse Board  
5 admin and my legal assistants.

6 I am going to suggest one more roll  
7 call vote. Both of these Board members  
8 have said the Board is in good hands  
9 either way. Would there be an objection  
10 to that route?

11 MS. HICKS:

12 I was going to say to move forward and  
13 if anything happens, then the vice chair  
14 would become chair.

15 DR. WALLER:

16 Would it make sense to have a special  
17 call-in meeting for the vote after we  
18 are clear about Nancy's reappointment?

19 MR. DAVIS:

20 We have to choose a chair annually. I  
21 don't think it would be a stretch to  
22 allow Becca to keep the chair position  
23 until the next meeting. At the next  
24 meeting, we could have another vote.  
25 Would that be acceptable to the Board?

1 CHAIR CAUFMAN:

2 I would like that because I want to make  
3 sure we don't get stuck with somebody  
4 not being able to make a decision, and  
5 that I appreciate. That way we could  
6 have elections at the beginning of our  
7 February meeting.

8 MR. DAVIS:

9 Nancy, would you be agreeable to that?

10 MS. PORAMBO:

11 That's fine, thanks.

12 COMMISSIONER JOHSON:

13 I would formally move that we table the  
14 elections until the February meeting.

15 CHAIR CAUFMAN:

16 Thank you.

17 DR. WALLER:

18 I'll second that.

19 CHAIR CAUFMAN:

20 Ellyn Jo seconded that. All those in  
21 favor? All those opposed, please state  
22 your name. Any abstentions, please  
23 state your name. The voting will be  
24 tabled until our February 16 meeting.

25 [The motion carried unanimously.]

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Adjournment

CHAIR CAUFMAN:

We need a motion from the floor to  
adjourn the meeting.

MS. BAUGHMAN:

I so move.

CHAIR CAUFMAN:

Thank you, Camille. We need a second,  
please.

MS. ROSADO:

I second.

CHAIR CAUFMAN:

Thank you. All those in favor? All  
those opposed, please state your name.  
Any abstentions?

[The motion carried unanimously.]

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[There being no further business, the State Board of  
Massage Therapy Meeting adjourned at 12:40 p.m.]

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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.



Morgan McKendrick,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF MASSAGE THERAPY  
REFERENCE INDEX

November 4, 2020

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	9:00	Executive Session
9	10:30	Return to Open Session
10		
11	10:30	Official Call to Order
12		
13	10:31	Introduction of Board Members
14		
15	10:34	Report of Board Prosecution
16		
17	10:37	Approval of Minutes
18		
19	10:40	Report of Board Counsel
20		
21	10:49	Report of Board Administrator
22		
23	10:51	Report of Board Regulatory Counsel
24		
25	10:57	Appointment - Act 53 of 2020 List of
26		Relevant Crimes Presentation
27		
28	11:47	Report of Board Regulatory
29		Counsel (Continued)
30		
31	12:24	Miscellaneous
32		
33	12:40	Adjournment
34		
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