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

**D R A F T M I N U T E S**

MEETING OF:

**STATE BOARD OF MASSAGE THERAPY**

TIME: 9:32 A.M.

Board Room C  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

Tuesday, December 4, 2018

State Board of Massage Therapy  
December 4, 2018

BOARD MEMBERS:

Becky D. Cauffman, LMT, Chairperson  
Katelin Lambert, Deputy Commissioner, Bureau of  
Professional and Occupational Affairs  
Gloria E. Rosado, LMT, Vice Chairperson/Secretary,  
Professional Member  
Camille Baughman, BS, MA, LMT, Professional Member  
Jamie H. Corey, LMT, Professional Member  
Nancy M. Porambo, MS, LMT, CNMT, NCTMB, Professional  
Member  
Linda A. Chamberlain, MS, BSN, RN, CNDLTC, Secretary  
of Health Designee  
Jessica A. Nelson, Office of Attorney General Designee  
Shea M. Rhodes, Esquire, Public Member

BUREAU PERSONNEL:

Thomas M. Davis, Esquire, Board Counsel  
Carol J. Niner, Board Administrator

ALSO PRESENT:

Bobbi Calvert, MT, Chambersburg Beauty School  
Judy Berry, Director of Education, Chambersburg Beauty  
School  
Angie Armbrust, Senior Associate, McNees-Winter Group  
LLC  
Stephanie Shull, Senior Practice Manager, WellSpan  
Center for Mind/Body Health  
Laura B. Embleton, Government Relations Director,  
Associated Bodywork & Massage Professionals  
Carrie Shaley, LMT, Honor Your Body Wellness  
Shirley Scranta, American Organization for Bodywork  
Therapies of Asia, International School of Shiatsu  
Kelly L. Givens, LMT, CR, American Massage Therapy  
Association

1 \*\*\*

2 State Board of Massage Therapy

3 December 4, 2018

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Massage Therapy was held on Tuesday, December  
7 4, 2018. Becky Caufman, LMT, Chairperson, called the  
8 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, staff,  
13 and audience members in attendance.]

14 \*\*\*

15 Appointment - Pennsylvania Licensing System (PALS)

16 Renewal Demonstration

17 [Katelin Lambert, Deputy Commissioner, Bureau of  
18 Professional and Occupational Affairs, addressed the  
19 PALS renewal system. She informed the Board that  
20 massage therapy renewals were enabled on Friday,  
21 November 30, 2018.

22 Ms. Lambert provided an overview of the renewal  
23 process, including a review of email and user ID  
24 information. She noted this as the last renewal  
25 period wherein notices would be sent through the mail.

1 She addressed options for resetting passwords, login  
2 assistance, email validation, text alerts, and  
3 security.

4 Ms. Lambert explained the PALS dashboard,  
5 providing the option to renew licenses. She noted  
6 that PALS has the ability to accept uploads for a more  
7 efficient process, as well as the ability to save the  
8 information entered in an application to be resumed at  
9 a later time.

10 Ms. Lambert stated the license would be available  
11 on the verification site once renewed, an email would  
12 be sent, and a paper license would be received in 10-  
13 14 business days.

14 Ms. Niner reminded the Board that paper  
15 applications would no longer be accepted. She  
16 suggested utilizing a local library or friend for  
17 those who do not have a computer.]

18 \*\*\*  
19 [Katelin Lambert, Deputy Commissioner of Professional  
20 and Occupational Affairs, exited the meeting at  
21 10:08 a.m.]

22 \*\*\*  
23 [Bobbi Calvert, MT, Chambersburg Beauty School,  
24 questioned whether students applying for their license  
25 in this cycle would have an exemption on the 24 hours

1 requirement. Ms. Niner stated a waiver was not  
2 available for that cycle. The decision had not yet  
3 been made, noting the Board will make revisions to the  
4 regulations in the future.

5 Chairperson Caufman suggested reviewing the PA  
6 Bulletin in the future, as the Board intends to make  
7 these revisions to its regulations within two years.]

8 \*\*\*

9 Approval of Minutes of the September 18, 2018 meeting

10 CHAIRPERSON CAUFMAN:

11 Item No. 1, the September 18, 2018 draft  
12 minutes.

13 [The Board discussed corrections to the minutes.]

14 CHAIRPERSON CAUFMAN:

15 I need a motion from the Board to  
16 approve the minutes from the September  
17 meeting with corrections.

18 MS. BAUGHMAN:

19 I motion that we approve the minutes  
20 with corrections.

21 CHAIRPERSON CAUFMAN:

22 Thank you, Camille. Second?

23 MS. ROSADO:

24 Second.

25 CHAIRPERSON CAUFMAN:

1                   Gloria seconds. All those in favor?

2                   All those opposed? Any abstentions?

3 [The motion carried unanimously.]

4   \*\*\*

5 Report of Board Regulatory Counsel

6 [Thomas Davis, Esquire, Board Counsel, stated the Fee  
7 regulation was published as final.

8           Mr. Davis addressed the Child Abuse regulation,  
9 noting that the State Board of Dentistry was still  
10 waiting for their regulation to pass. He commented,  
11 once the Dentistry Board's regulation passes, all  
12 other Boards will copy and continue with the same  
13 language.

14          Mr. Davis noted General Revisions for review. He  
15 mentioned the massage therapist in cosmetology salons,  
16 noting an Annex drafted in March 2015 that mostly  
17 mirrors the statute.

18          Chairperson Caufman commented that the inclusion  
19 of massage therapy people working in a salon setting  
20 became an issue, mostly due to the space requirements  
21 and protocols to protect the massage therapists.

22          Mr. Davis referred to the different sections of  
23 PA Code. It had been suggested during the last  
24 regulation meeting that fines be increased from \$1,000  
25 to \$2,000 for those who employ unlicensed massage

1 therapists.

2 Vice Chair Minzer of the Independent Regulatory  
3 Review Commission (IRRC) suggested that the Board  
4 draft information to educate licensees regarding the  
5 function and process of the Board. The formation of a  
6 working committee to educate licensees and a FAQ  
7 section on the website and informative brochures was  
8 also suggested.

9 Ms. Niner noted the suggestion to send  
10 information to the schools or ask for communication  
11 between the schools and the Board was referred to as a  
12 communications and outreach workgroup.

13 Chairperson Caufman noted the difficulty in  
14 getting information out to people but recognized  
15 information technology (IT) revisions that were not  
16 available two years ago. She asked the Regulatory  
17 Committee to investigate the practice of Boards in  
18 other states on the matter.

19 Ms. Porambo suggested setting a goal to complete  
20 the regulations six months before the renewal period  
21 for the next session.]

22 \*\*\*

23 Report of Board Counsel

24 [Thomas Davis, Esquire, Board Counsel, noted 14  
25 application cases, 5 scheduled hearings, 11 total

1 disciplinary files, and 3 cases on the docket.]

2 \*\*\*

3 Miscellaneous

4 [Thomas Davis, Esquire, Board Counsel, provided an  
5 overview of recusal guidelines and Sunshine Act  
6 rules.]

7 \*\*\*

8 Report of Prosecutorial Division - No Report

9 \*\*\*

10 Report of Commissioner - No Report

11 \*\*\*

12 Report of Board Chairperson

13 [Becky Caufman, LMT, Chairperson, announced her  
14 attendance, along with Mr. Davis and Ms. Corey, at  
15 that Federation of State Massage Therapy Boards  
16 (FSMTB) Annual Meeting.

17 Chairperson Caufman addressed the annual report,  
18 noting that states are becoming more aware of the  
19 benefits of having the practice of massage therapy  
20 regulated. She addressed the Massage & Bodywork  
21 Licensing Examination (MBLEx), which has been accepted  
22 in all states except New York and Hawaii. She  
23 mentioned a list of benefits of MBLEx for individuals  
24 with disabilities. She stated MBLEx has set aside a  
25 way that Boards can have the Federation of State



1 Massage Therapy Boards (FSMTB) develop courses to use  
2 for remediation specifically for that state.

3 Chairperson Caufman noted a whole section of the  
4 report with questions that were asked by the  
5 participating member Boards. She stated other states  
6 are considering general revisions and increasing their  
7 education hours. She noted initial application fees  
8 as high as \$300 to \$400. She stated many of the now  
9 require an FBI criminal background check.

10 Ms. Niner noted that Pennsylvania requires  
11 background checks from the current state of residence  
12 for each individual. Individuals who have lived in  
13 multiple other states can provide an official state-  
14 level background check or the official FBI background  
15 check.

16 Chairperson Caufman discussed the push to accept  
17 international education and the on-demand webinar.

18 Chairperson Caufman addressed the CBD oil debate,  
19 noting that it is still a Schedule I drug with no real  
20 guidelines.

21 Chairperson Caufman noted FSMTB's continued  
22 desire for Member Boards to populate the Federation's  
23 Massage Therapy Licensing Database (MTLD) with licensee  
24 information.

25 Ms. Corey noted prior discussion with the Board

1 regarding resolutions and bylaws as Chair of the  
2 Policy Committee. She stated the resolution to create  
3 a model law related to human trafficking passed but  
4 not the amendments regarding the elections of the  
5 Board.

6 Chairperson Caufman commented that a task force  
7 was set up to draft model language to be adopted by  
8 the state Boards, which is being completed in  
9 reference to the type of statute in each state.

10 Ms. Corey mentioned that the creation of the  
11 model law regarding human trafficking passed, but the  
12 numerical versus pass/fail language did not pass. She  
13 also believed that the bylaws concerning elections did  
14 not pass.

15 Chairperson Caufman requested that Ms. Niner  
16 attend the Executive Summit in April.

17 Mr. Davis discussed methods utilized by other  
18 Boards with regard to the prosecution of licensees,  
19 stating that in many other states, the Board decides  
20 whether or not charges should be brought and whether  
21 the charges were founded. He noted the Supreme Court  
22 decision, Lyness v. State Board of Medicine, 529 Pa.  
23 535 from 1992.

24 Mr. Davis discussed that in 2009 the Texas  
25 legislature enacted new provisions to allow a person

1 to find out before applying whether he or she would  
2 likely be denied a license and found that this was  
3 part of the statute.

4 Mr. Davis noted a brief discussion related to  
5 requiring massage therapy students to utilize a time  
6 clock while at school.

7 Laura B. Embleton, Government Relations Director,  
8 Associated Bodywork & Massage Professionals, who also  
9 attended FSMTB, stated the Model Practice Act is an  
10 establishment licensing act and did not support human  
11 trafficking being included in the practice act. Ms.  
12 Embleton addressed barriers to professions, stating  
13 that the decrease in CEs was a pushback on the  
14 regulation.

15 Ms. Porambo questioned whether the overall 67.8  
16 percent pass rate of the MBLEx was addressed with  
17 respect to the low percentage. It was noted as a  
18 national grade exam with the purpose of assuring the  
19 professions have good knowledge.

20 Chairperson Cauffman noted that FSMTB has worked  
21 to accommodate people with issues.]

22 \*\*\*

23 [The Board recessed from 11:20 a.m. until 11:32 a.m.]

24 \*\*\*

25 [Pursuant to Section 708(a)(5) of the Sunshine Act, at

1 11:33 a.m. the Board entered into Executive Session  
2 with Thomas Davis, Esquire, Board Counsel, for the  
3 purpose of conducting quasi-judicial deliberations and  
4 to receive advice of Counsel on the matters upon which  
5 the Board is about to vote. The Board returned to  
6 open session at 1:28 p.m.]

7 \*\*\*

8 Miscellaneous (Continued)

9 [Thomas Davis, Esquire, Board Counsel, noted the  
10 National Attorneys General Training and Research  
11 Institute (NAGTRI) Human Trafficking Summit in Puerto  
12 Rico on January 15-18, 2019.

13 Chairperson Caufman also noted the Executive  
14 Summit possibility. Ms. Niner will obtain additional  
15 information on the summit, noting the current travel  
16 ban.]

17 \*\*\*

18 MOTIONS

19 MR. DAVIS:

20 Number 4 on our agenda is a proposed  
21 A&O.

22 Based on the Board's discussions in  
23 Executive Session, I believe the Chair  
24 would accept a motion to adopt as final  
25 the proposed Adjudication and Order from

1 the Hearing Examiner in the following  
2 matter: Application for Massage  
3 Therapist Licensure of Crocotta G.  
4 Rogers-Chatman, Case No. 18-72-004796.

5 CHAIRPERSON CAUFMAN:

6 Motion from the floor?

7 MS. BAUGHMAN:

8 I move.

9 CHAIRPERSON CAUFMAN:

10 Camille moves. Do we have a second?

11 MS. PORAMBO:

12 Second.

13 CHAIRPERSON CAUFMAN:

14 Nancy seconds. All those in favor? All  
15 those opposed? Any abstentions?

16 [The motion carried. Ms. Porambo, Ms. Corey, and Ms.  
17 Rhodes opposed the motion.]

18 \*\*\*

19 MR. DAVIS:

20 Number 5 on our agenda is another  
21 proposed A&O.

22 Based on the Board's discussion in  
23 Executive Session, I believe the Chair  
24 would accept a motion to adopt the  
25 proposed adjudication with one

1 correction, which is changing  
2 Occupational Therapy Assistant to  
3 Massage Therapist in paragraph 1 of the  
4 Findings of Fact and substitute the  
5 Board's order adding a \$10,000 civil  
6 penalty in the following matter:  
7 Commonwealth of Pennsylvania Bureau of  
8 Professional and Occupational Affairs  
9 vs. Christopher C. Atanazy, LMT,  
10 Respondent, Case No. 16-72-12239.

11 MS. COREY:

12 So moved.

13 MS. CHAMBERLAIN:

14 Second.

15 CHAIRPERSON CAUFMAN:

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

18 [The motion carried. Ms. Nelson recused herself from  
19 deliberations and voting on the motion.]

20 \*\*\*

21 MR. DAVIS:

22 Number 6 on the Board's agenda is a  
23 Motion to Deem Facts Admitted.

24 Based on the Board's discussions in  
25 Executive Session, I believe the Chair

1           would accept a motion to grant the  
2           Motion to Deem Facts Admitted and Enter  
3           Default and, in doing so, order Board  
4           Counsel to draft an Adjudication and  
5           Order in the following matter: The  
6           Commonwealth of Pennsylvania Bureau of  
7           Professional and Occupational Affairs  
8           vs. Duyen Ninh and Van Nguyen t/d/b/a  
9           Spalon, Respondent, Case No. 18-72-  
10          003701.

11 CHAIRPERSON CAUFMAN:

12           Motion from the floor?

13 MS. BAUGHMAN:

14           I so move.

15 CHAIRPERSON CAUFMAN:

16           I need a second, please.

17 MS. ROSADO:

18           I second.

19 CHAIRPERSON CAUFMAN:

20           Gloria seconds. All those in favor?

21           All those opposed? Any abstentions?

22 [The motion carried unanimously.]

23   \*\*\*

24 MR. DAVIS:

25           Number 8 on the Board's agenda is an

1 Application for the Massage Therapist  
2 Licensure by Reciprocity of Silvia H.  
3 Walter.

4 Based on the Board's discussions in  
5 Executive Session, I believe the Board  
6 administration was instructed in the  
7 matter to procure additional information  
8 and materials from the applicant. So no  
9 vote is needed in this matter.

10 \*\*\*

11 MR. DAVIS:

12 Number 9 on the agenda is another  
13 Application for Massage Therapist  
14 Licensure by Reciprocity of Feng Xian  
15 He.

16 Based on the Board's discussions in  
17 Executive Session, I believe the Chair  
18 would accept a motion provisionally  
19 denying this application.

20 MS. COREY:

21 So moved.

22 CHAIRPERSON CAUFMAN:

23 Jamie Corey.

24 MS. PORAMBO:

25 I second.



1 CHAIRPERSON CAUFMAN:

2 Nancy Porambo seconds. All those in  
3 favor? All those opposed? Any  
4 abstentions?

5 [The motion carried unanimously.]

6 \*\*\*

7 MR. DAVIS:

8 Next, we have a number of CE waiver  
9 requests.

10 Based on the Board's discussions in  
11 Executive Session, I believe the Chair  
12 would accept a motion denying the  
13 following CE Waiver Requests: No. 10,  
14 Jamelia Campbell; No. 13, Stacy Lynn  
15 Irons; and No. 15, Sarah Thompson.

16 MS. ROSADO:

17 So moved.

18 CHAIRPERSON CAUFMAN:

19 Thank you, Gloria.

20 MS. COREY:

21 I'll second.

22 CHAIRPERSON CAUFMAN:

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

25 [The motion carried unanimously.]

1 \*\*\*

2 MR. DAVIS:

3 Based on the Board's discussions in  
4 Executive Session, I believe the Chair  
5 would accept a motion approving the CE  
6 Waiver Requests of No. 20, Catrina Knox.

7 CHAIRPERSON CAUFMAN:

8 Motion from the floor?

9 MS. NELSON:

10 I'll make the motion.

11 CHAIRPERSON CAUFMAN:

12 Jessica.

13 MS. BAUGHMAN:

14 I'll second.

15 CHAIRPERSON CAUFMAN:

16 Camille seconds. All those in favor?

17 All those opposed? Any abstentions?

18 [The motion carried unanimously.]

19 \*\*\*

20 MR. DAVIS:

21 Based on discussions in Executive  
22 Session, I believe the Chair would  
23 accept a motion partially approving the  
24 following waiver requests; in that, the  
25 applicant or the individual need not

1 obtain the required 16 contact hours.  
2 These individuals are allowed to  
3 complete all CE requirements online.

4 No. 11, Jennifer Smith, No. 12,  
5 Kaitlyn Bigelow; No. 16, Courtney  
6 Downey; No. 17, Heather N. Schons; No.  
7 18, Adam D. Nicodemus; No. 19, Jamie C.  
8 Nicodemus; No. 21., Christine Crotty;  
9 and No. 22, Theresa Davella.

10 MS. COREY:

11 So moved.

12 MS. BAUGHMAN:

13 Second.

14 CHAIRPERSON CAUFMAN:

15 All those in favor? All those opposed?

16 Any abstentions?

17 [The motion carried unanimously.]

18 \*\*\*

19 MR. DAVIS:

20 Based on discussions in Executive  
21 Session, I believe the Chairperson would  
22 accept a motion denying as moot the CE  
23 Waiver Request of No. 14, Sarah Hammer.

24 MS. PORAMBO:

25 So moved.

1 MS. CHAMBERLAIN:

2                   Second.

3 CHAIRPERSON CAUFMAN:

4                   Nancy first. Linda second. All those  
5                   in favor? All those opposed? Any  
6                   abstentions?

7 [The motion carried unanimously.]

8   \*\*\*

9 Miscellaneous - Election of Officers

10 [Becky Caufman, LMT, Chairperson, stated the Board  
11 would go into consideration for election.

12           Mr. Davis stated the only position required was a  
13 chairperson.]

14 MR. DAVIS:

15                   Are there any nominations for  
16                   Chairperson?

17 MS. ROSADO:

18                   I nominate Becca.

19 MR. DAVIS:

20                   Is there a second?

21 MS. CHAMBERLAIN:

22                   I second it.

23 MR. DAVIS:

24                   All opposed? Any other nominations for  
25                   Chairperson? Hearing none.

1 [The motion carried unanimously.]

2 \*\*\*

3 MR. DAVIS:

4 Are there any nominations for Vice  
5 Chair?

6 MS. BAUGHMAN:

7 I nominate Nancy Porambo.

8 MR. DAVIS:

9 Is that seconded?

10 MS. RHODES:

11 Second.

12 MR. DAVIS:

13 Any other nominations for Vice  
14 Chairperson?

15 MS. ROSADO:

16 I nominate Jamie.

17 MR. DAVIS:

18 Hearing one. Do we have a second?

19 MS. CHAMBERLAIN:

20 I'll second.

21 MR. DAVIS:

22 We have everyone who is nominated at  
23 this point.

24 Being that Becca is running  
25 unopposed, I'm going to ask all those in

1 favor, say aye. All those opposed?  
2 Hearing none opposed. Becca is  
3 Chairperson again for 2019.

4 \*\*\*

5 CHAIRPERSON CAUFMAN:

6 We have two candidates, Nancy Porambo  
7 and Jamie Corey.

8 Our first nomination was Nancy  
9 Porambo, so those who wish to have Nancy  
10 Porambo as Vice Chair, would you please  
11 raise your hand?

12 Chairperson? Hearing none.

13 [The motion carried. Ms. Baughman, Ms. Nelson, Ms.  
14 Porambo, and Ms. Rhodes voted in favor of Ms.  
15 Porambo.]

16 \*\*\*

17 CHAIRPERSON CAUFMAN:

18 Those who would like to have Jamie as  
19 Vice Chair?

20 [The motion failed. Ms. Rosado, Ms. Corey, and Ms.  
21 Chamberlain voted in favor of Ms. Corey.]

22 CHAIRPERSON CAUFMAN:

23 With that, Nancy, welcome.

24 \*\*\*

25 Board Meeting Dates

1 [Becky Caufman, LMT, Chairperson, noted 2019 meeting  
2 dates for the Board's review.]

3 \*\*\*

4 Adjournment

5 CHAIRPERSON CAUFMAN:

6 I need a motion from the floor to  
7 adjourn?

8 MS. COREY:

9 So moved.

10 CHAIRPERSON CAUFMAN:

11 Jamie first. Do I have a second,  
12 please?

13 MS. NELSON:

14 I'll second.

15 CHAIRPERSON CAUFMAN:

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

18 [The motion carried unanimously.]

19 \*\*\*

20 [There being no further business, the State Board of  
21 Massage Therapy Meeting adjourned at 1:45 p.m.]

22 \*\*\*

23

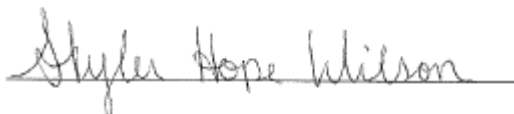
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CERTIFICATE

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.



Skyler Hope Wilson,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.



STATE BOARD OF MASSAGE THERAPY  
REFERENCE INDEX

December 4, 2018

TIME	AGENDA
9:32	Official Call to Order
9:32	Roll Call
9:35	Appointment - PALS Renewal Demonstration
10:11	Approval of Minutes
10:17	Report of Regulatory Counsel
10:36	Report of Board Counsel
10:38	Miscellaneous
10:51	Report of Board Chair
11:20	Recess
11:32	Return to Open Session
11:33	Executive Session
1:28	Return to Open Session
1:28	Miscellaneous (Continued)
1:28	Motions
1:34	Meeting Dates
1:45	Adjournment