

**MASSAGE, BODYWORK AND SOMATIC THERAPY MINUTES  
REGULAR OPEN COMMITTEE MEETING  
FEBRUARY 25, 2009**

A meeting of the Massage, Bodywork and Somatic Therapy Examining Committee was held on February 25, 2009 in the Somerset Conference Room on the 6th Floor, 124 Halsey Street, Newark, New Jersey. Alan Vonderahe, Committee Chairman called the meeting to order at 9:15 a.m.

**ROLL CALL**

**COMMITTEE MEMBER(S) PRESENT:**

Deborah Overholt  
Donda Kraus-Sternberg  
Alan G. Vonderahe

**ALSO PRESENT:**

George J. Hebert, Executive Director  
Ginger Provost, Deputy Attorney General  
Diane Scott, Administrative Staff  
Miguel Dominguez, Legal Intern from Division of Law  
Charles Manning, Regulatory Analyst (limited to the discussion of the regulations)

**QUORUM WAS DECLARED PRESENT:**

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing on November 26, 2008. A schedule of all 2009 Regular Open Committee Meetings of the Massage, Bodywork and Somatic Therapy Examining Committee to be held during 2009 was provided to the Office of the Secretary of State, Star Ledger, Trenton-Times, The New York Times, Camden Courier Post, The Press of Atlantic City and The Philadelphia Inquirer. The schedule has also been posted on the bulletin board at the New Jersey State Board of Nursing Office. OPEN MINUTES -2- FEBRUARY 25, 2009

A reading and approval of the Open Session Agenda of February 25, 2009 Committee Meeting with amendments:

#1 under old business will be discussed before the approval of the December 10, 2008 minutes To add under correspondence - #5 regarding traveling massage therapist

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to approve the Open Agenda of February 25, 2009 Committee Meeting as amended. The motion carried.

Open Session Minutes of December 10, 2008 Committee Meeting with amendments:

Page 3, #1 – Qingyun Song – statement should include; Wei Wei Zhou identified herself as a Chinese Interpreter.

#2 – Cristina Giordano-Kinsman – statement should state Ms. Giordano-Kinsman requested to appear before the Committee.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to approve the December 10, 2008 Open Committee Meeting Minutes as amended. The motion carried.

## OLD BUSINESS:

Charles Manning, Regulatory Analyst discussed the following issue:

Proposed Amendments to: N.J.A.C. 13:37-5.5, 16.4, and 16.11 and Proposed Deletion: N.J.A.C. 13:37-16.3. The amendments were proposed on December 1, 2008 and the comment period ended on January 30, 2009. There were no comments received.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to adopt the amendments to N.J.A.C.13:37-5.5, 16.4, and 16.11. The motion carried.

2008 Renewal Statistics – By December 16, 2008 1,118 massage therapists that were up for renewal, did renew their certification of which 1,066 renewed online and 52 renewed by requesting a paper renewal form.

Giraldo Consuelo – The Committee reviewed the school transcript. The Committee directed that a letter be sent to the school requesting them to clarify supervised clinical practice and non supervised clinical practice.

Kil Ham – was issued a POD. On October 14, 2008, was issued a FOD for non-cooperation. Mr. Ham submitted a letter requesting reconsideration for certification. After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to deny reconsideration for Kil Ham. The Committee agreed that Mr. Ki Ham must reapply and provide all documentation requested by the Committee regarding his background. The motion carried.

Applicants from non-approved school – a discussion ensued regarding applicants that are pending due to having gone to schools that are not approved. The Committee determined that a plan must be in place in order to go forward with each of these applicants. The Committee agreed that it would schedule interviews with several students from each school. November 20, 2008 letter from Robert DeGeorges, Managing Member, Pompton Valley Professional Center, LLC requesting clarification regarding if a tenant can offer seaweed wraps. This issue was discussed at the December 10, 2008 Committee meeting, but further information was needed. After further review of the regulations, it was determined that seaweed wraps falls within the scope of practice of massage therapy. Staff should respond accordingly

Qingyun Song – The Committee will review the transcripts from the December 10, 2008 Investigative Inquiry in closed session.

Christina Giordano-Kinsman – appeared before the Committee on December 10, 2008 to provide information regarding her criminal history and educational background. After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to approve the application of Christina Giordano-Kinsman for certification pending receipt of documentation demonstrating that she has completed 70 hours of electives directly related to massage therapy. Alan Vonderahe did not attend the December 10, 2008, but did review the transcripts and was able to participate in the vote. The motion carried.

## CORRESPONDENCE:

1. January 25, 2009 – letter from Ivonne Bessil regarding her application for certification. The Committee directed that a letter be sent to Union County College and applicant requesting information regarding the transcript with regards to law and ethics and that she should be advised that she needs to submit a certification that her education included all of the requirements for certification and take a law course or take the NCBTMB.

2. January 27, 2009 – letter from NCBTMB regarding the appointment of Board Officers and new Director
3. February 3, 2009 – letter from Federation of State Massage Therapy Boards regarding AMTA's endorsement of MBLEx as Preferred Entry-Level Licensing Examination in all States. The Committee directed that a letter be sent inviting members of the FSMTB to attend a meeting to provide information regarding its licensing examination.
4. February 23, 2009 – email from Dan Ludwig, LMT, LPN regarding travelling massage therapist. Mr. Ludwig is licensed as a massage therapist in another state and will be travelling with his team to New Jersey and wanted to know if there is a requirement to be licensed in New Jersey in order to perform massage. The statute does not prohibit any person from performing massage therapy if the massage therapy is performed for no more than 45 days in a calendar year and if the person is licensed in his or her home state. However, under the current certification statute anyone can practice as long as the prohibited titles are not used.

#### OPEN FORUM:

Alan Vonderahe asked the public to share with the Committee any concerns, issues or questions:

Kimberly Williams – commented on the status of her application and the trouble she is having with obtaining the transcript from the school. Cynthia Sinicropi-Balena, LMT, CMT, AMTA-NJ – commented on the information that is being displayed on the website and believes it is not accurate. Ms. Sinicropi-Balena also stated that the proposed regulation amendments are not posted on the website. Another concern was that the massage community might not be able to locate the information. Ms. Sinicropi-Balena agreed with the Committee that all applicants should take the NCBTMB examination to qualify for certification and no therapists from other states should be allowed to come into New Jersey to perform massage therapy without a license.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to go into closed session. The motion carried.

#### OPEN SESSION RESUMED:

The following applicants have been approved for certification:

Brauer, Christina M.  
Cartagena, Lori  
Gerber, Felix  
Marks, Denise  
Mungai, Jerry

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to approve the applications of the applicants listed above for certification. The motion carried.

The following applicant is approved pending additional information:

Barry, Stephen

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to approve the application of Stephen Barry for certification pending receipt of proof of having completed a CPR class. The motion carried.

The following applicants were denied reinstatement:

Castellon, Luis A.  
Levin, David  
Wu, Xing Shu

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to deny reinstatement of certification for the certificants who have expired certifications listed above based upon the criminal history information and until each certificant comes forward to address the concerns of the Committee. The motion carried.

ADJOURNMENT:

A motion was made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg to adjourn the Massage, Bodywork and Somatic Therapy Examining Committee Meeting. Whereupon the meeting was adjourned at 3:05 p.m. The next Massage, Bodywork and Somatic Therapy Examining Committee Meeting will be held on March 25, 2009 9:00 a.m., in the Essex Conference Room, 7th Floor.

Respectfully Submitted,

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Alan Vonderahe  
Committee Chairman