

**MASSAGE, BODYWORK AND SOMATIC THERAPY
MINUTES
REGULAR OPEN COMMITTEE MEETING
MARCH 1, 2006**

A meeting of the Massage, Bodywork and Somatic Therapists was held on March 1, 2006 in the Sussex Conference Room on the 6th Floor, 124 Halsey Street, Newark, New Jersey. Alan Vonderahe, Committee Chairman called the meeting to order at 9:20 a.m.

ROLL CALL

COMMITTEE MEMBERS PRESENT

Donda Kraus-Sternberg
Deborah Overholt
Alan Vonderahe

ALSO PRESENT

George J. Hebert, Executive Director, New Jersey Board of Nursing
Ginger Provost, Deputy Attorney General
Charles Manning, Regulatory Analyst, (attended for the discussion of A1670)
Diane Scott, Support Staff
Theresa McFadden, Support Staff

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 24, 2005. A schedule of all 2006 Regular Open Committee Meetings of the Massage, Bodywork and Somatic Therapy Examining Committee to be held during 2006 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.

A reading and approval of the Agenda for the March 1, 2006 Massage, Bodywork and Somatic Therapy Examining Committee Meeting with amendments:

- To discuss new business after the approval of the minutes.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DONDA KRAUS-STERNBERG AND DULY SECONDED BY DEBORAH OVERHOLT, VOTED TO APPROVE THE AGENDA OF THE MARCH 1, 2006 MASSAGE, BODYWORK AND SOMATIC THERAPY EXAMINING COMMITTEE MEETING WITH AMENDMENTS. THE MOTION CARRIED.

A reading and approval of the Open Committee Meeting Minutes of January 4, 2006.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DONDA KRAUS-STERNBERG AND DULY SECONDED BY ALAN VONDERAHE, VOTED TO APPROVE THE OPEN MINUTES OF THE MASSAGE, BODYWORK AND SOMATIC THERAPY EXAMINING COMMITTEE MEETING OF JANUARY 4, 2006. THE MOTION CARRIED.

A reading and approval of the Open Committee Meeting Minutes of February 1, 2006.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DONDA KRAUS-STERNBERG

AND DULY SECONDED BY ALAN VONDERAHE, VOTED TO APPROVE THE OPEN MINUTES OF THE MASSAGE, BODYWORK AND SOMATIC THERAPY EXAMINING COMMITTEE MEETING OF FEBRUARY 1, 2006. THE MOTION CARRIED.

NEW BUSINESS:

Charles Manning, Regulatory Analyst discussed:

Assembly Bill 1670 - This bill requires certification to render massage, bodywork or somatic therapy services.

The Committee discussed supplementing its comments on A1670 to suggest that this bill be amended to provide an exemption to the certification requirement for students enrolled in a massage, bodywork and somatic therapy education program and to express its concerns that this bill would associate the uncertified practice of massage, bodywork and somatic therapy with prostitution.

RECOMMENDED AMENDMENTS:

Change the effective date to one year from the date the Committee has adopted regulations effectuating the purposes of this bill. The Committee believes that this amendment would provide individuals who are providing massage, bodywork and somatic therapy services sufficient time to obtain certification before this bill would prevent them from practicing because they are not certified.

Amend to permit any individual who has applied for certification by the effective date of this bill to continue to render massage, bodywork and somatic therapy services for six months from the effective date of this rule. Processing all the applications for certification will take a long time, the bill should allow individuals who have applied to continue to practice while the application is being processed.

Amend to extend the period during which individuals may qualify for certification without satisfying education or examination requirements (grandfathering) to one year from date the Committee has adopted regulations implementing this bill. The Committee believes that it would be fair to extend the period during which individuals may qualify for certification under this provision in light of the mandatory certification requirement this bill will impose.

Amend to prohibit uncertified individuals from using any title or designation that indicates the individual is performing massage, bodywork and somatic therapy services.

Amend definition of "massage, bodywork and somatic therapies" to state that "massage, bodywork and somatic therapies do not include the diagnosis or treatment of illness, disease, impairment or disability unless a healthcare professional refers to a massage, bodywork and somatic therapist." The Committee points out that many healthcare professionals refer their patients to massage, bodywork and somatic therapists for treatment. As currently structured, the Act prohibits therapists from providing "treatment."

Amend to allow teachers who are based outside of New Jersey to teach here without obtaining certification.

Amend to allow volunteers to provide services without obtaining certification.

Amend to allow individuals engaged in massage, bodywork and somatic therapy education programs to perform massage, bodywork and somatic therapy services without certification. Clinical practice of massage, bodywork and somatic therapy is an integral part of an education program. If this bill is not amended, students would not be permitted to engage in such clinical practice and would never be able to complete the education necessary to obtain certification.

The Committee is concerned that the bill associates the practice of massage, bodywork and somatic therapy with prostitution. The Committee believes that it is inappropriate to associate massage, bodywork and somatic therapy with prostitution. The Committee does not believe that this provision will limit prostitution.

This bill could be seen as sexually discriminatory in that the majority of individuals who engage in massage, bodywork and somatic therapy practices are women. Associating this practice with prostitution is discriminatory towards these women.

The Committee believes that the provision in this bill that associate massage, bodywork and somatic therapy with prostitution should not be enacted. If this provision is enacted, the Committee believes that it should be amended so that conducting or maintaining a house of prostitution is punished as a more severe crime than a crime of the fourth degree.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY DONDA KRAUS-STERNBERG, VOTED TO APPROVE THE COMMENTS REGARDING ASSEMBLY BILL 1670. THE MOTION CARRIED.

CORRESPONDENCE:

1. February 14, 2006 - email from Margaret Wernli inquiring if Reiki is included in the Massage, Bodywork and Somatic Therapy Regulations.

Ms. Wernli explained to the committee that Reiki is a form of prayer with placing of the hand over the body when the client is fully clothed.

The Committee feels that Reiki should be exempted from the massage, bodywork and somatic therapy examining regulations, because it is not a structured touch.

The Committee directed that a letter be sent to Margaret Wernli informing her that Reiki is exempt from the regulations.

2. February 15, 2006 - email from Barbara Benson regarding written policies on modalities that are exempt from the regulations.

The committee directed that a letter be sent to Barbara Benson explaining that the Committee does not have written policy on modalities that are exempt from the regulations.

3. February 24, 2006 - email from Cindy Wolk-Weiss regarding Reiki and if it is included in the regulations.

The Committee directed that a letter be sent to Cindy Wolk-Weiss informing her that Reiki is exempt from the regulations.

OLD BUSINESS:

- The Committee discussed 97124 CPT Code, which is a procedure code that is submitted to an insurance company for reimbursement of services rendered by a massage therapist.

CPT Codes are not included in the massage, bodywork and somatic therapy examining committee regulations.

OPEN FORUM:

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

- Cynthia Siniarpi-Balena, NJ, MTA - expressed concerns regarding the language in Assembly Bill 1670. Ms. Balena feels that some of the language in the bill is not necessary. The bill should not prohibit massage therapists from treating their clients as long as they do not diagnose. CPT codes are used by massage therapists to be reimbursed for services and it does not mention treatment. Ms. Balena informed the committee that her will be affected by Assembly 1670.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DONDA KRAUS-STERNBERG AND DULY SECONDED BY DEBORAH OVERHOLT, VOTED TO GO INTO CLOSED SESSION TO REVIEW THE APPLICATIONS FOR CERTIFICATION. THE MOTION CARRIED.

OPEN SESSION RESUMED:

The following applicants were approved for certification:

1. Anne Marie Scopelitis
2. Stanislav Faydel

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY ALAN VONDERAHE, VOTED TO APPROVE THE APPLICATIONS OF ANNE MARIE SCOPELITIS AND STANISLAV FAYDEL FOR CERTIFICATION. THE MOTION CARRIED.

The following applicants were approved for certification:

1. Jill KolaKowki
2. Sara Campioni

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY ALAN VONDERAHE, VOTED TO APPROVE THE APPLICATION OF JILL KOLAKOWKI AND SARA CAMPIONI FOR CERTIFICATION. THE MOTION CARRIED.

DONDA KRAUS-STERNBERG, COMMITTEE MEMBER RECUSED HERSELF FROM THE PROCEEDINGS.

The applicant listed below was approved for certification:

Kathleen White

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DONDA KRAUS-STERNBERG AND DULY SECONDED BY ALAN VONDERAHE, VOTED TO APPROVE THE APPLICATION OF KATHLEEN WHITE FOR CERTIFICATION. THE MOTION CARRIED.

DEBORAH OVERHOLT, COMMITTEE MEMBER RECUSED HERSELF FROM THE PROCEEDINGS.

The following applicants are approved pending receipt of additional information.

1. Frank Auriemma
5. Hye Rodriguez
2. Joanna Pask
6. Gabriele Quaely
3. Crystal Joyce
7. Young Sik Lim
4. Eszter Molloy
8. Allison Ehrenkranz

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY DONDA KRAUS-STERNBERG, VOTED TO APPROVE FOR CERTIFICATION THE ABOVE APPLICANTS PENDING RECEIPT OF ADDITIONAL INFORMATION. THE MOTION CARRIED.

ADJOURNMENT:

A motion was made by Deborah Overholt and duly seconded by Alan Vonderahe to adjourn the Massage, Bodywork and Somatic Therapy Examining Committee Meeting. Whereupon the meeting was adjourned at 2:30 p.m. The next Massage, Bodywork and Somatic Therapy Examining Committee Meeting will be held on April 5, 2006.

Respectfully Submitted,

Alan Vonderahe
Committee Chairman



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