

**MASSAGE, BODYWORK AND SOMATIC THERAPY
MINUTES
REGULAR OPEN COMMITTEE MEETING
SEPTEMBER 7, 2005**

A meeting of the Massage, Bodywork and Somatic Therapists was held on September 7, 2005 in the Essex Conference Room on the 7th 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

Deborah Overholt
Donda Kraus-Sternberg
Alan Vonderahe

ALSO PRESENT

George J. Hebert, Executive Director, New Jersey Board of Nursing
Karen Moosvi, Assistant Executive Director, New Jersey Board of Nursing
Ginger Provost, Deputy Attorney General
Charles Manning, Regulatory Analyst, Division of Consumer Affairs attended a portion of the meeting to participate in the discussion of the regulations.

COMMITTEE MEMBER NOT PRESENT

Carol Alexander

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 January 3, 2005. A schedule of all 2005 Regular Open Committee Meetings of the Massage, Bodywork and Somatic Therapy Examining Committee to be held during 2005 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 September 7, 2005 Massage, Bodywork and Somatic Therapy Examining Committee Meeting with the following amendments:

To add under correspondence:

- September 1, 2005 letter from FGNA regarding Assembly Bill 4034.
- September 5, 2005 letter from AOBTA regarding Assembly Bill 4034.
- September 6, 2005 letter from Anthony Miragliotta, Deputy Director, Division of Consumer Affairs regarding Readoption of 13:45C; Duty to Cooperate Regulations.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY DONDA KRAUS-STERNBERG, VOTED TO APPROVE THE AGENDA OF THE SEPTEMBER 7, 2005 MASSAGE, BODYWORK AND SOMATIC THERAPY EXAMINING COMMITTEE MEETING AS AMENDED. THE MOTION CARRIED.

A reading and approval of the Open Committee Meeting Minutes of June 1, 2005.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY DONDA KRAUS-STERNBERG, VOTED TO APPROVE THE OPEN MASSAGE, BODYWORK AND SOMATIC THERAPY EXAMINING COMMITTEE MEETING MINUTES OF JUNE 1, 2005 AS RECOMMENDED BY THE TWO MEMBERS PRESENT AT THE JULY 6, 2005 MEETING. THE MOTION CARRIED.

The report of the July 6, 2005 Open Committee Meeting was reviewed with amendments.

CORRESPONDENCE:

1. June 6, 2005, letter from Dr. Gregory T. Lawton, Chairman, AMMA Advisory Board regarding the definition of the term "medical massage".
2. August 12, 2005, letter from John A. Paige, Executive Director, NCBTMB regarding recent correspondence sent out by Ms. Susan Ring, NCTMB.
3. August 22, 2005, information from Les Sweeney, Executive Vice President, ABMP regarding a meeting being sponsored by Federation of State Massage Boards.
4. August 29, 2005, email from Jeffrey Lamm regarding a crackdown on illegal massage spas.
5. September 1, 2005 letter from Michael Purcell, National Regulation Coordinator, FGNA, regarding Assembly Bill 4034.
6. September 5, 2005 letter from Kristine Howell, AOBTA, regarding Assembly Bill 4034.
7. September 6, 2005 letter from Anthony Miragliotta, Deputy Director, Division of Consumer Affairs regarding Readoption of 13:45C; Duty to Cooperate regulations.

OPEN FORUM:

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

- Rena Margulis, Dipl., ABT, NCTMB - shared information about a meeting she had with law enforcement officials and prosecutors regarding Assembly Bill 4034. Ms. Margulis strongly opposes this legislation and feels that the language should be revised before it is passed.
- Cynthia Siniarpi-Balena, AMTA - shared information about a meeting that is being sponsored by the New Jersey League of Municipalities to discuss issues relating to massage therapy. Ms. Balena feels that if the legislation is approved as is, then she will no longer be able to teach since in order for her to teach she has to touch.
- Clare Caldwell, MT - voiced her concern over the pending legislation and, if it is approved as is, she believes she will not be able to assist her patients.
- Sally Hacking, NCBTMB - informed the committee that the NCBTMB will be moving their office to Chicago, IL. The NCBTMB will be offering a new examination.
- Kenny Shinn, AMTAGRC, AMTA, NJ - commended the committee on the work that went into implementing the regulations. Mr. Shinn informed the committee that the language in the pending legislation is keeping people from submitting applications to be certified.
- Susan Ring, Massage Therapist - opposes Assembly bill 4034 as it is currently written.

NEW BUSINESS:

1. The committee invited Charles Manning, Regulatory Analyst, to discuss Assembly Bill 4034. The bill requires mandatory certification for individuals who choose to perform massage therapy in the State of New Jersey.

The committee expressed concerns regarding the language in the bill and massage therapist being referred to in the criminal code section dealing with prostitution.

The committee does not support Assembly Bill 4034 and will send a letter to the Attorney General's Office expressing its concerns regarding the language in the bill.

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY DONDA KRAUS-STERNBERG, VOTED TO SEND ADDITIONAL COMMENTS TO THE ATTORNEY GENERAL'S OFFICE REGARDING ASSEMBLY BILL 4034. THE MOTION CARRIED.

2. The committee discussed the requirements of N.J.A.C. 13:37-16.3 (c) 3. for applicants seeking certification. Each applicant must submit proof of current Basic Life Support (BLS) Certification from a course approved by the American Heart Association, the American Red Cross, the National Safety Council, Coyne First Aid, Inc., the American Safety and Health Institute or EMP International, Inc. The committee will contact each of these agencies requesting clarification on Basic Life Support and Cardio Pulmonary Resuscitation.

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

OPEN SESSION RESUMED:

The committee reviewed applications for the following:

1. Jacqueline Hand
2. Rodolfo Pajaro

AFTER DISCUSSION, THE COMMITTEE UPON A MOTION MADE BY DEBORAH OVERHOLT AND DULY SECONDED BY DONDA KRAUS-STERNBERG, VOTED TO APPROVE APPLICANTS FOR CERTIFICATION OF JACQUELINE HAND AND RODOFLO PAJARO. THE MOTION CARRIED.

The following applicants are approved pending verification of information.

3. Sergei Sklarov
4. Harry Belkowitz
5. Laura Clark
6. Lillias Piro

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 NAMED APPLICANTS PENDING VERIFICATION OF INFORMATION. THE MOTION CARRIED.

ADJOURNMENT:

A motion 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 3:30 p.m. The next Massage, Bodywork and Somatic Therapy Examining Committee Meeting will be held on October 5, 2005.

Respectfully Submitted,

Alan Vonderahe
Committee Chairman



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