

**MASSAGE, BODYWORK AND SOMATIC THERAPY MINUTES
REGULAR OPEN COMMITTEE MEETING
SEPTEMBER 24, 2008**

A meeting of the Massage, Bodywork and Somatic Therapy Examining Committee was held on September 24, 2008 in the Sussex Conference Room on the 6th Floor, 124 Halsey Street, Newark, New Jersey. Alan G. Vonderahe, Committee Chair called the meeting to order at 9:30 a.m.

ROLL CALL

COMMITTEE MEMBER(S) PRESENT:

Alan G. Vonderahe
Deborah Overholt
Donda Kraus-Sternberg

ALSO PRESENT:

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

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 30, 2007. A schedule of all 2008 Regular Open Committee Meetings of the Massage, Bodywork and Somatic Therapy Examining Committee to be held during 2008 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 Open Session Agenda of September 24, 2008 Committee Meeting with the following additions:

To add an agenda item under Old Business:

#2 Provisional Orders of Denial
#3 Applicant - Rose Bloom

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 September 24, 2008 Committee Meeting as amended. The motion carried.

Open Session Minutes of July 30, 2008, Committee Meeting with amendments:

Page 3, 1st paragraph line 7 should state; Those individuals requiring immediate certification prior to the September renewal period will be charged the fee for the second year of the biennial period (2008) and will be required to renew by the end of November 2008.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to approve the July 30, 2008 Open Committee Meeting Minutes as amended. The motion carried.

OLD BUSINESS:

N.J. A. C. 13:37 – 16.4 Application for certification

Charles Manning, Regulatory Analyst discussed revisions to the Clinical practice requirement. A discussion ensued regarding revisions to the regulations where students would be limited to only 10 hours of performing massage on faculty or other students and the remaining 90 hours of clinical practice would be spent providing massage, bodywork and somatic therapy services to members of the public under the supervision of school faculty.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Sternberg, voted to approve the revisions to N.J.A.C. 13:37-16.4 Application for Certification. The motion carried.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Sternberg, voted to go into closed session to seek advice of counsel in the matter of Qingyun Song. The motion carried.

APPEARANCE /INVESTIGATIVE INQUIRY:

The following inquiry took place and was recorded by Marie Miller a court reporter from Global Court Reporting Services, Inc. of Ramsey, New Jersey.

Giordano Kinsman – has been adjourned.

Qingyun Song – will be rescheduled until an interpreter is available.

Unja Carter – Ms. Carter was requested to provide a narrative statement under oath explaining why she checked “no” on her application concerning her arrest history. Ms. Carter provided a response dated July 7, 2008 and the Committee requested that she appear before it to respond to additional questions.

The court reporter administered the oath to Unja Carter whereupon Ms. Carter answered questions posed by the Committee members and counsel to the Committee, Deputy Attorney General, Ginger Provost, concerning her application, education, work history and her explanation as to why she checked “no” on her application concerning her arrest.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Sternberg, voted to accept the explanation provided by Ms. Carter and to approve her application for certification. The motion carried.

NEW BUSINESS:

Approval of scheduled meeting dates for 2009:

1/28/2009 7/29/2009

2/25/2009 No meeting in August

3/25/2009 9/30/2009

4/29/2009 10/28/2009

5/27/2009 No meeting in November

6/24/2009 12/9/2009

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Sternberg, voted to approve the scheduled meeting dates for the year 2009 as recommended. The motion carried.

CORRESPONDENCE:

Letter from Karen Zaharatos, M.Ed., LMT, ACR, Massage online Professor, regarding an introduction letter as a continuing education provider.

This was an F.Y.I. which did not require any action by the Committee.

PROVISIONAL ORDER OF DENIALS:

Yun Yung Kim – arrested in October 2005 in New York. Ms. Kim was issued a demand for statement under oath as well as a Provisional Order of Denial of Certification as the Committee received no response to its Demand for Statement under Oath: Ms. Kim provided an explanation as to her arrest as she is licensed as a massage therapist in New York as well as a copy of her express mail receipts dated January 28, 2008.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a final order accepting her explanation and to approve her application for certification. The motion carried.

Suncha Bang – applicant did not disclose arrest on the application. Ms. Bang was issued a provisional order of denial. Ms. Bang did not respond to the provisional order of denial.

The Committee reviewed the certification of service of the Provisional Order of Denial (POD) and was satisfied that service was made by sending the Order certified and first class mail to her address of record. The Committee reviewed the evidence as described in the POD and applicant's failure to respond to the demand for statement under oath (DSUO) as well as the POD.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a final order of denial for Suncha Bang as she has failed to respond to the Committee's inquiries and provide any explanation as to why she provided false information on her application or to file a complete application demonstrating her good moral character. The motion carried.

Ki Sung Ham – applicant was arrested in 2000 for simple assault and 2001 for simple assault and resisting arrest. Mr. Ham did not disclose the arrest on the application. Mr. Ham was issued a demand for statement under oath regarding the arrests in July. Mr. Ham submitted a one sentence explanation about the application. Mr. Ham was issued a provisional order of denial, but no response was received.

The Committee reviewed the certification of service of the Provisional Order of Denial (POD) and was satisfied that service was made by sending the Order certified and first class mail to his address of record. The Committee reviewed the evidence as described in the POD and applicant's limited response to the demand for statement under oath (DSUO) as well as his failure to respond to the POD.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a final order of denial for Ki Sung Ham. The motion carried.

Jin Kim – applicant was arrested in 2005 and 2006 for prostitution. Ms. Kim answered no on the application and C&A form regarding arrests and convictions. Ms. Kim was issued a provisional order of denial and did not file any response.

In addition, applicant has not satisfied the education requirement by submitting a transcript from an approved school in New Jersey. The Committee reviewed the certification of service of the Provisional Order of Denial (POD) and was satisfied that service was made by sending the Order certified and first class mail to her address of record. The Committee reviewed the evidence as described in the POD and applicant's failure to respond to its letters concerning the lack of evidence of her education as well as her failure to respond to the POD.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a final order of denial for Jin Kim. The motion carried.

Maria Vasquez – applicant was arrested in 1996, 1997 and 2001 for shoplifting and on three occasions a bench warrant was issued which are still outstanding. Ms. Vasquez answered no on the application and C&A form regarding arrests and convictions. Ms. Vasquez was issued a demand for statement under oath requesting information surrounding her arrests and there was no response from Ms. Vasquez.

The Committee reviewed the certification of service of the Provisional Order of Denial (POD) and was satisfied that service was made by sending the Order certified and first class mail to her address of record. The Committee reviewed the evidence as described in the POD and applicant's failure to respond to the Demand for Statement under oath or the POD.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a final order of denial for Maria Vasquez. The motion carried.

Rose Bloom – appeared before the Committee on July 30, 2008 to answer questions regarding her educational background and criminal history. This matter will be discussed further in closed session.

Bryan Grant – applicant was sent a demand for statement under oath requesting information surrounding his arrest for possession of a weapon. Mr. Grant did not provide details of the arrest, just that he was arrested. Mr. Grant is also in default on his child support obligation. The Committee deferred consideration since child support obligation requires it be administratively denied.

E. Song Geddes – applicant was arrested in 2002 for prostitution. Applicant checked no on the application and C&A form regarding arrests and convictions. Ms. Getty submitted a copy of the disposition papers. Applicant needs to submit a corrected affidavit and a current copy of CPR card.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a demand for statement under oath requesting information surrounding her arrest. The motion carried.

Francis Quiley – applicant was sent a letter asking him to submit a statement under oath concerning his arrest. Mr. Quiley submitted a letter explaining the circumstances surrounding his arrest. Mr. Quiley indicated that he mistakenly checked no on the application regarding arrests and convictions. Applicant needs to complete 4 hours of law.

Fang Jing – applicant was sent a letter asking her to submit a statement under oath requesting information regarding her arrest. Ms. Jing was asked to submit references from her employer as well as a detail breakdown of course hours. Ms. Jing did not respond to the letter.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to issue a provisional order of denial for Fang Jing. The motion carried.

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda Kraus-Sternberg, voted to into closed session to review applications with criminal history and other confidential information. The motion carried.

OPEN SESSION RESUMED:

Applications for approval:

1. Rose Bloom

After discussion, the Committee upon a motion made by Deborah Overholt and duly seconded by Donda

Kraus-Sternberg, voted to approve the application of Rose Bloom for certification. 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 3:00 p.m. The next Massage, Bodywork and Somatic Therapy Examining Committee Meeting will be held on October 29, 2008, 9:00 a.m., in the Sussex Conference Room, 6th Floor.

Respectfully Submitted,

Alan G. Vonderahe
Committee Chair