



New Jersey Office of the Attorney General



NEW JERSEY STATE BOARD OF MASSAGE AND BODYWORK THERAPY PUBLIC SESSION MINUTES DECEMBER 3, 2014

A regular meeting of the New Jersey State Board of Massage and Bodywork Therapy was held at 124 Halsey Street Newark, New Jersey, in the Sussex Conference Room, 6th Floor, on Wednesday December 3, 2014. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. Cynthia Sinicropi-Philibosian, Chairperson of the Board called the meeting to order at 9:45 A.M. and a roll call was taken and the following attendance was recorded:

CYNTHIA SINICROPI-PHILIBOSIAN	Present
CHRISTINE GILL ROSE	Excused
LORI KEITH	Present
DAVID BANK	Present
BRUCE A. SPICER	Excused

Also present were: Susan Carboni, Deputy Attorney General; Laura L. Anderson, Executive Director; Gerard Tobia, Administrative Staff.

OPENING STATEMENT "Reading of the Sunshine Law"

A 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 September 27, 2013. A schedule of all 2014 Regular Open Meetings of the Board of Massage and Bodywork Therapy to be held during 2014 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 at the New Jersey State Board of Massage and Bodywork Therapy Office.

Public Attendance: Sally Hacking, Director of Government Relations (FSMTB); Kathy Borsuk, President, AMTA, New Jersey Chapter; Andrea Grace, NHA; Theresa Obsuth; Barbara Finlayson, applicant

Public Comments: Sally Hacking, Director of Government Relations (FSMTB) addressed the Board regarding the Federation services. Ms. Hacking also talked about the new processing of exam applications and changes regarding the examination. She also addressed other states educational requirements, tests.

Barbara Finlayson, an applicant, addressed the Board requesting information regarding her application. She was advised that although she can address the Board with her request, there will no information provided to her at the meeting. Applications are to be handled via USPS (mail).

I. APPROVAL OF THE PUBLIC SESSION MINUTES

A. October 22, 2014

Upon a motion made by David Bank and seconded by Lori Keith, the Board voted to approve the October 22, 2014 Public Session Minutes with amendments.

A vote was taken and the motion carried by a unanimous vote.

II. LEGISLATION

1) Assembly Bill

A-3804

This bill requires State agencies to periodically review administrative rules and regulations to ensure continued efficacy. (Introduced October 9, 2014)

Upon a motion made by David Bank and seconded by Lori Keith, the Board voted to support this bill as additional rules for analysis impact the description of changes to rules as required by law. A vote was taken and the motion carried by a unanimous vote.

III. ANNOUNCEMENTS

A. FSMTB AND NCBTMB AGREEMENT

RE: National Certification Board for Therapeutic Massage and Bodywork ("NCBTMB") is no longer providing examinations for licensure purposes Effective November 1, 2014

The Board considered this as informational material, however, the Board noted that effective November 1, 2014, NCBTMB will cease accepting licensure exam applications, therefore, their last exam will be offered on February 1, 2015.

B. NEW BOARD MEMBER RESIGNATION

The Board reviewed a resignation letter from recently appointed member, Sondra M. Fountain.

The Board considered this as informational material.

IV. OLD BUSINESS

A. ENDORSEMENT

RE: Boards Review / Other States Regulations

The Board continued the review of other states requirements for licensure to determine if the educational requirements of the State in which the individual is licensed or certified are substantially similar to the educational requirements in this State.

Upon a motion made by Lori Keith and seconded by David Bank, the Board voted to advise that the requirements for licensure as a Massage and Bodywork Therapist of the State of Delaware are substantially similar to this State and therefore individuals applying for licensure as a Massage and Bodywork Therapist and not as a Massage Technician by endorsement from the State of Delaware *shall be* eligible for licensure in this State.

A vote was taken and the motion carried by a unanimous vote.

Upon a motion made by David Bank and seconded by Lori Keith, the Board voted to advise that the requirements for licensure of the State of California *are not* substantially similar to this State and therefore individuals applying for licensure by endorsement from the State of California *shall not be* eligible for licensure in this State.

A vote was taken and the motion carried by a unanimous vote.

Upon a motion made by David Bank and seconded by Lori Keith, the Board voted to advise that the requirements for licensure of the States of Connecticut, Alabama, Ohio and Massachusetts *are* substantially similar to this State and therefore individuals applying for licensure by endorsement from the States of Connecticut, Alabama, Ohio and Massachusetts *shall be* eligible for licensure in this State.

A vote was taken and the motion carried by a unanimous vote.

V. NEW BUSINESS

- A. Letter from Jorge A. Miramontes Malacon (License No. 18KT00251100)
RE: Request for an Extension of Continuing Education Requirement

The Board reviewed a letter submitted by Mr. Miramontes Malacon to advise that on August 7, 2014 he suffered a serious accident and presently he is under medical treatment. He is requesting an extension to complete the continuing education requirement and C.P.R. training.

Before considering this case, the Board decided that a letter be sent by Deputy Attorney General Susan Carboni to Mr. Miramontes Malacon to clarify the following:

- 1) Completion of any continuing education courses within the two years preceeding renewal period 2014-2016.
- 2) Provide a Doctor's note verifying condition.
- 3) Ability to practice the profession.
- 4) Option to place license on Inactive Status.
- 5) Grant 90 day extension.

- B. Letter from Marlise Siracusa (License No. 18KT00376800)
RE: Request for an Extension of Continuing Education Requirement

The Board reviewed a request from Ms. Siracusa asking for a 90 day extension to complete the continuing education requirement. She indicated that her husband suddenly passed away and enclosed his death certificate. Ms. Siracusa is 65 years old and is currently in counseling and going to grieve support meetings. She would like to keep her license however she is not practicing massage at this time.

Before considering this case, the Board decided that a letter be sent by Deputy Attorney General Susan Carboni to Ms. Siracusa to offer the following:

- 1) Option to placed license on Inactive Status.
- 2) Grant 90 day extension.

- C. Letter from Regina Fulmore (License No. 18KT00136100)
RE: Continuing Education Requirement / Reactivation Application

The Board reviewed a request from Ms. Fulmore to complete her continuing education requirement online due to her extenuating circumstances. She states that she has taken on the role of caregiver for her mother through cancer and now dementia for the last four years from 2009 to late 2013. At the June 25, 2014 Board Meeting, the Board asked Ms. Fulmore to provide medical documentation to support her request. Ms. Fulmore provided a medical physician form on behalf of her mom.

A motion was made by Lori Keith and seconded by David Bank, the Board voted to advise Ms. Fulmore in writing that no extension will be granted and for her to remain on Inactive Status until such time she can complete the continuing education requirement of which a total of six credit hours maybe completed through courses presented on-line or through DVDs. A vote was taken and the motion carried by a unanimous vote.

**D. Letter from Kelly A. Jacobus (License No. 18KT00709700)
RE: Request for a Waiver of Continuing Education Requirement**

Ms. Jacobus requesting a waiver for the continuing education requirement. She indicates that of the 10 CEUs required for this renewal, she has completed 6 to which she enclosed proof of completion. Ms. Jacobus states that both her and her husband have been out of work since November 2012 and for her to try and take the additional 4 hours will create an extreme financial hardship.

A motion was made by Lori Keith and seconded by David Bank, the Board voted to advise Ms. Jacobus in writing that a waiver will be granted for the additional four hours of the continuing education requirement for the current renewal period ending November 30, 2014.

A vote was taken and the motion carried by a unanimous vote.

VI. FINALIZATION OF ORDERS

1. Jinyu Kang; Applicant ID# 1767249
Provisional Order of Denial of Licensure filed September 25, 2014

Upon a motion made by Lori Keith and seconded by David Bank, the Board voted to affirm and finalize the Provisional Order of Denial of Licensure by default with no modifications. A vote was taken and the motion carried by a unanimous vote.

2. Maurice Stockley; License No. 18KT00570400
Provisional Order of Discipline filed September 25, 2014

Upon a motion made by Lori Keith and seconded by David Bank, the Board voted to affirm and finalize the Provisional Order of Denial of Licensure by default with no modifications.

A vote was taken and the motion carried by a unanimous vote.

VII. INFORMATIONAL MATERIAL

1. Zhenai Kang; Applicant ID# 1786017
Provisional Order of Denial of Licensure filed November 5, 2014
2. Hong J. Leng; Applicant ID# 1743179
Final Order of Denial of Licensure filed November 12, 2014
3. Yinglan Sun; License No. 18KT00339700
Provisional Order of Discipline filed November 12, 2014

4. Federation of State Massage Therapy Boards (FSMTB)
RE: Rongping Han

A motion was made by David Bank and seconded by Lori Keith, the Board voted to grant licensure to Ms. Han provided all licensure requirements have been met. A vote was taken and the motion carried by a unanimous vote.

5. Paul D. Ransom; Applicant ID# 1737227
Consent Order Granting Licensure filed October 30, 2014
6. Ying Y. Cui; Applicant ID# 1818308
Final Order of Denial of Licensure filed October 16, 2014
7. Jung N. Lee; Applicant ID# 1814064
Final Order of Denial of Licensure filed October 16, 2014
8. Xuehong Zhang; Applicant ID# 1774939
Final Order of Denial of Licensure filed October 16, 2014

The Board considered this as informational material.

VIII. PROVISIONAL ORDER OF DENIAL OF LICENSURE (With Response)

1. Wen Zhang; Applicant ID# 1821150
Provisional Order of Denial of Licensure filed October 16, 2014

Deputy Attorney General Tobey Palan counseled the Board on this matter.

Upon a motion made by Lori Keith and seconded by David Bank, the Board voted to affirm and finalize the Provisional Order of Denial of Licensure by default with no modifications. A vote was taken and the motion carried by a unanimous vote.

At 12:45 P.M., the Board, upon a motion made by Lori Keith and seconded by David Bank, the Board voted to move into Executive Session to consider and review consumer complaints, investigative reports and other information received pursuant to the Boards' regulations. The result of these deliberations will be made known when and if the Board determines to initiate disciplinary or other enforcement action. If the Board determines to issue any sanction, action will be taken in public session immediately after the Executive Session. A vote was taken and the motion carried by a unanimous vote.

IX. ADJOURNMENT

The Board returned to Public Session and a motion was made by David Bank and seconded by Lori Keith, to adjourn the meeting at 4:45 P.M. A vote was taken and the motion carried by a unanimous vote.

The meeting was adjourned at 4:45 P.M.

Respectfully submitted,

Laura L. Anderson,

Executive Director