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New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey Board of Massage and Bodywork Therapy
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NEW JERSEY STATE BOARD OF MASSAGE AND BODYWORK THERAPY PUBLIC SESSION MINUTES JUNE 26, 2013

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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 Somerset Conference Room, 6th Floor, on Wednesday June 26, 2013. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. **Deborah Overholt, Chairperson of the Board** called the meeting to order at 9:30 A.M. and a roll call was taken and the following attendance was recorded:

MARK J. CARANGELO	Present
DEBORAH OVERHOLT	Present
CYNTHIA SINICROPI-PHILIBOSIAN	Present
DEBORAH ZASTOCKI	Present
CHRISTINE GILL ROSE	Present

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

Members of the public: **Sharon Kurtz; Margaret Hutchinson; Joan Millspough; Gordon A. Millspough Jr., Esq.**

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 November 28, 2012. A schedule of all 2013 Regular Open Meetings of the Board of Massage and Bodywork Therapy to be held during 2013 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 COMMENT

Ms. Kurtz, Ms. Hutchinson, Ms. Millspough and Mr. Millspough addressed the Board concerning Healing Tough Energy work and Jin Shin Jyutsu. The Board asked the group to submit all the information available including education with regards to these different modalities.

I. APPROVAL OF THE PUBLIC SESSION MINUTES

A. May 22, 2013

A motion was made by Deborah Zastocki and seconded by Cynthia Sinicropi-Philibosian, the Board voted to accept the minutes of the May 22, 2013 Committee Meeting as amended. A vote was taken and the motion carried by a unanimous vote.

II. LEGISLATION

Bills

S-2727

Bill S-2727 Establishes "Study Commission on E-Licensing"

This bill establishes the "Study Commission on E-Licensing." The commission shall study how the State may implement a one-stop online licensing system for State-issued professional, occupational and business licenses. In developing its recommendations, the commission shall consider initiatives adopted in the e-Licensing Project that is part of Minnesota's Drive to Excellence.

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Deborah Zastocki to advise the Division of Consumer Affairs legislative liaison that the Board does not support the need for the Commission, however the Board does support the concept of E-Licensing. A vote was taken and the motion carried by a unanimous vote.

III. NEW BUSINESS

1. Members resignation

Alan Vonderahe
Ronald P. Mondello

The Board reviewed letters of resignation from Alan Vonderahe and Ronald P. Mondello.

The Board accepted Mr. Vonderahe and Mr. Mondello's resignation and directed that Laura L. Anderson prepare a letter of appreciation to Mr. Vonderahe and Mr. Mondello for their participation, hard work, dedication and valuable input they provided during their time as a member and a co-chair of the Board.

2. APPLICATION REVIEW (INITIAL)

Roxane Kostyk Applicant ID# 1698799

Ms. Kostyk indicated on her application for licensure that she attended Health Choices Institute & Holistic Massage School which is closed. She enclosed a copy of her diploma from Health Choices

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to grant licensure to Ms. Kostyk provided all licensure requirements have been met.

3. RULES AND REGULATIONS-

Continuing Education

N.J.A.C. 13:37A-4.2 Continuing Education Programs

(a) A licensee may obtain continuing education credit hours from the following:

1. Successful completion of continuing education courses or programs related to the practice of massage and bodywork therapy, one credit hour for each hour of instruction. Courses and programs shall be approved by, or offered by providers approved by:

- i. through viii. (No change.)
- ix. [FMSTB] **FSMBT**;
- x. through xiii. (No change.)

2. through 6. (No change.)

31. COMMENT: A commenter contends that continuing education courses regarding a licensee's personal care, such as yoga or Tai Chi, should count towards continuing education requirements. The commenter contends that the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) recognizes such courses.

RESPONSE: The Board agrees that some aspects of personal care, such as yoga or Tai Chi, may be appropriate topics for continuing education courses and will propose to add these aspects in a future rulemaking.

IV. OLD BUSINESS

- A. Letter from Maryann Murphy
RE: Save a Life, Inc.

Maryann Murphy asked that the Board reconsider their determination.

At its March 27, 2013 meeting, the Board reviewed a letter submitted by Maryann Murphy requesting approval of a CPR training certified by the Emergency Care & Safety Institute. Based on the information provided to the Board, it was determined that the course did not meet the standard of regulations as a requirement for licensure as a massage therapist.

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo, the Board voted to re-affirm the Board's previous decision and to advise Ms. Murphy that pursuant to N.J.A.C. 13:37A-2.1, all applicants must have current certification in CPR, First Aid and the use of an automated external defibrillator (AED) from courses offered by the American Heart Association or a substantially similar course approved or offered by the American Red Cross, the National Safety Council, Coyne First Aid, Inc., the American Safety and Health Institute or EMP International Inc. A vote was taken and the motion carried by a unanimous vote.

At 10:05 A.M. the Board, upon a motion made by Deborah Zastocki and seconded by Mark

Carangelo, voted to move into Executive Session to consider and review consumer complaints, investigative reports and other information received pursuant to the Board's 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.

V. PUBLIC ORDERS

A. PROVISIONAL ORDERS OF DENIAL OF CERTIFICATION/LICENSURE

Counsel: Deputy Attorney General Olga Bradford

1. Natalie Busalaeva; Applicant ID#1684396 Provisional Order of Denial of Certification/Licensure filed March 19, 2013

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to withdraw the Provisional Order of Denial of Certification/Licensure and proceed with Ms. Busalaeva's application as she provided a narrative statement and police report of her arrest. A vote was taken and the motion carried by a unanimous vote.

B. PROVISIONAL ORDERS OF DENIAL OF CERTIFICATION/LICENSURE: No Response

1. Yu Xue Li; Applicant ID# 1666779 Provisional Order of Denial of Certification/Licensure filed January 10, 2013

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to check the status of Ms. Li's Florida license and to finalize the P.O.D. with no modifications. Ms. Li's licensure denial is based on the misrepresentation on her application relating adversely to the practice of massage and bodywork therapy. A vote was taken and the motion carried by a unanimous vote.

2. Feng Pan, Applicant ID # 1691033; Provisional Order of Denial of Certification/Licensure was filed on March 19, 2012. No response

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. with no modifications and deny Feng Pan licensure to practice massage therapy in New Jersey. A vote was taken and the motion carried by a unanimous vote.

3. Mingzi Cui, Applicant ID#1624412; Provisional Order of Denial of Certification/Licensure

was filed on May 22, 2013. No response

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. with no modifications and deny Mingzi Cui licensure to practice massage therapy in New Jersey. A vote was taken and the motion carried by a unanimous vote.

4. Chao Lin Feng, Applicant ID#1657396; Provisional Order of Denial of Certification/Licensure was filed on April 24, 2013. No response

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. with no modifications and deny Chao Lin Feng licensure to practice massage therapy in New Jersey. A vote was taken and the motion carried by a unanimous vote.

5. Mei Hua Jin, Applicant ID#1661456; Provisional Order of Denial of Certification/Licensure was filed on April 11, 2013. No response

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. with no modifications and deny Mei Hua Jin licensure to practice massage therapy in New Jersey. A vote was taken and the motion carried by a unanimous vote.

6. Jing J. Sun, Applicant ID#1696513; Provisional Order of Denial of Certification/Licensure was filed on April 11, 2013. No response

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. with no modifications and deny Jing J. Sun licensure to practice massage therapy in New Jersey. A vote was taken and the motion carried by a unanimous vote.

7. Juan Zhou, Applicant ID#1252605; Provisional Order of Denial of Certification/Licensure was filed on May 16, 2013. No response

A motion was made by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. with no modifications and deny Juan Zhou licensure to practice massage therapy in New Jersey. A vote was taken and the motion carried by a unanimous vote.

B. PROVISIONAL ORDERS OF DISCIPLINE

1. Jeng Suk Lee: License # 18KT00385300; A Provisional Order of Discipline issued on March 19, 2013 . No response.

A motion was mad by Cynthia Sinicropi-Philibosian and seconded by Mark Carangelo to finalize the P.O.D. and suspend Jeng Suk Lee's license to practice massage therapy in the State of New Jersey. A vote was taken and the motion carried by a unanimous vote.

V. ADJOURNMENT

The Board returned to Public Session and a motion was made by Mark Carangelo and seconded by Cynthia Sinicropi-Philibosian to adjourn the meeting at 2:40 P.M. A vote was taken and the motion carried by a unanimous vote.

The meeting was adjourned at 2:40 P.M.

Respectfully submitted,

Laura L. Anderson,
Executive Director