



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey Board of Massage and Bodywork Therapy
124 Halsey Street, 6th Floor, Newark NJ 07102



CHRISTOPHER S. PORRINO
Attorney General

STEVE C. LEE
Director

NEW JERSEY STATE BOARD OF MASSAGE AND BODYWORK THERAPY PUBLIC SESSION MINUTES June 28, 2017

Mailing Address:
P.O. Box 47032
Newark, NJ 07101
(973) 504-6520

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 28, 2017. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. David Bank called the meeting to order at 9:10 A.M. and a roll call was taken and the following attendance was recorded:

CYNTHIA SINICROPI-PHILIBOSIAN	Excused
DAVID BANK	Present
BRUCE A. SPICER	Present

Also present were: Swang Oo, Deputy Attorney General; ToniAnn Petrella-Diaz, Acting Executive Director; Gerard Tobia, Administrative Support 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 November 10, 2016. A schedule of all 2017 Regular Open Meetings of the Board of Massage and Bodywork Therapy to be held during 2017 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 website.

Public Attendance: Kathy Letterman, AMTA-New Jersey; Melissa Hailemeleket, Career Services Manager, Cortiva Institute; Earline Fair Edwards, AMTA-New Jersey.

I. APPROVAL OF THE PUBLIC SESSION MINUTES

A. May 24, 2017

Upon a motion made by Bruce Spicer and seconded by David Bank, the Board voted to approve the May 24, 2017 Public Session Minutes as corrected. A vote was taken and the motion carried by a unanimous vote.

II. PUBLIC LAW 2017, CHAPTER 56 Regarding Amendment to the Practicing Act.

Upon a motion made by Bruce Spicer and seconded by David Bank, the Board voted to approve a grace period regarding the amendment to the Massage Practicing Act requiring licensure by education and examination which took effect on May 1, 2017. The grace period ends on August 31, 2017 for those applications submitted online or post marked by August 31, 2017. A vote was taken and the motion carried by a unanimous vote.

As of June 29, 2017, the following language was posted on the website at www.njconsumeraffairs.gov/mbt:

On May 1, 2017, the Governor signed into law S2414 which revised the Massage Practicing Act to require licensure by education and examination. Prior to May 1, 2017, applicants could obtain licensure by education or by examination. P.L. 2017, Chapter 56 states that the Act shall take effect immediately. The Board authorizes a grace period to end on August 31, 2017 for those applications submitted online or post marked by August 31, 2017. All applications submitted on or after September 1, 2017 will be processed under the new rule.

III. PUBLIC COMMENT

1. Ms. Letterman, Government Relations Representative of the NJ-AMTA Chapter made the following comments:
 - Inquired about how the Board processes current “Flaggings”. The Board accepted this as comments with no response.
2. Melissa Hailemeleket, Career Services Manager, Cortiva Institute, appeared in support of the Board.
3. Earline Fair Edwards, NJ-AMTA Chapter attended the meeting with no comments.

IV. NEW BUSINESS

1. Email from Peter Tulley(Gentle Healing School of Massage)
RE: Supervision Affidavit – Board of Massage and Bodywork Therapy

Mr. Tulley wrote the Board with concerns regarding the wording on the Supervision Affidavit.

The Board determined that a letter be sent to Mr. Tulley to advise him that the language of the certification is prescribed by the New Jersey Court Rule 1:4-4(b). Additionally, the Board will advise Mr. Tulley that he has the option to write a letter to the Supreme Court regarding his concerns of the choice of language used in the rule.

2. Email from Maggie Polites
RE: Scope of Practice / Placing ES pads on the patient

Ms. Polites wrote the Board asking if it is within the scope of practice for a massage therapist to place ES pads on the patient, not turn on the current or activate the therapy, for the chiropractor as part of the patient preparation.

Upon a motion made by Bruce Spicer and seconded by David Bank, the Board voted to advise Ms. Polites that pursuant to N.J.A.C. 13:37A-3.1(a) A licensee shall practice only those methods of massage and bodywork therapy that:

- 1) The licensee learned during his or her initial training as outlined in N.J.A.C. 13:37A-2.1 or 2.5.
- 2) Additionally, the Board will also advise Ms. Polites that pursuant to N.J.A.C. 13:37A-3.1(b)(3) Notwithstanding any training received as permitted by (a) above, a licensee shall not perform any application of electrical current to the body (Transcutaneous Electronic Nerve Stimulation, TENS, machine)
- 3) The Board will also advise Ms. Polites that she will be working as a staff member under the direct supervision of a licensed chiropractor and not as a massage therapist.

3. Intuitive Touch Animal Care, LLC
RE: Animal Massage

This matter was discussed and tabled for the August Board meeting for further review.

V. ENDORSEMENT REVIEW

- | | | |
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| 1. | Applicant (J.H.) | ID# 2086410 |
| | Applicant (C.C.) | ID# 2070896 |
| | Applicant (E.V.) | ID# 2114743 |

Upon a motion made by David Bank and seconded by Bruce Spicer, the Board voted to grant licensure by endorsement to the above three (3) applicants listed above provided all licensure requirements have been met pursuant to N.J.A.C. 13:37A-2.2. A vote was taken and the motion carried by a unanimous vote.

Applicant (M.R.) ID# 2083566

Upon a motion made by David Bank and seconded by Bruce Spicer, the Board voted to require additional information. M.R. will need to provide the Board with a letter of good standing showing no disciplinary action from the State of Arizona. Upon receipt of the letter of good standing, M.R. will be granted licensure by endorsement provided all licensure requirements have been met pursuant to N.J.A.C. 13:37A-2.2. A vote was taken and the motion carried by a unanimous vote.

Applicant (J.H.) ID# 2091819

Upon a motion made by David Bank and seconded by Bruce Spicer, the Board voted to require additional information. J.H. will need to provide the Board with a letter of good standing showing no disciplinary action from the State of New York. Upon receipt of the letter of good standing, J.H. will be granted licensure by endorsement provided all licensure requirements have been met pursuant to N.J.A.C. 13:37A-2.2. A vote was taken and the motion carried by a unanimous vote.

VI. ADJOURNMENT

At 9:53 A.M. Upon a motion made by David Bank and seconded by Bruce Spicer, 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.

**The Board returned to Public Session and a motion was made by Bruce Spicer and seconded by David Bank, to adjourn the meeting at 2:20 P.M.
A vote was taken and the motion carried by a unanimous vote.**

The meeting was adjourned at 2:20 P.M.

Respectfully submitted,

ToniAnn Petrella-Diaz,
Acting Executive Director