

## STATE BOARD OF MASSAGE THERAPY

APRIL 15, 2013

### MINUTES

#### I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Ms. Ann Botka called the meeting to order at 10:20 a.m. in Conference Room W064 of the Indiana Professional Licensing Agency, Indiana Government Center South, 402 W. Washington Street, Indianapolis, IN 46204. A quorum was established.

**Members Present:**

Ann Botka, Chair  
Todd Hubbard, Member  
Barbara Lis, Member  
Adam Elkins, Vice Chair

**Members Absent:**

None

**State Officials Present:**

Tasha Coleman, Board Director, Indiana Professional Licensing Agency  
Crystal Smith, Assistant Board Director, Indiana Professional Licensing Agency  
Kristen Garn, Board Advisory Council, Office of the Attorney General

#### I. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

Elkins/Hubbard  
4/0/0 Motion carried

#### II. ADOPTION OF THE MINUTES FROM THE FEBRUARY 18, 2013 MEETING OF THE BOARD

A motion was made and seconded to adopt the Minutes from the February 18, 2013 meeting of the Board, as amended.

Lis/Hubbard  
4/0/0 Motion carried

#### III. PERSONAL APPEARANCES

**A. Linda Bohn**

Re: Degree not Equivalent

Ms. Bohn did not appear before the Board to answer questions regarding her education for massage therapy. In reviewing her transcripts and other documents submitted the board determined that she did not have 500 hours of massage therapy education as defined by IC25-21.8-4-2. Based on that fact a motion was made and seconded to deny the application.

Lis/Botka  
4/0/0 Motion carried

**B. Irmela Reynolds-Daugherty**  
Re: Positive Response Renewal

Ms. Reynolds-Daugherty did personally appear before the Board to discuss her positive response renewal. Ms. Reynolds-Daugherty reported that she had been charged with and convicted of operating a motor vehicle while intoxicated and battery of an officer for which she was placed on criminal probation, ordered to complete substance abuse counseling and a victim impact panel. Based on the aforementioned and information presented during testimony a motion was made and seconded to renew the certification on probation; which shall run concurrent with her criminal probation. The terms shall include: keeping the board abreast of current home address, phone number, and email address; quarterly employer reports, quarterly personal letters, comply with all terms of her criminal probationary order including completion of substance abuse classes and victim impact panel.

Lis/Hubbard  
4/0/0 Motion carried

**C. Alison Lemberg**  
Re: Positive Response Renewal

Ms. Lemberg did personally appear before the Board to answer questions regarding her positive response renewal. She answered yes on her renewal for an offense that occurred in 1997 which she did not report on her initial application. The initial application states that falsification of the application is grounds for revocation. After listening to testimony the board determined that Ms. Lamberg did not intend to falsify her initial application, and based on that and the fact that she reported the offense on her renewal a motion was made and seconded to renew the certification unencumbered.

Lis/Elkins  
4/0/0 Motion carried

**D. Yun Cai**  
Re: Positive Response Renewal

Ms. Cai did personally appear before the Board to answer questions regarding her positive response renewal. Ms. Cai reported that she was placed on probation by the Nebraska Board of Massage Therapy for allowing unlicensed massage therapist to practice in her salon. After hearing testimony and reviewing the information in the file a motion was made and seconded to renew her certification on indefinite probation. Probation shall run concurrent with Nebraska probation. Terms of probation include keeping the board abreast of her current address, telephone numbers, and email address and complying with all terms set out in her Nebraska order. She may not request termination until after she has successfully completed her Nebraska probationary order.

Lis/Elkins  
4/0/0 Motion carried

**IV. ADMINISTRATIVE HEARINGS**

**A. In the matter of Barry Hearin, M.T., Certificate No.: MT20902140**

Administrative Cause Number: 2012 SBMT 0022

Re: Complaint

*Continued until June 17, 2013*

**B. In the matter of Jennifer Trowbridge, M.T., Certificate No.: MT209003263**

Administrative Cause Number: 2009 SBMT 0025

Re: Order to Show Cause

**Parties and Counsel Present:**

Amanda Elizondo, Deputy Attorney General

**Witnesses:**

None

**Participating Board Members:**

Ann Botka

Todd Hubbard

Barbara Lis

**Court Reporter:**

Sherri Rutledge

**Case Summary:** Based on her failure to appear a motion was made and seconded to notice of proposed default.

Lis/Botka

4/0/0 Motion carried

**C. In the matter of Tara Henderson, M.T., Certificate No.: MT21204298**

Administrative Cause Number: 2012 SBMT 0016

Re: Order to Show Cause

**Parties and Counsel Present:**

Amanda Elizondo, Deputy Attorney General

Tara Henderson, MT

**Witnesses:**

Tara Henderson, MT

**Participating Board Members:**

Ann Botka

Todd Hubbard

Barbara Lis

Adam Elkins

**Court Reporter:**

Sherri Rutledge

**Case Summary:** In February 2012 the Respondent's certification was granted on probation due her ongoing criminal probation for neglect of a dependent.

**Resolution:** A motion was made and seconded to order the Respondent to submit a written declaration from her probation officer of why her criminal probation was completed unsuccessfully within 45 days of the date of the order, to be reviewed by the board chair. Should she fail to submit that information in the time designated by the board an order to show cause will be issued for the June 2013 meeting.

Elkins/Botka  
4/0/0 Motion carried

## VI. APPLICATION REVIEW

### A. **Justin Peters** Re: Education Equivalency

A motion was made and seconded to deny the certification application of Mr. Peters based on the fact that the board cannot find that he completed 500 hours of massage therapy education as defined in IC 25-21.8-4-2.

Lis/Elkins  
4/0/0 Motion carried

## VII. DISCUSSION

A. **FSMTB:** annual meeting will be October 10-12 in Baltimore, MD. Indiana will again request a waiver of the membership dues for the 2013-2014 fiscal year.

B. **Electronic Meeting Policy:** A motion was made and seconded to adopt the electronic meeting policy as written.

Elkins/Hubbard  
4/0/0 Motion carried

C. **Internal Massage Techniques including Women's Health Technique:** Anne and Barb presented information regarding the John F. Barnes' Myofascial release (anal or vaginal massage). They determined that it is an approved training which is approved by the AMTA and NCTMB. If the Board were to receive a complaint regarding this technique they would determine if the practitioner had received the approved training over and above their 500 hours basic massage therapy education.

D. **Ohio Medical Exam for Massage Therapy (equivalence):** The Board received a written inquiry from a potential applicant that was licensed in the State of Ohio where they have their own licensing examination. The person wanted to know if she would be required to take one of the national exams that is pre-approved by the Board considering the Ohio exam is a very intense medical examination. The Board determined that they would not pre-approve any state exam as states other than Ohio have their own exams, and will review each application and examination on a case by case basis prior to making a ruling on equivalence.

- E. Proof of Certification:** There was a question as to how a massage therapist would be able to demonstrate “proof of certification when practicing” as indicated in IC 25-21.8-4-4. IPLA staff demonstrated to the Board how a massage therapist could demonstrate certification without having to purchase a license card. They are able to print a free version of the permanent card, do a license search and verify from our website, or purchase a card for \$10.
- F. Massage Therapist Titles:** The Board discussed the problem that many massage therapists are having with titles; some are calling themselves certified while others state that they are licensed. IPLA staff explained that in many cases the titles are interchangeable and we are not in a position to file a complaint against or reprimand every person that says “licensed” vs. certified. IPLA staff does a great job of educating applicants and licensees when they call and complain and making sure that we indicate that massage therapists are certified in all of our publications.

### VIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Massage Therapy adjourned at 2:38 p.m.

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Adam Elkins, Vice Chair