

**MASSAGE THERAPY AND BODYWORK THERAPY  
AFFILIATED CREDENTIALING BOARD  
TELECONFERENCE MINUTES  
AUGUST 26, 2011**

**PRESENT:** John Anderson (at DSPS), Elizabeth Krizenesky (at DSPS)

**VIA TELEPHONE:** Carole Ostendorf, Cindy Spitz, Wendy Wettengel-Perrigou, Barbara Yetter

**STAFF PRESENT:** Tom Ryan, Bureau Director; Sandy Nowack, Legal Counsel; Karen Rude-Evans, Bureau Assistant; Other DSPS staff

**GUESTS:** Patrick Sweeney, EAB; Joao Frasier; Ramona Trudeau; Michelle Gilbert; Celine Gilbert

**CALL TO ORDER**

Tom Ryan called the meeting to order at 10:30 a.m.

**ADOPTION OF AGENDA**

**Amendment**

- First Draft of Rules for Board Discussion and Review – insert after page 98

**MOTION:** Carole Ostendorf moved, seconded by Barbara Yetter, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF JUNE 7, 2011**

**MOTION:** Carole Ostendorf moved, seconded by Barb Yetter, to approve the minutes of June 7, 2011 as written. Motion carried unanimously.

**ELECTION OF OFFICERS**

**NOMINATION:** Barbara Yetter nominated Elizabeth Krizenesky for Chair.

Tom Ryan called for nominations a total of three times. Hearing no other nominations, a vote was taken.

Elizabeth Krizenesky was elected Chair by unanimous vote.

**NOMINATION:** Carole Ostendorf nominated herself for Vice Chair.

Tom Ryan called for nominations a total of three times. Hearing no other nominations, a vote was taken.

Carole Ostendorf was elected Vice Chair by unanimous vote.

**NOMINATION:** Cindy Spitza nominated Barbara Yetter for Secretary.

Tom Ryan called for nominations a total of three times. Hearing no other nominations, a vote was taken.

Barbara Yetter was elected Secretary by unanimous vote.

### **Board Committee and Liaison Appointments**

Screening Panel – Carole Ostendorf, Barbara Yetter, Cindy Spitza

Credentialing Liaison – John Anderson

Legislative Liaison – Elizabeth Krizenesky

Digest Advisor – (appointment deferred at this time)

PAP Liaison – Cindy Spitza

Practice Question Procedure and Board Contacts – Barbara Yetter, Wendy Wettengel-Perrigoue

Education Liaison – John Anderson, Wendy Wettengel-Perrigoue

Travel Liaison – Elizabeth Krizenesky

Enforcement Liaison – John Anderson

### **PRESENTATION OF NOTICE AND PETITION FOR SUMMARY SUSPENSION OF THE LICENSE IN THE MATTER OF JOAO L FRASIER**

DOE Attorney Susan Gu and investigator Sherry Johnson presented testimony on the Petition for Summary Suspension of the license of Joao L. Frasier. Mr. Frasier also appeared before the Board. This matter will be deliberated in closed session.

**RULE WRITING FOLLOWING 209 WISCONSIN ACT 355  
AND TEMPORARY PERMIT**

The following topics were identified for inclusion in the scope statement:

- 1) Definition of client and client relationship
- 2) Definition of supervision for the temporary license
- 3) Informed consent
- 4) Definition of intimate parts
- 5) Define sexually oriented business
- 6) Rules relating to the temporary licensee
- 7) Define Massage Therapy or Bodywork intern
- 8) Define joint mobilization and manipulation
- 9) Rules regarding continuing education

**MOTION:** Barbara Yetter moved, seconded by Cindy Spitz, to have the Department draft a scope statement to include the nine items discussed related to 2009 Wisconsin Act 355. Motion carried unanimously.

**MOTION:** Barbara Yetter moved, seconded by Carole Ostendorf, to rescind the existing scope statement relating to the temporary license. Motion carried unanimously.

**BOARD WEBSITE, PRACTICE QUESTIONS AND FAQ'S**

The outdated practice questions and FAQ'S have been removed from the DSPS website. Elizabeth Krizenesky will work with Sandy Nowack to develop FAQ's. Practice questions should be submitted to Tom Ryan and Sandy Nowack.

**MOTION:** John Anderson moved, seconded by Carole Ostendorf, to authorize Elizabeth Krizenesky to approve FAQ's on behalf of the Board. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**CLOSED SESSION**

**MOTION:** Elizabeth Krizenesky moved, seconded by John Anderson, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and, to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Roll call vote: John Anderson-yes; Elizabeth Krizenesky-yes; Carole Ostendorf-yes; Cindy Spitza-yes; Wendy Wettengel-Perrigoue-yes; Barbara Yetter-yes. Motion carried unanimously.

Open session recessed at 12:15 a.m.

**RECONVENE IN OPEN SESSION**

**MOTION:** Cindy Spitza moved, seconded by John Anderson, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:44 p.m.

**VOTING ON ITEMS CONSIDERED OR DELBERATED IN CLOSED SESSION**

**PETITION FOR SUMMARY SUSPENSION**

**JOAO L FRASIER  
11 MTB 003 AND 11 MTB 010**

**MOTION:** Barbara Yetter moved, seconded by Wendy Wettengel-Perrigoue, to adopt and find as set forth in the petition and adopt and grant the summary suspension and to find probable cause to believe a violation has occurred. Motion carried. John Anderson was excused for deliberation and abstained from voting.

**CASE CLOSING**

**11 MTB 001, T.S.**

**MOTION:** Barbara Yetter moved, seconded by Cindy Spitza, to close case **11 MTB 001 against respondent T.S.** for insufficient evidence. Motion carried unanimously.

**ADJOURMENT**

**MOTION:** Cindy Spitza moved, seconded by John Anderson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:44 p.m.