

**MASSAGE THERAPY AND BODYWORK THERAPY  
AFFILIATED CREDENTIALING BOARD  
AUGUST 13, 2013**

**PRESENT:** John Anderson, Elizabeth Krizenesky, Carole Ostendorf, Cindy Spitz (virtual meeting; excused at 1:05 p.m.), Barbara Yetter

**STAFF:** Tom Ryan, Executive Director; Karen Rude-Evans, Bureau Assistant

**CALL TO ORDER**

Elizabeth Krizenesky called the meeting to order at 9:00 a.m. A quorum of five (5) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments:**

- Item G (open) – Report on Discussions with the Podiatry Affiliated Credentialing Board - is removed from the agenda
- Item I (open) – Public Hearing for MTBT 1.01 Temporary Licensure and Continuing Education – insert after page 54:
  - Written comments from Associated Bodywork and Massage Professionals (ABMP)
  - Written comments from Joan Hamilton, Globe University
  - Clearinghouse Report to Agency

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

**APPROVAL OF MINUTES – AUGUST 2, 2013**

**MOTION:** Cindy Spitz moved, seconded by Carole Ostendorf, to approve the minutes of August 2, 2013 as written. Motion carried unanimously.

## **LEGISLATION/ADMINISTRATIVE RULES MATTERS**

### **Review of Scope Statement Relating to Unprofessional Conduct**

**MOTION:** Carole Ostendorf moved, seconded by John Anderson, to approve the scope statement as amended. Motion carried unanimously.

**MOTION:** Barbara Yetter moved, seconded by Cindy Spitz, to appoint Elizabeth Krizenesky to approve the scope statement to send to the Governor's office and authorize implementation if the Governor's office approves the scope statement. Motion carried unanimously.

### **Executive Order 61 – Report from John Anderson**

**MOTION:** John Anderson moved, seconded by Carole Ostendorf, that no negative undue small business impact was found after review of the rules. Motion carried unanimously.

### **Executive Order 50 – Review of Position Statements**

**MOTION:** Barbara Yetter moved, seconded by John Anderson, to remove the position statements from the DSPS website. Motion carried unanimously.

### **Wis. Stat. s. 15.085, Chairperson Meeting with Medical Examining Board to Consider All Matters of Joint Interest**

**MOTION:** Carole Ostendorf moved, seconded by John Anderson, to have the Chair refrain from meeting with the Medical Board under Wis. Stat. s. 15.085 at this time. Motion carried unanimously.

### **FSMTB 2013 ANNUAL MEETING – OCTOBER 10-13 BALTIMORE, MD**

**MOTION:** Elizabeth Krizenesky moved, seconded by Carole Ostendorf, to authorize John Anderson or an alternate selected by the Chair from the Board or the Department in the event the Delegate is unavailable, to attend and to represent the Board as its delegate at the FSMTB 2013 Annual Meeting, October 10-13 in Baltimore, MD. Motion carried unanimously.

**PUBIC HEARING FOR MTBT 1.01 TEMPORARY LICENSURE AND  
CONTINUING EDUCATION**

Chair Elizabeth Krizenesky called the public hearing to order at 10:11 a.m.

Casey Guilfoyle, Joan Hamilton, Patrick Sweeney and Lenore Weitzman addressed the Board.

Chair Elizabeth Krizenesky adjourned the public hearing at 10:28 a.m.

**Review and Discussion of Public Comments and Clearinghouse Report for MTBT 1.01**

**MOTION:** Barbara Yetter moved, seconded by Elizabeth Krizenesky, to remove chapter 7.03(1)(c). Motion carried unanimously.

**MOTION:** Carole Ostendorf moved, seconded by Cindy Spitzza, to state individuals or institutions must have their continuing education courses approved by the professional organizations that address improvement of the profession as defined in chapter 7.03(1)(c). Motion carried unanimously.

**MOTION:** Barbara Yetter moved, seconded by Carole Ostendorf, to appoint Barbara Yetter and Elizabeth Krizenesky to review and approve the draft rule prior to sending to the legislature. Motion carried unanimously.

**RECESS TO CLOSED SESSION**

Elizabeth Krizenesky, Chair, read the motion to convene to closed session.

**MOTION:** Carole Ostendorf moved, seconded by John Anderson, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); 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: John Anderson-yes; Elizabeth Krizenesky-yes; Carole Ostendorf-yes; Cindy Spitzza-yes; Barbara Yetter-yes. Motion carried unanimously.

Open session recessed at 11:39 a.m.

**RECONVENE IN OPEN SESSION**

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

Open session reconvened at 12:38 p.m.

## **REAFFIRM MOTIONS MADE IN CLOSED SESSION**

**MOTION:** Carole Ostendorf moved, seconded by Elizabeth Krizenesky, to reaffirm all motions made in closed session. Motion carried unanimously.

### **PROPOSED ADMINISTRATIVE WARNING**

**MOTION:** Barbara Yetter moved, seconded by John Anderson, to issue the Administrative Warning in **case 13 MAB 001 (C.M.P.)**. Motion carried unanimously.

### **APPLICATION REVIEWS**

**MOTION:** Barbara Yetter moved, seconded by Cindy Spitz, to approve the application of **M.J.G.** and to issue the license when all other requirements are met. Motion carried unanimously.

**MOTION:** Barbara Yetter moved, seconded by Carole Ostendorf, to issue an intent to deny the application of **T.W.Y.** and to request more information to be received including a letter from the chair of his massage therapy school regarding his academic performance and a personal statement detailing employment history from March 2007, his incarceration and probation violation and any other information pertinent to his application for licensure. Motion carried unanimously.

**MOTION:** Elizabeth Krizenesky moved, seconded by Barbara Yetter, to authorize John Anderson to review the information received and to make a licensing decision regarding the application of **T.W.Y.** on behalf of the Board in consultation with legal counsel as necessary. Motion carried unanimously.

### **CASE CLOSINGS**

**MOTION:** Barbara Yetter moved, seconded by Carole Ostendorf, to close **12 MTB 011 for lack of jurisdiction**. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Barbara Yetter moved, seconded by John Anderson, to adjourn the meeting at 1:35 p.m. Motion carried unanimously.