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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF MASSAGE THERAPY

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Tuesday, September 24, 2024

1 State Board of Massage Therapy
2 September 24, 2024

3
4
5 BOARD MEMBERS:
6

7 Nancy M. Porambo, MS, LMT, CNMT, NCTMB, Chair,
8 Professional Member
9 Christina Townley, Director of Operations, on behalf
10 of Arion R. Claggett, Acting Commissioner, Bureau
11 of Professional and Occupational Affairs
12 Linda A. Chamberlain, MS, BSN, RN, CNDLTC, Secretary
13 of Health designee
14 Jessica Nelson, Office of Attorney General designee
15 Dana J. Douglas, LMT
16 Kathleen Hill, LMT
17 Jennifer A. Keth, LMT, CNC, Vice Chair
18 Imelda Alumbro Shade, LMT
19 Bryan Strawser, LMT
20

21
22 BUREAU PERSONNEL:
23

24 Shana M. Walter, Esquire, Senior Board Counsel
25 Thomas M. Davis, Esquire, Acting Board Counsel and
26 Regulatory Counsel
27 Michael Merten, Esquire, Board Counsel
28 J. Karl Geschwindt, Esquire, Senior Board Prosecutor
29 William A. Newport, Esquire, Board Prosecution
30 Liaison
31 Ronald W. Jackson, Esquire, Board Prosecutor
32 Riley Baker, Esquire, Board Prosecutor
33 Liliana G. Fisher, Esquire, Board Prosecutor
34 Paul Keller, Board Administrator
35 Stephanie Dunkerley, Legal Analyst, Office of General
36 Counsel
37 Nichole Wray, Division Chief, Health Licensing
38 Division
39 Carlton Smith, Deputy Chief Counsel, Prosecution
40 Division
41

42
43 ALSO PRESENT:
44

45 Camille Baughman, MA, BSed, LMT, American Massage
46 Therapy Association Pennsylvania Chapter,
47 Government Relations
48 Natalie Cook, Associate, McNeese-Winter Group
49
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State Board of Massage Therapy
September 24, 2024

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ALSO PRESENT: (cont.)

Edward Portley Jr., LMT, Just This Side of Heaven
Massage & Continuing Education for Massage
Therapists
Bridget Langley
Ian Weeber, Sargent's Court Reporting Service, Inc.

1 ***

2 State Board of Massage Therapy

3 September 24, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with Thomas M. Davis, Esquire, Acting Board Counsel,
8 for the purpose of conducting quasi-judicial
9 deliberations and to receive advice of counsel on the
10 matters upon which the Board would later vote. The
11 Board returned to open session at 10:00 a.m.]

12 ***

13 [Thomas M. Davis, Esquire, Acting Board Counsel,
14 noted the meeting was being recorded, and those who
15 continued to participate were giving their consent to
16 be recorded.

17 Mr. Davis also noted the Board entered into
18 Executive Session for the purpose of conducting
19 quasi-judicial deliberations and to receive advice of
20 counsel on the matters upon which the Board will
21 later vote.]

22 ***

23 The regularly scheduled meeting of the State
24 Board of Massage Therapy was held on Tuesday,
25 September 24, 2024. Nancy M. Porambo, MS, LMT, CNMT,

1 NCTMB, Chair, called the meeting to order at
2 10:30 a.m.

3 ***

4 Introduction of Board Members/Attendees

5 [Chair Porambo requested an introduction of Board
6 members and attendees. A quorum of Board members was
7 present.]

8 ***

9 Approval of minutes of the August 13, 2024 meeting

10 CHAIR PORAMBO:

11 I'd like to continue on with approval
12 of the minutes. Has everyone read
13 those? Are there any changes? Hearing
14 none.

15 May I have a motion to approve?

16 MR. STRAWSER:

17 I'll make the motion.

18 MS. HILL:

19 Second.

20 MR. KELLER:

21 Townley, abstain; Chamberlain, abstain;
22 Nelson, aye; Alumbro Shade, aye;
23 Douglas, aye; Hill, aye; Strawser, aye;
24 Keth, aye; Porambo, aye.

25 [The motion carried. Christina Townley and Linda

1 Chamberlain abstained from voting on the motion.]

2 ***

3 Amendment to the Agenda

4 MR. DAVIS:

5 I believe the Chair would accept a
6 motion to amend the Board's agenda
7 adding as number 13, the Application of
8 Bridget Langely, Application No.
9 AA0005220603.

10 CHAIR PORAMBO:

11 Do I have a motion?

12 MR. STRAWSER:

13 I'll make the motion.

14 MS. HILL:

15 Second.

16 MR. KELLER:

17 Townley, aye; Chamberlain, aye; Nelson,
18 aye; Alumbro Shade, aye; Douglas, aye;
19 Hill, aye; Strawser, aye; Keth, aye;
20 Porambo, aye.

21 [The motion carried unanimously.]

22 ***

23 Regulatory Report - Regulatory Status Report

24 [Thomas M. Davis, Esquire, Regulatory Counsel,
25 addressed two updates to the Regulatory Status

1 Report. He referred to 16A-726 regarding massage
2 therapy in cosmetology or esthetician salons. He
3 noted the final-form rulemaking was approved by the
4 Board at its August 13, 2024 meeting and sent to the
5 Office of General Counsel (OGC), Office of the
6 Budget, and Office of Policy and Planning on August
7 19, 2024.

8 Mr. Davis provided a further update and reported
9 budget approval on September 6, 2024, and OGC
10 approval on September 16, 2024. He stated, once it
11 is approved by the policy office, it will be sent to
12 the Legislative Reference Bureau (LRB) to put
13 together the text for the *Pennsylvania Bulletin* and
14 then hopefully published in the near future.

15 Mr. Davis mentioned that the Independent
16 Regulatory Review Commission (IRRC) may have to look
17 at the regulation as well but believed there is a
18 good chance that it will be published before the end
19 of the year 2024.

20 Mr. Davis addressed 16A-728, which would allow a
21 certain percentage of initial education hours to be
22 obtained virtually. He noted the proposed rulemaking
23 was approved by the Board at its August 13, 2024,
24 meeting and sent to OGC, budget, and policy on
25 September 19, 2024. He reported approval from budget

1 on September 6, 2024, and OGC on September 16, 2024.
2 He mentioned that it has to go through IRRC after
3 approval from policy and then put out for a 30-day
4 comment period.]

5 ***

6 Report of Board Counsel

7 Adjudication and Order

8 MR. DAVIS:

9 Number 4 on the Board's agenda was
10 discussed in Executive Session prior to
11 the meeting, so I have a proposed
12 motion.

13 Based on the Board's discussions in
14 Executive Session, I believe the Chair
15 would entertain a motion to adopt as
16 Final the Proposed Adjudication and
17 substitute the Board's Order increasing
18 the civil penalty to \$5,000 in the
19 following matter: Commonwealth BPOA v.
20 Luis E. Bendezu, LMT, Case No. 19-72-
21 017402.

22 CHAIR PORAMBO:

23 Do I have a motion?

24 MR. STRAWSER:

25 I'll make the motion.

1 MS. HILL:

2 Second.

3 MR. KELLER:

4 Townley, abstain; Chamberlain, aye;

5 Nelson, aye; Alumbro Shade, aye;

6 Douglas, aye; Hill, aye; Strawser, aye;

7 Keth, aye; Porambo, aye.

8 [The motion carried. Christina Townley abstained
9 from voting on the motion.]

10 ***

11 [Thomas M. Davis, Esquire, Acting Board Counsel,
12 noted the Board will be tabling matters 5, 6, and 7
13 on the agenda.]

14 ***

15 Report of Board Prosecutor

16 [William A. Newport, Esquire, Board Prosecution
17 Liaison, introduced new Board prosecutors, Ron
18 Jackson and Riley Baker.

19 Chair Porambo welcomed Mr. Jackson and Ms. Baker
20 to the State Board of Massage Therapy.

21 Mr. Newport presented the Consent Agreement for
22 Case Nos. 20-72-013919 & 21-72-016530.]

23 MR. DAVIS:

24 Based on the Board's discussions in

25 Executive Session, I believe the Chair

1 would accept a motion to approve the
2 Consent Agreement in the following
3 matters: Case Nos. 20-72-013919 & 21-
4 72-016530.

5 CHAIR PORAMBO:

6 Do I have a motion?

7 MR. STRAWSER:

8 I'll make the motion.

9 MS. HILL:

10 Second.

11 MR. KELLER:

12 Townley, abstain; Chamberlain, abstain;
13 Nelson, aye; Alumbro Shade, aye;
14 Douglas, aye; Hill, aye; Strawser, aye;
15 Keth, aye; Porambo, aye.

16 [The motion carried. Christina Townley and Linda
17 Chamberlain abstained from voting on the motion.
18 That is Commonwealth BPOA v. Mingyu Li, LMT, dba
19 Healing Stone aka Healing Stone Massage aka Health
20 Stone Massage Therapy.]

21 ***

22 Report of Acting Commissioner - No Report

23 ***

24 Report of Board Chair

25 [Nancy M. Porambo, MS, LMT, CNMT, NCTMB, Chair,

1 announce Jennifer Keth will be attending the
2 Federation of State Massage Therapy Boards Meeting in
3 Washington, D.C., October 3-5, 2024, and will be
4 reporting back to the Board on December 3, 2024.]

5 ***

6 Report of Board Administrator

7 Applications

8 MR. DAVIS:

9 Number 9 on the Board's agenda is the
10 Application of Mary Ebinger. I do have
11 a prepared motion because this was
12 discussed in Executive Session.

13 In regard to the Application for
14 Licensure as a Massage Therapist of
15 Mary Ebinger, based on the Board's
16 discussions in Executive Session, I
17 believe the Chair would accept a motion
18 approving the Application.

19 CHAIR PORAMBO:

20 Do we have a motion?

21 MR. STRAWSER:

22 I'll make the motion.

23 MS. HILL:

24 Second.

25 MR. KELLER:

1 Townley, abstain; Chamberlain, abstain;
2 Nelson, aye; Alumbro Shade, aye;
3 Douglas, aye; Hill, aye; Strawser, aye;
4 Keth, aye; Porambo, aye.

5 [The motion carried. Christina Townley and Linda
6 Chamberlain abstained from voting on the motion.]

7 ***

8 MR. DAVIS:

9 Number 10 on the Board's agenda is the
10 Application of Carmen Trefon.

11 In regard to the Application for
12 Licensure as a Massage Therapist of
13 Carmen Trefon, based on the Board's
14 discussions in Executive Session, I
15 believe the Chair would accept a motion
16 provisionally denying the Application.

17 CHAIR PORAMBO:

18 Do I have a motion?

19 MR. STRAWSER:

20 I'll make the motion.

21 MS. HILL:

22 Second.

23 MR. KELLER:

24 Townley, abstain; Chamberlain, aye;
25 Nelson, aye; Alumbro Shade, aye;

1 Douglas, aye; Hill, aye; Strawser, aye;
2 Keth, aye; Porambo, aye.

3 [The motion carried. Christina Townley abstained
4 from voting on the motion.]

5 ***

6 MR. DAVIS:

7 Number 13 was added earlier in this
8 meeting.

9 In regard to the Application for
10 Licensure as a Massage Therapist of
11 Bridget Langley, based on the Board's
12 discussions in Executive Session, I
13 believe the Chair would accept a motion
14 approving the Application.

15 CHAIR PORAMBO:

16 Do I have a motion?

17 MR. STRAWSER:

18 I'll make the motion.

19 MS. HILL:

20 Second.

21 MR. KELLER:

22 Townley, abstain; Chamberlain, aye;
23 Nelson, aye; Alumbro Shade, aye;
24 Douglas, aye; Hill, aye; Strawser, aye;
25 Keth, aye; Porambo, aye.

1 [The motion carried. Christina Townley abstained
2 from voting on the motion.]

3

4 Miscellaneous - VA Request for Comment - Board's
5 Response Letter

6 [Thomas M. Davis, Esquire, Acting Board Counsel,
7 addressed the Veterans Affairs (VA) request for
8 comment and the Board's response letter. He
9 explained that Veterans Affairs asked for Board input
10 for defining the practice of massage therapy at the
11 federal level as it applies to individuals working
12 under Veterans Affairs.

13 Mr. Davis informed Board members that it does not
14 affect their licensees or any individual in the
15 Commonwealth receiving massage therapy from a
16 Pennsylvania licensed massage therapist. He
17 explained that the response letter points out that
18 the Board's definition and education requirements
19 seem to parallel their own.

20 Mr. Davis mentioned that the letter had to go
21 through the Office of General Counsel and a couple
22 other offices, because the federal government entity
23 is asking a Commonwealth of Pennsylvania entity to
24 comment on federal legislation.

25 Mr. Davis informed Board members that the

1 response letter that he drafted and presented to the
2 Board was still undergoing approvals, noting it says
3 very little other than thank you for asking the Board
4 to comment. He also noted the letter states that the
5 Board has no comment at this time, because their
6 Practice Act says that anyone working under the
7 federal government is exempt from licensure by this
8 Board. He mentioned the response letter must be
9 received by September 30, 2024, and requested Board
10 approval.]

11 CHAIR PORAMBO:

12 I'm asking for a motion to approve the
13 letter as Tom has stated.

14 MR. STRAWSER:

15 I'll make the motion.

16 MS. HILL:

17 Second.

18 MR. KELLER:

19 Townley, abstain; Chamberlain, approve;
20 Nelson, aye; Alumbro Shade, aye;
21 Douglas, aye; Hill, aye; Strawser, aye;
22 Keth, aye; Porambo, aye.

23 [The motion carried. Christina Townley abstained
24 from voting on the motion.]

25

1 Next Meeting Dates

2 [Nancy M. Porambo, MS, LMT, CNMT, NCTMB, Chair, noted
3 the next scheduled meeting date is December 3, 2024,
4 and welcomed everyone to attend in person or
5 virtually. She also noted 2025 Board meeting dates
6 are February 18, April 1, June 24, August 11,
7 September 23, and December 3.]

8 ***

9 Adjournment

10 CHAIR PORAMBO:

11 I would entertain a motion to adjourn.

12 MR. STRAWSER:

13 I'll make the motion.

14 MS. HILL:

15 Second.

16 CHAIR PORAMBO:

17 Take care everyone.

18 ***

19 [There being no further business, the State Board of
20 Massage Therapy Meeting adjourned at 10:50 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Massage Therapy Meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Massage Therapy Meeting.

Ian Weeber

Ian Weeber,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF MASSAGE THERAPY
REFERENCE INDEX

September 24, 2024

	TIME	AGENDA
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7		
8	9:00	Executive Session
9	10:00	Return to Open Session
10		
11	10:30	Official Call to Order
12		
13	10:30	Introduction of Board Members/Attendees
14		
15	10:32	Approval of Minutes
16		
17	10:33	Amendment to the Agenda
18		
19	10:33	Regulatory Report
20		
21	10:36	Report of Board Counsel
22		
23	10:38	Report of Board Prosecutor
24		
25	10:42	Report of Board Chair
26		
27	10:43	Report of Board Administrator
28		
29	10:45	Miscellaneous
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31	10:50	Adjournment
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