

LOUISIANA STATE BOARD OF MASSAGE THERAPY

Open Board Meeting - Special Session

March 4, 2010

The special session of the Louisiana State Board of Massage Therapy was called to order at 1:08 PM on Thursday 3/04/2010 at 12022 Plank Road, Baton Rouge, Louisiana 70811.

Call to order was made by Mary Donker Syvertsen.

Roll call by the Chairman showed the following members were present: Suzanne Schwing, Keith Thompson, Julianne Menn, Pam Little, Janeth DeBenedetto, and Bruce Evans.

Motion was made by Keith Thompson to enter into an agreement with Jimmy Faircloth for Special Board counsel. Suzanne Schwing seconded the motion. Discussion was called for by Mary Donker Syvertsen.

Discussion of need for new counsel and costs involved occurred. Rick McGimsey and Donnie Floyd stated there is a limit on state contract fees for legal counsel for board work, and that Mr. Faircloth and Mr. Floyd's charges would be similar if not the same at \$175.00 per hour. Mary Donker Syvertsen answered Mr. Evans that the Board needed Mr. Faircloth's help to review the business and compliance of the Board. Vote was called for by the Chairman. All approved except Bruce Evans and Janeth DeBenedetto.

A motion made by Keith Thompson and seconded by Suzanne Schwing to enter into an agreement with Billy Belsom of the Louisiana Attorney General's office for Board counsel. Rick McGimsey explained the fee schedule to Bruce Evans who questioned the board's understanding of the financial aspects of hiring new legal counsel. A vote was called. All approved except for Bruce Evans and Janeth DeBenedetto.

Keith Thompson made a motion for the Board to terminate the employment relationship with Kayla Perkins, Executive Director (ED) of the LSBMT. Suzanne Schwing seconded the motion. Mary Donker Syvertsen opened the table for discussion. Jan DeBenedetto asked if there were any prospects for the new ED. Mary Donker Syvertsen stated the Board will post for applicants from the public.

Kyle Crane read a letter from Kayla Perkins stating she was unable to attend today's meeting secondary to medical problem, as well as lauding the performance of Kyle Crane, Cassie Culbertson, Donnie Floyd, and Susan Hebert. (Letter is in meeting records). Cassie Culbertson has resigned her Board employment as per this letter from Kayla Perkins.

Donnie Floyd produced and offered to the Board members what he described were medical records from Ms. Perkins' physician, and that these records supported Ms. Perkins' medical leave. At the advice of Rick McGimsey and Billy Belsom, no member of the Board or public accepted or viewed these medical records in order to avoid violation of HIPPA laws. The board does not have a copy of Kayla Perkins's medical records in the meeting records.

Donnie Floyd read letters in his possession, described by him to be statements from massage therapists and past board members: Tammy Kershaw, Claudette Hymel, Vernon Smith, and Capt. Brian White (security guard). Donnie stated he wanted to “ditto” the letters lauding Kayla Perkins’ past performance. (These letters are retained in the records from today’s meeting.)

Bruce Evans stated that he disapproves of terminating Kayla Perkins. Jan DeBenedetto concurred.

Susan Hebert and Donnie Floyd encouraged the Board to allow Ms. Perkins the opportunity to file for a “medical retirement.” Board members all agreed to allow Ms. Perkins an opportunity to inquire about the requirements and process to file for medical based early retirement.

Bruce Evans moved to defer termination of Kayla. Rick McGimsey noted a motion had been made and seconded and was currently in discussion. Billy Belsom explained that any discussion regarding Ms. Perkins’ job performance must occur in Executive Session rather than Open Meeting. Bruce Evans withdrew his motion and moved to go into Executive Session to discuss the reasons for Kayla’s termination. Mary Donker Syvertsen adjourned the Open Meeting at 1:55 PM.

LOUISIANA STATE BOARD OF MASSAGE THERAPY

Open Board Meeting - Special Session

March 4, 2010

The special session of the Louisiana State Board of Massage Therapy was called to order at 2:33 PM on Thursday 3/04/2010 at 12022 Plank Road, Baton Rouge, Louisiana 70811.

Call to order was made by Mary Donker Syvertsen.

Roll call by the Chairman showed the following members were present: Suzanne Schwing, Keith Thompson, Julianne Menn, Pam Little, Janeth DeBenedetto, and Bruce Evans.

Billy Belsom submitted a document stating that Kayla Perkins was informed an Executive Session would be called today to discuss her performance, and that Ms. Perkins was given 24 hour notice of this meeting.

Keith Thompson motioned to withdraw the original motion to terminate Kayla Perkins’ employment with the LSBMT. Julianne Menn seconded the motion. A vote was called. All approved.

Keith Thompson made a new motion to terminate Kayla Perkins effective March 18, 2010 with forfeited access to office materials, passwords, keys, and other Board business and records as of March 5, 2010. Pam Little seconded the motion. All approved.

Cassie Culbertson's letter of resignation was given by Kyle Crane to Mary Donker and read by Ms. Donker Syvertsen. All Board members agreed that her resignation is accepted by the Board.

A motion was made by Suzanne Schwing to place Kyle Crane on unpaid administrative leave pending investigation of his credentials and his hiring process. She specified that unpaid leave would enable him to collect unemployment benefits if needed. This motion was not seconded.

Bruce Evans made a motion to defer Kyle Crane's termination for one month pending investigation. The motion was seconded by Suzanne Schwing. Discussion occurred, in which Mr. Crane stated his desire and the Board's need for him to continue his employment. A vote was called. All approved.

A motion was made and seconded to adjourn the meeting. Meeting adjourned at 2:57 PM.