



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF MASSAGE AND BODYWORK**

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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Massage and Bodywork</b>
<b>MEETING DATE AND TIME:</b>	<b>Thursday, January 16, 2020 1:30 pm</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , Second Floor, Cannon Building
<b>MINUTES APPROVED:</b>	February 20, 2020

**MEMBERS PRESENT**

Danielle DiFonzo, President  
Frank Beebe, Public Member  
Kathy Sherwin, Public Member, Secretary  
Jermaine Cannon, Vice President (arrived at 1:38 pm)  
Sandra Jachimowski, Professional Member

**MEMBERS ABSENT**

Elvis Amadi, Professional Member  
Ethel Loesche, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Eileen Kelly, Deputy Attorney General  
Virginia Jackson, Administrative Specialist III  
Jeff Ford, Investigative Supervisor  
Megan Miller, License Investigator III  
Sarah Siok, Executive Director  
Geoff Christ, Division Director

**OTHERS PRESENT**

Holly Overmyer, CMT  
Renee Underwood, LMT  
Matthew Vile

## **CALL TO ORDER**

Ms. DiFonzo called the meeting to order at 1:30 pm.

## **OTHER BUSINESS BEFORE THE BOARD**

The Board agreed to move agenda item VI to the beginning of discussion as Mr. Ford had additional duties to attend to. Ms. DiFonzo introduced Mr. Jeff Ford as the Investigative Supervisor at the Division of Professional Regulation (DPR). He informed the Board of recent massage complaints, the process of investigations, and the barriers that DPR staff have regarding massage establishment inspections. Mr. Ford expressed that a compliant massage establishment inspection may take approximately 15-20 minutes. On the other hand, illicit establishment inspections can take approximately 2-3 hours to complete. The increased time is due to factors such as language barriers, lack of credentials, or no proof of identification for workers. DPR has statutory authority to only serve cease and desist orders and to placard the establishment if found non-compliant. DPR does not have authority to shut down establishments or lock their doors. Mr. Ford stated that the Division has received numerous complaints from the public and legislators, in which the Investigative Unit handle on a high priority basis. DPR staff work diligently with the local police and the Attorney General's office for prosecution in these situations. Investigations can become extremely difficult when the majority of establishment workers are victims of human trafficking and become scared to cooperate with investigators and law enforcement with thoughts of deportation and arrest. Many victims obtain licensure through fraudulent credentials, move to different locations, and change professions which add to the difficulty of investigations. Ms. Jachimowski agreed that many establishment workers are victims of human trafficking and thanked Mr. Ford for explaining the investigative process to the Board.

## **REVIEW OF MINUTES**

A motion was made by Mr. Beebe, seconded by Ms. Sherwin to approve the November 21, 2019 meeting minutes. The motion carried unanimously.

## **UNFINISHED BUSINESS**

### **Proposal to Deny Hearing – Matthew Vile**

Ms. Kelly called the hearing to order and stated that today's hearing was a result of the Board's proposal to deny the CMT application for Mr. Vile. She introduced the application and all supporting documents and correspondence as Exhibit 1. Mr. Cannon recused himself from the vote as he was present as a testifying witness in Mr. Vile's hearing. The Board members were introduced and Mr. Vile was sworn in.

Mr. Vile testified that he had a long past of criminal history and substance abuse. Ms. Sherwin asked Mr. Vile how long ago his last criminal incident was, and what he was charged with. Mr. Vile testified that his last incident was about 3 years ago and that it involved theft. He further explained that he has cleaned up his act since, got his driver's license and car back, and completed massage school. He also stated that he currently works and has a good support system. Ms. Jachimowski asked Mr. Vile if he was currently on probation or parole; Mr. Vile answered in the negative. She also asked Mr. Vile how long he has been clean from illegal substances and if he is currently going through treatment. Mr. Vile answered that he has been clean for about 2.5 years, is currently clean, and attends substance abuse meetings once a week.

Mr. Cannon was then sworn in as a witness and provided testimony on Mr. Vile's behalf. Mr. Cannon testified that prior to the previous PTD decision made for Mr. Vile, that he did not know the respondent. After the meeting concluded, Mr. Cannon received a call from a colleague stating that

he had a guy who was looking for work and recommended him to Mr. Cannon for employment. Mr. Cannon stated that he met with Mr. Vile and after brief conversation, remembered that he was the gentleman whose application had been proposed to deny at the previous board meeting. He continued to say that he hired Mr. Vile as an intern and he is an extremely positive individual and hard worker. He also stated that Mr. Vile shows enthusiasm, is always on time, and works above and beyond some of his other workers. Based on his personal interactions with Mr. Vile, Mr. Cannon highly recommended him for licensure.

The Board briefly deliberated, and a motion was made by Ms. Sherwin and seconded by Ms. Jachimowski to approve the CMT licensure application for Matthew Vile. The motion carried unanimously.

### **NEW BUSINESS**

#### Application for DAG Review

None

#### Continuing Education

A motion was made by Ms. Jachimowski, seconded by Mr. Cannon to approve the following continuing education course:

- Thomas Patrick Nolan – Bringing Power to Your Table (5 hours Core)

The motion carried unanimously.

#### Ratification List

A motion was made by Mr. Cannon, seconded by Mr. Beebe, to approve the ratification of the following applications, the motion carried unanimously:

#### Certified Massage Technician

MC-0005012 Chen, Renjun  
MC-0005014 Wu, XiuMei  
MC-0005016 Yan, Qihong  
MC-T000145 Prentice, Janet L

#### Licensed Massage Therapist

MT-0005013 Seibert, Judith Rose  
MT-0005015 Sneeringer, Skye E

#### Massage Establishment

MZ-0000093 LIFHEA CENTER LLC  
MZ-0000094 New Ruby 1 Inc  
MZ-0000095 Panda Massage Therapy  
MZ-0000096 Foulk Healing Care, Inc.

#### Review and Consideration of Hearing Officer Recommendations

A motion was made by Ms. Jachimowski, seconded by Mr. Beebe to approve and accept the hearing officer recommendation for Donghua Ding – Case No. 20-04-18 as written. The motion carried unanimously.

**CORRESPONDENCE**

*Khalil Abdul-Majid*

Mr. Abdul-Majid wrote to the Board asking for clarification of the term “institutional setting” that is used in his final board order. The board deliberated and decided that an institutional setting would be considered a senior center, college, or university. A motion was made by Ms. Sherwin, seconded by Mr. Cannon. The motion carried unanimously.

**PUBLIC COMMENT**

None

**NEXT SCHEDULED MEETING**

The next meeting is scheduled for February 20, 2020 at 1:30 p.m.

**ADJOURNMENT**

There being no further business before the Board, a motion was made by Mr. Beebe seconded by Ms. Jachimowski, to adjourn the meeting. The motion carried unanimously. The meeting went off record and adjourned at 2:32 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Virginia L. Jackson".

Virginia L. Jackson  
Administrative Specialist III