



CAMTC Board of Directors Meeting

April 10, 2012
Teleconference

OPEN SESSION MINUTES

In attendance

Directors: Bob Benson, Michael Callagy, Nayada Dhanaphatana, Mark Dixon, Ben Drillings, Guy Fuson, Keith Grant, Elna Leonardo, Michael Marylander, Christian Pezza, Jean Robinson, Roberta Rolnick, Michael Schroeder, Joe Bob Smith, Deb Tuck, Dixie Wall

Directors Absent: William Armour, Judi Calvert, Paul Schwinghammer, Michael Sheps

Staff: Ahmos Netanel, CEO; Sheryl LaFlamme, Operations Manager; Beverly May, Director of Governmental Affairs; Rick McElroy, Director of Professional Standards Division

General Counsel: Jill England

Guests: Bernadette Murray, Patricia Russert Gillette, Kathryn Feather

1. Call to Order

Chairperson Dixie Wall called the meeting to order at 9:00am. Chairperson Wall reminded the board about the rules of debate.

2. Cleanup legislation update, stakeholder concerns, current proposed language

Motion (1): Dixon/Tuck – Move to instruct staff to pursue the proposed amendments to BP 4600 as prepared for today's meeting.

Ms. May stated that the first 14 amendments were already discussed in multiple meetings and she only wanted to present the two new amendments to the Board.

- 1) Amend 4612(c) to hold the certified owner responsible for staff behavior even if not all are certified.
- 2) Amend Sections 4602 to allow for interim suspension after investigation by PSD based on substantial evidence of sexual offenses or felonies in sworn victim declarations.

Mr. Schroeder proposed friendly amendment:

4602(d)(1) Notwithstanding any other provision of law, if the council receives substantial credible evidence that a certificate holder has committed an act punishable as a sexually related crime or a felony, the council may immediately suspend the certificate of that certificate holder. A decision to immediately suspend a certificate pursuant to this subsection shall be based on substantial evidence and the council shall also consider (1) any available credible mitigating evidence; and (2) whether such certificate holder represents a danger to commit further acts punishable as a sexually related crime or a felony before making a decision to suspend. Written statements by any person shall not be considered by the council when determining whether to immediately suspend a certificate unless made under penalty of perjury. If the council suspends the certificate of a certificate holder in accordance with this subsection (d)(1), it shall take all of the following additional actions:

(A) Notify within ten (10) days, the certificate holder at the address last filed with the council, that the certificate has been suspended and the reason for the suspension.

(B) Notify within ten (10) days, any business that the council has in its records where the certificate holder practices, that the certificate has been suspended.

(C) Certificate holders suspended based on section 4602(d)(1) and (d)(2) shall have the right to request a hearing within thirty (30) days after notice of suspension is issued by the council to challenge the factual bases for such suspension.

This would be the entirety of the text of 4602(d)(1). In addition, there would not be a need to amend 4603(a).

Mr. Dixon and Ms. Tuck accept friendly amendment

Roll Call Vote

Armour – Not Present
Benson – Abstain
Callagy – Yes
Calvert – Not Present
Dhanaphatana – Yes
Dixon – Yes
Drillings – Abstain
Fuson – Not Present
Grant – Yes
Leonardo – Yes
Marylander – Yes
Pezza – Yes
Robinson – Abstain
Rolnick – Not Present
Schroeder – Yes

Schwinghammer – Not Present
Sheps – Not Present
Smith – Yes
Tuck – Yes
Wall – Abstain

Motion Passes 10-0, 4 Abstain

3. Implementation of documents' scanning project – board approval of budgetary impact

Mr. Netanel presented the scanning project update stating the final contract is currently being reviewed.

4. Board members' attendance at the American Massage Conference

Motion (2): Smith/Rolnick – Move that CAMTC reimburse travel expense to those Board Members who volunteered to assist with CAMTC outreach, at the American Massage Conference, in San Diego on April, 20-22, 2012.

Roll Call Vote

Armour – Not Present
Benson – No
Callagy – Yes
Calvert – Not Present
Dhanaphatana – Yes
Dixon – Yes
Drillings – Abstain
Fuson – Yes
Grant – Yes
Leonardo – Yes
Marylander – Yes
Pezza – Yes
Robinson – No
Rolnick – Yes
Schroeder – No
Schwinghammer – Not Present
Sheps – Not Present
Smith – Yes
Tuck – Yes
Wall – Abstain

Motion Passes 11-3, 2 abstain

5. Next Meeting

The next Board meeting is scheduled for June 20, 2012 at 9:30am – Radisson Hotel Los Angeles Airport.

6. Adjournment

Chairperson Wall adjourned the meeting at 10:38am.

Minutes Approved: June 20, 2012

Roberta Rolnick, Secretary