

STATE OF FLORIDA
BOARD OF NURSING

Final Order No. DOH-15-1248-^{DS}-MQA

FILED DATE AUG 11 2015
Department of Health

By: Angel Sadeu
Deputy Agency Clerk

IN RE: THE PETITION
FOR DECLARATORY
STATEMENT OF
WILLIAM M. BRACEY

_____ /

FINAL ORDER

THIS CAUSE came before the Board of Massage Therapy (hereinafter Board) pursuant to §120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code, at a duly-noticed meeting in Kissimmee, Florida on July 17, 2015, for the purpose of considering the Petition for Declaratory Statement (attached as Exhibit A) filed on behalf of WILLIAM M. BRACEY (hereinafter Petitioner). Having considered the petition, the arguments submitted by counsel for Petitioner, and being otherwise fully advised in the premises, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. This petition was noticed by the Board in Vol. 41, No. 64, dated April 2, 2015 of the Florida Administrative Register.
2. Petitioner, WILLIAM M. BRACEY, is a massage therapist licensed to practice in the State of Florida, having license number MA75638.
3. Cold Laser Therapy of Low Level Laser Therapy (LLLT) is a treatment that utilizes specific wavelengths of light to interact with tissue and is thought to help accelerate the healing process.
4. Petitioner asks whether LLLT is permissible by a massage therapist who has been trained on administering LLLT to administer it to a client.
5. Petitioner asks a question of general applicability, rather than inquiring as to

the application of a particular statute or rule to Petitioner's circumstances.

6. Petitioner does not state that he has used or plans to use LLLT on his clients.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.

2. The petition filed in this cause is in not substantial compliance with the provisions of Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code.

WHEREFORE, the petition of WILLIAM M. BRACEY is dismissed.

DONE AND ORDERED this 10 day of August,

2015.

BOARD OF MASSAGE THERAPY



Christy Robinson, Executive Director
for Bridget Burke-Wammack, Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U.S. Mail to Petitioner WILLIAM M. BRACEY, 601 Starkey Road #62, Largo FL 33771, and by interoffice mail to Donna Oxford, Paralegal Specialist, Donna.Oxford@myfloridalegal.com this 11th day of August,

2015


Deputy Agency Clerk

1401-80328-File#

Petition for Declaratory Statement before the Florida Board of Massage Therapy

March 17, 2015

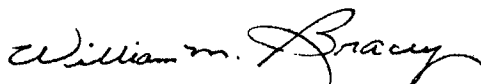
FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK **Angel Sanders**
DATE **MAR 24 2015**

Licensee	William M. Bracey, LMT
License #	MA75638 / MM32696
Address	601 Starkey Road, #62 Largo, FL 33771
Telephone #	(727) 482-4445
Fax #	(727) 412-8366

Definitions	480.033
Definition of Massage in Florida	(3) "Massage" means the manipulation of the soft tissues of the human body with the hand, foot, arm, or elbow, whether or not such manipulation is aided by hydrotherapy, including colonic irrigation, or thermal therapy; any electrical or <u>mechanical device</u> ; or the application to the human body of a chemical or herbal preparation.

Topic	Cold Laser Therapy administered by Licensed Massage Therapist
Inquiry	Cold Laser Therapy or Low Level Laser Therapy (LLLT) is a treatment that utilizes specific wavelengths of light to interact with tissue and is thought to help accelerate the healing process. It can be used on patients who suffer from a variety of acute and chronic conditions in order to help eliminate pain, swelling, reduce spasms and increase functionality. Would the Board of Massage please make a declaration if this therapy is permissible by a Licensed Massaged Therapist that has been trained on administering Cold Laser Therapy on a client?

Regards,



William M. Bracey, LMT (03/17/15)

MAR 20 2015

WILL BRACEY
601 STARKEY RD #602
LARGO, FL 33771



TAMPA FL 335
SAINT PETERSBURG FL
MAR 20 2015

MAR 20 2015

Dept of Health's Agency Clerk's Office
4052 Bald Cypress Way
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