

MINUTES

South Carolina Massage Therapy/Bodywork Panel

10:00 A.M., June 14, 2002

Board Meeting

Synergy Business Park

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Ms. Carolyn Talley-Porter, Chairman, of Greenville, called the meeting to order at 10:00 a. m. Other panel members present included: Isabelle Boyd, of Myrtle Beach; Kim Brewer, of Hilton Head; Toni Masters, of Greenville; Joe Norris, of Columbia; and Linda Pearson, of Spartanburg.

Staff members participating during the meeting included: Randy Bryant, Assistant Deputy Director; Sandra Dickert, Administrative Assistant; Larry Hall, Investigator; Dwight Hayes; Administrator-Investigators; Lisa Hawsey, Assistant Administrator; Eddie Jones, Administrator; Carla McLawhorn; and Blain Mosher, Administrative Assistant.

Ms. Talley-Porter announced that public notice of this meeting was properly posted at the Massage Therapy/Bodywork Panel office, Synergy Business Park, Kingstree Building, Room 108 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. A quorum is present.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

All present recited the Lord's Prayer.

Approval of the December 1, 2000 Meeting Minutes and the January 11, 2001 Conference Call Meeting Minutes

MOTION

Ms. Masters moved the minutes from the December 1, 2000 meeting and January 11, 2001 conference call meeting. Ms. Pearson seconded the motion, which carried unanimously.

Chairman's Remarks

Ms. Porter welcomed all of the Panel members to the meeting.

Introduction of Panel Members

Ms. Porter asked all of the members to introduce themselves and to give a brief professional background.

Assistant Deputy Director's Remarks

Agency Review and Responsibility - Act 453

Mr. Bryant briefed the Panel members on the agency's responsibilities and introduced Ms. Janet Scott and Ms. Sandra Dickert to the Panel.

Administrator's Remarks, For Information

Introduction of Staff

Mr. Jones introduced agency staff to the Panel members.

Action Items

Unfinished Business

There was no unfinished Business to be discussed during the June 14, 2002 meeting of the Massage Therapy/Bodywork Panel.

New Business

Review/Approval of Applications

1. Francisco Javier Castellanos

Mr. Dwight Hayes stated Mr. Castellanos had been arrested on a charge of Battery against the Elderly. He further stated staff has brought Mr. Castellanos before the Panel for a recommendation for licensure.

Mr. Castellanos briefly explained the charge and indicated he spent six months in jail because he could not post bail. He stated he made a plea bargain in the matter and the charge was dropped. He answered questions the Panel members asked of him.

The Panel determined it would discuss this matter in executive session.

2. Tonya Lynn Huggins

Mr. Hayes stated Ms. Huggins has an arrest record that indicates she has been charged and convicted of illegal use of the telephone and shoplifting.

Ms. Huggins briefed the Panel members on the circumstance surrounding her arrests.

Executive Session

Ms. Masters moved the Panel enter executive session to seek legal advice regarding the two applicants. The motion was seconded by Ms. Pearson and unanimously carried.

Return to Regular Session

Ms. Porter noted for the record that no motions were made and no votes were taken during the time the Panel was in executive session.

Francisco Javier Castellanos

MOTION

Ms. Pearson moved the Panel grant Mr. Castellanos a South Carolina license for Massage

Therapy for a probationary period of one year contingent the condition regarding no violations to the Massage Therapy Practice Act and the Panel also wishes Mr. Castellanos keep LLR informed regarding his employment and current address on a quarterly basis. Ms. Masters seconded the motion, which carried unanimously.

Tonya Lynn Huggins

MOTION

Ms. Pearson moved the Panel grant a South Carolina Massage license to Tonya Lynn Huggins for a period of two years in probationary status contingent upon of a favorable recommendation from her current counselor in regards to her competency to practice massage therapy and this license is also contingent upon keeping LLR informed on her employment and current address on a quarterly basis during this probationary time. The motion was seconded by Ms. Brewer and unanimously carried.

Web Site and Internet Options - Blain Mosher

Mr. Blain Mosher, Administrative Assistant, reviewed the agency's website with the Panel members.

Disciplinary Process - Larry Hall

Mr. Larry Hall, Staff Investigator, reviewed the disciplinary process with the Panel members. The panel discussed massage therapists advertising in the newspapers without their license numbers. Ms. Masters asked if general counsel could write a letter to The Greenville News and indicate that according to state law license numbers must be used in advertising. Mr. Hayes stated staff could advise the newspaper, however, staff could not make them require licensure. During this discussion it was brought out that Bell South charges an extra \$16 per month for advertising.

The panel also discussed consent orders issued by staff.

MOTION

Ms. Masters moved that in the Panel's next newsletter that the Panel begin publishing disciplinary actions that have been brought, any violations and list the name and address and a statement regarding altering or defacing a license. Ms. Pearson seconded the motion, which carried unanimously.

"Energy" Disciplines

Ms. Dianne Postnic spoke to the Panel regarding "Energy" movements. She indicated that in 1983 she graduated from a training program which taught Feldencrias and she has been in private practice since that time in South Carolina and North Carolina. She further stated that individuals who perform Feldencrias do not perform soft tissue manipulation and that their primary objective is as instructor. She noted that although they do not perform soft tissue manipulation, they may touch an individual as way of instruction. She indicated that Feldencrias does not fall under the category of massage therapy. She asked the Panel to consider word a sentence in the Practice Act to allow her to work under the massage therapy practice act. She indicated that there are six other states

which allow the "energy" movements under their massage therapy practice acts.

Licensure Reinstatement Requirements of Individuals with Licenses Lapsed Over Four Years

Breast Massage and Draping Procedures

Ms. Porter stated that there are workshops regarding breast massages and now it seems that there are male massage therapists who continue to do breast massage for people who may not need them. She asked the Panel how it could address the issue of therapeutic breast massage for individuals who may not need it.

Executive Session

Ms. Masters moved the Panel enter executive session to seek legal advice regarding breast massage and draping procedures. Ms. Pearson seconded the motion, which carried unanimously.

Return to Regular Session

Ms. Porter noted for the record that no motions were made and no votes were taken during the time the Panel was in executive session.

Discussion Items

There were no Discussion Items to be discussed during the June 14, 2002 meeting of the Massage Therapy/Bodywork Panel.

Public Comments

There were no public comments made during the June 14, 2002 meeting of the Massage Therapy/Bodywork Panel.

Adjournment

There being no further business to be brought before the Panel at this time, Ms. Masters moved the meeting be adjourned. Ms. Brewer seconded the motion, which carried unanimously. The June 14, 2002 meeting of the Massage Therapy/Bodywork Panel adjourned at 3:43 p.m.