

MINUTES
South Carolina Massage Therapy/Bodywork Panel
Panel Meeting
10:00 A.M., July 30, 2010
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 204
Columbia, South Carolina

Meeting Called to Order

Carolyn Talley-Porter, chairman, of Greenville, called the regular meeting of the SC Massage Therapy/Bodywork Panel to order at 10:00 a.m. Other members present for the meeting included: Lou Hastings, of Travelers Rest; Linda Pearson, of Spartanburg; and Janet Shaw, of West Columbia.

Staff members participating during the meeting included: Deleon Andrews, Investigator; Christa Bell, Litigating Attorney; Lisa Hawsey, Program Assistant and Eddie Jones, Administrator.

Member of the public attending the meeting included: Marion Davis, Renea Elsheman, Miriam Laney, Charlotte Rose, Cynthia Solare, Rob Wolf, and Margaret Yarborough.

Mrs. Porter announced that public notice of this meeting was properly posted at the S. C. Massage Therapy/Bodywork Panel office, Synergy Business Park, Kingstree Building 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.

Approval of Excused Absences

MOTION

Ms. Pearson made a motion the Board approve Mr. Stricklin's absence. Mr. Hastings seconded the motion, which carried unanimously.

Approval of the April 16, 2010 Meeting Minutes

Ms. Pearson noted a correction to page four under Training of Panel Members and Guidelines. She noted the interpretations are not used to train panel members.

MOTION

Ms. Shaw made a motion to accept the correction. Mr. Hastings seconded the motion, which carried unanimously.

Mrs. Porter noted a correction to page two under New Business.

MOTION

Ms. Shaw made a motion to accept the correction. Mr. Hastings seconded the motion, which carried unanimously.

MOTION

Ms. Shaw made a motion the amended minutes be approved. Ms. Pearson seconded the motion, which carried unanimously.

Chairman's Remarks – Carolyn Porter

Mrs. Porter made no remarks at this time.

Administrator's Remarks, For Information – Eddie Jones

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative updates given during this meeting.

Investigative Report, OIE Report-Office of Investigations and Enforcement

OGC-Office of General Counsel

Licensure Report

Mr. Jones presented the Panel with a report regarding the issuance of licenses since the last Panel meeting.

Unfinished Business

Mr. Jones stated disciplinary actions against licensees or individuals whose licenses have been placed on probation are placed on the panel's web page by the Office of Investigations and Enforcement (OIE). He further stated OIE tracks the consent agreements and panel orders and maintains that the individuals are in compliance.

Mrs. Porter stated the panel had requested financial information during the last meeting. Mr. Jones stated he would locate information before the panel members leave.

Mrs. Porter stated the members had also questioned if pictures could be placed on licenses. Mr. Jones stated he spoke with Mrs. Bailey-Glover regarding the placement of pictures on the licenses; however, nothing in the statute or regulations require that pictures be placed on massage therapy licenses. He noted it is something that can be reviewed; however, written information on the licenses would have to be repositioned or adjusted. He noted having a picture on the license does not always help.

New Business

Mrs. Porter stated there individuals in shopping malls providing massage therapy but are calling the service aroma therapy or pressure points. She further stated these individuals are not licensed. She asked that the inspectors check these individuals and issue cease and desist orders if they are not licensed.

Mr. Andrews asked that the panel members contact him regarding these matters.

Discussion ensued in regard to investigations. During the discussion Mr. Andrews suggested when the panel opens the statute for changes that they begin requiring criminal background check with applications.

Ms. Pearson asked if the criminal background check would be paid by the applicant and if the background check would go through the State Law Enforcement Division. Mr. Andrews stated the applicant would pay for the report and the report would go through a federal database.

Ms. Pearson stated the statute states a massage device and read the definition.

Auditing CEUs

Mrs. Porter asked Mr. Jones to gather the information to conduct the continuing education audit. She noted the panel would conduct the audit.

Mr. Jones stated the Office of Licensure and Compliance would conduct the audit.

Approval of What is Accepted for CEU Workshops That Are not Actually Hands on

Mrs. Porter asked Ms. Elsheman on-line continuing education.

Ms. Elsheman stated the SC Commission on Higher Education does not handle continuing education. She noted the Commission licenses occupational preparation programs, which includes massage therapy.

Mrs. Porter stated there are several individuals against on-line continuing education and the Panel has had several discussions regarding this type of continuing education. She noted she currently approves the continuing education providers. She has had two providers within the last month to ask for approval of on-line continuing education.

Ms. Elsheman stated there are several on-line courses available in several different professions. She further stated there are ways to make on-line courses credible.

Discussion ensued in regard to on-line continuing education courses, making the courses credible, becoming a continuing education provider, and including limiting the number of on-line courses in the guidelines and interpretations.

Request that Schools Include Massage/Bodywork Law in Curriculum

Ms. Elsheman stated she has contacted the schools and has received a response from approximately one-half of the schools stating they provide a course on the massage/bodywork law in the curriculum. She further stated that because it is not a requirement the Commission can advise schools that the schools provide the course as a prerequisite.

Approval of Academic Hours From Other Countries

Mrs. Porter stated an individual from Hong Kong has applied for a massage therapy license. However, the certificate indicates esthetics and beauty. She went on to say the individual claims to have over 500 hours of training in massage therapy. She said she asked the individual to have the school submit a break down of her hours but she received a letter with no hours of training listed.

Mrs. Porter asked Ms. Elsheman if she agreed that an approved school would be one which is approved by the state in which the individual was trained. Ms. Elsheman agreed with that interpretation.

Approval of 2011 Proposed Meeting Dates for 2011

The Panel reviewed the following proposed 2011 meeting dates.

March 18, 2011 June 17, 2011 September 16, 2011 December 9, 2011

MOTION

Ms. Shaw made a motion the Panel approve the proposed meeting dates for 2011. Mr. Hastings seconded the motion.

Public Comments

Ms. Solari believes the criminal background checks would be an excellent idea.

Comments were made regarding some of the schools which do conduct criminal history reports applying to the massage therapy program and precautions the students are told when they enter the program.

Ms. Laney stated she works with the medically related division of Central Carolina Technical College which requires students to obtain criminal background checks and a toxicology test. She noted the criminal background report costs approximately \$55.00 and goes back seven years and the toxicology test costs approximately \$100.00. She further stated the Board of Nursing now requires all new graduates of nursing programs to submit a criminal background report and that the Board is randomly select licensed nurses and notifying them that they are required to submit the criminal history reports.

Mrs. Porter stated the Federation of State Massage Therapy Boards will hold the annual meeting in San Juan, Puerto Rico in September 2010.

Ms. Pearson noted that the license fees go toward paying the membership fee to the Federation of State Massage Therapy Boards.

Executive Session

The Panel did not enter executive session.

Adjournment

The July 30, 2010 meeting of the SC Massage Therapy/Bodywork Panel adjourned at 11:50 a.m.