

South Carolina Massage/Bodywork Therapy Panel Meeting
Agenda
September 18, 2020
9:30 a.m.
Via Teleconference

1. Meeting Called to Order

- a. Public notice of this meeting was properly posted at the SC Massage/Bodywork Therapy 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. In accordance with the Governor's directives regarding social distancing, the meeting was held via teleconference.

- b. Rules of the Meeting

2. Introduction of Panel Members and All Other Persons Attending

Chairperson Janet Shaw called the meeting of the S.C. Massage/Bodywork Panel to order at 9:36 a.m. Other Panel members/staff participating in the meeting included:

- Gloria Smith
- Jennifer Griffitt
- Jenny Vaughn
- Denise Van Nostran
- Mary L. Kelley
- Stacey Hewson, Advice Counsel
- Theresa Brown, Administrator
- Patrice Deas, Staff
- Shannon Beaudry, Staff
- Courtney Crosby, Office of Investigations and Enforcement
- Elizabeth Kolb, Office of Communications and Governmental Affairs
- Megan Flannery, Office of Disciplinary Counsel
- Tina Behles, Court Reporter

3. Approval of Excused Absences

There were no absences for this meeting.

4. Approval of Agenda

Ms. Smith made a motion to approve the agenda. Ms. Van Nostran seconded the motion and it carried.

**5. Approval of Meeting Minutes:
February 28, 2020**

Ms. Van Nostran made a motion to approve the minutes from the February 28, 2020 meeting. Ms. Smith seconded the motion and it carried.

March 13, 2020 Task Force

Ms. Kelley made a motion to approve the minutes from the March 13, 2020 Task Force meeting. Ms. Griffitt seconded the motion and it carried.

6. Chairperson's Remarks – Janet Shaw

Ms. Shaw invited Debra Gallup and Jolee Gudmundson to speak regarding the latest information on the statute updates. They stated they made a few more edits, which were given to Ms. Shaw and Georgia Lewis, Advice Counsel, for review. Ms. Shaw and Ms. Lewis provided suggestions/concerns regarding the updates, and these were presented to the Panel.

Ms. Gudmundson stated they would like some feedback on the updates. The Panel all agreed that they would like more time to review the updates and Ms. Shaw and Ms. Lewis's remarks prior to offering their own thoughts.

The Panel agreed to have a special called meeting to vote on the statute updates. The special called meeting was

scheduled via teleconference for September 25.

7. Administrator's Remarks – Theresa Brown

- a. Budget** – For Information – The budget was presented for informational purposes only.
- b. IRC Report** – Rodney Pigford – For Approval – Courtney Crosby presented the IRC Report, as Mr. Pigford was unable to attend. The IRC Report is dated for the May 8, 2020 IRC meeting. There were 5 cases for Dismissal, 3 cases for Dismissal – Cease and Desist, 1 Case for Formal Complaint, 2 Cases for Letter of Caution, and 1 Case for Reconsideration – Letter of Caution. Ms. Kelley made a motion to approve the IRC Report. Ms. Smith seconded the motion and it carried.
- c. OIE Report** – Rodney Pigford – For Information Only – Ms. Crosby also presented the OIE Report. The report was prepared on August 18, 2020. In 2019, there were 52 cases. Since January 2020, there have been 16 cases opened, 2 of which are still active.
- d. ODC Report** – Megan Flannery – For Information Only – As of August 12, 2020, there are 3 Open Cases, 3 Pending Actions, 2 Pending Hearings, and 1 Pending Board Action. There have been no cases closed since February 18, 2020.
- e. Ratification of Guidance for Pre-Licensure Distance Education** – Ms. Brown stated that there were two updates place on the Panel website regarding pre-licensure distance education during the public health emergency; these updates were approved by the chair and vice chair and were dated March 21, 2020 and July 21, 2020.

Ms. Smith made a motion to approve the ratification of the guidance for pre-licensure distance education. Ms. Van Nostran seconded the motion and it carried.

8. New Business

a. Consideration of Infrared Light in Massage Practice

Ms. Brown stated that Panel staff received a question as to whether the use of infrared was allowed in massage therapy. She then sent the question to Ms. Shaw, who pulled some research on the topic for Panel members to review. Ms Van Nostran also provided research ahead of the meeting.

Ms. Kelley stated she did some research on her own and that it looks like infrared is done more in a doctor's office than a salon.

Ms. Griffitt stated that she uses infrared a lot in her role as an esthetician but that she has undergone training in her role as an esthetician. She stated that practitioners of infrared have to be careful because it acts on the cellular level.

Other Panel members agreed that the use of infrared seems outside of the scope of practice.

Ms. Smith made a motion that the use of infrared light is outside the scope of practice for massage therapists. Ms. Vaughn seconded the motion and it carried.

b. Consideration of Code of Ethics

Ms. Hewson stated that all boards that do not have a code of ethics have been asked to determine whether they need one. She stated that the Massage Panel statute states that the Panel can promulgate regulations regarding a code of ethics.

Because the Massage Panel is already undergoing statute updates, Ms. Hewson recommended that, if they decide to create a code of ethics, not to work on it until after the statute has been updated.

The Panel stated that they would like to look into developing a code of ethics at a later time.

c. Review of May 2003 Interpretation Document

Ms. Hewson stated that the May 2003 interpretation document that is currently on the Massage Panel webpage is very old and needs to be taken down.

Ms. Brown stated that she has already put in a request to remove the page from the website but wanted to let the Panel know.

The Panel discussed possibly developing some FAQs in the future to respond to specific questions.

d. Approval of 2021 Panel Meeting Dates

The list of proposed meeting dates for 2021 were presented to the Panel.

Ms. Smith made a motion to approve the 2021 meeting dates. Ms. Van Nostran seconded the motion and it carried.

9. Adjournment

Ms. Smith made a motion to adjourn the meeting at 10:30 a.m. Ms. Griffitt seconded the motion and it carried.

The next meeting of the SC Massage/Bodywork Therapy Panel is scheduled for November 6, 2020.