

South Carolina Massage/Bodywork Therapy Panel Meeting

Agenda

May 7, 2021

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 will be held via teleconference. Due to technical constraints, members of the public who wish to attend may do so by telephone. For meeting access information, please email boardinfo@llr.sc.gov.
- b. Rules of the Meeting

2. Introduction of Panel Members

Chairperson Janet Shaw called the meeting of the S.C. Massage/Bodywork Therapy Panel to order at 9:38a.m. Other Board members participating in the meeting included.

- ❖ Mary Lou Kelley
- ❖ Gloria Lee Smith
- ❖ Denise Van Nostran
- ❖ Jenny Vaughn

Staff members present included: Theresa Brown, Administrator; GiGi Lewis, Advice Counsel; Megan Flannery, Office of Disciplinary Counsel (ODC); Rodney Pigford, Chief Investigator; Patrice Deas, Staff; Kimberly Brooks, Staff ;Beverly Gould, ODC; Holly Beeson, Office of Communication & Government Affairs.

All other Person Attending:

Melanie, Court Report; John Perez; Dayne Phillips; Alexandria Radue; Beverly Gould; Debra Gallup; Laura Embleton; David Clinger; Helen Loizi.

3. Approval of Excused Absences

There were no absences to approve.

4. Approval of Agenda

Ms. Gloria Lee Smith made a motion to approve the meeting's agenda with any deviations deemed necessary. The motion was seconded by Ms. Mary Lou Kelley and it carried.

5. Approval of Meeting Minutes

February 5, 2021- Board Meeting

A motion was made to amend section 8ia and 9a. Section 8ia should state that Ms. Gloria Lee Smith made the motion that Ms. Arnetta Murphy Sturdivant be denied the license because the license is a conditional North Carolina license. Ms. Sturdivant until she has met the conditions in the other state and receive a license then she can come back and reapply once her other license is active. The motion was seconded by Ms. Mary Lou Kelley and the motion carried.

Item 9a should state that Ms. Gloria Lee Smith made a motion that the State met its burden of proof and Mr. Nicholas Benjamin Coyle is permanently revoked, receive a public reprimand, fined \$500 for each violation and if he is found practicing he must immediately be issued a cease and desist (C&D) order. The motion was seconded by Ms. Jenny Vaughn. The motion carried.

Ms. Gloria Lee Smith made a motion to approve the corrections for the February 5, 2021 board meeting. Ms. Jenny Vaughn seconded the motion and it carried.

A 5 minute break session was requested by Theresa Brown.

6. Chairperson's Remarks – Janet Shaw

No remarks given at this time.

7. Administrator's Remarks – Theresa Brown

- a. **Budget** – For Information- The budget was presented for informational purpose only.
- b. **OIE Report** – Rodney Pigford – For Information only- This report is for information purpose only and is given by Mr. Rodney Pigford. In January 2020- December 2020, there were a total of 41 complaints with 3 being active; In January 2021 there were a total of 15 complaints with 10 being active and 2 being closed.
- c. **IRC Report** – Rodney Pigford – For Approval- This report was given by Mr. Rodney Pigford. The IRC report is from the April 30, 2021 IRC meeting. The committee recommended 4 cases for dismissal, 2 dismissal with C&D, 1 case for Letter of Caution (LOC), 2 reconsideration for dismissals.

A motion was made by Mary Lou Kelley to approve the IRC report and it was seconded by Ms. Gloria Lee Smith.

- d. **ODC Report** – Megan Flannery – For Information Only- The ODC report is for informational purposes only. There were 4 open cases, 1 pending action, 1 Pending CA/MOAs, 1 pending hearing, 2 pending board actions, and 1 closed case.
- e. **Legislative Update**- Ms. Debra Gallup stated that the Bill (S.227) passed in the Senate and will be moving to the House. She stated that there will be a subcommittee meeting held on May 12, 2021 at 9:00 a.m. if any panel member wanted to attend. Ms Beeson stated to contact her directly if any panel member wanted to attend the meeting. Ms. Beeson spoke about Bill 229, this Bill will require massage therapist to undergo a criminal background check before licensing.

8. New Business

a. FSMTB Annual Conference Meeting

Ms. Gloria Lee Smith made a motion to approve Theresa Brown and Janet Shaw to attend the FSMTB Annual Conference meeting. Mrs. Jenny Vaughn seconded this motion and it carried.

b. Consideration of Panel Meeting Dates for 2022

Ms. Gloria Lee Smith made a motion to approve the panel meeting dates for 2022. Mrs. Jenny Vaughn seconded this motion and it carried.

9. Disciplinary Hearings

a. 2017-45

This case was in the matter of John Perez. Mr. John Perez was represented by his attorney Dayne Phillips. Megan Flannery presented the findings of the case and Alexandria Radue, Helen Loizi, and David Clinger were witnesses.

Ms. Mary Lou Kelley made a motion to go into executive session. It was seconded by Ms. Gloria Lee Smith.

Ms. Gloria Lee Smith made a motion to come out of executive session and it was seconded by Ms. Denise Van Nostran. There were no motions made or votes taken during executive session.

Ms. Gloria Lee Smith made a motion that the State did not meet its burden of proof and the case will be dismissed. Jenny Vaughn seconded the motion.

10. Adjournment

Ms. Mary Lou Kelley motioned to adjourn the meeting at 1:43pm. Ms. Gloria Lee Smith seconded it and the motion carried.

The next meeting of the SC Massage/Bodywork Therapy Panel is scheduled for August 6, 2021.