

**Panel for Massage/Bodywork Meeting**

**Agenda**

**February 4, 2022**

**9:30 a.m.**

**Via WebEx**

**1. Meeting Called to Order**

- a. Public notice of this meeting was properly posted at the office of the Panel for Massage/Bodywork, 110 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. 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](mailto: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 9:36 a.m. Other Board members participating in the meeting included.

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

Staff members present included: Theresa Brown, Administrator; Donnell Jennings, Advice Counsel; Alexis Bell, Office of Disciplinary; Patrice Deas, Staff; Kimberly Brooks, Staff

**All others Person Attending:**

Court Reporter, Sean Cary; Debra Gallup; Tavia Newton

**3. Approval of Excused Absences**

**4. Approval of Agenda**

Ms. Denise Van Nostran made a motion to approve the meeting's agenda with any deviations deemed necessary. The motion was seconded by Ms. Gloria Smith and it carried.

**5. Approval of Meeting Minutes**

Board Meeting – August 6, 2021

Ms. Gloria Smith made a motion to approve the meeting minutes from the August 6, 2021 board meeting with corrections. Under Chairperson Remarks, FSBTM need to be corrected as FSMTB. Ms. Mary Lou Kelley seconded the motion and it carried.

Board Meeting- November 5, 2021

Ms. Gloria Smith made a motion to approve the meeting minutes from the November 5, 2021 board meeting. Ms. Mary Lou Kelley seconded the motion and it carried.

**6. Chairperson's Remarks – Janet Shaw**

Ms. Janet Shaw stated that Bill S227 is still on hold in the House subcommittee. She stated that the task force is on hold until Bill S227 moves forward. Ms. Shaw stated that she received an informative message from Dr. Rosline Sumpter from SC Technical College System. Dr. Sumpter stated after speaking with her staff about the new clock hours recommendations, the program would be justifiable.

**7. Administrator's Remarks – Theresa Brown**

- a. **Budget** –For Information – The budget was presented for informational purposes only.
- b. **OIE Report** – Rodney Pigford – For information only- This report is for informational purposes only and was given by Rodney Pigford. In 2021, there were a total of 31 complaints with 3 being active and 15 closed. As of January 2022, there are a total of 3 complaints with 1 being active and 1 closed.

- c. **IRC Report** – Rodney Pigford – For Approval- This report was given by Mr. Rodney Pigford. The IRC report is from the January 25, 2022 meeting. The committee recommended 1 case for formal complaint and 2 letter of cautions.

A motion was made by Ms. Gloria Lee Smith to approve the IRC report and it was seconded by Ms. Denise Van Nostran.

- d. **ODC Report** – Alexis Bell – For Information Only -The ODC report is for informational purposes only. There were 3 open cases, 1 pending board action, and 7 closed cases.

e. **Statement of Economic Interest**

The deadline for statements to be sent to the State Ethics Commission is March 30, 2021. You should have received your statement by email.

**8. New Business**

a. **Consideration of Licensure**

i. **Tavi Newton**

Ms. Tavi Newton represented herself and requested to appear before the board for licensure. Ms. Newton submitted an application without providing proof of a massage transcript reflecting 500 clock hours. She only possesses a certificate reflecting that she completed a massage program. The program/school is no longer in business and she is unable to obtain a transcript.

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

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

Ms. Tavi Newton decided to withdraw her application.

b. **Consideration of the Need for Pocket Cards**

A motion was made by Ms. Gloria Smith to discontinue pocket cards for licensee. The motion was seconded Ms. Mary Lou Kelley and the motion carried.

Ms. Denise Van Nostran made a motion to go into executive session for legal advice. Ms. Gloria Smith seconded the motion and it carried.

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

Ms. Denise Van Nostran left the meeting at this time.

c. **Consideration of CE Audit Penalties**

Ms. Theresa Brown stated that she wanted to reaffirm with the board about CE audit requirements. Ms. Brown stated that this will be the first time that CE broker will be used. She stated that random audits will be conducted for a percentage of the population. Ms. Brown stated that those names would be presented to CE Broker to verify if the licensees met the continuing education requirements.

Ms. Denise Van Nostran made a motion to approve 5% of licensees to be audited for the upcoming renewal. The motion was seconded by Gloria Smith and it carried.

Ms. Gloria Smith made a motion to set the deadline for Audits to August 30, 2022. Ms. Mary Lou Kelley seconded the motion and it carried.

Ms. Janet Shaw stated to the Panel that a vote is needed on consent agreement guidelines. She stated that once the information is received back from CE Broker and the information is reviewed; letters will be issued to non-compliant licensees.

Ms. Gloria Smith made a motion to issue a public reprimand for non-compliant licensees. Ms. Mary Lou Kelley seconded the motion and it carried.

Ms. Mary Lou Kelley made a motion to issue a \$50 penalty for licensees being non-compliant with CEU's. Ms. Gloria Smith second the motion and it carried.

Ms. Gloria Smith made a motion to give licensees 60 days to comply after receiving the consent agreement for being non-compliance with CEU's. The motion was seconded by Mary Lou Kelley and the motion carried.

Ms. Theresa Brown asked if there will be language in the consent agreement reflecting that licensees will be administratively suspended if found non-compliant with the parameters of the consent agreements.

Mr. Donnell Jennings stated that the consent agreements will state that the licensees will be administratively suspended until the licensee becomes compliant.

**d. Consideration of Accepting Proof of Post-Secondary Transcript or Degree in Lieu of High School Diploma or GED**

Ms. Theresa Brown discussed with the panel a survey she received from an individual who was upset that she had to submit a high school diploma in lieu of a post- secondary transcript. Ms. Brown indicated that several individuals inquired about submitting post-secondary education instead of a high school diploma or GED. Most of the individuals who are applying for licensure state that they have misplaced or lost their high school diploma or GED. Discussion ensued.

Ms. Gloria Smith made a motion to authorize Ms. Theresa Brown, in conjunction with a panel member, to review submitted educational documents and determine if a person meets the requirements of graduation from high school when a high school diploma or GED are not readily available. Ms. Mary Lou Kelley seconded the motion and it carried.

Ms. Mary Lou stated that the next panel meeting will be held on May 6, 2022.

**9. Adjournment**

Ms. Gloria Smith made a motion to adjourn the meeting at 12:01 p.m. Ms. Mary Lou Kelley seconded it and the motion carried.