

Meeting Minutes
South Carolina Massage Therapy Board Meeting
November 1, 2024, 9:30 a.m. in Pee Dee Conference Room
110 Centerview Dr., Kingstree Building, Columbia, South Carolina 29210

Meeting Called to Order

Ms. Janet Shaw called the meeting to order at 9:39am

Public notice of this meeting was properly posted at the office of the S.C. Board of Massage Therapy, 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.

a. Rules of the Meeting

Approval of Agenda:

Motion: To approve the agenda. Motion was made by Ms. Smith and seconded by Ms. Maddox. The motion passed.

Introduction of Board Members and Persons Attending the Meeting:

Board members and staff introduced themselves

Board Members Present:

Janet Shaw-Chair
Gloria Lee Smith-Vice Chair
Bailey B. Maddox
Sherri Rees
Nina Spinelli

SCLLR Staff Present:

Matalie Mickens, Board Executive
Shamone Breazeale, Administrative Assistant
Mary League, Advice Counsel
Tori Smith, Office of Investigations
Alexis Bell, Office of Disciplinary Counsel
Robert Dean, Office of Investigations
Jennifer Stillwell, Office of Investigations
Byron Ray, Office of Investigations
Rosa McKoy, Office of Investigations
Charles Turkal, Office of Investigations

Present:

Tina Behles, Court Reporter
Hiadia Ramsey, Witness
Debra Gallup. AMTA-SC
David Thompson, Respondent
Laura McSweeney, Applicant
Brian McSweeney

JoLee Gudmunson, AMTA-SC

Approval of Excused Absences:

There were no excused absences

Approval of Meeting Minutes:

Motion: To defer the approval of the May 3, 2024 until the February 6, 2025 Board meeting. Motion was made by Ms. Smith and seconded by Ms. Maddox. The motion passed.

Motion: To approve August 2,2024 minutes. Motion was made by Ms. Spinelli and seconded by Ms. Roberts. The motion passed.

Motion: To defer the approval of the September 23, 2024 task force meeting until the next scheduled Board meeting. Motion was made by Ms. Smith and seconded by Ms. Maddox. The motion passed.

Chairperson's Remarks: Janet Shaw

Ms. Shaw thanked everyone for coming and thank you for your hard work.

Staff Reports:

Board Executive Report-Matalie Mickens-

Ms. Mickens provided a spread sheet that included of the number of licensees that have renewed since November 1, 2024. The total number of licensees that have renewed is 6733. Ms. Mickens reported in October 3-5, 2024 that she, Attorney Mary League and Janet Shaw and Bailey Maddox and Nina Spinelli attended the Annual FSMTB Conference that was held in Washington, D.C.

Financial report: \$981,680.63

Citation and Inspections-Jennifer Stillwell, Lead Inspector-

This report is for approval

There were no citations to report. There have been 112 inspections completed for the month of August. There were 153 inspections completed for the month of September and the month of October there were 182 inspections. Since January, 2024, there have been a total of 937 inspections.

Motion: To approve citation and inspection report. Motion was made by Ms. Smith and seconded b y Ms. Maddox. The motion passed.

Office of Investigations and Enforcement (OIE) Report-Robert Dean, Lead Investigator-

This report is for information only

Mr. Dean reported that 167 complaints have been received: 11 are active investigations and 149 have been closed.

Investing Review Conference (IRC) Report-Robert Dean, Lead Investigator-

This report is for approval

Mr. Dean reported that there is currently 1 case for consideration for a formal complaint: 2 cases for dismissal and 1 for Letter of Caution.

Motion: To approve IRC Report. Motion was made by Ms. Smith and seconded by Ms. Maddox. The motion passed.

Office of Disciplinary Counsel (ODC) Report-Alexis Bell, Esq- ODC Report

This report is for information only

As of October 28, 2024, there are 2 open cases, 2 cases pending hearings and 3 cases have been closed since January 1, 2024.

Application Hearing: Laura McSweeney

Ms. McSweeney was sworn in and testified. Ms. McSweeney answered questions from the Board.

Motion: To go into Executive session to seek legal advice in this matter. Motion was made by Ms. Smith and seconded by Ms. Spinelli. The motion passed.

Executive Session

Motion: To come out of Executive Session. Motion was made by Ms. Spinelli and seconded by Ms. Smith. The motion passed.

Out of Executive Session

Motion: To approve the application for licensure based on training and transcripts provided. Motion was made by Ms. Smith and seconded by Ms. Spinelli. The motion passed.

Disciplinary Hearings

These proceedings were recorded by a court reporter in order to produce a verbatim transcript should one be necessary

a. **Memorandum of Agreement (MOA)**

1. Case No: 2021-27

Ms. Bell, Disciplinary Counsel, representing the State, presented the Memorandum of Agreement. The Respondent appeared before the Board and was represented by Atty. Edward S. McCallum, III.

The Respondent's attorney addressed the Board and the Board questioned the Respondents regarding this matter. The State and the Respondents' attorney gave closing statements. Ms. Shaw called for a motion.

Motion: To go into executive session for legal advice. Motion was made by Ms. Spinelli and seconded by Ms. Maddox. The motion passed

Executive Session

Motion: To come out of executive session. Motion was made to come out of executive session by Ms. Spinelli and seconded by Ms. Maddox. The motion passed.

Return from Executive Session

Motion: To accept the Memorandum of Agreement, impose a fine of \$500 and a public reprimand. Motion was made by Ms. Smith and seconded by Ms. Maddox. The motion carried.

b. Evidentiary Hearing

Ms. Maddox recused herself from the Evidentiary Hearing as she had prior knowledge of the matter

1. Case No.: 2023-27

The Board reviewed evidence and testimony presented by the parties in this case.

Motion: To go into executive session to seek legal advice. Motion was made by Ms. Spinelli and seconded by Ms. Smith. The motion passed

Executive Session

Motion: To come out of executive session. Motion was made by Ms. Spinelli and seconded by Ms. Roberts. The motion passed.

Return from Executive Session

Motion: To dismiss the complaint and issue a letter of caution. Motion was made by Ms. Smith and seconded by Ms. Spinelli. The motion passed.

Hearing Officer

Ms. Mickens advised that the Board needs to appoint a hearing officer in the event that someone may want to appeal the rulings of a citation. This person will handle the appeal and make recommendations for the Board. The appeal will still have to come before the Board, but no testimony or witnesses will be heard. The Board members will email possible hearing officer names to Ms. Mickens.

Approval of Travel

a. FSMTB National Convening in Arlington, Virginia- January 14-15, 2025
Ms. Mickens as for approval for herself and two staff members to attend the FSMTB Nation Convening, January 14-15, 2025 in Arlington, Virginia.

Motion: To approve the travel of Ms. Mickens, two staff members and three Board members to the FSMTB Conference in Arlington, Virginia. . Motion was made by Ms. Smith and seconded by Ms. Maddox. The motion passed.

Approval of 2025 Board Meeting Dates

Ms. Mickens advised of the change in the 2025 meeting dates. The dates had conflict with

schedules. The dates were updated to February 6, 2025, May 30, 2025, August 1, 2025, November 5, 2025 and November 20, 2025.

Motion: To approve the updated 2025 Board Meeting Dates. Motion was made by Ms. Spinelli and seconded by Ms. Maddox. The motion passed

Elections

Ms. Mickens advised that elections need to be done today. Nominations were called for by Ms. Shaw.

Motion: To elect Ms. Janet Shaw as Chairperson. Motion was made Ms. Spinelli and seconded by Ms. Smith. The motion passed.

Motion: To elect Ms. Gloria Smith a Vice Chairperson. Motion was made by Ms. Spinelli and seconded by Ms. Maddox. The motion passed.

Public Comments- none

Adjournment

Motion: To adjourn the meeting. Motion was made by Ms. Smith and seconded by Ms. Spinelli. The motion passed.

The next meeting of SC Board of Massage Therapy is scheduled for February 6, 2025.