

MINUTES
South Carolina Massage/Bodywork Therapy Panel
Meeting
10:00 A.M., August 21, 2015
Synergy Business Park
Kingstree Building, Conference Room 108
110 Centerview Drive, Columbia, SC 29210

Meeting Called to Order - 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.

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Public Notice:

Ms. Shaw announced that public notice of this meeting was properly posted at the SC Massage/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.

Introduction of Panel Members and Other Persons Attending:

The Panel members introduced themselves. Janet Shaw, Vice Chairperson, Denise Van Nostran, Jenny Mitchell, and Anthony Ruggiero

Staff members present: Georgia Lewis, Advice Counsel; Sharon Wolfe, OIE; Theresa N. Richardson, Administrator; Roz Bailey-Glover, Administrative Staff; and Tina Behles, Court Reporter.

Others participating in the meeting included: Lane Goodwin

Approval of Excused Absences

Chairperson, Carolyn Porter was absent.

MOTION:

Mr. Ruggiero made a motion to excuse Ms. Porter's absence. Ms. Van Nostran seconded the motion which carried unanimously.

Approval of Meeting Minutes: May 22, 2015

MOTION:

Mr. Ruggiero made a motion to approve the May 22, 2015 minutes. Ms. Mitchell seconded the motion which carried unanimously.

Approval of the Agenda

MOTION:

Ms. Van Nostran made a motion to amend the current agenda. Ms. Mitchell seconded the motion which carried unanimously.

MOTION:

Mr. Ruggiero made a motion to make one change to item 9 (a) on the agenda regarding VibraStim Therapy. VibraStim can appear before the Panel on a future date when they are available. Ms. Van Nostran seconded the motion which carried unanimously.

Vice Chairman's Remarks – Janet Shaw

Ms. Shaw stated that the responsibility of the Panel is to ensure the continued professionalism of the profession and to protect the public.

Advice Counsel– Georgia Lewis

Ms. Lewis conferred with Ms. Shaw on conducting meetings and old business.

MOTION:

Mr. Ruggiero made a motion to go into executive session for legal counsel. Ms. Van Nostran seconded the motion which carried unanimously. Ms. Lewis stated that the Administrator, Theresa Richardson will enter executive session with the Panel members.

MOTION:

Ms. Van Nostran made a motion to return to public session. Ms. Mitchell seconded the motion which carried unanimously.

Administrator's Remarks – Theresa Richardson

Budget – May and June 2015

The Panel reviewed the budget which was submitted for information only. Ms. Richardson asked the Panel if they had any questions regarding the budget information. There were no questions. Ms. Richardson moved on to the IRC report and introduced Ms. Sharon Wolfe.

IRC Report – Sharon Wolfe

Ms. Wolfe reviewed the IRC Report with the Panel. Ms. Van Nostran had questions about the complaint contained in the IRC report. Ms. Wolfe stated there was insufficient evidence in the complaint to pursue further action, so it was dismissed. The report was submitted for information only.

OIE Report – Sharon Wolfe

Ms. Wolfe reviewed the OIE Report with the Panel. Regarding the twenty (20) reported cases, seven (7) were active through August 4, 2015, and 20 were closed.

MOTION:

Mr. Ruggiero made a motion to accept the OIE Report for August 6, 2015. Ms. Mitchell seconded the motion which carried unanimously.

ODC Report – Megan Flannery

Ms. Flannery reviewed the ODC Report with the Panel. There were only two (2) cases opened and two (2) cases closed. The ODC Report was provided as information only.

Proposed Panel Meeting Dates for 2016

Ms. Richardson directed the Panel to the proposed 2016 meeting dates. All dates were scheduled on a Friday as follows: February 12, 2016, May 13, 2016, August 12, 2016 and November 18, 2016. Ms. Lewis reminded the Panel they are required to meet a minimum of twice per year. If Panel members are not available for any of the meeting dates they must let the Administrator know immediately.

MOTION:

Mr. Ruggiero made a motion to approve the 2016 meeting dates. Ms. Van Nostran seconded the motion which carried unanimously.

2015 FSMTB Annual Conference

Ms. Richardson let the Panel know the 2015 FSMTB Annual meeting was coming up soon and would be held in New Mexico. The Panel is required to vote on who will attend. Since Ms. Van Nostran is already on the committee the Panel could vote for two attendees. Ms. Richardson stated that she would like to attend. Ms. Mitchell and Mr. Ruggiero stated that they would not be able to attend. Ms. Shaw stated that she would like to attend.

MOTION:

Mr. Ruggiero made a motion for the Administrator, Ms. Theresa Richardson and Ms. Janet Shaw to attend the 2015 FSMTB Annual Conference. Ms. Van Nostran seconded the motion which carried unanimously.

Delegated Authority

Ms. Richardson let the Panel know that her other two boards have voted to give her delegated authority to send out cease and desist orders, letters, and administrative suspension orders on behalf of the Panel. Discussion ensued.

MOTION:

Mr. Ruggiero made a motion to approve delegated authority to the Administrator for the documents mentioned. Ms. Van Nostran seconded the motion which carried unanimously.

Advice Counsel commented on the fine job Ms. Richardson and her staff has done on behalf of the Panel and is very confident she will handle the delegated authority to accomplish the Panels business. Ms. Richardson stated it's a pleasure working with the Panel and assured them that she would involve the Panel prior to making decisions.

Old Business

Demonstration of Device for Approval in Massage Practice – VibraStim therapy

VibraStim called on Thursday, August 20, 2015 to let the Administrator know they would not be able to attend today's meeting. The Panel provided an earlier vote to excuse the absence and reschedule with VibraStim if they made further contact with the Administrator.

New Business

Consideration for Legislative Review Committee – Theresa Richardson

Ms. Richardson let the Panel know that the Model Practice Act is up for review and the Panel must form a Committee consisting of two panel members, Advice Counsel, the Administrator, at least two members from the national association, and the IRC member. The committee would review the South Carolina Practice Act to ensure compliance. The committee meetings would be public. Ms. Lewis stated that Panel would be taking a vote today to establish a legislative committee taskforce to review the statutes and regulations along with the review of the model practice act. The committee would then report their

recommendations back to the entire Panel. The committee would clean up the language and bring it back to the panel for determination. The entire process could take a few months.

Some discussion ensued. Ms. Van Norstran would be on the committee and Ms. Mitchell would serve as an alternate.

Mr. Ruggiero stated he would contact Ms. Richardson with the name of an individual from the Massage Therapy Association to serve on the committee. Ms. Van Nostran will join the committee and Ms. Mitchell will serve as an alternate. The committee would meet before the end of the year.

Ms. Shaw emphasized that the purpose for the model practice act is to get all states on the same page with licensing and to increase the potential for portability between the states. The committee would meet before the end of the year. There will be two members from the Association. The Administrator has the IRC member's name on file and there would be one member from the CHE's Office

Ms. Richardson will place the committee information on the next agenda once everything is solidified.

MOTION:

Mr. Ruggiero made a motion for the Panel to form a legislative committee taskforce to review the statutes and regulations and to review of the model practice act. The committee will report their recommendations back to the entire Panel. Ms. Mitchell seconded the motion which carried unanimously.

Consideration for Time of Year When Panel Elections are Held – Theresa Richardson

Ms. Richardson asked the Panel what time of year they wanted to hold Panel elections. Some discussion ensued.

MOTION:

Mr. Ruggiero made a motion to hold Panel elections on the last meeting of the calendar year. Ms. Van Nostran seconded the motion which carried unanimously.

Ms. Shaw stated that the Panel must also consider the matter of conducting a continuing education credit renewal audit. Renewals will happen in 2016 so the considerations for an audit must be placed on the November meeting agenda. After some discussion, the Panel agreed the audit can be done onsite at LLR.

Ms. Richardson stated that she would send the licensees a letter of audit, but the Panel must decide on the percentage of people they will audit.

Discussion

Mr. Ruggiero stated that someone questioned him whether or not the Governor's Office was thinking about waiving the high school requirement for licensure. Ms. Lewis stated that nothing has been determined yet and Panel members cannot lobby regarding the matter. She advised the Panel to wait and see if the matter comes up again. If it does, she will advise them at that time.

Public Comments – There were none.

Adjournment: 11:21 a.m.

MOTION:

Mr. Ruggiero made a motion adjourn. Ms. Mitchell seconded the motion which carried unanimously.

The next meeting of the SC Massage/Bodywork Therapy Panel is scheduled for November 13, 2015.