

**South Carolina Massage/Bodywork Therapy Panel  
Meeting  
10:00 a.m., December 12, 2014  
Synergy Business Park  
Kingstree Building  
110 Centerview Drive, Conference Room 105  
Columbia, South Carolina 29211**

**Meeting Called to Order**

Public notice of this meeting was properly posted at the S. C. 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.

**Rules of the Meeting Read by the Chairman**

**Introduction of Board Members:**

Chairperson Carolyn Porter called the regular meeting of the Massage/Bodywork Panel meeting to order. Other Panel members for the meeting included, Janet Shaw, and Jenny Mitchell.

**Staff Members Participating in the Meeting:**

Georgia Lewis, Advice Counsel; Theresa Richardson, Administrator; Matteah Taylor, Staff; Yolanda Rogers, OIE, and Court Reporter

**All Other Persons Attending:**

Anthony Ruggerio (by phone), Lane Goodwin and Clay Barton

**Approval of Excused Absences:** Denise Van Nostran

**MOTION:**

Jan Shaw made a motion to approve Denise Van Nostran's absence. Jenny Mitchell seconded the motion which carried unanimously.

**Approval of the Minutes: July 25, 2014**

**MOTION:**

Jan Shaw made a motion to accept the minutes from July 25, 2014. Jenny Mitchell seconded the motion which carried unanimously.

**Approval of the Agenda:**

**MOTION:**

Jan Shaw made a motion to approve the agenda. Jenny Mitchell seconded the motion which carried unanimously.

**Chairman's Remarks – Carolyn Porter:**

Ms. Porter reported she attended the Federation of States Massage Therapy Boards Annual Meeting along with Administrator, Theresa Richardson and Jan Shaw, Panel member. Jan Shaw was the delegate for the South Carolina Massage Panel. The meeting was enjoyable. The attendees were reminded that the Federation is available to assist the Massage Boards and Panels. Jan Shaw explained the major announcement was that the MBLEX will be the only acceptable examination as of November 1, 2014. The National Certification Board of Therapeutic Massage & Bodywork (NCBTMB) has been eliminated.

### **Administrator Remarks – Theresa Richardson**

#### **Budget – September and October 2014**

The Panel accepted the budget as information.

#### **IRC Report – Yolanda Rodgers**

The Investigative Review Committee met October 7, 2014. There were 12 cases heard. Out of the 12 cases, 5 cases were recommended for dismissal, 1 case was recommended as a formal complaint, 5 cases were recommended for dismissal with a cease and desist, and 1 case was recommended to have a letter of caution sent.

#### **MOTION:**

Jan Shaw made a motion to accept the 5 dismissal cases. Jenny Mitchell seconded the motion which carried unanimously.

#### **MOTION:**

Jan Shaw made a motion to accept the 1 formal complaint. Jenny Mitchell seconded the motion which carried unanimously.

Ms. Lewis explained the logistics of individuals found practicing without a license in South Carolina. Labor, Licensing and Regulation does not have jurisdiction over unlicensed individuals which is why cease and desists are issued. This administration is limited to issuing C&D orders. If these individuals are found ignoring the C&D order, the Panel will then have the right to file a complaint with the Administrative Law Court (ALC) for a fine of \$10,000.

#### **MOTION:**

Jan Shaw made a motion to accept the 5 dismissal cases with a cease and desist orders. Jenny Mitchell seconded the motion which carried unanimously.

#### **MOTION:**

Jan Shaw made a motion to accept the issuance of the 1 letter of caution. Jenny Mitchell seconded the motion which carried unanimously.

#### **OIE Report – Yolanda Rodgers**

The OIE report is an overview of the cases from January 1, 2014 through December 1, 2014. There were a total of 31 cases during this timeframe. Out of those 31 cases, 3 cases were active investigations, 3 cases were closed, 9 cases were do not open, 1 case was opened, 10 cases were pending board action, 1 case was pending IRC and 4 cases were pending criminal court action. During the same timeframe there were a total of 23 cases closed.

## **Massage Annual Conference**

### **MOTION:**

Jenny Mitchell made a motion to approve Carolyn Porter, Jan Shaw, and Theresa Richardson's attendance at the Massage Annual Conference which was held October 2014. Jan Shaw seconded the motion which carried unanimously.

## **Panel Meeting Dates for 2015**

### **Motion:**

Jenny Mitchell made a motion to accept the meeting dates for 2015. Jan Shaw seconded the motion which carried unanimously.

## **Approval of Anthony Ruggiero as Hearing Officer**

Ms. Lewis explained to the Panel if there is an evaluation, TSO or a drug test ordered for an applicant or a respondent, as the Hearing Officer, Anthony Ruggiero will review these documents. The applicant or the respondent has the right to dispute the order and Mr. Ruggiero will hear the applicant or the respondent's dispute. Although these orders are final orders they are considered interim orders and disciplinary actions could come out of the dispute.

### **MOTION:**

Jenny Mitchell made a motion to approve Anthony Ruggiero as the Hearing Officer. Jan Shaw seconded the motion which carried unanimously.

## **New Business:**

### **Election of Panel Officers**

#### **MOTION:**

Jan Shaw nominated Carolyn Porter to remain as the Panel Chair. Jenny Mitchell seconded the motion which carried unanimously.

#### **MOTION:**

Jenny Mitchell nominated Jan Shaw to remain as Co-Chair of the Panel. Carolyn Porter seconded the motion which carried unanimously.

## **Public Comments:**

Lane Goodwin asked for clarification on the examination that would be accepted. Ms. Porter explained both of the examination providers agreed to do away with the National Certification Board of Therapeutic Massage & Bodywork (NCBTMB) and to make the MBLEX the only acceptable examination. It was suggested that the Department of Education inform the Massage schools of this change. Jan Shaw explained as of November 1, 2014 the National Certification Board of Therapeutic Massage & Bodywork (NCBTMB) will be eliminated. Ms. Richardson explained that she researched the Massage Statutes and there are no statute of limitations for the expiration of the examination that has already been completed.

## **Adjournment 10:48am:**

**MOTION:**

Jan Shaw made a motion to adjourn. Jenny Mitchell seconded the motion which carried unanimously.