

**South Carolina Massage/Bodywork Therapy Panel
Board Meeting
10:00 a.m., February 7, 2014
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 204
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.

Pledge of Allegiance

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, Jenny Mitchell, and Denise Van Nostran.

Staff Members Participating in the Meeting:

GiGi Lewis, Advice Counsel; Roz Bailey-Glover, Interim Administrator; Matteah Taylor, Staff; Cecelia P. Englert, Court Reporter, Prentiss Shealey, OGC, and Sharon Wolfe, OIE

All Other Persons Attending:

Kendra Boyd, Amber McConnell, Michelle Atkins, Tyler Sprankle, Anthony Puggiers, Tami Crim, Lane Goodwin, Debbie Banker, Carissa Ferguson, Stephen Keslen, and Chesley Phillips

Approval of Excused Absences: Mr. Charles Strickland has resigned due to health challenges.

Approval of the Agenda:

MOTION:

Ms. Mitchell made a motion to approve the agenda. Ms. Shaw seconded the motion which, carried unanimously.

Approval of the Minutes: August 23, 2013

MOTION:

Ms. Shaw made a motion to approve the minutes for August 23, 2013. Ms. Mitchell seconded the motion which, carried unanimously.

Chairman's Remarks – Carolyn Porter:

Ms. Porter mentioned that Mr. Strickland had to resign from the panel due to health complications. Ms. Porter stated Mr. Strickland was a faithful Panel member and he will be missed. Ms. Porter would like for a letter to be sent to him pertaining to his years of service and thanking him for his time served. Ms. Porter mentioned there were two Panel members approved to attend the annual Federation of State Massage Boards' meeting, Ms. Van Nostran and Ms. Shaw but there were some issues to come up and neither of them could attend. In that meeting there was discussion of the model practice act.

Administrator Remarks – Roselind Bailey-Glover, Interim Administrator

Ms. McCarley has resigned and Ms. Glover will be filling in until an Administrator is appointed. The renewal season is approaching and the renewal notices are scheduled to go out around March 28th or at least 90 days prior to the expiration date of the license. There are approximately 4,146 active licensees. If you anticipate a renewal audit the Panel will need to inform staff how they are planning for it to happen after June 30, 2014. There isn't a current way that LLR's system can capture the amount of continuing education hours; although, the renewal audits were put in place for this purpose. Every year the statement of economic interest has to be completed by all panel members. The data has to be completed online and March 30th is the deadline date.

Nomination of Professional IRC member:

MOTION:

Ms. Mitchell made a motion for Ms. Debbie Banker to be the Professional IRC member. Ms. Shaw seconded the motion which, carried unanimously.

New Business:

Proposed Chapter 10: fee Placement: GiGi Lewis, Advice Counsel

In the Panel packets there was an e-mail from Director Pisarik which was dated November 21, 2013. There was a review conducted of the fees for all Boards, Panels and Commissions at LLR. The review is required to be completed every two years. There were some Boards, Panels, or Commissions which have large deficits and some had a huge excess neither of these are good. There needs to be enough in each account to run the particular Board. Direct Pisarik recommended an increase for some Boards, Panels, and Commissions and a decrease for others. At this time, the Massage Panel was not affected. The consensus is that all Boards, Panels and Commissions under LLR listed in the same place which is Chapter 10. Director Pisarik is asking for consideration and a vote for your fees to be published in Chapter 10.

MOTION:

Ms. Van Nostran made a motion for the fees to be published in Chapter 10. Ms. Mitchell seconded the motion which, carried unanimously.

Update Model Practice Act – Carolyn Porter:

About a year ago the Federation of State Massage Boards decided to implement a task force committee. Ms. Porter is one of the members. The task force committee has met twice in New York to discuss the model practice act. The task force is at the final stage of reviewing and in about six months the Model Practice Act information will be released and shared.

CEU Providers – Carolyn Porter:

Within the first five years of the Massage Therapy Panel being founded, LLR gave Ms. Carolyn the authority to approve CEU providers. LLR will provide interested individuals with an application to be a CEU provider. Once the application is returned it is provided to Ms. Porter for review and approval. After she conducts the research LLR will then provide a CEU provider number. If an individual is already a provider with the National Certification Massage Boards or with the Federation of States Board they automatically have the privilege to provide continuing education to South Carolina licensees.

Review for Approval of Applications with Background Reports:

Ms. Kendra Boyd appeared before the Panel because she has a pending charge which is four years old. Ms. Boyd is trying to get the charge dismissed due to the lack of prosecution. Ms. Boyd has been in the health care industry as a Certified Nursing Aid for about six years. Ms. Boyd states she has not been in any trouble since 2010. Ms. Boyd has not hurt anyone. Ms. Boyd was given PTI but she was unable to pay restitution because she did not have a job and due to this situation she had to go back to court. Ms. Boyd wants to be in the Massage industry because she has a desire to take care of people.

MOTION:

Ms. Van Nostran made a motion for licensure to be granted to Ms. Boyd with the condition that documentation of the final disposition of any pending charges or legal action stating the status be submitted at the time of her renewal. Ms. Mitchell seconded the motion which, carried unanimously.

Ms. Michelle Atkins has a charge on her background of robbery, assault and battery. Ms. Atkins decided last year she wanted to change her life style. Ms. Atkins has a passion for Massage Therapy and would like to further her career. Ms. Tammy Crim, Ms. Atkins', spa manager came along with her as her witness. Ms. Crim stated Ms. Atkins is running her front desk until she receives her massage therapy license. Ms. Crim suggested that Ms. Atkins is a nice person with a drive for the Massage industry.

MOTION:

Ms. Shaw made a motion to grant Ms. Atkins' license with provision that she submits a report of the final disposition at the time of renewal. Ms. Van Nostran seconded the motion which, carried unanimously.

Tyler Sprankle stated he made mistakes in the past that were not affiliated with Massage Therapy. Mr. Sprankle stated the mistakes he made were due to the friends he had while growing up they turned out to be a group of people that were not good company for him. Mr. Sprankle is currently employed at Cinzia spa in North Myrtle as a spa attendant and once he receives his massage license then his employment at the spa will turn into a Massage Therapist. Mr. Sprankle received a charge of PWID (possession with the intent to distribute) marijuana. Since he was within a five (5) mile radius of a school or church an additional felony charge was given for PWID (possession with the intent to distribute) within the proximity of a school or church. An Adderall pill, which is a control substance, was also found in his car that he did not have a

prescription for. Mr. Sprankle stated he also has a DUS (driving under suspension). Mr. Spankle stated he has gone through drug counseling.

MOTION:

Ms. Van Nostran made a motion to temporarily deny the license pending satisfactory results of a drug test which should be a 10 panel urinalysis and should be taken within two weeks. Documented results shall be provided directly from the health care provider to LLR staff. If the license can be granted after the drug testing results, are reviewed Mr. Sprankle shall provide an updated criminal background report of the next renewal. Ms. Mitchell seconded the motion which, carried unanimously.

Amber McConnell stated in late 2011 she was pulled over for impaired driving which is the lowest charge for driving under the influence in Michigan. Ms. McConnell was sentenced in January of 2012. Ms. McConnell moved to South Carolina September of 2012. Ms. McConnell has a current Massage license in North Carolina. Ms. McConnell immediately started to attend AA classes before the court ordered her to. Ms. McConnell attended AA classes immediately before the judge told her she needed to attend because she wanted to show she took this charge seriously.

MOTION:

Ms. Shaw made a motion to go into executive session for legal advice. Ms. Mitchell seconded the motion which, carried unanimously.

MOTION:

Ms. Van Nostran made a motion to come out of executive session where legal advice was give. Ms. Shaw seconded the motion which, carried unanimously.
No votes were taken and no motions were made.

MOTION:

Ms. Mitchell made a motion to approve the issuance of Ms. McConnell's license. Ms. Shaw seconded the motion which, carried unanimously.

Discussion:

Public Comments:

Chesley Phillips stated this was the largest Massage Therapy Panel meeting she's ever been in attendance of.

Adjournment 12:30pm:

Ms. Shaw made a motion to adjourn. Ms. Mitchell seconded the motion which, carried unanimously.