

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING  
AND REGULATION BEFORE THE MASSAGE THERAPY/BODYWORK PANEL  
MEETING MINUTES  
10:00 A.M., FEBRUARY 24, 2012  
SYNERGY BUSINESS PARK, KINGSTREE BUILDING  
COLUMBIA, SOUTH CAROLINA

BOARD MEMBERS PRESENT:

Carolyn C. Porter, Chairperson

Lou Hastings

Jenny V. Mitchell

Janet Shaw

Charles Strickland, Sr.

Denise M. Van Nostran

ADVICE COUNSEL:

Dean Grigg

Sarah McCarthy

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1 10:00 a.m.

2 MADAM CHAIRPERSON: At this time,  
3 we'll call the meeting to order. And public  
4 notice of this meeting was posted at the South  
5 Carolina Massage/Bodywork Panel office and  
6 provided to all requesting persons, organizations,  
7 and news media in compliance with Section 30-4-80  
8 of the South Carolina Freedom of Information Act.

9 Okay. First of all, I appreciate  
10 everyone being here today. And we have a new  
11 panel member. We're supposed to have two, but I  
12 don't think she has gotten here yet, so maybe she  
13 will.

14 But, anyway, what we're going to  
15 do, we're going to introduce all of the panel  
16 members and we're going to go around. Let's start  
17 with our new panel member, and if you'll state  
18 your name and where you're from. And if you want  
19 to say something about yourself, that's fine.

20 MS. VAN NOSTRAN: My name is Denise  
21 Van Nostran. I'm from Bluffton, South Carolina  
22 and I'm the program director for Massage Therapy  
23 at the Technical College of the Low Country.

24 MS. SHAW: I'm Jan Shaw, licensed  
25 massage therapist/exercise physiologist here in

1 Columbia.

2 MR. HASTINGS: Lou Hastings,  
3 Travelers Rest. That's up by Greenville. And  
4 I've been doing this for nine years.

5 MR. STRICKLAND: I'm Charlie  
6 Strickland. I'm from Charleston and I'm retired.

7 MS. PORTER: And I'm Carolyn Porter  
8 from Greenville, South Carolina, and I've been  
9 here forever. It's time to go.

10 Okay. I believe everybody has a  
11 copy of the agenda. And, at this time, I'd like  
12 to have a motion to approve the agenda.

13 MS. SHAW: I motion.

14 MR. STRICKLAND: I'll second.

15 MAD. CHAIR: A motion by Jan Shaw,  
16 approved by Charlie Strickland. Okay. We had  
17 some teleconference meetings. Did we have three  
18 or two? I've got dates here of September 30 -- I  
19 think our meetings, the panel meetings were  
20 November 28th and December the 5th, and I believe  
21 everybody -- is that correct?

22 MS. PRESSLEY: Yes.

23 MADAM CHAIRPERSON: I believe  
24 everybody has a copy and I need a motion to  
25 approve those minutes of the meeting.

1 MR. STRICKLAND: I'll make a  
2 motion.

3 MAD. CHAIR: Approved by Charlie  
4 Strickland.

5 MS. SHAW: I'll second it.

6 MAD. CHAIR: Second by Jan Shaw.  
7 Okay. We've had a few things that have come up  
8 within the panel, and one of the things was a  
9 rumor that panicked everybody and I began getting  
10 a lot of calls and -- telephone calls and emails  
11 about whether or not the South Carolina Governor  
12 was going to deregulate massage therapy.

13 There is nothing to that rumor.  
14 It's only a rumor. And I had already gotten on  
15 the phone and called some Legislators and we were  
16 ready for the fight of our life. So I don't know  
17 if our legal counsel or our Director would like to  
18 comment on that, but it might be good if we could  
19 get an assurance from you.

20 MR. GRIGG: Well, Carolyn, I don't  
21 know much more than what you've just said. I had  
22 heard the same rumor. I have not been involved  
23 with it at all. That's something that -- there  
24 are some Boards that are being considered for  
25 that. There are some Boards that Director

1 Templeton's office and the Governor's office have  
2 been looking into that.

3 I'd heard the same rumor, but it's  
4 great to hear that you're not being considered for  
5 that. So that's news to me and that's good news,  
6 as well. So I don't have anything to comment on  
7 that.

8 MAD. CHAIR: Well, I immediately  
9 called Byron and -- that's Mr. Bryon down at the  
10 end of the table -- and he assured us that there  
11 was no substance to that. So we're happy to hear  
12 that. But I just wanted to clarify that and make  
13 sure that everybody knows that there is not  
14 anything that's relating to deregulating massage  
15 therapy.

16 Okay. If you'll notice,  
17 Ms. Gonzales is making a request to the panel and  
18 she is down under number 10. Do I hear a motion  
19 that we move her situation up?

20 MR. STRICKLAND: I'll make a  
21 motion.

22 MS. SHAW: I'll second.

23 MAD. CHAIR: Charlie made a motion,  
24 Jan seconded it. So we'll move forward and we'll  
25 go ahead and talk with Ms. Jasmin Gonzales. And I

1 believe everybody has a copy of that. Okay. We  
2 have information regarding her request.

3 Ms. Gonzales, can you hear us?

4 MS. GONZALES: Yes. I can hear  
5 you.

6 MADAME CHAIRPERSON: Do you want to  
7 go ahead and just tell the panel what you're  
8 trying to do? I believe you are going to move to  
9 South Carolina; is that correct?

10 MS. GONZALES: Yes. I am  
11 attempting to move to South Carolina from Las  
12 Vegas, Nevada. And in order for me to do so to be  
13 able to still work as a massage therapist, I had  
14 to acquire the licensings prior to any attempts of  
15 getting any kind of employment.

16 MADAME CHAIRPERSON: Okay. Tell us  
17 a little bit about how long you've been in  
18 practice, where you went to school and how many  
19 hours you received from the school.

20 MS. GONZALES: I have 1,000 hours.  
21 I went to the Puerto Rico Bodywork Institute in  
22 Puerto Rico. And I've worked as a therapist  
23 approximately 13 years. I've worked with a  
24 chiropractor for a couple of months.

25 I also worked at the Golden Door

1 Spa at the El Conquistador, which is now -- it's  
2 actually a flagship of the Waldorf Astoria Hotel.  
3 And from there, I was offered a position to work  
4 at Vdara Fitness Center in Las Vegas, Nevada, and  
5 I've been there for approximately -- I'm going  
6 into my third year there at Vdara as a bodywork  
7 practitioner, as a massage therapist.

8 I'm right below the lead therapist.  
9 I take care of the training and I help the initial  
10 hiring of the massage therapists. But then I  
11 can't calculate the hours because there have been  
12 so many hours. And working in the spa environment  
13 at the hotel, you can work easily six hours in a  
14 day or more, even a 40-hour workweek. So to be  
15 able to give you the exact number, I think would  
16 be a little difficult.

17 MADAM CHAIRPERSON: Well, that's  
18 okay. We have six panel members here and, at this  
19 time, I'm going to ask them if any of them would  
20 like to ask you a question.

21 MS. GONZALES: Sure.

22 MADAM CHAIRPERSON: So if any of  
23 you have a question to ask Ms. Gonzales?

24 MS. VAN NOSTRAN: Has Ms. Gonzales  
25 participated in regular continuing education?



1 MS. GONZALES: Yes, I have. I  
2 recently did a course in hot stones. That's one  
3 of my favorite modalities. So as the years go by,  
4 I attempt to take different pathology courses,  
5 things like that. Some of them have been online.

6 I'm also currently trying to get  
7 into an HIV course to find out how to work a  
8 little bit more with HIV patients and things like  
9 that. So, yes. To answer your question, yes,  
10 I've participated in continuing education  
11 courses.

12 MS. VAN NOSTRAN: All right. Do  
13 you have documentation of your continuing  
14 education courses?

15 MS. GONZALES: Yes, I do.

16 MS. VAN NOSTRAN: Thank you.

17 MADAM CHAIRPERSON: How many  
18 continuing hours does Puerto Rico require per  
19 year?

20 MS. GONZALES: Well, right now, the  
21 laws have changed a little. Before, they really  
22 didn't have a number. But now they're requiring  
23 from 12 to 16 hours. But because they're still in  
24 transition to implement those laws, they don't  
25 have any definite numbers as of yet.

1                   Which is another thing. Right now,  
2 I'm trying to renew my license in Puerto Rico.  
3 Because before, it was okay if you had the -- you  
4 needed 1,000 and work with a certificate. But now  
5 they're requiring that you have the actual license  
6 in Puerto Rico. And, like I said, it's been about  
7 a year-and-a-half that they've attempted to  
8 stipulate and change the legislation as far as a  
9 bodywork professional here.

10                   But to answer your question as  
11 well, the number, to be exact with continuing  
12 education is not like put in stone as of yet, but  
13 they're requesting that you also take that HIV  
14 course as part of being able to acquire the  
15 massage license in PR. I hope I answered your  
16 question.

17                   MR. STRICKLAND: Ms. Gonzales, this  
18 is Charlie Strickland. I have a question. You  
19 went to school in Puerto Rico. Is that school  
20 still in good standing as far as you're aware?

21                   MS. GONZALES: Yes, it is.  
22 Actually, the director of that school also works  
23 closely with the Board, and the Board that  
24 actually started implementing the new law on  
25 getting an official license, which they have a

1 list long of requirements now in order for you to  
2 obtain that license.

3 MR. STRICKLAND: How long has that  
4 school been operating?

5 MS. GONZALES: The exact number, I  
6 don't know. But I did study in -- I think it  
7 was -- it's been a while. The number, I couldn't  
8 tell you because I don't know how long it's been  
9 around. But since I've studied, she's still  
10 around and has her school. She now has moved  
11 actually to one of the bigger cities offering her  
12 courses. She also has her school online.

13 MR. STRICKLAND: Thank you.

14 MS. GONZALES: You're welcome.

15 MADAM CHAIRPERSON: Does anyone  
16 else have a question?

17 MR. HASTINGS: Jasmin, I'm Lou  
18 Hastings.

19 MS. GONZALES: Yes, sir. Hello,  
20 Mr. Hastings.

21 MR. HASTINGS: Hello to you, too.  
22 Now, you took the national certification exam in  
23 '08?

24 MS. GONZALES: Yes.

25 MR. HASTINGS: Were you still in

1 Puerto Rico at that time?

2 MS. GONZALES: Yeah. In order for  
3 me to get my license in Vegas, I had to acquire  
4 the Nat Cert.

5 MR. HASTINGS: Fine.

6 MADAM CHAIRPERSON: And I checked  
7 with Ms. Eshelman. She's sitting over here.  
8 She's with the Commission on Higher Education and  
9 Puerto Rico is approved. They are recognized now  
10 by the National Certification Board and they're  
11 recognized by the Federation of Safe Massage  
12 Boards.

13 So I'll ask our legal counsel,  
14 should we discuss this in Executive Session when  
15 we go in there or --

16 MR. GRIGG: It is completely the  
17 pleasure of the Board. If there's someone that's  
18 ready to make a motion now, have at it. Or if  
19 y'all have some questions and want to discuss it,  
20 we can do it in Executive Session, yes, ma'am.

21 MR. STRICKLAND: I make a motion to  
22 accept her.

23 MS. SHAW: I'll second.

24 MADAM CHAIRPERSON: Okay. A motion  
25 and a second. Okay, Ms. Gonzales,

1 congratulations.

2 MS. GONZALES: Thank you.

3 MR. STRICKLAND: Where are you  
4 going to reside?

5 MS. GONZALES: Thank you so much  
6 for your time and for the conference call. I  
7 appreciate it.

8 MADAM CHAIRPERSON: Where are you  
9 to coming to South Carolina?

10 MS. GONZALES: Well, now, I have to  
11 make plans to -- hopefully, May. I'll be in May  
12 but for a couple of interviews. Now that I have  
13 the license, now I can formally go ahead and apply  
14 and see where I'm going to stand.

15 I was attempting Hilton Head.  
16 There was a couple of places in Hilton Head, but a  
17 friend of mine is going to introduce me to  
18 specific places where he thinks probably I would  
19 fit best as far as my knowledge and experience.

20 So, hopefully, in May will be my  
21 first for, you know, a face-to-face meeting as far  
22 as interviews and things like that.

23 MADAM CHAIRPERSON: Okay. Well,  
24 thank you so much. Best wishes.

25 MS. GONZALES: Thank you, very

1 much. Bye-bye. Have a great day.

2 MADAM CHAIRPERSON: Okay. Do I  
3 hear a motion that we move back up in sequence to  
4 the administrative remarks?

5 MS. VAN NOSTRAN: I'll make a  
6 motion.

7 MADAM CHAIRPERSON: Okay. A motion  
8 by Denise.

9 MR. STRICKLAND: Second.

10 MADAM CHAIRPERSON: Okay.

11 MR. GRIGG: And, Carolyn, can I  
12 just make sure, you skipped over excused absences.  
13 I'm assuming there aren't any; is that correct? I  
14 just wanted to make sure.

15 MADAM CHAIRPERSON: What was that  
16 question?

17 MR. GRIGG: Earlier, number 3,  
18 approval of excused absences, you didn't mention  
19 that. I'm assuming there aren't any. I just want  
20 to make sure.

21 MADAM CHAIRPERSON: Oh. There are  
22 none.

23 MR. GRIGG: Oh, okay. I just  
24 wanted to make sure. Thank you.

25 MADAM CHAIRPERSON: Thank you. And

1 before we move forward, how about, Jenny, you  
2 missed our introduction. Why don't you tell  
3 everybody who you are, where you're from and a  
4 little something about you.

5 MS. MITCHELL: I am Jenny Mitchell  
6 from Laurens, South Carolina, and I work as the  
7 administrator for NHC Homecare. I'm an RN and  
8 acquired my massage therapy license about six  
9 years ago.

10 MADAM CHAIRPERSON: Good. Thank  
11 you. We welcome you to the panel. Okay. At this  
12 time, I'm going to call Byron Ray up for the  
13 administrative report and whatever he might have  
14 for us.

15 MR. RAY: Good morning everyone,  
16 again. The first thing I want to is, although I  
17 didn't get an opportunity to work with Linda, I'd  
18 like to present her with a little plaque. She's  
19 been a member since June 12th, 2002 to January  
20 27th, 2012, and in appreciation for your many  
21 years of service to the citizens of South Carolina  
22 and your commitment to professionalism in the  
23 practice of massage therapy bodyworks for your  
24 national, state and local leadership in  
25 establishing professional principles for the

1 practice of massage therapy bodyworks, for your  
2 time and counsel to the Office of Board Services,  
3 the South Carolina Department of Labor, Licensing  
4 and Regulations, and for being a friend to your  
5 profession, we'd like to present this little  
6 plaque to you.

7 MS. PEARSON: Thank you, very much.  
8 That was a little bit more than I anticipated.  
9 But I just want to say just a few things. I know  
10 it's not the Linda Pearson hour, but I graduated  
11 from the Atlanta School of Massage in 1989 and  
12 became involved with our professional organization  
13 from the get-go. And this is the first time in my  
14 career that I am not involved with any Board in  
15 the state, so I'm almost half a free woman.

16 Regretably, but I'm humbled by  
17 this. And I need to thank Eddie Jones, Sandra  
18 Dykert, Lisa Hawsey and Rene Eshelman for their  
19 support and help with this over the years. And I  
20 can't say enough about my beloved panel members,  
21 and carry on. Thank you.

22 MADAM CHAIRPERSON: I just want to  
23 say, I met Linda in 1992. She was a massage  
24 therapist and I heard she was the best there was.  
25 She immediately became my mentor and we worked on



1 the licensing for South Carolina. And little did  
2 I know when I was working on it that Linda had  
3 already attempted licensure and was turned down by  
4 the Legislature.

5 But she laid the groundwork and it  
6 was so much easier for me to come along. And  
7 then, of course, I asked Linda to join my team,  
8 which she did. And every massage therapist in  
9 South Carolina should be here today to recognize  
10 her because this girl has done so much for the  
11 profession and if I want to know anything that I  
12 don't know about, I call her. And she is my  
13 mentor and I am proud to say that. And, Linda,  
14 thank you so much for all you've done for the  
15 profession.

16 MS. PEARSON: It's been my  
17 pleasure. Thank you.

18 MADAME CHAIRPERSON: Now, we have  
19 one other thing.

20 MS. SHAW: Just one quick thing.

21 MADAME CHAIRPERSON: The South  
22 Carolina MTA, Massage Board, on behalf of --

23 (Momentary interruption)

24 MS. PEARSON: Thank you so much.

25 MADAM CHAIRPERSON: Let's give her

1 one more big hand.

2 (Applause)

3 MADAM CHAIRPERSON: Okay. At this  
4 time, we'll call on Mr. Andrews for the  
5 investigative report.

6 MR. RAY: Carolyn, if I could --

7 MADAM CHAIRPERSON: Oh, I'm sorry.

8 MR. RAY: Just one little quick  
9 item. And just for the panel members, most of you  
10 should have a green form just, you know, for the  
11 year you have to turn in your state ethics  
12 commission reports. Those have to be filed. Your  
13 statement of economic interest and those have to  
14 be in by April 15th.

15 They all have to be done  
16 electronically. They don't take my paper reports  
17 any longer. I think attached -- on the back of  
18 your form, you should have your statement from  
19 finance. You can use that as well.

20 MADAM CHAIRPERSON: Yeah. This was  
21 a headache when I first became a panel member. So  
22 if any of you new people need any help with it,  
23 I'll be glad to help you. And there is a fine.

24 MR. RAY: Yes, correct.

25 MADAM CHAIRPERSON: Isn't that

1 correct?

2 MR. RAY: That's what I wanted to  
3 say as well. So if you would be so kind, just  
4 kind of shoot me an email, a little phone call so  
5 I can check it off or whatnot.

6 MADAM CHAIRPERSON: I like this new  
7 report. Thank you. Okay. Do you have anything  
8 else, Byron?

9 MR. RAY: That's it.

10 MADAM CHAIRPERSON: Okay.

11 MR. ANDREWS: We currently have 14  
12 open investigations and we've received one new  
13 complaint this year, and I guess there's several  
14 IRC probably for your submission today.

15 MADAM CHAIRPERSON: I would like to  
16 ask you about -- and if I'm not supposed to do  
17 this, you can tell me. But a guy by the name of  
18 Tiny Rigerro filed a complaint regarding --

19 MR. GRIGG: Let's not mention  
20 names.

21 MADAM CHAIRPERSON: Okay. And I  
22 won't mention who the complaint was about. But  
23 has there been anything new on that? Because he  
24 just called me the other day and asked me if  
25 anything was ever done.

1                   MR. ANDREWS: Okay. And, I guess,  
2 some of you know that I was involved in a  
3 three-year investigation. I am just getting back  
4 the other investigator. I've assume all of his --  
5 I have all of his cases now. I'll look into it.

6                   That name is not familiar to me  
7 currently. I think as of last week, all of his  
8 cases were assigned to me. So I'm back full time  
9 with this Boards, and so I can let you know. But,  
10 currently, that name is not familiar. I have not  
11 run across that.

12                  MADAM CHAIRPERSON: Okay. And I  
13 wanted to ask legal counsel, I know about this  
14 case, I know everything about it and I'm very,  
15 very concerned. And I know I'll have to recuse  
16 myself from that. But is it okay if I inquire?

17                  MR. GRIGG: You're not a part of  
18 the complaint, are you?

19                  MADAM CHAIRPERSON: No. Definitely  
20 not.

21                  MR. GRIGG: Okay. It would be  
22 better if you didn't. It would be better if you  
23 would just remove yourself from all conversation  
24 about that completely and allow the other Board  
25 members to handle it and the investigators to

1 handle it. That would be my advice to you.

2 MADAM CHAIRPERSON: Okay. Thank  
3 you.

4 MR. GRIGG: I know you're curious.  
5 I know you want to know.

6 MADAM CHAIRPERSON: I'm very  
7 curious. Okay. Mr. Grigg, do you have a  
8 Legislative update for us?

9 MR. GRIGG: There's not much to  
10 tell you. As you know, obviously, some of the  
11 changes of the last few months with making some of  
12 the proposed changes to both your Practice Act and  
13 your regs that we've been working on, we made it  
14 through the public comment period on your regs and  
15 those were submitted to the Legislature. And I  
16 know for all Boards right now, the Legislature is  
17 setting up subcommittee hearings and going through  
18 that process, to my knowledge, and I've checked as  
19 of this morning.

20 We haven't been contacted that  
21 they've scheduled one for y'all which isn't  
22 necessarily a bad thing. Because, as you know,  
23 the way the regs work, if they time out by the end  
24 of the Legislative session, they automatically  
25 become active. So, hopefully, you know, they'll

1 progress as smoothly as they seem to be at this  
2 point.

3                   If we hear otherwise, Byron or  
4 myself, if we hear otherwise that there has been a  
5 subcommittee meeting scheduled, we'll obviously  
6 make y'all aware of it. But as of right now, we  
7 don't know of anything. So we're just kind of  
8 waiting. We're in a holding pattern as far as the  
9 regs go, kind of waiting to see what the  
10 Legislature is going to do with them.

11                   MADAM CHAIRPERSON: One of the  
12 things we did is, we're asking that we no longer  
13 have a panel because it's been years since we've  
14 had anybody on the panel. And in looking at the  
15 situation, it's probably better that the Board  
16 actually handles those complaints anyway.

17                   MR. GRIGG: Yes, ma'am. And that  
18 was actually -- I think we changed that actually  
19 in your statute. So in your Practice Act, if it's  
20 approved -- which, hopefully, for you guys it will  
21 be -- but, actually, in your Practice Act, if that  
22 goes through, you're right. We're doing away with  
23 the disciplinary panel, merging those obligations  
24 and requirements into the Advisory Panel's  
25 authority so that y'all will be able to -- because

1 I think practically y'all have been taking care of  
2 it anyway because there hadn't been any members on  
3 there. So we're just trying to --

4 MADAM CHAIRPERSON: Right. We have  
5 been. One other question I wanted to ask you is,  
6 I used to keep up with legislation on all Boards  
7 and it can become very nerve wracking if you don't  
8 have the time. But I no longer do that. Is that  
9 still in place that we can actually do that? I  
10 think it's good because especially if we make any  
11 changes, then we can find out if somebody else is  
12 trying to --

13 MR. GRIGG: Do you mean tracking it  
14 as it's going through the Legislative process?

15 MADAM CHAIRPERSON: Yeah. Trying  
16 to track it.

17 MR. GRIGG: You know, I've  
18 personally not looked at their website. But my  
19 understanding is that they do have -- and if y'all  
20 want to write it down -- your reg document number  
21 is 4239. And that's the number, from my  
22 understanding, that was assigned by the  
23 Legislature. So that's held -- it will be listed  
24 and that's how I think you can go to their website  
25 and track the progress through that. I've not

1 personally tried to do that. So I hope I'm right  
2 on that, but I think you can, yes, ma'am.

3 MADAM CHAIRPERSON: Well, one good  
4 thing is, the National Certification Board and the  
5 Federation of Massage Boards are tracking  
6 legislation and, usually, they let me know. So  
7 that's a good thing, too. So if anybody wants to  
8 know anything like that, you can contact --

9 MR. GRIGG: Yes. And it's all  
10 public record. So, I mean, it's just a matter of,  
11 I think, navigating their website. But I think  
12 you can punch that number in, I think you can  
13 track it. Certainly, if Byron or myself or Sarah  
14 hears of anything, we'll obviously keep y'all  
15 posted as best we can.

16 MS. MCCARTHY: I think legal has a  
17 pretty good handle on it upstairs. But if y'all  
18 have a question -- and for those of y'all I didn't  
19 meet, I'm Sarah McCarthy. I'm the new advice  
20 counsel, brand new, and I'll be taking over for  
21 Dean.

22 In any case, if you want to contact  
23 Byron or myself or Dean, any three of us, you  
24 know, we'll talk to our legal assistant or look it  
25 up and let you know.



1 MR. GRIGG: And her name is  
2 Jennifer Cooper and she's the Legislative guru for  
3 our office. She's the one that stays on top of  
4 all this and keeps us in line, so we'll be glad to  
5 try to help you out on that.

6 MADAM CHAIRPERSON: Since I'm  
7 retired, I usually contact Byron or Dean every  
8 single day of my life.

9 MR. GRIGG: There's nothing wrong  
10 with that. We love hearing from you.

11 MADAM CHAIRPERSON: So anybody can  
12 do that. They don't want me to tell you that, but  
13 you can do that.

14 MR. GRIGG: And sometimes, no news  
15 is good news. So the fact that they haven't set  
16 up a meeting yet isn't anything to be concerned  
17 about. That may work in your all's favor. So  
18 we'll just sit back and see how it goes.

19 MADAM CHAIRPERSON: Well, we  
20 appreciate all of you, we really do. Okay. Next,  
21 we have some panel member reports. And Ms. Jan  
22 Shaw attended the Federation of State Massage  
23 Board's annual meeting and I believe she might  
24 have a report for us.

25 MS. SHAW: Very brief. I sent the

1 notes out after the meeting last fall to all of  
2 the panel members. But, briefly, the Federation  
3 is in charge, for those who don't know and this  
4 was my first meeting, my first attending one of  
5 their meetings. Carolyn had typically been taking  
6 care of that. But they are in charge. They have  
7 convened to try to organize the whole country,  
8 basically, is what they're trying to do and get us  
9 all as much under one umbrella as possible.

10 I was very impressed with the whole  
11 meeting and everything I learned from it. But  
12 basically what came out of that, most states are  
13 either licensed or certified, seven states are  
14 currently unregulated. Most are going towards,  
15 and the Federation is encouraging everybody to go  
16 towards the new MBLEX exam, which is not all that  
17 new, but as opposed to the national exam that's  
18 been used for years.

19 The main reasons being, the massage  
20 industry, the Federation of State Massage Therapy  
21 Boards owns that exam. The other national exam  
22 that has been used in the past is not owned by our  
23 entity, basically. If I get all this right, help  
24 me if I stumble here.

25 But they have employed outside

1 companies, experts to come up with the biometrics  
2 that manage who is taking the exams, making sure  
3 that people are who they say they are when they're  
4 applying for and taking the exams. There's  
5 specific things in place to be able to make sure  
6 that happens. They have another company to score  
7 the exam. They have another company to set up the  
8 exam.

9                   A physical space so that no matter  
10 where in the country you go to take the exam,  
11 everything about the physical setting is exactly  
12 the same, down to the plastic plants that are in  
13 the corners of the rooms. Everything so the  
14 environment is always the same. So it's very  
15 regulated once it scores.

16                   So the benefit of all that is that  
17 if there's ever someone wanting to contest a  
18 score, the of an exam, it can be defended, is the  
19 basis of all of that. So that's the benefit of  
20 that. Some of the main concerns that states had  
21 at that time were human trafficking. And you  
22 might expect that in some of the more southern  
23 border states, also even as far as Oregon, human  
24 trafficking in the massage industry is a huge  
25 concern.

1                   some of the other common concerns  
2 were the number of schools in their states. Some  
3 had over 400, some had only two, and whether or  
4 not the schools were legitimate. I think Florida  
5 had 400 schools or so. And then regulation. Once  
6 again, some states are certified, some have tiered  
7 processes of -- or tiered certifications within  
8 the industry, some are licensed like we are. And  
9 so what the Federation again is trying to do is  
10 help to bring all the states together so that we  
11 can become more unified in the way that we do  
12 things.

13                   That's the gist of it. Are there  
14 any questions?

15                   MADAM CHAIRPERSON: Okay. And to  
16 be fair, I want to add that national certification  
17 pretty much does all of this also. They have done  
18 a wonderful job regarding human trafficking. So I  
19 just wanted to point that out. And when we have  
20 comments, statements, if you'd like to comment on  
21 any of that, then that would be okay.

22                   Does anybody else have any comments  
23 regarding that? Feel free to speak up any time  
24 you need to. Well, we appreciate Jan going.  
25 Usually, the Federation will pay for a panel

1 member and LLR will pay for a panel member, so  
2 maybe some of you would like to go the next time.  
3 And I had the date of that meeting but I left my  
4 briefcase at home so I don't have that. But I  
5 will send an email out and let you guys know  
6 that.

7                   Okay. As most of you know, I was  
8 chosen to be on Federation of State Massage Boards  
9 to create a nationwide model Practice Act.  
10 There's some geniuses on that Board. I'm not one  
11 of them. But I was fortunate to be able to be a  
12 part of that.

13                   We're meeting the last day of May  
14 and the first day of June in New York City. We  
15 have one lady that is over all the Boards of New  
16 York City. And I think they probably have the  
17 toughest laws of any state, so she has been very  
18 good in helping us create this.

19                   I happen to be on with a lady from  
20 Florida and we're creating the scope of practice.  
21 So that's the job I'm working with. And we are  
22 about halfway through and what we're hoping our  
23 goal is, is to hope that every state will look at  
24 this model Practice Act and we get input from  
25 anybody that wants to give input.

1                   I believe a long time ago, I sent  
2    out a message that if anybody in South Carolina  
3    will need to give any input. So we got a lot of  
4    input and we're hoping that when someone moves  
5    here from another state, or if you move to another  
6    state, that everything will be clear as what to  
7    what you need or what you need to do.

8                   So I'm real excited about this  
9    model Practice Act. I am not at liberty to  
10   discuss anything that's in it right now. I was  
11   asked not to. But we are meeting in New York and  
12   I think maybe after that meeting, I'll be able to  
13   come back and give a better report. Any  
14   questions?

15                   (No response)

16                   MADAM CHAIRPERSON: Okay. What I'm  
17   going to right now is call a break. Let's take a  
18   ten minute break and this will give us a chance to  
19   look over the agenda to see if any of you have  
20   anything that you want to bring up. And,  
21   actually, I need to ask Linda Pearson a question  
22   because it was something that came up when she was  
23   on the Board, so I need to get her advice on  
24   something. So at this time, we'll take ten  
25   minutes.

1 (Recess from 10:35 a.m. to 10:45 a.m.)

2 10:45 a.m.

3 MADAM CHAIRPERSON: We're going to  
4 resume our meeting.

5 MR. GRIGG: Carolyn, can I  
6 interrupt for a quick second before y'all start on  
7 something else?

8 MADAM CHAIRPERSON: Sure.

9 MR. GRIGG: I was talking with  
10 Sarah and Byron at the break and I want to  
11 backtrack if I can on one thing with the  
12 Legislative update. I was talking to y'all about  
13 the regs. I didn't really speak much with you  
14 about the Practice Act.

15 Several weeks ago, we had some  
16 Boards that had some confusion, so I just want to  
17 make sure that y'all got the memo and aren't  
18 confused as to the track the Practice Acts take  
19 because it's somewhat different than how the regs  
20 make their way over to the Legislature.

21 With the regs, they are submitted  
22 by our Legislative office and go that route. With  
23 the Practice Act, the Boards are responsible for  
24 finding sponsors to introduce Practice Acts. So I  
25 want to make sure -- we had some Boards that were

1 very -- the truth be told, I was unclear on it.

2 I think there were some mixed  
3 signals from our Legislative office as to how that  
4 went and, certainly, I don't think it's improper  
5 for me to tell y'all, that was something that  
6 changed from the old administration to  
7 Ms. Templeton's administration.

8 I don't know how many of y'all  
9 remember Bob Sellman. But Mr. Sellman was much  
10 more hands-on with helping get sponsored and  
11 lobbyists and whatnot for Practice Acts and  
12 helping the Boards get those things before the  
13 Legislature. Ms. Templeton doesn't see that as  
14 the role of this agency, to be honest with you.  
15 So we had several Boards that were quite confused  
16 by that.

17 I was talking about the regs and it  
18 didn't dawn on me till just speaking with Byron  
19 during our break. But I just wanted to make sure.  
20 There was supposed to have been an email and some  
21 information sent out to clear that up for  
22 everybody. I just wanted to make sure that if it  
23 wasn't clear by now, that it is clear as of today  
24 so y'all know exactly what needs to be done on  
25 that front going forward.



1                   MADAM CHAIRPERSON: Okay. So we  
2 all need to call our Legislators --

3                   MR. GRIGG: Y'all are responsible,  
4 yes, ma'am. The Board is responsible for finding  
5 whether it's an association, whether you've got  
6 connections in the Legislature that you can call,  
7 whatever the case is, y'all are responsible for  
8 advocating on your own behalf when it comes to the  
9 Practice Act.

10                  MADAM CHAIRPERSON: By when?

11                  MR. GRIGG: Well, the end of  
12 session is what, the first Thursday of June, I  
13 think, is when the session ends for this term.  
14 So, I mean, yeah. Obviously, the sooner the  
15 better, because we're already in the last of  
16 February here. And, again, I apologize that it  
17 didn't dawn on me sooner, but know that was a  
18 point of contention for several Boards here in the  
19 last few weeks.

20                   I think Grant Gillespie, our  
21 Legislative liaison, culded that and then they  
22 cleared that last fall. Obviously, certain Boards  
23 had felt it was not made clear and so he's been  
24 trying to clear that up with everybody. But I  
25 just want to make sure that if there's any

1 confusion, that we get it taken care of today  
2 so --

3 MADAM CHAIRPERSON: I wasn't aware  
4 of that, but I should have been. So I'll get on  
5 the phone and I'll communicate through email and  
6 we'll all decide what we're going to do.

7 MR. GRIGG: Because I would hate  
8 for it to get to be them in recess here at the end  
9 of June and y'all don't have any progress because  
10 there's some confusion from our end as to what  
11 y'all needed to do.

12 MADAM CHAIRPERSON: Okay. Good.  
13 Thank you for that information. Okay. We have a  
14 budget update, I'm hoping?

15 MR. RAY: Yes, ma'am. What finance  
16 presented to me for January -- I only made enough  
17 copies for --

18 MADAM CHAIRPERSON: I think we're  
19 the richest Board.

20 MR. RAY: Y'all are doing the best  
21 out of the three I have right now. I've got to  
22 get the other ones up to snuff. Anything you can  
23 teach them to help, I'd greatly appreciate it.  
24 And, as you can see, they closed out the fiscal  
25 year 2011 with slightly over a half a million

1 dollars and current, you know, as it stands, the  
2 year-end balance for fiscal year 12, \$427,419.01.

3 MADAM CHAIRPERSON: It hasn't  
4 really dropped a lot.

5 MR. RAY: No, it really hasn't.  
6 Not for you guys.

7 MADAM CHAIRPERSON: Well, that's  
8 good. Does anybody have any questions about our  
9 budget?

10 (No response)

11 MADAM CHAIRPERSON: Okay. We have  
12 none, then. Do we need to approve this, Dean?

13 MR. GRIGG: I think that's just  
14 FYI.

15 MADAM CHAIRPERSON: Okay. Good.  
16 Okay. We'll move on.

17 MR. STRICKLAND: Carolyn, can I ask  
18 a question?

19 MADAM CHAIRPERSON: Yeah.

20 MR. STRICKLAND: Could we possibly  
21 get this in our packet next time?

22 MR. RAY: Sure.

23 MR. STRICKLAND: That way, we can  
24 kind of look at it ahead of time and get a little  
25 fresh glance.

1                   MADAM CHAIRPERSON: Okay. And I  
2 want to let the new panel members know that if at  
3 any time there's anything you want to ask or you  
4 want to bring up, feel free to do that under new  
5 business. Or if it's about something we're  
6 talking about at present, then you can do that,  
7 too.

8                   Under old business, the panel has  
9 been talking about license fees for a long time.  
10 And Ms. Pearson was determined, with a lot of  
11 requests that she had gotten, to lower our renewal  
12 license fee. We are not asking for any of the  
13 other fees to be changed because we feel like, I  
14 think, that they're fair. But a lot of people are  
15 going to school, they get out of school, they have  
16 to take the exam, they have a lot of expense in  
17 order to get into practice. And it's not only  
18 hard for just new people that are coming into the  
19 profession, but it's hard for all of us with the  
20 economy as it is.

21                   So we have a proposal today to  
22 lower our renewal fees and I'll just give --  
23 Ms. Pearson had this proposal before she went off  
24 the panel, so we feel that it's still a good  
25 proposal. What she wanted to do was lessen the

1 renewal fee to \$75 instead of 100 for every two  
2 years. So this is pretty much in line with a lot  
3 of the other states.

4 So what's the opinions of the  
5 panel? Are there any comments or --

6 MS. MITCHELL: I just renewed my RN  
7 license. I think it was 68. So why the  
8 difference?

9 UNKNOWN: If I can add something.  
10 It's usually based on the numbers in your  
11 profession. And since we started with very few  
12 way back in the day, in order to meet our  
13 obligations to pay the LLR staff and the such, it  
14 was a little bit higher. But our numbers have  
15 grown, our budget has grown and I think we can now  
16 get more in line with other professions.

17 MADAM CHAIRPERSON: And I believe  
18 we have over 2,000 massage therapists, is that  
19 correct, for our --

20 MR. RAY: That sounds like a good  
21 ballpark figure. I can't get my link up down here  
22 for some reason.

23 MADAM CHAIRPERSON: I got on the  
24 computer one day and spent all day long looking at  
25 people that had expired and trying to look at who

1 owed us money and that sort of thing, and that's a  
2 headache to have to do that. I'll tell you, you  
3 have to be retired to do that.

4 But, anyway, if there's no further  
5 discussion, do I hear a motion that we reduce this  
6 fee to \$75 every two years?

7 MS. SHAW: I'll motion.

8 MR. STRICKLAND: I'll second it.

9 MADAM CHAIRPERSON: I have a motion  
10 by Jan Shaw and a second by Charlie Strickland.  
11 All in favor, would you raise your hand?

12 (Response)

13 MADAM CHAIRPERSON: Okay. Then our  
14 license fee and all of you guys that are involved  
15 in your schools, you can let them know. And I'd  
16 appreciate Ms. Eshelman also letting the schools  
17 know that the license fee renewal, renewal only,  
18 will be \$75 every two years.

19 Okay. We're going to move on and  
20 we have some guests here today under new business.  
21 Well, we have the approval of the IRC report. Do  
22 we have such a report? Has any activity taken  
23 place? And if you'll explain what the IRC is,  
24 either you or Dean, for the new people. Because I  
25 didn't know what it meant.

1                   MR. GRIGG: I can -- well, if Byron  
2 wants to, he can tell you. But I can give you a  
3 brief rundown and I'm not -- and Sarah won't be  
4 either, going forward as advice counsel, we're not  
5 able to be in IRC meetings, just like y'all aren't  
6 as actual Board members. But, basically, just so  
7 y'all have an understanding, the IRC is an  
8 internal review committee that's been set up by  
9 the agency.

10                   When there's an investigation, they  
11 take it to that committee. That committee has the  
12 litigating attorney for the State, usually has an  
13 investigator. I think Byron as your administrator  
14 is there and, usually, someone who has been  
15 designated by this Board as their representative.  
16 It cannot be a current Board member, but it could  
17 have been a former Board member or just someone  
18 that you trust as a professional.

19                   So that way, in that meeting,  
20 you're getting the legal side of it, you're  
21 getting the administrator's side of it, you're  
22 also getting the people that know the profession  
23 best, someone that y'all designated. And what  
24 they do is, they make a determination as to what  
25 to recommend to the Board to do going forward on a

1 case. And I believe this was in their packet; is  
2 that correct?

3 MR. ANDREWS: Yes.

4 MR. GRIGG: And Mr. Andrews here  
5 can speak to it better than I can. But you'll get  
6 reports like this at Board meetings that basically  
7 show where the review committee has recommended  
8 dismissing a case, proceeding to a full hearing or  
9 whatever. Deon, is that kind of accurate?

10 MR. ANDREWS: That's correct.

11 MR. GRIGG: Okay. So that's what  
12 the IRC is for those who don't know. And every  
13 meeting or so, you'll get a report that you'll  
14 just need to approve or have a motion to let it be  
15 approved or not approved.

16 MADAM CHAIRPERSON: Okay. Do we  
17 have any other information on this?

18 MR. ANDREWS: You can ask questions  
19 about the case, but we don't give you any names or  
20 anything like that. And in this case, Bobby  
21 Taylor, the other investigator, did all these, so  
22 I wouldn't give any information on it if you did  
23 have questions about these. But in the future,  
24 you will be able to ask any generic questions  
25 about these.



1                   MR. GRIGG: You can, and let me  
2 follow up on that and what Sarah's job will be and  
3 my job has been for y'all just to make sure y'all  
4 don't get too detail at this point. Because for a  
5 case that may eventually come before the Board,  
6 you don't want to risk being tainted. And that's  
7 why you get, as you see on this, literally a  
8 sentence or two.

9                   But this kind of gives you the case  
10 number and the basics as to what the allegation  
11 was. And, unfortunately, part of what you have to  
12 do -- I say unfortunately. It can be good and  
13 bad. But part of what you have to do as a Board  
14 is learn to trust the processes at IRC and trust  
15 the people you've put in place to represent you at  
16 the IRC that they're making an informed decision  
17 based on the information that we've presented to  
18 them.

19                   Because just at this point, y'all  
20 can't know too much about it. If you start asking  
21 a lot of questions, getting a lot of detail as far  
22 as the investigation, potential testimony,  
23 potential evidence and then this were to come up  
24 to you, you would end up having to recuse  
25 yourself. And if enough of you had to do that, we

1 wouldn't have anybody to hear the case.

2                   It aggravates a lot of people that  
3 you only get one sentence, but that's why.

4                   MADAM CHAIRPERSON: Well, it  
5 aggravates me. I do want to ask one question and  
6 if I'm not supposed to, just tell me. Can we be  
7 told when someone loses their license or their  
8 license is revoked?

9                   MR. GRIGG: Now, it can't be  
10 revoked unless y'all do it, so you would know  
11 about it.

12                   MADAM CHAIRPERSON: Okay. So this  
13 particular case would come before us, correct?

14                   MR. GRIGG: Yeah. I mean, you're  
15 not going to -- and, Sarah, correct me if I'm  
16 wrong -- you're not going to see on here  
17 disposition, revocation. You're going to see on  
18 hear, recommended for full hearing. And then it's  
19 up to the State's attorney and the respondent to  
20 come in here and argue it out before you in a full  
21 hearing and then y'all will decide what to,  
22 whether it's a suspension, revocation, fines,  
23 continuing education, whatever.

24                   So, yeah, I don't think you'd ever  
25 see on the IRC report where there's a disposition

1 that's already happened. They're going to  
2 recommend dismissal of a case, the case go forward  
3 to a full hearing, or sometimes a consent agree or  
4 a voluntary relinquish which is where somebody is  
5 saying, I'm not admitting I did anything wrong,  
6 but I'm going to turn over my license and go ahead  
7 and retire and seek a new profession or something.

8 MR. STRICKLAND: You said we can or  
9 do have a representative that goes to the IRC  
10 hearings?

11 MR. GRIGG: You should. Have they  
12 appointed somebody?

13 MR. RAY: I don't know who the  
14 current one is. I've just met the one from  
15 cosmetology and barber at the last meeting, so I  
16 don't know who you've appointed.

17 MR. STRICKLAND: Is it something we  
18 do as a panel?

19 MR. GRIGG: It's something that  
20 y'all would had to have done, would be appoint  
21 someone to serve as your representative at the  
22 IRC.

23 MR. STRICKLAND: And a second  
24 question, how often do they meet and where they do  
25 meet?

1                   MR. RAY: Just, normally, it  
2 depends on how many cases, you know -- the  
3 Cosmetology Board, of course, they do a much  
4 larger volume, so we almost have to meet monthly,  
5 sometimes. For your Board, it would normally  
6 be -- also, smaller Boards, they'll schedule it  
7 slightly before the next panel meeting.

8                   MADAM CHAIRPERSON: So can we know  
9 before the meeting? Can we be aware of when the  
10 meeting is in order to send someone or.

11                   MR. GRIGG: Well, what you do is,  
12 you just have somebody that you've approved, that  
13 they're contacted directly from the investigator  
14 or administrator. So, yeah, y'all wouldn't have  
15 any hands-on involvement week to week on it. And  
16 it wouldn't be somebody new every time. Y'all  
17 need to think about somebody in your profession  
18 that you would want to do that and appoint them to  
19 be that IRC representative going forward.

20                   So y'all would want to maybe work  
21 towards that over the next few months, the next  
22 couple of meetings, getting a couple of names that  
23 you're interested in, speaking to them, seeing if  
24 they'd be interested in serving in that capacity.

25                   MS. PRESSLEY: You'll want an

1 alternate in case your number one person needs to  
2 recuse themselves for some type of conflict.

3 MR. GRIGG: That's a great idea.  
4 But, ultimately, yes, sir. Ultimately, y'all will  
5 need to make a motion, so and so serve as our IRC  
6 representative, vote on it and then he's your  
7 representative from here on out. So it wouldn't  
8 be a week to week thing. Y'all wouldn't know  
9 about every meeting. He would or she would.

10 MR. STRICKLAND: Now, if they come  
11 to these meetings, are they reimbursed for travel  
12 just like we would be?

13 MR. RAY: They would be.

14 MADAM CHAIRPERSON: Okay. We're  
15 going to move on to, we've already talked with Ms.  
16 Gonzales. So at this time, it's Gabriel Cabrera.  
17 If you'll kind of walk up there by Mr. Ray at the  
18 end of the table and, that way, we can see you.

19 Whereupon:

20 Gabriel Cabrera, having been duly  
21 sworn and cautioned to speak the truth, the  
22 whole truth and nothing but the truth,  
23 testified as follows:

24 MADAM CHAIRPERSON: Okay. Go ahead  
25 and state your name and tell us why you're here

1 today.

2 MR. CABRERA: First, I'd like to  
3 thank everybody for setting the time aside to let  
4 me speak my case. My name is Gabriel Cabrera and  
5 I'm standing before you today to, I guess, answer  
6 any questions about my criminal history and answer  
7 everything as truthful as possible.

8 MR. STRICKLAND: Can you give me  
9 the exact time frame when all these incidents took  
10 place between 19 whatever and 19 whatever? I  
11 think you were younger in these comments, in your  
12 younger days.

13 MR. CABRERA: Yes, sir. Yes, sir.  
14 The biggest incident was in 2003, so about nine  
15 years ago.

16 MR. STRICKLAND: And when did you  
17 start having really initial trouble?

18 MR. CABRERA: Initial trouble would  
19 probably be at the age of 18.

20 MR. STRICKLAND: And at this point  
21 in time, you're all straightened out?

22 MR. CABRERA: Yes, sir.

23 MR. STRICKLAND: How long have you  
24 been straightened out?

25 MR. CABRERA: Since about 2004.

1                   MADAM CHAIRPERSON: How long has it  
2    been since you've operated a massage practice?

3                   MR. CABRERA: I've been practicing  
4    for about -- since I graduated about a  
5    year-and-a-half ago, just a doing massages here  
6    and there. I work about 40, 45 hours a week, so I  
7    try to do it before I go to work maybe a couple of  
8    hours a week.

9                   MS. VAN NOSTRAN: Could we clarify  
10   that? What do you mean by working as a massage  
11   therapist?

12                  MR. CABRERA: Well, just doing  
13   practicing. I mean, obviously, I'm not licensed.  
14   I can't really go and offer my services. But to  
15   family members, to friends, just kind of staying  
16   in practice so when I do get my license, I'll be  
17   ready to hit the floor.

18                  MADAM CHAIRPERSON: How long has it  
19   been since you've had any trouble as far as the  
20   police is concerned?

21                  MR. CABRERA: About seven years,  
22   ma'am.

23                  MR. STRICKLAND: Are you out of  
24   probation or on --

25                  MR. CABRERA: Yes, sir. I'm on no

1 probation or nothing, sir.

2 MS. VAN: He does include a  
3 statement regarding an incident in 2008, so that's  
4 four years ago. But, thank you, Mr. Cabrera, for  
5 everything you're sharing with us.

6 MADAM CHAIRPERSON: Tell us why you  
7 think we should disregard the problems that you've  
8 had in the past and give you a license?

9 MR. CABRERA: I feel I've worked  
10 very hard to change my life. I believe people do  
11 deserve a second chance. I also believe in my  
12 ability as a massage therapist. I really do feel  
13 if I do get a license, I can actually go out there  
14 and help people.

15 MR. STRICKLAND: The incident that  
16 took place in 2008 in September, do you think that  
17 was a sting?

18 MR. CABRERA: Yes, sir. It  
19 definitely was.

20 MR. STRICKLAND: Was anybody else  
21 taken into custody or reprimanded or whatever that  
22 day?

23 MR. CABRERA: In that area, yes,  
24 but at the restaurant I worked at the time, no,  
25 sir.



1 MR. STRICKLAND: You're still in  
2 Rock Hill?

3 MR. CABRERA: Yes, sir. I reside  
4 in Rock Hill.

5 MADAM CHAIRPERSON: Any more  
6 questions?

7 MR. HASTINGS: Maybe I'm confused.  
8 Do you remember the name of Jason Daryl Boyd?

9 MR. CABRERA: I do, sir. I do.  
10 That was the name of a big case. I never met the  
11 individual, but I do remember the name from my  
12 case in the past.

13 MR. HASTINGS: That was in  
14 Florida.

15 MR. CABRERA: Yes, sir.

16 MR. STRICKLAND: How long have you  
17 been in Rock Hill?

18 MR. CABRERA: I've been in Rock  
19 Hill since early 2008.

20 MADAM CHAIRPERSON: Anything else?

21 (No response)

22 MADAM CHAIRPERSON: Okay. What  
23 we'll do on Mr. Cabrera, we'll go into Executive  
24 Session and we'll discuss this further among all  
25 the panel members and LLR will send you a letter

1 as to our result or our decision.

2 MR. CABRERA: Okay.

3 MADAM CHAIRPERSON: But we  
4 appreciate you coming today.

5 MR. CABRERA: Thank you for giving  
6 me the time.

7 MADAM CHAIRPERSON: Is there  
8 anything else you'd like to say before you leave?

9 MR. CABRERA: I just hope you folks  
10 do rule in my favor. I really think I've done the  
11 best I can to change my life and be a better  
12 person. And like I said, if given this license, I  
13 will probably be the best massage therapist in  
14 South Carolina.

15 MADAM CHAIRPERSON: Okay. Thank  
16 you, very much.

17 MR. CABRERA: Thank you, very much,  
18 folks.

19 MADAM CHAIRPERSON: Okay. Mr. Eric  
20 Williams, if you would come forward.

21 Whereupon:

22 Eric L. Williams, having been duly  
23 sworn and cautioned to speak the truth, the  
24 whole truth and nothing but the truth,  
25 testified as follows:

1                   MADAM CHAIRPERSON: Okay. I  
2 believe your name is Eric Williams?

3                   MR. WILLIAMS: Yes, ma'am.

4                   MADAM CHAIRPERSON: Okay. If  
5 you'll just tell us a little bit about why you're  
6 here today?

7                   MR. WILLIAMS: Today, I'm here -- I  
8 just graduated from Southeastern Institute. I'm  
9 trying to become a licensed massage therapist.  
10 That's why I'm here. Because I got a criminal  
11 record, so that's why I'm in front of y'all today  
12 to try to get my license.

13                  MADAM CHAIRPERSON: Did you know  
14 this before you started school?

15                  MR. WILLIAMS: About the Board?

16                  MADAM CHAIRPERSON: No. Did you  
17 know that your criminal record could keep you from  
18 getting a massage license?

19                  MR. WILLIAMS: No, ma'am.

20                  MADAM CHAIRPERSON: Okay. Tell us  
21 a little bit about your criminal record.

22                  MR. WILLIAMS: As y'all could see,  
23 coming up -- I come from a good family, but I went  
24 down the wrong path. All's I been doing all my  
25 life is selling drugs. Now, I done grew up. I

1 done changed because I realized selling drugs is  
2 not what I want to do.

3 My grandma, all her children, all  
4 her grandchildren, everybody doing something with  
5 their life except me. So I was like, before she  
6 die, I would like to see in her eyes she saying  
7 her grandson finally did something. So next month  
8 will be a year I done been home from  
9 incarceration. And since I been home, I graduated  
10 from school. My GPA was a 3.5. I was a honor  
11 roll student the whole time I was there, perfect  
12 attendance, leadership program. I've been doing  
13 community service.

14 So I feel like I've really changed.  
15 Like I said, I wanted just to do something for my  
16 grandma, so that's why I'm in front of y'all today  
17 to plead my case. I got a lot of people that are  
18 depending on me.

19 MADAM CHAIRPERSON: Okay. Do you  
20 have any questions?

21 MR. STRICKLAND: Were you a user as  
22 well as a distributor as far as drugs went?

23 MR. WILLIAMS: Well, I sold hard  
24 drugs, like crack cocaine and cocaine, so I didn't  
25 use that, sir.

1 MR. STRICKLAND: Okay.

2 MS. SHAW: Mr. Williams, you have a  
3 lot of people depending on you. What is this  
4 going to do for you?

5 MR. WILLIAMS: What it'll do for  
6 me?

7 MS. SHAW: Yes, sir.

8 MR. WILLIAMS: For once, I'm happy  
9 because I'm not looking over my shoulder. Now I'm  
10 being productive. So that's what it do. It'll  
11 make me happy to finally live right, to accomplish  
12 something.

13 MR. HASTINGS: Sir, what influenced  
14 your decision to go massage therapy school?

15 MR. WILLIAMS: I think I were born  
16 for this. Because, see, back in '92, I always had  
17 back problems, so I always like, you know, I want  
18 a massage. But my town, we didn't have massages  
19 in my town. So I was like, I've got to open up a  
20 massage business. But I was young, still in the  
21 streets so I never pursued it.

22 So when I was incarcerated, it must  
23 have been like '08 when our president kept talking  
24 about change, change. I'm like, okay. It's time  
25 to change. I believe that's the day I finally

1 grew up. So everybody always said I had girly  
2 hands, my hands always being soft. So in my mind,  
3 I was saying this is what God wanted me to do.  
4 And since I've been in school, they gave me a  
5 name, magic hands. So, you know, it's making  
6 people feel good.

7 All I did was did a wrong, so now  
8 I'm doing right. So that's what made me want to  
9 be a massage therapist, sir.

10 MS. SHAW: Do you still intend to  
11 open your own business?

12 MR. WILLIAMS: I don't want to open  
13 up a business like just standing still. I want to  
14 do mobile, like do house calls and like charity  
15 events like at festivals or stress breaks, like  
16 that. That's what I'm trying to do.

17 MR. STRICKLAND: Eric, have you  
18 pretty broke with those you were running with back  
19 then?

20 MR. WILLIAMS: Up in Greenwood? I  
21 haven't even went back home. As soon as I came  
22 home, I came right up here. Because I went home  
23 and I realized everybody is still doing the same  
24 thing. Don't nobody want to change. We're too  
25 grown for that now. So I got three kids to

1 support, so, you know, that life if over with.

2 It's over, sir.

3 MR. STRICKLAND: Thank you.

4 MR. WILLIAMS: You're welcome.

5 MADAM CHAIRPERSON: Any more  
6 questions?

7 (No response)

8 MADAM CHAIRPERSON: Okay. We  
9 appreciate you coming today and we will also  
10 discuss your case in Executive Session and you  
11 will get a letter as to our decision. We  
12 appreciate you coming and being honest with us and  
13 you'll be hearing from us pretty soon.

14 MR. WILLIAMS: Okay. Thank you.

15 MADAM CHAIRPERSON: Thank you, so  
16 much. Okay. Next, we have Patrick Lane. If  
17 you'll stand up, you can just stand where you're  
18 at. Tell us why you're here today.

19 MR. GRIGG: Let him be sworn in  
20 real quick.

21 Whereupon:

22 Patrick Lane, having been duly  
23 sworn and cautioned to speak the truth, the  
24 whole truth and nothing but the truth,  
25 testified as follows:

1                   MR. LANE: My name is Patrick Lane  
2 and I've been doing massage professionally for  
3 almost 30 years. I started off at about five  
4 years old doing massage for family members and  
5 have been doing massage most of my life. And a  
6 friend asked me to take a massage class to get a  
7 license. At that time, we didn't need a license  
8 to do massages. It was just one of those things  
9 that I pursued because it's a passion.

10                   I was licensed in '83 in Detroit  
11 and I got my instructor's license in '83 and I  
12 co-founded a massage school in Michigan and then I  
13 moved to Hawaii and stayed there for 20 years.  
14 And I went there to pursue my continuing education  
15 with Kahunas.

16                   In Hawaii, Kahunas are masters or  
17 knowers of the secret knowledge. And to be in a  
18 different culture like that was really an  
19 awakening for me because it's much more than just  
20 a physical touch of a massage. It's what they  
21 call Lo'oponopono where you really learn about the  
22 belief system, about the emotional bond, about the  
23 physical body and you really work with people on a  
24 deeper level. And I have transferred my license  
25 from Michigan to Hawaii, from Hawaii to Nevada,



1 and I've been trying to transfer it here and I  
2 would really appreciate that. That way, I can  
3 continue teaching and doing massage therapy.

4 MADAM CHAIRPERSON: Okay. I  
5 believe I read where the school you had attended  
6 for massage therapy is no longer in practice now?

7 MR. LANE: That was a letter from  
8 the Department of Health from Detroit dated  
9 December 16th of 2005 that gave us, or that's  
10 explaining to you the qualifications of my  
11 instructor at that time and the school, the Recess  
12 Health System.

13 MADAM CHAIRPERSON: Okay. And tell  
14 us about the exam you took.

15 MR. LANE: The exam was the AMTA  
16 test, which I have right here.

17 MADAM CHAIRPERSON: Was that when  
18 AMTA had the hands-on and the written exam?

19 MR. LANE: Yes, ma'am.

20 MADAM CHAIRPERSON: Okay.

21 MR. LANE: I have the complete test  
22 right here. Do you want to see it?

23 MADAM CHAIRPERSON: I've seen it.

24 MR. LANE: I received excellent  
25 scores on all my testing and hands-on testing. I

1 have the test results from the state of Hawaii for  
2 my massage license there. And because I was  
3 ordained, I accepted ordination and got my  
4 certificate to do weddings. But we also did like  
5 house blessings and what they call lomy lomy.  
6 Which in my order, we do temple style lomy lomy,  
7 which is a sacred style of massage. And then I  
8 have the business license from Henderson, Nevada  
9 where I transferred to and a letter from them.  
10 And I have all my documentation.

11 MADAM CHAIRPERSON: Okay. And I  
12 believe you have a job that's waiting for you?

13 MR. LANE: Yes, ma'am.

14 MADAM CHAIRPERSON: Okay. Does  
15 anybody have any questions? Okay.

16 MR. STRICKLAND: I see your  
17 graduate certificate here from Detroit. How many  
18 hours was that back in 1982?

19 MR. LANE: I have the letter from  
20 Detroit. The Department of Health has all that  
21 information. I believe it was over 600. The  
22 Hamilton Place Athletic Social Club documented my  
23 apprenticeship hours. I actually have the license  
24 that was issued to me in 1982 from Detroit. It's  
25 ten dollars.

1                   MADAM CHAIRPERSON: Do we have any  
2 more questions?

3                   (No response)

4                   MADAM CHAIRPERSON: Okay. Well, we  
5 appreciate you coming today. One of the problems,  
6 the reason we asked you to come was because you  
7 didn't take the MBLEX or the NCB. However, our  
8 law states that an exam equivalent, so the panel  
9 will discuss this and we'll let you know of our  
10 decision. Thank you, so much.

11                  MR. LANE: Thank you.

12                  MADAM CHAIRPERSON: Okay.  
13 Reinstatement approval, Adam Dintelman. Is Adam  
14 here. Okay. If you'll go up front.

15                  Whereupon:

16                  Adam Dintelman, having been duly  
17 sworn and cautioned to speak the truth, the  
18 whole truth and nothing but the truth,  
19 testified as follows:

20                  MADAM CHAIRPERSON: Okay, Adam.  
21 Tell us why you ended up here today.

22                  MR. DINTELMAN: I went to renew my  
23 license and after renewing, I got a letter in the  
24 mail saying there was some discrepancies. And I  
25 called, I think I called you and some other people

1 and I realized that there was a complaint, a  
2 lodged complaint from a couple of years ago. I'm  
3 not clear on the dates. Do you know the date of  
4 that letter's complaint?

5 MR. GRIGG: I think it was in  
6 2008.

7 MR. DINTELMAN: It was in 2008.  
8 There was a lodged complaint and that's why I was  
9 here, to talk about that.

10 MADAM CHAIRPERSON: Where do you  
11 live?

12 MR. DINTELMAN: I live in  
13 Charleston, South Carolina.

14 MR. STRICKLAND: Can you tell us  
15 about this complaint?

16 MR. DINTELMAN: Of course. It  
17 happened a while ago, but I remember because I was  
18 let go from my job.

19 MR. STRICKLAND: That was where?

20 MR. DINTELMAN: At Massage Envy in  
21 Charleston. Sorry, sir. And I remember after the  
22 massage, I was brought in and -- well, I guess a  
23 couple of hours later. I had done a couple of  
24 massages. They do a lot of massages there back to  
25 back.

1                   So I had done some and the manager  
2 had brought me in and she was like, well, Adam,  
3 I've heard some complaints that there was  
4 something that happened during a massage. And I  
5 was like, which massage? And she was -- I don't  
6 even remember the client's name. But she said  
7 that one of the clients said that there was some  
8 fondling that happened or -- and she was like, do  
9 you want to explain this?

10                   I said, well, I don't remember  
11 anything like that happened. If anything, when I  
12 was massaging up here, my draping could have been  
13 a little rushed because I was doing so many  
14 massages. And I wasn't really taking my time, to  
15 be honest with you. It was a lot of years ago and  
16 I was a little bit younger, so it was just like  
17 bam, bam, bam, trying to get out of work.

18                   There's a lot more art that goes  
19 into what we do and I realize that. Then this  
20 complaint came up and that's why I was here today.  
21 She let me go on the spot. And I was getting  
22 ready to leave in a month anyways, and she had --  
23 she was upset because I had told some of my  
24 clients and they wanted to come with me. So I  
25 think that was another problem.

1                   MADAM CHAIRPERSON: Did they sue  
2 you for taking clients with you?

3                   MR. DINTELMAN: No, I didn't. She  
4 said that that was wrong. I wasn't taking them  
5 with me. I had told them that I was getting ready  
6 to --

7                   MADAM CHAIRPERSON: You were just  
8 letting them be aware that --

9                   MR. DINTELMAN: Yeah. That I  
10 wouldn't be there anymore. And I actually  
11 recommended another therapist by the name of Adam  
12 Brockston which gives similar massages I do,  
13 really deep tissue, a really good flow to it, and  
14 I thought my clients would actually like him.

15                   But she didn't feel that way. And  
16 I actually signed a form guaranteeing that I  
17 wouldn't after the complaint.

18                   MADAM CHAIRPERSON: I know it's  
19 hard for men to work and especially on people that  
20 have never had a massage before. But we have some  
21 interpretations of our law. And just to let you  
22 know, breast massage is not approved unless you  
23 get written consent or you have a prescription  
24 from the doctor.

25                   MR. DINTELMAN: I didn't know that.

1 And I did the top of her pectoral and I pulled her  
2 back. Because she said she was having some pain  
3 back here and, a lot of times, that can be, you  
4 know, either the scapula or forward rotation. So  
5 I was attempting to open her up by stretching this  
6 out, and I recommended some stretches or whatnot,  
7 but, you know --

8 MADAM CHAIRPERSON: Did she file a  
9 formal complaint?

10 MR. DINTELMAN: I was unaware. I  
11 don't know anything. After that massage, I was  
12 let go and there was nothing else that happened  
13 after that. For me, personally, I moved on and  
14 went to work somewhere else. And then -- I went  
15 to work for Crown Plaza for a while. I tried a  
16 chef job. And then now I'm back in school. I  
17 currently have two more semesters and I transfer  
18 to MUSC for pharmacy.

19 MADAM CHAIRPERSON: Was your  
20 licensed revoked?

21 MR. DINTELMAN: I don't know. I  
22 think it's lapsed. And now that I'm going back to  
23 school, I need some more -- I need some money that  
24 I can work around my schedule, so I went for my  
25 renewal and then I found about all of this.

1 MS. SHAW: How did it come to the  
2 attention of --

3 MR. STRICKLAND: Deon, do you know  
4 anything about this? Are you familiar with this  
5 case?

6 MR. ANDREWS: Yes, I am. It's  
7 really -- I guess he's told you everything about  
8 the case. He's told you all that. You need to  
9 tell them --

10 MR. DINTELMAN: Oh, I forgot. Yes.  
11 When I submitted my license, I had forgot to check  
12 that I had some -- thank you. Sorry. I forgot to  
13 check that I had some legal trouble recently. I  
14 got in a fight with -- this is in 2009. I got in  
15 trouble. I got in a fight with two Citadel kids  
16 at a football game. That was a while ago. And I  
17 got some anger management for that, but I forgot  
18 to check that box because I thought after the  
19 anger management, it was going to go away, but I  
20 realize it didn't.

21 MADAM CHAIRPERSON: It wasn't in  
22 your practice?

23 MR. DINTELMAN: No. I forgot to  
24 check that box and I forgot to fill in that  
25 statement. I apologize for that, and I could



1 resubmit all that.

2 MADAM CHAIRPERSON: How did this  
3 come to your attention?

4 MR. ANDREWS: I don't know that he  
5 can answer that.

6 MS. MCCARTHY: That's not what  
7 we're here for today.

8 MR. ANDREW: Yeah. The  
9 complainants are --

10 MADAM CHAIRPERSON: Well, I just  
11 wanted to know if there was a complaint. That's  
12 where I'm confused. I mean, not a formal  
13 complaint filed by the client?

14 MR. GRIGG: Deon, correct me if I'm  
15 wrong. But I'm understanding that there is  
16 currently a pending investigation into those  
17 allegations, correct? And, in fact, it's very  
18 kind of Mr. Dintelman to be willing to go into  
19 this. Because, otherwise, y'all aren't here to  
20 consider that.

21 The reason for that is, there may  
22 be -- it may appear before you again at the  
23 completion of the investigation. Again, as we  
24 explained earlier with the IRC and how all that  
25 works, I'm not sure what form it will potentially

1 appear in the future, but it may be coming before  
2 you again. And, in fact, we've been working for  
3 the last several months to try to streamline such  
4 cases as this so that you can take care of it all  
5 at one time. But we can't today because all  
6 that's before you is the application process.

7                   So what you all are being asked to  
8 determine today is whether to allow him to renew  
9 or not. You can decide not to based on this  
10 information or you can decide to with this  
11 information, knowing that it's going to possibly  
12 come back before you in some form or another down  
13 the road. And I believe he's been made aware. I  
14 believe he's spoken with Mr. Andrews and he's been  
15 made aware of that.

16                   MR. DINTELMAN: Yeah.

17                   MR. GRIGG: So you're getting  
18 information that you can't do a whole lot with. I  
19 know it seems that way right now, but --

20                   MADAM CHAIRPERSON: I just don't  
21 have enough information to --

22                   MR. DINTELMAN: I'm willing to  
23 answer any questions, though. I understand he  
24 can't give you information. I can give you all  
25 the information I know.

1 MS. VAN: Mr. Dintelman, separate  
2 from the massage-related incident, were you  
3 arrested for the fight with the Citadel --

4 MR. DINTELMAN: Yes, I was.

5 MS. VAN: Okay. Were you arrested  
6 and charged, were you --

7 MR. DINTELMAN: Yes. I was  
8 arrested and charged with simple assault.

9 MS. VAN: Okay. And from that, you  
10 were --

11 MR. DINTELMAN: I took some anger  
12 management classes, six months worth of anger  
13 management classes.

14 MS. VAN: Were you ordered to take  
15 anger management classes?

16 MR. DINTELMAN: No, I wasn't. It  
17 was something my lawyer talked about us doing.  
18 And I actually went to a jury trial, so in the  
19 end, there was no -- there was nothing needed.

20 MS. VAN: Were the charges  
21 dismissed?

22 MR. DINTELMAN: I thought that  
23 after I took the anger management class, I guess,  
24 I was going to be able to expunge the charges.  
25 But, no.

1 MS. VAN: So the charges were not  
2 dismissed?

3 MR. DINTELMAN: No.

4 MS. VAN: Okay.

5 MR. GRIGG: Can I follow up on  
6 that? Because I want to understand this from a  
7 legal standpoint.

8 All right. So the anger management  
9 was not Court ordered. That was not the  
10 disposition of your case?

11 MR. DINTELMAN: No.

12 MR. GRIGG: So what was the  
13 disposition of your case? What happened when  
14 you -- you said went to a jury trial, so what  
15 happened?

16 MR. DINTELMAN: After that, they  
17 said I was guilty, and I paid a fine and that was  
18 it.

19 MR. GRIGG: All right.

20 MR. DINTELMAN: And I told them  
21 that I was taking the anger management classes,  
22 just to let them know as a preemptive on my  
23 behalf. Obviously, we're at this game and these  
24 two kids, we got in this altercation. They may  
25 have been taunting me and messing around with me.

1 I shouldn't have gotten physical and I realized  
2 that, so I put myself in classes.

3 MR. GRIGG: Do you mind telling us  
4 what the fine amount was?

5 MR. DINTELMAN: I think it was -- I  
6 don't really remember. It was a  
7 thousand-something, though.

8 MR. GRIGG: But you have paid it?

9 MR. DINTELMAN: Oh, yes.

10 MADAM CHAIRPERSON: What have you  
11 learned from this?

12 MR. DINTELMAN: From the incident?  
13 You know, I needed to grow up and I really have  
14 since then, you know. Kids at a football game,  
15 two different sides, you know, taunting goes on,  
16 you know. I'm not a child anymore. I'm not a  
17 teenager. And to resorting to wrestling and  
18 throwing each other around on the field, it's  
19 ridiculous.

20 MS. VAN: Mr. Dintelman, what's  
21 your current age?

22 MR. DINTELMAN: I'm 29 now.

23 MS. VAN: Okay.

24 MR. DINTELMAN: I had a daughter  
25 two years ago.

1 MS. VAN: And the incident with the  
2 Citadel folks at the football game, what year was  
3 that?

4 MR. DINTELMAN: 2009.

5 MS. VAN: Okay.

6 MR. STRICKLAND: And the incident  
7 at Massage Envy?

8 MR. DINTELMAN: 2008.

9 MADAM CHAIRPERSON: What's the  
10 pleasure of the Board?

11 MR. GRIGG: Carolyn, if I may, this  
12 may be one that we'll discuss, if y'all want to do  
13 that.

14 MS. SHAW: What kind of work have  
15 you been doing? What kind of employment have you  
16 had since you --

17 MR. DINTELMAN: I've been in school  
18 for a while. I'm currently attending Trident  
19 Technical College where I have a 3.67, Phi Beta  
20 Kappa. I also -- but on the side, I have been  
21 doing lawn work and I also was doing some chef  
22 work for Crown Plaza until I upped my school  
23 schedule to try to move myself faster through  
24 school.

25 MS. SHAW: So your intention is to

1 be reinstated as a massage therapist so that you  
2 can practice until you complete your pharmacy --

3 MR. DINTELMAN: Yes. It's to  
4 subsidize an income so I can, one, pay for some  
5 more books. I have a condo I own now and I've got  
6 one of the rooms rented out and I only need a  
7 little bit extra, like four or five hundred  
8 dollars more to pay all my bills so I can just  
9 focus on school, so it'll be a lot easier than  
10 clocking in and out for like 40 hours.

11 MS. VAN: And the direct question,  
12 Mr. Dintelman, is, how are you currently  
13 supporting yourself?

14 MR. DINTELMAN: Oh. I'm still  
15 doing lawn work. I think, really, to tell you the  
16 truth, some of my friends have really pitched in  
17 and given me jobs.

18 MS. VAN: I mean, what does that  
19 mean?

20 MR. DINTELMAN: Oh. They let me  
21 mow their lawn for twenty or thirty dollars and  
22 edge and weed eat it.

23 MS. VAN: We just want to know that  
24 we have a real picture of you so that we can make  
25 the right decision?

1                   MR. DINTELMAN: Oh, of course. I  
2 just meant that they're kind of more charitable  
3 with the work to help me out while I'm in school.

4                   MADAM CHAIRPERSON: If this case is  
5 dismissed, would that keep Mr. Andrews from  
6 bringing anything forward new?

7                   MR. GRIGG: Is that something we  
8 can discuss in Executive Session?

9                   MADAM CHAIRPERSON: Yeah, okay.

10                  MR. GRIGG: That's something we can  
11 discuss.

12                  MADAM CHAIRPERSON: Okay. Well,  
13 this is exactly what we'll do. We appreciate you  
14 coming and we will discuss this in Executive  
15 Session and LLR will give you our decision. Thank  
16 you, so much.

17                   We have on our agenda last, a  
18 policy for special needs. And this was a little  
19 confusing because we have never had anything like  
20 this on our agenda before, and it is regarding --  
21 and, Mr. Ray, correct me if I'm wrong -- it's  
22 regarding a girl that finished massage school.  
23 She is getting help from rehabilitation. She has  
24 no money to take a test.

25                   From what I understand, she's in



1 bad shape. And in talking with Mr. Ray, there is  
2 a way that we could create a special fund. The  
3 concerns of this would be other people coming  
4 forward wanting their license paid for. We didn't  
5 get our license paid for. But it is a case where  
6 there is a needy situation.

7 Now, I know some schools -- I know  
8 the colleges have funds that they can help the  
9 students. So I believe the last word we got was,  
10 she was going to check into that.

11 MR. RAY: The caseworker was going  
12 to call the school and see if they offered some  
13 assistance.

14 MADAM CHAIRPERSON: But it's my  
15 understanding that we can create a fund from our  
16 budget. So if everybody would be thinking about  
17 that. And in the meantime, we can get more  
18 information from her and we can table this until  
19 the next meeting. So I'd need a motion to table  
20 this. Okay. Charlie Strickland and Denise.  
21 Okay. We'll table that.

22 Last, we want to thank all of you  
23 for being here and now we are ready for some  
24 public comments. And I believe you might have had  
25 some --

1 UNIDENTIFIED: No. I was just  
2 going to maybe comment that I thought that it was  
3 really good between the Federation and what we're  
4 going to, I think, standardize everything so that  
5 when somebody goes from state to state, they don't  
6 have to go through that. I think you guys working  
7 on that is a really good thing.

8 MADAM CHAIRPERSON: Okay. Thank  
9 you. Does anybody else? Does Ms. Eshelman have  
10 anything?

11 MS. ESHELMAN: I do not. I hate to  
12 come to a meeting and not --

13 MADAM CHAIRPERSON: She is with  
14 higher education and she's a tremendous help. Do  
15 any of the gentlemen from the schools have  
16 anything?

17 MR. DAVIS: Oh, one thing. These  
18 meetings the panel has, if my students are  
19 interested in coming and sitting in, some of them  
20 might have an interest, are they welcome?

21 MADAM CHAIRPERSON: I think it's  
22 open to anybody. So, yes.

23 MR. GRIGG: And, normally, I think  
24 we're in a bigger room. Sir, can you state your  
25 name for the court reporter?

1 MR. DAVIS: Marion Davis.

2 MADAM CHAIRPERSON: He's been very  
3 faithful to be at our meetings. We're hoping  
4 we'll get him more involved.

5 MR. KESSLER: I'm Steve Kessler.  
6 I'm the Dean at Southeastern Institute. This is  
7 my first meeting and I will be back. So thank you  
8 all for allowing me to come.

9 MADAM CHAIRPERSON: Thank you, so  
10 much. We appreciate you coming. Okay. If we  
11 don't have any more public comments, do we?  
12 Anything?

13 (No response)

14 MADAM CHAIRPERSON: Okay. Then  
15 I'll need a motion to go into Executive Session.

16 MS. SHAW: I make a motion.

17 MR. STRICKLAND: Second.

18 MADAM CHAIRPERSON: Jan Shaw,  
19 Charlie Strickland second it. Okay. At this  
20 time, we will dismiss everyone else and we will go  
21 into Executive Session and come back in and  
22 dismiss our meeting.

23 (Executive Session from 11:35 a.m. to  
24 11:55 a.m.)

25 MADAM CHAIRPERSON: Okay. What is

1 the motion on Mr. Dintelman?

2 MR. STRICKLAND: I'd like to make a  
3 motion that we grant his application for  
4 licensure.

5 MADAM CHAIRPERSON: Do I hear a  
6 second?

7 MR. HASTINGS: I'll second. Lou  
8 Hastings.

9 MADAM CHAIRPERSON CHAIR: All in  
10 favor, raise your hand.

11 (Response)

12 MADAM CHAIRPERSON CHAIR: Okay.

13 MR. GRIGG: Carolyn, if you want me  
14 to explain to him the --

15 MADAM CHAIRPERSON CHAIR: Yes,  
16 please do.

17 MR. GRIGG: You know from speaking  
18 with Mr. Andrews that, as you've testified to,  
19 you've got the pending investigation on those --

20 MR. DIN: Yes, I know.

21 MR. GRIGG: That may, at some  
22 point, be presented to the Board in the future and  
23 you may be asked to reappear in front of them.

24 MR. DIN: That'll be fine.

25 MR. GRIGG: And Mr. Andrews and

1 possibly our prosecuting team will obviously be in  
2 touch with you as that goes forward. But as of  
3 today, the motion is that you've been approved.

4 MR. DIN: Thank you, everyone.

5 MS. SHAW: Dean, is it appropriate  
6 for me to make a comment?

7 MR. GRIGG: Sure.

8 MS. SHAW: Whatever happened in the  
9 past, true or false, going forward, you are  
10 representing us. The public, it's our duty to  
11 protect the safety of the public, represent us  
12 well, okay?

13 MR. DIN: I will.

14 MS. SHAW: And represent yourself  
15 well.

16 MR. DIN: I will. Thank you, very  
17 much. Do I just go reapply or would I wait for a  
18 letter in the mail to reapply for my license?

19 MR. GRIGG: Well, now, you have an  
20 application, right? You have a State application  
21 that's already out, so you'll get something from  
22 Mr. Ray that puts in writing what the Board did  
23 approve today.

24 MR. HASTINGS: You've paid your  
25 fees already.

1 MR. DIN: Yes.

2 MR. STRICKLAND: But you'll have to  
3 wait till you get your license before you start  
4 doing anything.

5 MR. DIN: Yes.

6 MADAM CHAIRPERSON CHAIR: But that  
7 shouldn't be long.

8 MR. DIN: Thank you, everyone.  
9 Thank you, very much.

10 MR. STRICKLAND: Just remember,  
11 you're a guy. We've got to do it better.

12 MR. DIN: Yes, sir.

13 MADAM CHAIRPERSON CHAIR: And next,  
14 Cabrera.

15 MR. STRICKLAND: I'd like to make a  
16 motion that we grant him a license with the  
17 provision that he has to pay for a SLEd check for  
18 the next two years.

19 MADAM CHAIRPERSON CHAIR: Do I hear  
20 a second?

21 MS. SHAW: I'll second that.

22 MADAM CHAIRPERSON CHAIR: Okay. By  
23 Jan. All in favor, raise your hand.

24 (Response)

25 MADAM CHAIRPERSON CHAIR: Okay. So

1 moved. Next is Eric Williams.

2 MR. STRICKLAND: The same thing.

3 MS. SHAW: Second.

4 MADAM CHAIRPERSON CHAIR: Okay.

5 Who is the next? Patrick Lane.

6 MS. SHAW: I move to grant him a  
7 license.

8 MR. STRICKLAND: Second.

9 MADAM CHAIRPERSON CHAIR: Okay.

10 All in favor, raise your hand.

11 (Response)

12 MADAM CHAIRPERSON CHAIR: Okay. So  
13 moved. That's it. All right. Do I hear a motion  
14 that we adjourn?

15 MR. HASTINGS: When is our next  
16 meeting?

17 MR. GRIGG: The 20th.

18 MS. SHAW: Motion.

19 MR. STRICKLAND: Second.

20 MAD CHAIR: Okay. We're  
21 dismissed.

22 (Hearing adjourned at 11:55 a.m.)

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CERTIFICATE OF REPORTER

I, Laura S. DeCillis, Certified Court Reporter and Notary Public for the State of South Carolina at Large, do hereby certify:

That the foregoing Meeting was taken before me on the date and at the time and location stated on Page 1 of this transcript, and that said Meeting was recorded stenographically by me and were thereafter transcribed; that the foregoing Meeting as typed is a true, accurate and complete record to the best of my ability.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

I further certify that the original of said transcript shall be hereafter sealed and delivered to the South Carolina Massage/Bodywork Panel, Synergy Business Park, Kingstree Building, Columbia, South Carolina, 29210.

Witness my hand, I have hereunto affixed my official seal this 16th day of March 2012, at Columbia, Richland County, South Carolina.

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Laura S. DeCillis,  
Certified Court Reporter  
State of South Carolina at Large  
My Commission expires  
August 10, 2015