

MINUTES
South Carolina Massage/Bodywork Therapy Panel
Meeting
10:00 A.M., July 25, 2014
Synergy Business Park
Kingstree Building, Conference Room 204
110 Centerview Drive, Columbia, SC 29210

Meeting Called to Order - Public notice of this meeting was properly posted at the S. C. Massage Therapy/Bodywork Panel office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Pledge of Allegiance:

All present recited the Pledge of Allegiance.

Public Notice:

Ms. Shaw announced that public notice of this meeting was properly posted at the SC Massage/Bodywork Panel office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Introduction of Panel Members and Other Persons Attending:

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

Staff members present: Georgia Lewis, Advice Counsel; Robbie Boland, Inspections; Sharon Wolfe, OIE; Theresa N. Richardson, Administrator; Roz Bailey-Glover, Administrative Staff; and Cecelia P. Englert, Court Reporter.

Others participating in the meeting included:

Daryl Latimer, Lisa Sellers, Elizabeth Prim

Approval of Excused Absences

Chairperson, Carolyn Porter was absent.

MOTION:

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

Approval of the Agenda

MOTION:

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

Approval of Meeting Minutes: February 7, 2014

MOTION:

Ms. Mitchell made a motion to approve the February 7, 2014 minutes. Ms. Van Nostran seconded the motion which carried unanimously.

Vice Chairman's Remarks – Janet Shaw

There were none.

Administrator's Remarks– Theresa N. Richardson

Ms. Richardson stated the budget information was contained in the Panel's packet. If there were any questions regarding the budget, please send all questions to Ms. Richardson via email.

Budget – May 2014

The Panel accepted the budget as information only.

IRC Report – Sharon Wolfe

Ms. Wolfe presented the IRC report. The Panel asked why some cases were marked as insufficient evidence. Ms. Wolfe stated some cases did not have enough information to verify. Regarding case 2013-3, the IRC recommends a formal complaint be filed and then the information goes to the Office of Disciplinary Counsel. The reason why minimal information is given to the Panel is to avoid tainting the case.

MOTION:

Ms. Van Norstran made a motion to accept the IRC Report cases for dismissal. Ms. Mitchell seconded the motion which carried unanimously.

MOTION:

Ms. Van Norstran made a motion to approve the formal complaints on the IRC Report. Ms. Mitchell seconded the motion which carried unanimously.

MOTION:

Ms. Van Norstran made a motion to approve the formal complaint letters of caution on the IRC Report. Ms. Mitchell seconded the motion which carried unanimously.

MOTION:

Ms. Van Norstran made a motion to dismiss the July 3, 2014 case on the IRC Report. Ms. Mitchell seconded the motion which carried unanimously.

OIE Report – Sharon Wolfe

Ms. Wolfe presented the OIE Report and stated that the case was outside of the Panel's jurisdiction, and therefore outside of the Panel's regulatory boundary. The Panel did not have any questions, and accepted the OIE Report as information only.

CEU Providers Application Approval – Georgia Lewis

Ms. Lewis provided the Panel with a copy of the statutes and regulations for review along with the draft continuing education provider application. Mr. Lewis stated that section 77-120 gives guidelines for those individuals who wish to teach continuing education courses. The Panel was asked to review the new application very carefully. She asked that the Panel allow staff to approve new applicants, and that the approved providers must renew their license every two years. Any changes to the application content must be given to staff regarding course content, the instructor or if classes are no longer offered. The Panel discussed the application and requirements. The Panel agreed that if the new provider is also certified by the Federation or the National Board, it would be helpful to staff in the approval process. Those already certified by one of the boards would still be required to complete the Panel's new

application. Additional discussion ensued. Ms. Lewis stated that all applications will be considered as initial applications and all will be required to renew. Ms. Richardson stated that Panel members would be helpful in getting this new information out to the Federation, the National Board and schools. Ms. Van Norstran stated that she will email a list of the associations to Ms. Richardson for communication. Ms. Lewis let the Panel know that any press releases would be kept simple and must first be approved by LLR's Public Relations Department. Ms. Lewis stated that all continuing education providers must have a provider number.

The Panel accepted comments from the public. Ms. Chesley Phillips stated that as a school providing continuing education programs she agreed that all providers should have a number. Ms. Lane Goodwin from the Commission of Higher Education agreed that they will share this new application information with the schools.

MOTION:

Ms. Mitchell made a motion to approve the continuing education provider application. Ms. Van Norstran seconded the motion which carried unanimously.

Ms. Richardson asked the panel, what they wanted to see, as far as applicants coming before the Panel today. The Panel replied that they want to see all felony convictions. Ms. Richardson let the Panel know that other boards allowed the Administrator to approve convictions and felonies or misdemeanors more than five (5) years old.

Approval of Initial Licensing Applications by Staff

Ms. Lewis stated that section 40-30-230 referenced the legal areas of misconduct where an initial license can be denied. Ms. Lewis advised that not all cases should come before the Panel, for example, if education was lacking etc.

Ms. Shaw stated that the job of the Panel was to protect the public. Private situations, assaults, battery, sexual misconduct, money issues, fraud, theft, alcohol or drug related cases should be heard. Ms. Richardson asked the Panel to provide her with information that will assist staff in moving forward with application determinations.

Over the next six months, everything will be brought forward for convictions only to the Panel, even fraudulent check convictions. A discussion ensued. Ms. Mitchell stated that staff should report on convictions so the Panel gets a sense of what is coming in. Ms. Van Norstran suggested that Ms. Richardson use good judgment and the guidelines given to make decisions on whom to bring before the Panel.

New Business

Review for Consideration of Renewal with Criminal Background History - Daryl Latimer

Mr. Latimer was sent a letter to appear before the Panel to answer questions about his background report. Mr. Latimer stated he has practiced massage therapy since 2008. He unfortunately got into trouble with driving under the influence (DUI). Mr. Latimer stated he completed court appointed DUI classes. Mr. Latimer stated that he made poor choices in an effort to mask emotions. Mr. Latimer stated that he completed the ADSAP program which helped him to refocus. The Panel considered the testimony.

MOTION:

Ms. Van Norstran made a motion to approve the license. Ms. Mitchell seconded the motion which carried unanimously.

Review for Consideration of Renewal with Criminal Background History - Lisa Sellers

Ms. Sellers was sent a letter to appear before the Panel seeking approval to renew her license with a current background report. Ms. Sellers stated she has a mobile massage business. She was celebrating a birthday and had too to drink. The charge is a misdemeanor and is pending. There's no hearing or judgment yet.

MOTION:

Ms. Mitchell made a motion to approve the license. Ms. Van Norstran seconded the motion which carried unanimously.

Review for Consideration of Endorsement Application - Elizabeth Prim

Ms. Prim was sent a letter to appear before the Panel to answer questions about her grandfathered license status in North Carolina. Ms. Prim stated her license was grandfathered in North Carolina in 2000. Ms. Prim stated that she was not a massage therapist, but rather she worked with energy, and must have contact with the body to open and close channels. Ms. Prim stated that she takes classes, but there is no rubbing. She does eyeball pressure work and mainly works with babies. Ms. Van Norstran briefly explained neuro-structural therapy. Ms. Prim stated that her primary reason for a license is to touch the body. A Panel discussion ensued.

MOTION:

Ms. Van Norstran made a motion to approve the license. Ms. Mitchell seconded the motion which carried unanimously.

Review for Consideration of Licensure - Eun Jang

Eun Jang was not present to discuss her license application. No determination was made.

Discussion

Ms. Chesley Phillips commented on the continuing education process, and stated she was approved to provide classes under the old requirements. Ms. Lewis clarified that no records were retained by the former staff, so an initial license application must be obtained from everyone out there providing massage therapy continuing education classes. Ms. Phillips stated her provider number was #0124 and asked the Panel to consider a deadline for her provider number from December 10, 2010. Ms. Phillips stated that she began the International Spine Institute in 2003, but actually started in 1995. The Panel agreed to get the word out to everyone to give them time to get an LLR number. Ms. Phillips stated she is preparing for classes now for Medical, DHEC, Cosmetology and Massage. Ms. Phillips must have a certificate to

provide classes by January 2015. Ms. Lewis agreed to allow classes scheduled to move forward, but Ms. Phillips must have a license by October 1, 2014.

Ms. Shaw stated there should be a deadline for old provider with a number, and that June 30, 2015 will be the deadline. Ms. Lewis agreed.

Ms. Lewis stated that she will draft the announcement and get it approved by LLR first.

Public Comments – There were none.

Adjournment: 11:45 a.m.

MOTION:

Ms. Van Norstran made a motion to adjourn the meeting. Ms. Mitchell seconded the motion which carried unanimously.

The next meeting of the SC Massage/Bodywork Therapy Panel is scheduled for October 24, 2014.