

AGENDA
South Carolina Massage/Bodywork Therapy Panel
Special Called Meeting
Conference Call
10:00 a.m., September 22, 2017
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 107
Columbia, South Carolina 29210

1. Meeting Called to Order

- a. Public notice of this meeting was properly posted at the S.C. Massage/Bodywork Therapy 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.
- b. Rules of the Meeting

2. Introduction of Panel Members and All Other Persons Attending

Chairman Janet Shaw attended and called the meeting of the SC Massage/Bodywork Therapy Panel to order.

The Panel members listed below were present at the meeting via telephone.

- ❖ Janet Shaw
- ❖ Denise Van Nostran
- ❖ Jennifer Griffitt
- ❖ Mary Lou Kelley
- ❖ Anthony Ruggiero

Staff members present included: Georgia Lewis, Advice Counsel; Shalon Genwright, Staff; Theresa Brown, Administrator; Kitty Lindler (Court Reporter)

3. Approval of Excused Absences

A motion was made by Ms. Mary Lou Kelley to excuse the absence of Ms. Jenny Mitchell. It was seconded by Ms. Anthony Ruggiero and the motion carried.

4. Approval of Agenda

Mr. Ruggiero made a motion to approve the agenda and it was seconded by Ms. Kelley. The motion carried.

5. Regulatory Review Pursuant to Executive Order 2017-09

Upon taking office, one of Governor McMaster's first acts was to issue an executive order asking all cabinet agencies to take a look at their regulations and analyze them from the viewpoint of furthering a business friendly environment in South Carolina. Each board within LLR is being asked to look at their regulations to identify and categorize them. No changes are needed at this time. The categories are seen below as regulations that are:

- Overly burdensome and should be withdrawn/revoked.
- Overly burdensome and should be amended to make the practice of the profession easier while still keeping in mind the safety of the public.
- Currently written that are necessary to protect the public.

The Panel is recommending one (1) new proposed regulation as seen below:

The Panel would like the Department to promulgate a new regulation for a Code of Ethics as referenced and allowed by South Carolina Code Ann. §§40-30-60 (B)(8). At this time there is Regulation 77-140 which is limited to Communicable Disease Control. This can be incorporated into a more detail Code of Ethics for licensees.

The board is recommending amendment of the following regulations:

- **77-100**
 - **(1)(c)** – The word “national” should also be updated to “licensing”, along with the addition of being approved by the Panel.
 - **(2)** - The word “advisory” needs to be deleted and it should state the Massage and Bodywork Licensing Examination (MBLEx), instead of the National Certification Exam for Therapeutic Massage and Bodywork (NCETMB) which was no longer being given as of November 1, 2014. The word “national” should also be updated to “licensing”. This provision will assist the Panel and the staff.
 - An addition to the regulation was proposed for a section 4. The addition will be the outline of a massage curriculum as referenced in number 3, which will include the components below from the Federation of State Massage Therapy Boards:
 - 1. Massage Theory and Principles
 - 2. Massage Professional Practices
 - 3. The Therapeutic Relationship
 - 4. Anatomy, Physiology, and Pathology
 - 5. Assessment and Documentation
 - 6. Massage and Bodywork Application
 - 7. Palpation and Movement
 - 8. Adapting Sessions for Clients; and
 - 9. Career Development
 - 10. Ethics
- **77-105** – This regulation’s title should be updated to “Endorsement”.
 - **(1)(a)** – The update should be changed to:
 - Submits an approved application and the appropriate fees;
 - **(1)(b)** - The update should be changed to:
 - Submits a duly attested verification of licensure from the state or US territory in which the applicant is licensed; and
 - **(1)(c), (1)(d)** – These will be additions to the regulation:
 - Submits proof of successful passage of the MBLEx; or
 - Submits proof of successful passage of the NCBTMB exam prior to November 1, 2014.
- **77-120** – The Panel will need to further review this regulation for amendment, along with additions, deletions. It will be added to the next Panel meeting agenda.
 - **(2)** – Section 1-4 needs to be revamped.
 - **(2)(c)** – This section needs to be revised for the requirements.
 - **(3)** – It should be updated to “CE” courses at the beginning of the section. The word “approved” should stay.
- **77-125**
 - **(1)** – The amendment should read:
 - The massage practitioner shall notify the Panel in writing of any change in address within five (5) working days.

- **(2)** – The amendment should read:
 - Upon receiving a name change, the massage practitioner shall submit a written request within five (5) working days for a new license with proof of name change such as a certified copy of a court document or marriage certificate.
- **77-135**
 - **(1)** – This amendment should read:
 - When a massage practitioner's license becomes lost, destroyed or damaged the licensee shall notify the department within five (5) working days in writing that the license has been lost, destroyed or damaged.

The regulations that remain appropriate to protect the public's interest and that is currently written without being overly burdensome are seen below:

- **77-115**
- **77-130**
- **77-140**

It was suggested that the section referencing provisional licenses in the Code of Laws be deleted.

The Panel does not anticipate or recommend that any regulations be withdrawn or appealed at this time.

A motion was made by Ms. Denise Van Nostran to accept the regulatory review report to be signed by Chairperson Janet Shaw. The motion was seconded by Mr. Ruggiero and it carried.

6. Adjournment

A motion was made by Mr. Ruggiero to adjourn the meeting. The motion was seconded by Ms. Kelley and it carried.

The meeting adjourned at 11:37 a.m.

The next meeting of the S.C. Massage/Bodywork Therapy Panel is scheduled for November 3, 2017.