

AGENDA
South Carolina Massage/Bodywork Therapy Panel Meeting
February 10, 2017, 10:00 a.m.
110 Centerview Drive
Synergy Business Park
Kingstree Building, Conference Room 105
Columbia, South Carolina 29210

1. Meeting Called to Order

- a. Public notice of this meeting was properly posted at the SC 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 Read by the Chairman
- c. Pledge of Allegiance

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. Other panel members participating in the meeting included:

- ❖ Jennifer Griffitt
- ❖ Mary Lou Kelley

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

- ❖ Denise Van Nostran
- ❖ Jenny Mitchell

Staff members present included: Georgia Lewis, Advice Counsel; Shalon Genwright, Staff; Theresa Richardson, Administrator; Sharon Wolfe, Office of Investigations and Enforcement (OIE)

3. Approval of Excused Absences

Ms. Mary Lou Kelley made a motion to excuse the absence of Mr. Anthony Ruggiero and it was seconded by Ms. Jennifer Griffitt. The motion carried.

4. Approval of the Minutes for the Following Meeting:

December 2, 2016

Ms. Denise Van Nostran made a motion to approve the meeting minutes from December 2, 2016. The motion was seconded by Ms. Kelley and it carried.

5. Approval of Agenda

Ms. Griffitt made a motion to approve the agenda with the exception of item 10 as it has been continued. The motion was seconded by Ms. Kelley and it carried.

6. Chairman's Remarks – Janet Shaw

Ms. Shaw stated that there is continued concern on examining the laws and statutes. The Panel is interested in the best practices for massage therapists and to ensure that the public is safe. The last chairperson wrote most of the laws and there are other items that need to be addressed at this time as various things have developed, but it will be a long, hard detailed process.

7. Administrator's Remarks – Theresa Richardson

- a. Budget – For Information – This report is for informational purposes only.
- b. IRC Report – Sharon Wolfe – For Approval – Ms. Wolfe asked that the Panel review the report and concur with the findings. Ms. Kelley made a motion to approve the IRC report and it was seconded by Ms. Griffitt. The motion carried.

- c. OIE Report – Sharon Wolfe – For Information Only – There have been two (2) complaints so far this year and no cases have been closed thus far. For 2016, there were 27 complaints and 21 have been closed.
- d. ODC Report – Megan Flannery – For Information Only – Ms. Flannery was not in attendance, so Ms. Richardson went over the report. As of February 7, 2017, there are six (6) open cases. Five (5) cases are pending action and one (1) case is pending a hearing.

8. Old Business

None.

9. New Business

a. Consideration of Massage Licensure

i. Beth Charlette (REINSTATEMENT)

Ms. Charlette is seeking reinstatement of her license that expired on June 30, 2012. The LLR office received her massage application on June 29, 2016. Her continuing education (CE) certificates were not received until January 4, 2017. There was a CE certificate that was received from Health Stream that was questionable by staff for approval as well. Ms. Charlette provided a pamphlet to panel members that consisted of certificates from different courses taken. Ms. Charlette is also a Registered Nurse for labor/delivery. She has practiced as a Licensed Massage Therapist since 1999 and initially let her license lapse because of financial reasons and wants to get back into massage therapy. The only options that Ms. Charlette has is her information being approved by the Panel members or to take the examination (MBLEX) again and completing a new application.

A motion was made by Ms. Kelley to go into executive session and it was seconded by Ms. Griffitt. The motion carried.

A motion was made to come out of executive session.

A motion was made by Ms. Van Nostran to approve the reinstatement of Ms. Beth Charlette's license with the conditions of completing an additional hour within 30 days and submitting it to staff. If completed, the applicant will be successfully reinstated. The motion was seconded by Ms. Kelley and it carried.

Ms. Griffitt made a motion for a five minute break and it was seconded by Ms. Kelley. The motion carried.

Ms. Kelley made a motion to resume the meeting and it was seconded Ms. Griffitt. The motion carried.

b. Consideration of Massage Education

i. Christine Dacus

Ms. Dacus was not present for the meeting and Ms. Richardson asked if the Panel could proceed with the application hearing. Her education credentials needed to be approved by the Panel, so that she could take the MBLEX. Her massage education was from a Canadian school, in which the hours substantially exceeded the hours needed for South Carolina.

Ms. Van Nostran made a motion to approve Ms. Christine Dacus to take the MBLEX and it was seconded by Ms. Kelley. The motion carried.

c. Consideration of Attendance at the 2017 Executive Directors' Summit – For Approval

Ms. Richardson is seeking approval of her attendance to the summit.

Ms. Kelley made a motion to approve Ms. Richardson's approval to attend the 2017 Executive Directors' Summit. The motion was seconded by Ms. Griffitt and it carried.

d. Consideration of Massage Curriculum Requirements

i. Lane Goodwin (SC CHE)

Clock Hours

According to the South Carolina Commission on Higher Education (CHE), a clock hour is defined as a sixty (60) minute period with between 50 to 60 minutes of class instruction, lecture, laboratory, or internship/externship.

A motion was made by Ms. Kelley to accept the commission's definition of a clock hour and it was seconded by Ms. Griffitt. The motion carried.

Student/Teacher Ratio

Mr. Tim Van Horn and Ms. Kim Harrell, school representatives, both gave insightful input on the ratio.

This ratio will be for hands on instruction. Ms. Van Nostran made a motion that the Panel recommends guidelines that the student to teacher ratio for hands on instruction in massage therapy be no greater than sixteen (16) students to one (1) teacher. The motion was seconded by Ms. Mitchell and it carried.

Outside Clinical Hours

This is a great idea, but is a problem as it is a violation of the Code of Laws, section 40-30-310. Nothing is seen about unlicensed practice in the Model Practice Act as well. Ms. Lewis stated that at this point, it needs to be in an educational environment. Ms. Van Nostran stated that having students provide services outside of clinical hours encourages students to practice without a license. Ms. Harrell mentioned that her school has upped their hours to 540 hours with adding outside clinical hours on friends and family. She stated that it helps students hone in on their skills and that the school is very specific that they do not accept funds for doing so. Ms. Lewis stated that it is spelled out in the statute as unlicensed practice and if something were to happen, the most that may be done is an order to cease and desist on the individual. Students should be practicing in a supervised, instructional setting. This is a serious issue and the public's perception may be that students are able to go out and work on their own. Ms. Richardson mentioned it being added to the curriculum and being conducted in a controlled environment, comparable to cosmetology. Ms. Kelley stated that a similar event is already in place for family and friends where they are charged a fee. From a legal standpoint, this is where the Panel is in reference to outside clinical hours being conducted by students.

10. Hearings – Megan Flannery

i. 2012-9

This hearing has been continued.

11. Public Comments

None.

12. Adjournment

Ms. Kelley made a motion to adjourn the meeting and it was seconded by Ms. Griffitt. The motion carried.

The meeting adjourned at 12:52 p.m.

Upcoming meetings are scheduled for May 19, 2017:

- **Massage/Bodywork Therapy Panel Meeting**
- **Massage/Bodywork Task Force Meeting (immediately following the Panel meeting)**