

AGENDA
South Carolina Massage/Bodywork Therapy Panel
Task Force Meeting
July 13, 2018 9:00 a.m.
Synergy Business Park
Kingstree Building, Conference Room 105
110 Centerview Drive, Columbia, SC 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.

2. Review of Massage/Bodywork Panel Statute for Proposed Recommendation of Establishment Licensure and Criteria

Chairperson Janet Shaw called the task force meeting of the S.C. Massage/Bodywork Therapy Panel to order. Other task force members/staff participating in the meeting included:

- Megan Flannery, Office of Disciplinary Counsel (ODC) (LLR)
- Georgia Lewis, Advice Counsel (LLR)
- Shalon Genwright, Staff (LLR)
- Theresa Brown, Board Administrator (LLR)
- Debra Gallup, AMTA
- Anthony Ruggiero, Panel Member
- Nadine Garrett, Court Reporter

This is the eighth task force meeting to create guidelines for establishment regulation. These meetings, along with Panel meetings, are open to the public. The goal is that this is the final task force meeting to review the statutes and that the Panel members will barely have any suggestions once reviewed. The task force wants to be forward thinking enough, so that the statutes could be looked at twenty years from now where no revisions will need to be made. The Massage Panel has the authority to make recommendations to their statutes. They are one in five boards who have that authority.

All of the changes thus far were incorporated into a draft of the statutes that were given out. Those changes include a prior task force's recommendations, the recently drafted bill, and the Model Practice Act.

There were no intentions of rehashing what has already been done in the recommendations.

The recommendations must go through the full Panel to get a final draft sent to the Department of Labor, Licensing and Regulation (LLR). LLR goes through a number of procedures where it then goes through a legislative sponsor. At that point, the Panel cannot advocate for more recommendations. Once the bill is approved, it will go through a statutory process that may include hearings. The Panel cannot ethically advocate for or against the bill. There is no guarantee that the recommendation given will be the same as what the task force put forth. Once it is a law, it has to be enforced.

If the statute allows for inspections, the regulations may expound upon it.

South Carolina is not the first state that will license massage establishments. There are about ten states that have had this passed in their laws. This task force has pulled information from those states as well.

An inquiry was made about the mechanics of the inspection.

The complaint process was given in detail. We do not have jurisdiction over the complaint process.

The end result is protecting the public.
Complaints were made about the fees.

The agency not having an inspection component is a huge missing piece. Inspections are not new and it works.

Mr. Anthony Ruggiero stated that he wants the statute to comply with the Model Practice Act when he chaired the task force meeting. He was initially totally against the establishment licensing, but now sees it as a mechanism as a really good thing. This profession is in trouble. Although the option is not perfect, it is a really good option and the regulations will fine tune it.

It needs to be clarified in the statute that independent contractors/sole proprietors must have their own establishment licenses.

There was an issue where an extended discussion ensued on residential massage establishments. The issue was tabled.

An inquiry was made on massages being given for children. This can be addressed in an ethics section.

Those applying for licensure in the state of South Carolina should have a certain level of verbal and written communication skills.

Mr. Ruggiero noted that the staff has done a phenomenal job and he applauds staff and thanks them for their hard work.

The AMTA will have members that will not like the recommendations, but it something that they are able to support.

Chairperson Shaw stated that the AMTA's input was valuable and on point.

If there are any tweaks that need to be made, it may be done at the next Panel meeting.

3. Adjournment

The meeting was adjourned at 1:18 p.m.