

AGENDA
South Carolina Massage/Bodywork Therapy Panel
Task Force Meeting
May 18, 2018 12:00 p.m.
Synergy Business Park
Kingstree Building, Conference Room 202-02
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:

- Georgia Lewis, Advice Counsel (LLR)
- Shalon Genwright, Staff (LLR)
- Theresa Brown, Board Administrator (LLR)
- Eric Thompson, Office of Investigations and Enforcement (LLR)
- Lane Goodwin, Commission on Higher Education
- Anthony Ruggiero, Panel Member
- Sarah Gershutz, AMTA (arrived at 1:00 p.m.)
- Megan Flannery, Office of Disciplinary Counsel (LLR)
- Gary Haygood, Court Reporter

The statute has been cleaned up by Ms, Georgia Lewis, Advice Counsel, and she went through all the notes that she had from the previous task force meeting. Ms. Theresa Brown, Board Administrator, gave recommendations for several sections of the statute regarding fees.

The manager in charge is still up for discussion.

Qualifications for the massage establishment were discussed. Proof of liability insurance would need to be provided. Initial inspections by the department will be taken out. Unlicensed practice will be placed in the disciplinary section.

Verbiage is needed on the therapists being properly clothed.

Confidentiality of complaints is also needed, but the attorney from the Office of Disciplinary Counsel has to meet a burden of proof for the case. That must be kept in mind.

Instructor qualifications may be addressed in the Code of Regulations.

Ms. Brown gave handouts to everyone on her recommendations. The fees will be stated as "not to exceed", so that no new statute changes will be needed.

Licensees going into an inactive status was discussed. Currently, the statute reads that the license may be inactive for up to four (4) years. It is recommended that that is changed to one (1) year. An age limit for continuing education exemption was also discussed. It was established that continuing education may not be rolled over.

Citation authority is an option for the inspectors. If a citation is written, the person that the citation was written to will have ten (10) days to appeal the citation. If no appeal has been received, the citation must be paid within thirty (30) calendar days. This will be placed in the statute under 'Periodic Inspections'. The Panel has no jurisdiction over unlicensed practice. A cease/desist will be issued.

With the massage establishment license, a level of record keeping should be upheld for the person responsible for that license, as long as it is not in violation of HIPAA.

There should be a person designated as the manager in charge for the establishment. If that designated person is not licensed, then the Panel has no jurisdiction over them. The establishment has to fall in line with what the Panel establishes in their statutes/regulations. There are some task force members that think having a licensed manager for the establishment will be overly burdensome. The subject was tabled until the next task force meeting. Another state uses the term of a 'Compliance Officer', instead of a manager. The manager may be over multiple locations. If other services outside of massage/bodywork therapy will be offered at the massage establishment, it does not have to be stated on the application as it will not be governed by the Panel.

Several scenarios were given.

The Federation of State Massage Therapy Boards have created a human trafficking report.

Mobile massage therapists will not need an establishment license. The location would have to be provided by the client. This will be seen in the exemptions of massage establishment licensure.

If educational hours are increased to 625 hours, institutions will be made aware ahead of time to govern themselves. There will be a grace period.

A draft will be e-mailed to the task force once Ms. Lewis is able to clean it up, adding the additions that were discussed and given.

It was requested that prior discussions are not reopened, so that the task force may continue to move forward.

3. Adjournment

The meeting adjourned at 3:50 p.m.