

Board of Massage Therapy Examiners

General Session

January 20, 2018

Members Present

David A. Cox, *LMT, Chair*
Gwenda Harrison, *LMT, Vice-Chair*
Gloria Boddie-Epps, *Secretary/Treasurer*
Margaret Hayes, *Consumer*
Paula K. Jilanis, *LMT*
J. Paige Szymanski, *LMT*
Caitlin M. Thompson, *LMT*

Non-Members Present

Grant Gerber, *AAG, Board Counsel*
Laurie Sheffield-James, *Executive Director*
Adrienne Congo, *Deputy Director*
Christopher Bieling, *Investigator III*
Serita Anderson, *Administrative Specialist*

- I. **Call to Order – at 10:15 am** - *David Cox, LMT, Chair*
- II. **Roll Call – All present**
- III. **Review/Approval of General Session Agenda – (motion Caitlin Thompson) – Agenda was *approved* with correction and additions.**
- IV. **Review/Approval of Minutes – December 20, 2017 – (motion Gloria Boddie-Epps) – Minutes were *approved*.**
- V. **Reports:**
 - A. **Chair** – *Laurie Sheffield-James, Executive Director*, will give a Legislative Report.
 - B. **Executive Director** – The Board is submitting a letter of support for House Bill 0166. There will be a hearing at the House Government Operations Committee Room on February 1, 2018, members of the Board will be testifying. I will share a summary of the bill, there is (4) Parts of the bill.
 - *Part 1-* Is the FBI Rat back program it notifies health licensing boards that have criminal history records check authority when something is added to a licensee's criminal history.
 - *Part 2-* This section defines Contact hours & Credit hours. It will provide technical corrections to the Massage Therapy Statute. The definition will give clarity to license requirements to become a LMT. (There were several questions from the public audience).

- *Part 3-* Clarification of Scope of Practice in Health Occupations Article, the bill will clarify the definition of “Massage Therapist”; it cleans up the definition and makes it more understandable.
- *Part 4-* Massage Therapy business establishment permit - the licensing of massage establishments. The Board is mandated to protect the public that is our chief mission. Unfortunately as we go out into the community and receive complaints, we see a number of people who are engaged in prostitution and human trafficking. One of the major places human traffickers use are store front or commercial massage therapy establishments. This bill allows us to go in establishments to see if they are license or not and if so we will provide disciplinary action with Board approval if not license we will report the illegal activity to the police. We did research and you will be surprised at the prevalence of human trafficking and prostitution that is happening at storefront MST establishments. This bill will provide an increase level of public safety and protect the profession. We really hope that you will support this bill if you have issues with it we could sit down and work on them.

* *David Cox-* there will be a little cleaning up with this section, technical change of words that need clarifying.

**Audience participant-* Sounds like there is two pieces to that part, (1) the Board will be licensing massage establishments. Chair response is that it will be (2) pieces to this part and you are right about the first one but, the second part has not been defined yet. There will be meetings coming up with certain members of the Board and the advisory committee to define what is a “Massage Establishment”, that has not been written into this bill. It will be define in regulations if this bill passes.

**Gwenda Harrison, LMT, Vice-Chair-* We welcome the support for the bill if you are interested and available to testify and support you can contact me or Laurie, Chair response was that you can also call your legislators.

**Chair-* I would like to thank Robin, Gwenda and the group of educators for working on the Job Task Analyze, everything that they proposed has been approved by the Board.

I will be attending the Federation of Regulations Association Conference in San Diego representing the state of Maryland going over regulations.

VI. Board Counsel – Grant Gerber AAG, Board Counsel – Nothing to report

VII. Petitioner – (Deborah F.) – Request review of potential advance courses to meet the LMT requirement for status change from a RMP to LMT utilizing the 2nd option in the regulations – 60 credits + 24 contact hours of advance massage therapy courses... The extensive course descriptions and comprehensive content provided in the petition packet which was all AMTA approved courses were considered to be acceptable with the choice given to the registrant to choose from the list provided. **Audience** - (Tara McManaway, Program Cord., CSM) acknowledged by the Chair asked questions related to the list regarding what was approved for this petition in comparison to what is taught in the CSM 600 + hours certificate program. She asked if there is a way for the Board to distinguish between what an individual would have been expected to have gotten already in a 600-700 hour program and then what would be courses an individual would expect to get in an associates level pass that original certificate level as some of the petition courses are covered in CSM certificate program? **Chair** – That’s the college of CSM and we expect from the associates program in massage from the colleges that course are meeting the criteria of advance courses within that associates program. Tara McManaway re-emphasized that she is asking the question - what will be the defining factors for what is considered advance courses? In an effort to clear the current with future initiative of the Board, **Adrienne Congo** – The Board as you know is currently working on the Bill and regulations regarding this area and a comprehensive list of what constitutes advance massage therapy courses will be forth coming. However, in an effort to work currently within the frame work of the current law and regulations; the Board must satisfy the individuals that are coming before them, requesting a status change as outlined in the current law. The process right now for all individuals (registrants) contacting the Board requesting guidance for facilitating a status change is not solely a decision by the administrative office as to what meets that criteria(s). The response to everyone across the board that qualifies within their inquiry is to submit a petition for status change and propose what courses he/she feels meets the requirement(s) as currently outlined in the regulations. That information is forwarded to the Licensing Committee and the Board. The somewhat liberal stance is due to the need for clarification to a law that was originally adopted in 2014 to which at that time, the Board had no input until it was already passed. The Board is making the decisions now through this Bill and subsequent regulations to clarify/define what courses meet the criterion of advance massage courses. As a guide for suggestive purposes only, a registrant is asked to look at the keyword “advance” in its section of NCBTMB approved course/provider list for massage based and medically based massage courses. **Robin Anderson, Director CCBC** – from an educator’s perspective and being an individual who has worked on the Federation’s Job Task Analysis with what the petitioner has listed; I would agree on the outside looking in seem to be above and beyond what she would have been tested on the MBLEx. Having said this, hopefully these courses are not all online.

VIII. Petition: Applicant (Tracy R) – Waiver of school accreditation component for a (Asten Center of Natural Therapeutics in Whitehall, Montana – 600 hours which was approved by MD Board 2000 and at the time accredited) was tabled on December 20, 2017 to discuss current status. FSMTB working with school due to no state regulatory body currently and is allowing students to sit for the FSMTB MBLEEx. Board approved applicant for continued processing.


**Chair- for the record Gwenda Harrison has left the room to receive a call from a legislator. Committee Reports – Nothing to report (discussed in Legislative Report)*

IX. Ratification of New Licensees and New Registrants – (motion Paul Jilanis /2nd J.Paige Szymanski) – Passed

VII. Miscellaneous Discussion: Media – Tabled until Executive Session

General Session Adjourned at 11:08am (motion Gloria Boddie Epps/2nd Margaret Hayes)

Respectfully submitted,


Gloria Boddie-Epps
Secretary/Treasurer