



State Board of Massage Therapy Examiners

METRO EXECUTIVE BUILDING
4201 PATTERSON AVENUE • SUITE 301
BALTIMORE, MARYLAND 21215

Open SESSION MINUTES

Teleconference Call

November 25, 2020, 10:03 a.m. – 11:43 a.m.

Members Present

Caitlin M. Thompson, LMT, Board Chair
Paula K. Jilanis, LMT, Vice Chair
Kirsten Bodnarchuk, LMT, Secretary/Treasurer
David Cox, LMT, Board Member
Diane Jones Richards, Consumer Member
Margaret Hayes, Consumer Member
Eric Newdom, LMT, Board Member

Non-Members Present

Sharon J. Oliver, MBA, Executive Director
Marc Ware, Senior Investigator
Grant Gerber, AAG, Board Counsel
Pamela Alston, Admin. Specialist
Rachel Rotenberg, Licensing Coordinator

*Additional Participant list attached.

Call to Order at 10:03 a.m. by Board Chair

The regularly scheduled Administrative Session meeting of the Maryland State Board of Massage Therapy Examiners was held via teleconference call on November 25, 2020. The meeting was called to order at 10:03 a.m. by Board Chair Caitlin M. Thompson, LMT. Roll call was taken and all Board Members were present.

Review/Approval of the Amended Open Session Agenda - Paula Jilanis motioned to accept the agenda as amended; 2nd by David Cox. The motion passed. Board Vote: 7/0/0.

Review/Approval of the Amended Open Session Minutes for October 28, 2020 – Diane Jones Richards motioned to accept the Amended Open Session Minutes; 2nd by Paula Jilanis. The motion passed. Board Vote: 7/0/0.

OLD BUSINESS - MATTERS FOR REPORTING

BOARD CHAIR REPORTS

There are no major updates. Caitlin Thompson thanked Board Members and Staff for their contributions during this unprecedented time. Massage professionals are encouraged to check with their local municipalities & Governor Hogan for the latest updates regarding COVID-19.

Upcoming Board Member Vacancies, Nominations Closed – Nominations are closed for (2) Maryland Licensed Massage Therapists (LMTs) and one (1) Consumer to serve on the Board of Massage Therapy Examiners. The list of candidates has been received & vetted by the Appointments Office.



BOARD COUNSEL

Grant Gerber thanked Kim Link and Sharon Oliver on their efforts for consistent communication and frequent updates to the Board. Grant Gerber wished everyone a Happy Thanksgiving.

AMTA UPDATES - Amelia Mitchell – The 2021 “housekeeping” Bill is currently in the draft phase. The Bill will include language regarding standard precautions, COMTA endorsed curriculum, Rap Back and replace “Massage Parlor” with “Massage Business”.

EXECUTIVE DIRECTOR’S REPORT

There are many helpful resources available on the Massage Board website. Sharon Oliver thanked the staff for their dedication and support especially with proctoring the JP examination.

Renewals Update – Due to the possibility of future shutdowns or delays, massage professionals are encouraged to do so as soon as possible. To date, the Board has collected \$699,946 in renewal revenue. The current renewal statistics are:

Total Licensee’s Renewed - 2,811	Completion Rate: 68.7%
LMT’s Renewed - 1,819	Completion Rate: 73.82%
RMP’s Renewed - 992	Completion Rate: 61.1%

Pearson Vue Update - The Board is exploring this option in an effort to provide an electronic medium for jurisprudence examination administration. Sharon Oliver plans to meet with a Pearson Vue representative to discuss costs.

Letter to Massage School Program Directors/Columbia College Relocation Email – There has been school program modifications and/or name changes without sufficient notice to the Board. Responses to the letter have been positive. Massage Program Administrator will ensure that the Board is notified of any significant program or names changes.

BHA/MedChi Health Webinars – The Behavioral Health Administration and MedChi are offering series of webinars as mental health resource tools from to assist the Healthcare Providers during the pandemic. The webinars are recorded and free. Registration is required.

AMTA 2021 School Summit, February 20, 2021 – The AMTA School Summit will be held virtually February 20, 2021. Any interested Board members please inform Sharon Oliver to coordinate the registration process.

Staffing Update- New Investigator, Recruitment Efforts, COVID-19 Staff Work Schedule- Tasha Nicole Cullins begins Wednesday, December 2, 2020 as Board Investigator II. Ms. Cullins will be assigned to work with the Chiropractic Board.

Administrator III Position Interviews- A panel is being formed to interview candidates for the Administrator III Position. Board Member Margaret Hayes has volunteered to sit on the interview



panel to assist with the screening process.

COVID 19 Staff Work Schedule – The Massage Board Staff is considered essential. Those able to telework will continue to do so. Staff will continue to ensure the timely processing of applications and answering emails on a daily basis.

CJIS Results- There has been a significant delay in receiving background check results from CJIS. Results can take up to 4 weeks to be received by the Board.

FARB: Development of New Interstate Compacts for Occupational Licensure- Email notice was recently disseminated by FARB indicating that funding is available for the study of the Interstate Compacts. Sharon Oliver presented this option to the Board for consideration. Compacts must be adopted via legislation. Board Discussion.

Updated Application Forms on the Website- Sharon Oliver updated all the Massage Board applications & forms to ensure more user friendly, .pdf fillable format. Feedback for improvement is welcomed.

Board Meeting and Examination Schedules- The 2021 Examination schedule has been posted on the website. The IT Department will post the 2021 Board Meeting schedule within the next week.

COMMITTEE REPORTS

Licensing Committee (LRC) – Kirsten Bodnarchuk reported the Licensing Committee is reviewing options to move forward with the single tier system. The LRC’s recommendation is to conduct an information gathering survey of massage professionals. Board Discussion.

Amelia Mitchell requested that the AMTA’s position and recommendations on transitioning to a single tier system be included in the Open Session Minutes. Board Discussion. The Board approved the recommendation of the LRC to conduct the survey. The motion passed. Board Vote: 6/0/1.

Per Diem -Follow Up (Margaret Hayes) – Margaret Hayes and Paula Jilanis plan to work on developing a policy book. The Per Diem Committee recommended adoption of the revised policy & consider per diem increase for Board Chair at a later date. 2nd by Paula Jilanis. The motion passed. Board Vote: 7/0/0.

NEW BUSINESS - MATTERS FOR REPORTING

BOARD CHAIR REPORTS- CAITLIN THOMPSON

ED Mid-Cycle Evaluation - The Executive Director’s Mid-Cycle evaluation is due Thursday, December 31, 2020. Caitlin Thompson has requested Board Members submit their feedback no later than Wednesday, December 16, 2020.



BOARD COUNSEL- NOTHING TO REPORT

EXECUTIVE DIRECTOR’S REPORT(S) –SHARON OLIVER

Legislative Updates - Shirley Nathan Pulliam Proposed Bill – This Bill is currently in draft format. If passed in the 2021 legislative session, it would require Implicit Bias Training for all Professionals. CEU renewal requirement would need to be reviewed by the CEU Committee.

Holiday Closings – The Board Office will be closed Thanksgiving Day (11/26) and American Indian Heritage Day (11/27).

INVESTIGATOR’S REPORT- MARC WARE

Local Law Enforcement is actively pursuing unlicensed practitioners. The Human Trafficking Task Force is still in effect locking up facilitators and seeking help for victims of Human Trafficking.

COMMITTEE REPORTS

Licensing Committee- Nothing to report
Advisory Committee- Nothing to report
Disciplinary Committee- Nothing to report

MATTERS FOR NOTATION

ACTIONS FROM OCTOBER 28, 2020 CLOSED SESSION- Nothing to Report. The Board did not conduct a closed session meeting.

PETITION(S)/PORTFOLIO REVIEWS

Petitions/Actions to be taken:

- **Texas Massage Academy of America Training** - The Board approved the recommendation by the LRC.
- **World of Beauty Academy in Florida** - The Board approved the recommendation by the LRC.
- **Renee Harrell-Silver, RMP, and Petition for waiver of 17 Elective CEU’s** - The Board approved the waiver for Renee Harrell-Silver.

Applicant(s) Ratifications

Ratification of Board Issued Licenses and Registrations LMT’s & RMP’s – October 2020 – Motion to accept the entire group of LMT’s, RMP’s and Conversions as a whole by David Cox; 2nd by Margaret Hayes. The motion passed. Board Vote: 7/0/0.



New LMT's

LICENSE NUMBER	NAME	ORIGINAL LICENSE DATE
M06178	BAILEY, ARIEL J.	10/06/2020
M06179	VANGORDON, BENJAMIN	10/06/2020
M06180	PARIS, PAMELA L.	10/06/2020
M06181	POTHIER, CLAIRE N.	10/06/2020
M06183	KIM, HYUNGK WANG	10/06/2020
M06185	SHAW, KIRAH	10/06/2020
M06186	GOLDENTAL-STOECKER, GRACIELA	10/06/2020
M06187	DAVIS, EDWINA V.	10/06/2020

RMP to LMT Conversion

LICENSE NUMBER	NAME	DATE STATUS CHANGED
M06188	ROYER, KAYLA R.	01/02/2019
M06189	SNODGRASS, EMILY C.	03/15/2019
M06182	JONES, MIRANDA	05/12/2016

New RMP's

LICENSE NUMBER	NAME	ORIGINAL LICENSE DATE
R03269	CRUZ, MIQUEL H.	10/06/2020
R03270	PESCHANSKA, VLADLENA	10/06/2020
R03271	EZRA, JORDAN L.	10/06/2020
R03272	LANE, OLIVIA A.	10/06/2020
R03273	CAMPBELL, KAITLIN M.	10/06/2020
R03274	DIGGS, KELLI N.	10/06/2020
R03275	ANDERSON, BRITTANY	10/06/2020
R03276	ZHANG, XIANGJIAO	10/06/2020
R03277	VENDEMI, EMILY A.	10/06/2020
R03278	COLON, CHANEL C.	10/07/2020
R03279	SIMMONS, QUITASHA Q.	10/07/2020
R03280	ROYALTY, WANVALEE	10/07/2020
R03281	HANNER, KRYSTAL K.	10/09/2020
R03282	MIAO, JING	10/09/2020
R03283	WITCZAK, JANET N.	10/14/2020
R03284	GORHAM, SANDRA DIANNE	10/16/2020
R03285	HARPER, STEPHANIE	10/21/2020
R03286	SNEED, VICTORIA L.	10/21/2020
R03287	SHERNOFSKY, YEHUDIS	10/21/2020



Current Licensure Statistics

Active & Inactive Licensees/Registrants as of 11/17/2020

License Massage Therapist	Active	2464
License Massage Therapist	Inactive	334
Registered Massage Practitioner	Active	1625
Registered Massage Practitioner	Inactive	118

REVIEW ACTIONS TO BE TAKEN - None

MISCELLANEOUS

Questions submitted by the Public (Caitlin Thompson, Grant Gerber & Sharon Oliver)

“How much does it cost to sign up and/or get licensed?” The cost to become licensed is as follows: The Application for Massage is \$150 + The Jurisprudence Exam Fee is \$150 & the License/Registration fee is \$200. The total cost to become licensed is \$500.

“Once in a while we get a call from an individual asking if we provide ‘happy endings.’ How can we respond in a legally accurate way?” This is a boundary violation of ethics. The best way to answer this type of question is govern your own conduct. Please reference the code of Ethics §10.65.03.

Next Meeting – December 23, 2020 at 10:00 A.M.

Open Session Meeting Adjourned – Motion to adjourn Open Session Meeting at 11:43 a.m. by David Cox; 2nd by Kirsten Bodnarchuk. The motion carried. Board Vote: 7/0/0.

Respectfully Submitted,

Kirsten Bodnarchuk, LMT
Secretary/Treasurer



**STATE OF MARYLAND
BOARD OF MASSAGE THERAPY EXAMINERS**

OPEN SESSION BOARD MEETING

November 25, 2020 – 10:03 A.M. TO 11:43 A.M

CALL IN PARTICIPANTS

1. Amelia Mitchell, AMTA
2. Chelsea Adams-Cook
3. Gabrielle Ham-Jones
4. Kimberly Link, MDH
5. Shantel Lee
6. Michelle England
7. Tranquili Chi
8. David Madon
9. Bianca Rose
10. Regina Schneider
11. Giorgia Maragon
12. Lynne Brummitt
13. Philomena Queen

Maryland State Board of Massage Therapy Examiners Per Diem Policy

Approved November 25, 2020

A "per diem" is a daily monetary allowance or stipend dollar amount paid to an individual board member as compensation for her/his time spent on board business. This is in addition to any reimbursement to which the board member is entitled. Per diem shall be paid from the State Board of Massage Therapy Examiners fund. A board member seeking a per diem shall complete and sign the appropriate form(s) and submit same to the board's fiscal officer in a timely manner. A board member is eligible to receive only one (1) per diem per day.

A. Board members may receive a per diem for the following:

Note: A board member is eligible to receive a per diem with prior approval from either the board or the board's chair.

1. Attend in-person or virtual board meetings held in the regular course of business
2. Attend in-person or virtual committee meetings held on a day other than a day on which a board meeting is held
3. Attend in-person or virtual disciplinary hearing held on a day other than a day on which a board meeting is held
4. Participate in legislative hearings or in-person meetings held with legislators or their aides if prior-approval has been provided by the board or the board's chair
5. Participate in other in-person or virtual meetings directly related to board business that exceed two hours in length if prior approval has been provided by the board or the board's chair
6. Attend training and/or workshops approved by the board
7. Participate in conference calls or virtual meetings among board members that is two or more hours in length if prior approval has been provided by the board or the board's chair

B. Board members may not receive a per diem for the following:

Note: A board member is ineligible to receive a per diem without prior approval from either the board or the board's chair.

8. Testify at a hearing or meeting with a legislator or their aide to present opinions or positions other than those of the board does not represent the board and shall not be eligible for a per diem
9. Review board files/documents outside of the board's offices, except as directed and/or approved by the chair

Rev. 7/7/ 20; 7/13/20, 7/16/20
11/20/20

Creating a One Tier System in Maryland

AMTA Maryland Position Statement – September 4, 2020

The two-tier licensing system for massage in Maryland is unique in the United States and has created challenges and concerns since its inception. While originally designed to require a higher educational standard for Licensed Massage Therapists (LMT's), a two-tier system has created barriers and inequities for many by requiring at least 60 credit hours of education at an institution of higher education with these college credits often in addition to the 600-hour requirements of massage school education. While the college credit requirements are now better aligned with actual massage therapy education, Maryland's LMTs are required to have vastly more education than any other Licensed Massage Therapist in the United States. This disparity creates portability issues, especially for our military families, as well as employment disparities with Registered Massage Practitioners (RMP's). No other state requires college credits for massage licensure.

AMTA and the AMTA Maryland chapter fully support the Maryland Board of Massage Therapy Examiners' recent decision to move forward to eliminate the two-tier system and create a single tier of licensed massage therapists.

Massage Therapy requires education and state licensing protects the public by requiring minimum standards. The national average for entry level education in the United States hovers around 650 hours while an associate's degree (60 college credits) is at least 900 hours of additional educational requirements.

We appreciate that Maryland wants to keep the standards high and that the designation of Licensed Massage Therapists as health care providers in the state is important to maintain. It is also important for the state to bring regulations closer in line with the rest of the country and eliminate unnecessary barriers to entry.

It is our hope that our suggestions below would be fully considered and integrated into a final plan that we could encourage our membership to fully support. That would allow AMTA to be active in the legislative process to move this major change forward.

New education requirements and standards for Licensed Massage Therapists

We suggest that the educational requirements eliminate college, while students will continue to be able to access the excellent programs at our community colleges, this would no longer be a requirement.

Instead, we suggest an hour-based requirement of 750 hours. This could be offered by both community colleges and trade schools.

750 hours could allow for additional training in areas that are commonly showing up for massage therapists and currently require advanced classes: oncology massage,

research literacy, pregnancy massage, geriatric massage, as well as additional education in pathology and practice management.

We also suggest that other current LMT requirements remain in place; passing a psychometrically valid entry-level examination, background checks and fingerprinting, CPR at BLS/Health Care Level, 24 hours of Continuing Education every two years with seven required hours in communicable disease and HIV, Ethics and Jurisprudence, and Cultural Diversity, being 18 years old, and High School diploma or GED.

Accreditation of Maryland Massage Schools

There is no disputing that there are significant differences in the delivery of education and training provided by schools in Maryland. The growing concerns is that a lack of standards creates an environment where students can be ill-prepared for entry into the profession. A requirement for accreditation would also better protect the students, guaranteeing a standard level of education for the field.

Accreditation is a standard requirement for schools, specifically those training healthcare professionals, and balances educational standards. We appreciate and understand that the accreditation process is costly and time consuming so this why the AMTA is investing a significant amount of financial resources to help schools across the country achieve this high, and necessary, accreditation designation.

The MBMTE may also want to consider a process from schools who chose to seek another accreditation agency. Therefore, we would recommend statutory language such as, *"Has achieved accreditation or a comparable designation from an agency recognized by the U.S. Department of Education as determined by the board."*

A system of standards would also need to be developed for people seeking licensure in Maryland who have been educated elsewhere in 500-650 hour programs. Much of what is listed below in the Path to LMT could be used to develop such standards.

Path to LMT for those who are Registered Massage Practitioners (RMPs)

In Maryland there are approximately 2,500 LMTs and 1,600 RMPs who would need to be transitioned to LMTs as this new system goes into effect. There have been many concerns about whether they are sufficiently trained to become LMTs. First, it is important to consider their training in comparison to the new standards. Second, continuing education credits earned, work experience, and college education must also be a part of the equation.

AMTA strongly supports a legacy process where RMPs would be transitioned to LMTs without the added burden of additional, timely and costly, education in a school setting. Considerations for this transition could be as follows:

- RMPs who have been registered in Maryland for 5 or more years be immediately converted to LMTs.
- RMPs with 0-5 years of registration and 40 or more college credits in any subject be immediately converted to LMT's after verification.
- RMPs with 0-5 years of registration will be converted to LMT's at the renewal cycle following their 5th year of registration in Maryland or sooner if they complete the college credits as above.

AMTA-Maryland will oppose any requirement for a current RMP to get more education beyond the standard continuing education requirements to advance from RMP to LMT. It is widely accepted amongst professions and state governments in the United States who are moving from unregulated to regulated or modifying the requirements for a license that certain individuals be allowed to become licensed without meeting certain requirements that you would otherwise be required to meet or is it is commonly known – *grandfathering*.

Timing

It is our understanding that the earliest the MBMTE anticipates this change becoming legislation is for the 2022 Legislative Session, so if all went well it would go into effect in October 2022. We would recommend, at minimum, a period of no less than one year for schools to adjust their curriculum to meet the new hours requirement and a period of no less than two years to achieve the board determined accreditation or a process of endorsed curriculum so we would expect an effective date of October 2023.

Summary

AMTA Maryland appreciates the opportunities we have had to participate in the MBMTE discussions with the Advisory and Licensing Committees on this topic. We fully understand that the MBMTE is charged with a duty to protect the public through massage therapy regulation. We find these suggestions to be reasonable and attainable for all students, so to not limit the growth of the profession or devalue the return on the school investment, while maintaining reasonable standards to protect the public.

With the make-up of the board requiring all professional members to be LMT's, the voice of the RMP is often missing in this conversation. We ask that this be remembered when considering options, those in the position to make these decisions and put forward new legislation to make the changes must always check themselves to be sure their view is not becoming myopic or serving to elevate their own education unnecessarily.

COVID-19 brought the inequities and confusion from the two-tier system into stark focus this year. LMTs were allowed to return to work, while RMPs were not. Businesses that left their RMP's unemployed and only brought back their LMTs were allowed by the MD

Health Department to declare that they were now Health Care Settings and reopen. The disparities were stark and disheartening.

Let us also remember that a substantial majority of the public and some employers, have no understanding at all of the differences between the two-tiers nor is there a clear legal definition, other than an arbitrary educational requirement, that creates a distinction between the two-tiers two rendering them meaningless in most settings.

It is time for these inequities to change, time for Maryland to adopt standards that are in line with the rest of the country and other licensed professions. In every occupation there are people with varying levels of experience, advanced education, and skills. Let therapists move to one tier, with these changes to the standards which will provide suitable protections for the public. And let us remember, these are entry level requirements; many become advanced level therapists with specialties through rigorous continuing education. A One Tier system built on these changes will allow equity, portability, and far more clarity to licensees, employers, and the public.

Respectfully submitted by,

Amelia Mitchell, AMTA Maryland Board Member and Chair of the Government Relations Committee