



MARYLAND State Board of Massage Therapy Examiners

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

OPEN SESSION MINUTES

December 19, 2018; 10:22 a.m. – 11:16 a.m.

MEMBERS PRESENT

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

NON MEMBERS PRESENT

Adrienne Congo, Acting Executive Director
Rhonda Edwards, AAG, Board Counsel
Marc Ware, Investigator III
Pamela Alston, Admin Specialist II
Lillian Reese, Leg. & Regulations Coord.
Robin Anderson, Program Dir., CCBC
Lu Gorshboth, CCBC
Janine Fleming, Dir., Holistic Training Int.
Sharon Bloom, MDH

Call to Order & Opening Remarks by Board Chair

The regularly scheduled Open Session meeting of the Maryland State Board of Massage Therapy Examiners was held at the Metro Executive Building, Conference Room 110 on December 19, 2018. The meeting was called to order at 10:14 a.m. and the Board's Mission Statement was read by *Paula K. Jilanis, LMT, and Board Chair*. Roll call was taken and six out of seven Board Members were present which constitutes a quorum. David A. Cox, Secretary/Treasurer was absent.

Board Members / Staff / Audience

Board members and staff were introduced, followed by introductions from the audience.

Introduction/Welcome of the Substitute Board Counsel- Rhonda Edwards, AAG, *Welcome Rhonda Edwards!*

Review/Approval of Open Session Agenda

The agenda was approved - *Moved by Gwenda Harrison; 2nd by Margaret Hayes. The motion carried.*

Review/Approval of the Open Session Minutes for November 28, 2018.

The Board's Open Session meeting minutes for November 28, 2018 were approved with amendments. *Moved to approve with said edits by Caitlin Thompson; 2nd by J. Paige Szymanski. The motion carried.*

Acting Executive Director's Report- Adrienne Congo

The Board's Information Technology (IT) Team having issues with usage certificate under Google. Currently they are working to get certificate updated which has caused browser access issues. These issues have affected the Board's website and interactive functions. Currently during the last phase of the late renewals; the Board has posted an issue notification and links to alternative browsers for licensees/registrants. These alternative browsers will allow access to the Board's renewal portal. Due to this issue, the MD State Board of Massage Therapy Renewal Portal has further extended its late renewal to December 10, 2018. Please be advised that this issue is not just germane to this Board but has affected other Boards and Commissions. **Action Item Delay:** Due to the aforementioned technological issue, it has delayed the uploading of the "Resource" links to our member associations and organizations such as: FSMTB, NCBTMB, FARB, AMTA, CAC etc. Notification of those posted links will be updated with the Board.

Action Item: Rap Back

Rap Back stands for “Record of Arrest and Prosecutions BACK”. With the Rap Back, authorized government agencies will receive on-going notifications of any criminal history record information reported to the FBI and State after the initial processing. By using Criminal History Records Check (CHRC) fingerprinting identification to identify persons arrested and prosecuted for crimes, the Rap Back would provide notice to this Board which is a noncriminal justice authority reports of subsequent actions. In order to be eligible to participate in Rap Back, the governmental agency must have a current Public Law 92-544 Maryland Statute. The Criminal Justice Information System (CJIS) – Central Repository would then contact those agencies informing them of their eligibility. Since the Rap Back verbiage already existed and has been extracted from a prior concept paper; it has been reproofed and awaiting the first initial stage(s) for acceptance.

Action Item: Memorandum of Understanding (MOU) – Rehabilitation Committee Project

Grant Gerber, Board Counsel had provided the MOU documentation to go to the Office of Procurements & Support Services attention Ms. Queen Davis, Director. Ms. Davis has filtered the request down to her Contract Officer, Lauren Dennstaedt to work with the Board as they are in possession of the MOU.

Continued Report – 2018-2020 Massage Therapy Biennial Renewal Update (*Adrienne Congo*):

As previously indicated in the Action item; this 2018-2020 Massage Therapy Biennial Renewal was extended to December 10, 2018 with the renewal portal closing date of December 11, 2018. This was nine days past the general late renewal date of November 30th. Initially 548 licensees had not renewed prior to December 10th. The late renewal fee for LMT was \$476 and \$450 for a RMP. The Board within this short extended window of November 30th through December 10th had captured approximately \$40,000. The Board has made every effort to notify and disseminate the information relating the final days of renewal. All licensees and registrants who had not renewed as either Active or Inactive are now “Non-renewed”. Reinstating a license or registration would be required to become active to practice and available only up to 24 months from October 31, 2018. The “reinstatement fee” for a non-renewed status per regulatory fee schedule is \$676 for a LMT and \$650 for a RMP.

Renewal Evaluation Tool Results:

Adrienne Congo reported the following evaluation tool results:

Question 1-“How clear were the instructions?” 745 -Individuals indicated the renewal process as “Excellent”
Question 2- How well did you understand the information?” 850-Individuals stated the process was “Very easy to renew” A total of 14 –Individuals stated “Poor” A total of 51- Individuals stated “Fair”, A total of 319- Individuals stated “Good”. Some comments from individuals were that they felt not properly informed as to when the renewal process would take place despite early notifications starting in June 2018. *Adrienne Congo* reported that all individuals were informed repeatedly through the stages of renewal prep, reminder notifications and through opening live online. These notifications were in the form Maryland.Gov/Delivery email blast and the simultaneously posting of that same disseminated information on the Board’s official website within a designated “Renewal Resource Page”. *Adrienne Congo* further explained in specific detail that she took extensive measures and worked closely with the IT department to ensure the online renewals were successful for licensees and registrants. *Adrienne Congo* asked the Board if they had any suggestions. *Gwenda Harrison* interjected that she reviewed the evaluation’s comments and found negative but yet accolades given to the staff for their assistance. “This to me indicated how committed this Board and staff are to the licensees and registrants to keeping them licensed and registered.”

Paula Jilanis questioned what more could we do? Board Members and the audience weighed in to the fact it starts with the onus on the therapists and practitioners to know the expiration date of their license or registration and the laws and regulations governing them. Shared responsibility also should lay with the massage training programs to ensure that ethics are taught with regard to professional licensure, roles and responsibilities.

Paula Jilanis and the Board expressed more than adequate actions were taken by the Board with a sincere thanks to *Adrienne Congo* and her Team who went above and beyond to ensure licensees and registrants had a seamless experience during renewal process.

Requested Post Audit - *Adrienne Congo* asked the Board for permission to request a post audit for those who renewed November 1st through December 10th. The Board unanimously agreed with this decision. *Margaret Hayes* based on her inquiry was advised that this scheduled post audit procedure was for this renewal cycle.

Update-Massage Therapy Proposal -Lillian Reese, Legislations Coordinator

Lillian Reese reported that the Massage Therapy proposal (*Title 10 Maryland Department of Health: Subtitle 65 [10.65.01.06, 10.65.01.07 and 10.65.01.16]*) is being finalized; it will be printed in the Maryland Register **Effective Monday, December 31, 2018. Round of Applause!**

Federation of Associations of Regulatory Boards (FARB) – Renewed Membership as separate boards

The FARB 43rd Annual FARB Forum will be held in New Orleans, Louisiana on January 24- 27, 2019. *Adrienne Congo* announced where the membership had lapse, we are now currently registered with an Annual Membership fee of \$150 annually. The Board member representing the Board this year will be *Paula Jilanis, Board Chair*.

Free Cultural Diversity CEU Courses - Under the State of Maryland – Maryland Office of Minority Health and Health Disparities: Free courses available for anyone (licensees/registrants & public) to take. A designated resource link will be posted on the Board’s website.

Matters for Notation

Old Business (Executive Decisions)

- The Santa Ana Beauty College located in Santa Ana California (750 clock hours) was approved and placed on the list of Board approved massage schools.
- Board accepted the 575 Hours from Tri- City School of Massage in Kennewick, Washington by portfolio review of the applicant’s total credentials inclusive of higher education, experience and references. Based on the applicant’s totality of education and credit hours, experience in the field, references they may proceed with the application processing and must meet the additional educational requirements to be awarded a LMT status; however Tri-City School is not on list of Board approved schools as it was not reviewed in isolation from this portfolio.
- Petition for lesser fee amount-failure to notify change of address due hardship. Fee reduced to \$50
- Petition to waive renewal fee (\$200 x 2) due to licensees’ computer glitch. Board waived \$200 of the \$400 late fees.
- The Board administratively waived renewal late fee for documented health reasons for licensee.
- Licensee practicing without a valid CPR certification; Board imposed a Letter of Education.

Board Member Resources - Storage Devices - *Adrienne Congo*

(Updated Thumb Drives for 2019) Board Members have access to resources such as Roberts Rules for Board Proceedings, Sanctioning guidelines & Board Bylaws;

Website Updates Continuing:

Entire 2019 Calendar of Meeting & MD Massage Jurisprudence Examinations (will be posted on website with links).

Ratification of New Licensees & Registrants - *Congratulations!*

Motion to approve by Margaret Hayes; 2nd by Gwenda Harrison; all in favor; the motion carried.

LMT’s & RMP’s

License No.	Name (s)	Original License Date
M05991	HUGHES, ALTHEA C.	11/07/2018 COS
M05992	MATHIS, ALLISON S.	11/07/2018 COS
M05993	SAMUEL, LATOYA C.	11/08/2018 COS
M05994	SILCOX, AMANDA K.	11/09/2018

M05997	HOUGH, DEBORAH L.	11/20/2018
REGISTERED	NAME (S)	ORIGINAL REGISTRATION DATE
R02977	GROSS, SEAN R.	11/07/2018
R02978	SCHWANINGER, CAMI	11/07/2018
R02979	FERGUSON, TYRA M.	11/09/2018
R02980	OWEN, WHITTNEY D.	11/09/2018
R02981	PRICE, TRACI L.	11/13/2018
R02982	MAYE, CODDEAN S.	11/13/2018
R02983	COOPER, MIYA C.	11/20/2018
R02984	PATTERSON, ADIA M.	11/26/2018

KEY:

License = LMT
 Registration = RMP
 COS = Change of Status from RMP to LMT

Current Licensure Statistics

Active & Inactive Licensees/Registrants

Licensed Massage Therapist	Active	2601
Licensed Massage Therapist	Inactive	246
Registered Massage Practitioner	Active	1560
Registered Massage Practitioner	Inactive	94

Review Actions to be taken -

- MOU-Finalization on Memorandum of Understanding
- Pearson View- (Possibility of going electronic) *Adrienne Congo and Paula Jilanis* (Timeline for completion-March)
- Further updates on Board Website-*Adrienne Congo*
- Educating CMS and Consumers as to the MD State Massage Therapy Board Two Tiers – What is the best mode of delivery for information dissemination/sharing?
- Contact with AMTA National regarding CMS
- AMTA / CMS collaborative agreement to be forwarded to the Board Members

Further Discussion & Questions from General Public –

Regarding “CMS (Centers for Medicare & Medicaid Services) Discussion & AMTA Press Release. Negotiation with CMS & Medicare Advantage Programs under CMS”

Audience member *Robin Anderson of CCBC* asked the Board if they were aware of the new changes regarding Medicaid/Medicare clients receiving approved massage services and taking measures to inform the public of the advantage programs. The Board agrees that this is a big move for the profession. It appears that AMTA has undertaken efforts to engage CMS about the recognition of massage therapy under Medicare Advantage Programs. Accordingly, CMS had recently announced that many Advantage plans will cover massage therapy, beginning in 2019. *Robin Anderson of CCBC* stressed the importance of educating the consumer public of the difference between LMT vs RMP in seeking services and with respect to the aforementioned.

Under the MD State Board of Massage Therapy Examiners, Licensed Massage Therapists (LMTs) are the only healthcare providers to work in a healthcare setting and medically bill healthcare insurance companies.

Gwenda Harrison states that we should differentiate the meaning of the 2 roles and use the terms accordingly. We must also be careful when using the terms/acronyms because many clients can become confused on their roles. The

Department of Health clearly delineates the role and function of each profession. *Gwenda Harrison* further commented that part of that effective clarification would be to refer to our LMTs as Licensed Massage Therapists and RMPs as Registered Massage Practitioners. From the State's prospective, both LMTs and RMPs had been classified as healthcare providers. It is this Board that separates them and given that authority; but it is the MD Department of Health which issued registrations to RMPs. It's not coming from another department. It is coming from under the same umbrella of other healthcare professionals and more specifically under the same Board. This would be confusing to the consumer public, CMS, other healthcare professionals not aware of the two tiers and differentiation of the two tiers. If we use the term healthcare providers/practitioners; they could be thinking both LMTs and RMPs because they come directly from the same department under a singular Board.

Gwenda Harrison and Audience members suggested disseminating a letter of understanding to the public, other health professionals who may be inclined to utilize massage therapists and practitioners and posting information on the Massage Board website outlining the differences.

Rhonda Edwards, AAG advised the Board that they have a duty to educate. There are other professions that have a hierarchy or tiered stacking of credentials under the same board such as the LPNs vs RNs vs APRNs, etc. under the nursing board. It is important for the Board to let CMS know about the license status and provide them with the regulation as to what differentiates the two tiers (*LMTs vs RMPs*).

Lu Gorshboth, CCBC, inquired to the Board's availability to send an email blast in addition to web postings to ensure overall dissemination. **Action Item:** *Rhonda Edwards, AAG* advised that any public information to be disseminated regarding all of the aforementioned be drafted for Board Counsel's vetting.

Robin Anderson, CCBC suggested that the Board contact AMTA Nationally regarding CMS directly to help with navigating this task as Maryland has a unique situation. *Gwenda Harrison* requested that the Board be forwarded a copy of the agreement. **Action Item(s):** *Adrienne to follow-up.*

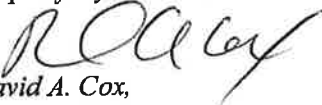
FYI - For more information on CMS Announcement Up to 270 Medicare Advantage Plans Will Include Massage Therapy in 2019 Press Release please visit the link: <https://www.amtamassage.org/articles/1/News/detail/3900/cms-announces-up-to-270-medicare-advantage-plans-will-include-massage-therapy-in-2019>

Closing Remarks - Paula Jilanis, Chair

The *General Session* is now finished and we move to *Closed Session* pursuant to the Maryland Statutory Code and for the purposes set forth therein. The Board will move into Closed Executive Session portion of the meeting, consult with Board Counsel, discuss disciplinary matters and hear reports concerning violations of the law or regulations.

Meeting Adjourned & closed for proceeding Executive Session 11.15 a.m. – moved by *Gloria Boddie-Epps, 2nd* by *Gwenda Harrison*. . The motion carried.

Respectfully Submitted,


David A. Cox,
Secretary/Treasurer

Board Working Lunch