

Board of Massage Therapy Examiners

General Session

February 28, 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
Serita Anderson, Administrative Specialist
Damien Archambee, CMSM
Tara McManay, CSM
Sabrina Lopez, AMTA
Athena Boyd, CMSM
Sharon Bloom, MDH
Janine Fleming, Holistic Massage
Victor Fleming, Holistic Massage

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- I. **Call to Order – at 10:07 AM - David Cox, LMT, Chair**
 - II. **Roll Call – All present**
 - III. **Review/Approval of General Session Agenda – (motion Margaret Hayes) was approved with corrections and additions.-Passed**
 - IV. **Review/Approval of Minutes – January 20, 2018 – (motion Paula Jilanis) – Minutes was approved.-Passed**

V. **Reports:**

A. Chair – Strategic Planning Retreat – I send out a second email to Kim Green, waiting to hear back from her. I would like for everyone to check their calendars so that we could send her a date for May 2018. It is very important that we get this done.

I went to the Federation of Associations of Regulatory Boards (FARB) on January 25-28th 2018. It was a very productive meeting there was a mock Board Meeting on how to have an effective board meeting, what things can or cannot be said and the responsibility of the Board. I will make sure everyone gets a copy there is a lot of stuff that can be used. I would like everyone to please complete the Clear Training it has already been paid for.

The training is on what is the Board responsibilities, all Boards not just massage. When you get a chance please finish this training.

B. Executive Director – Laurie Sheffield- James – House Bill 288 – Authorizing the Secretary of Health to vacate or modify decisions made by the boards regarding disciplinary action taken against an licensee. The hearing was a couple of weeks ago and Carlton Curry, Executive Director of the Physical Therapy Board represented the Boards of Commissions, he did a great job. We could come out with amendments; it could be anyone who is looking to change the disciplinary decisions will go through the Office of Administrative Hearings (OAH) as a way of check and balance. There is a cost to consider when someone requests an Administrative Hearing they don't bill until 3 years later. *Chair response* - we all agree that OAH is a better way to go.

C. Committee(s) Report(s)

(1) Advisory Committee- Gwenda Harrison, LMT, Vice-Chair- House Bill 309 – Anne Arundel County-Practice of Massage Regulations –Is a full county delegation bill, to allow AA. County Law Enforcement to be able to investigate Massage Parlors Establishments after consultation with the State Board of Massage Examiners as Howard County did last year with our support. We went to Annapolis MD and the bill should pass without any problems.

House Bill 1598- Licenses and Registrations-Education and Display Requirements – This is a bill submitted by the American Massage Therapist Association (AMTA) Maryland Chapter. Everyone has reviewed the bill, Sabrina Lopaz and I initially talked then *Paula Jilanis, LMT, Licensing Committee Chair*, joined the conversation and I also got feedback from the Board members the primarily concern was since we withdrew our bill, that we get a few things done this legislative session that would help our statue. One of the main concerns was getting clarification of credit hours and contact hours and adding in 24 hours credits. During my conversation with Sabrina Lopaz, AMTA, that this is one of AMTA main concerns also. The Association is looking at some other specific things as well. The premise being that we can support each other going forward, we are still at a place of trying to work together. Paula Jilanis talked to *Grant Gerber, AAG, Board Counsel*, we submitted what the Board thought would be appropriate recommendations for amendments to the AMTA Chapter. According to Sabrina Lopaz the amendments has been forward to the AMTA Lobbyist. There is two ways I believe the Board could support the Chapter's Bill, one is with our amendments and the other would be with their amendments. *David Cox*, when is the hearing? (March 7, 2018). Sabrina Lopaz and Gwenda Harrison will continue to work with the wording that they both agree on and when it is completed they will forward it to all the Board members, Laurie Sheffield-James and Adrienne Congo. *Laurie Sheffield-James* response is that the Board will be submitting a position paper with amendments and hopefully the association will support them so we can go in as a united front. The paper must be in by Friday (March 2, 2018)

no later than Monday at 9:00 AM. *Laurie Sheffield-James* would like to know who will testify at the hearing and she need to know by Friday. *Chair* said he is available if needed, the committee will submit the position paper to the Board when it is completed for approval. We need to make it as clear as possible so that someone can go on the website and get the information that they need ex. *If I am a RMP what do I need to do to become a LMT etc...* The Board would like to thank the committee along with *Sabrina Lopaz* for all the hard work.

(2) Licensing Committee- *Paula Jilanis, Licensing Committee Chair* – The committee has started the process of presenting the schools. We approved another program in Bel Air a 600 hour proprietary school program. *Gwenda Harrison-* what is the process of getting a school approved? *Paula Jilanis* response was the schools make their application to the Maryland Higher Education Commission (MHEC) then MHEC sends the curriculum to the Board and the Licensing Committee reviews it to make sure it matches the regulations requirements. *Paula Jilanis* asked the Board to make a motion to approve the curriculum. *Gwenda Harrison* responded I think the Board needs to ratify the recommendations from the Licensing Committee, The *Chair* agreed. *Margaret Hayes* - suggested that maybe it should be a sentence or two in the committee recommendations as to why the school should be approved and provide a justification for future references. *Chair* - we approve the process (program) then we send our recommendations to MHEC who approves the school or program. *Paula Jilanis* will make sure Board members will have the recommendations by the end of today to review.

VI. Board Counsel – *Grant Gerber AAG, Board Counsel* – *Regulatory impact on small business.* There is an impact to small businesses that the Board will be looking at along with other regulations. The current administration would like us to trim regulations as part of the executive branch. The Board doesn't want to drive small business out of the state or make it hard to do anything, but we do want to make sure everybody is clear on what the rules are. It also gives the Board a big advantage to enforce and comply to make rules that people have to follow. Part of that we have to justify is what the cost impact will be on small businesses. Almost every one of the Board regulations will directly impact the small businesses. Times are changing, there is always something new. We will do our best to comply with the recording requirements and hopefully we will select new regulations that will meet these standards. The Board will certainly file the report that is required for new regulations. We are looking at statutory changes eventually in legislation when we do the new regulations that are always filed followed by regulatory changes. The regulations have to match the new statutory language. There will be a fairly and insignificant impact on small businesses.

VII. New Business: Thai Yoga – FYI – The Board will be seeking counsel will be discussed in next General Session.

VIII. Old Business:

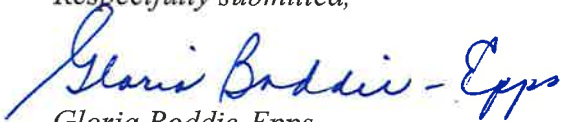
Update – Adrienne Congo, Deputy - Licensed Massage Therapists (LMT's) Wall Certificates Diplomas artwork has been completed and printing will be in house. Today will be the first signing of the new 11 x 14 LMT Wall Certificate Diplomas by the Board Chair and two (2) Board Members. Currently the Wall Certificate Diplomas have been issued to all LMTs effective the official date of the new MD State Board of Massage Therapy Examiners board (October 1, 2016). Subsequently new licensees and the wall certificate diplomas will be presented and signed at the monthly board meetings for those new licensees (LMTs) which are ratified by this Board.

IX. Ratification of New Licensees and New Registrants –Margaret Hayes made a motion to ratified the new licensees, 2nd by Gloria Boddie- Epps – Passes

X. Miscellaneous Discussion: Chair, open the meeting for any questions on comments to the public.

*Tara McManay- College of Southern Maryland (CSM) – I noticed that the list of licensees that have been ratified has been rather small. *Adrienne Congo* response was, as you know we are a month behind. There are 35-40 applicants that take the Jurisprudence Exam monthly. Applicants that have taken the exam sometimes have outstanding issues that need to be resolved before they are license. *Paula Jilani's* also responded it also depends on the graduation dates of various schools. *Adrienne Congo*, I can give you the update numbers if you like. *Tara McManus*, Thank you I would appreciate that.

General Session Adjourned at 11:05 AM (motion Paula Jelani's / 2nd by Gwenda –Harrison)
Respectfully submitted,



Gloria Boddie-Epps
Secretary/Treasurer