

Board of Massage Therapy Examiners

General Session

Wednesday, December 20, 2017

(Alternative scheduled date due to holiday week)

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- Teleconferencing*

Non-Members Present

Katie Giblin, AAG, Board Counsel
Laurie Sheffield-James, *Executive Director*
Adrienne Congo, *Deputy Director*
Christopher Bieling, *Investigator III*

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- I. **Call to Order – at 10:10 am - David Cox, LMT, Chair**
 - II. **Roll Call – 6 Members Present + 1 Member via Teleconference (Caitlin Thompson, LMT)**
 - III. **Review/Approval of General Session Agenda – (motion Gwenda Harrison) – Agenda was *approved***
 - IV. **Review/Approval of Minutes – November 29, 2017 – (motion Margaret Hayes) – Minutes were *approved*.**
 - V. **Reports:**
 - A. **Chair** – Brief to Board and audience regarding “A *BILL ENTITLED AN ACT concerning Health Occupations – State Board of Massage Therapy Examiners – Revisions.*” Specifically at this meeting a general overview of the proposed requirement for holding a massage therapy establishment permit before establishing or operating a massage therapy establishment in the State. **Introduction of the Advisory Committee Chair, Gwenda Harrison**, by Board Chair which Gwenda Harrison provided general information of what the Bill states regarding massage establishments. She reports that the Bill will increase the state’s efforts to protect its citizens, authorize the Board to establish regulations to permit establishments, monitor them and discipline businesses of massage. This is to ensure that they are using only license massage therapists and registered massage practitioners and providing services within the statute. In addition, this will encompass any entity that constitutes itself as a massage business whether it is a massage therapist/practitioner, company or non- licensee.
The Chair adds that this is going to be a two-step process to which the first part is for legislation to allow the Board to regulate establishments. Then the second part which would be the regulations and definitions of who it affects. The Board will have open sessions to allow all Stakeholders to have input.

Audience participant (Tara McManaway, CSM) had two questions. **Question 1** - With regard to Board overseeing massage establishments will this affect county law trying to regulate establishments? Chair response is that state laws override county laws. Vice Chair added that during the session in Annapolis between January –April the Board will be in consultation and collaboration with county jurisdictions at various levels to ensure that what the Board put forward will be to the best interest at various levels including the counties; because we do want and need the support from the county jurisdictions as well. We want to do it in a way that is meaningful.

Question 2 – There is already disciplinary action for people who hire non-licensed under the Board, is this different? Chair & Vice Chair corrective response: The Board has no jurisdiction over people who hire non-licensed at this time; unless the person hiring is licensee or registrant – currently only jurisdiction over licensees or registrants is the clarification. Tara McManaway’s reiteration is that; the Board with this law would be hoping to expand regulation over anyone (with regard to massage therapy) to which she would support.

Federation of State Massage Therapy Board (FSMTB) – As a Board member of FSMTB, the Chair attended the Chicago conference to which FSMTB authorized a letter to go out to all Boards, American Massage Therapy Association (AMTA) and Associated Bodywork & Massage Professionals (ABMP) regarding the negative reaction to the Human Trafficking Report.

B. Deputy Director – Update on License Massage Therapists Official Wall Certificates only awarded to LMTs will be forth coming as the delay has been in regard to the necessary redesigning, upsizing from a 8 ½” x 11” to 11” x 14” certificate and certificate verbiage update. The Board will be making the issuance of the new LMT Wall Certificates retroactive to the board’s separation effective October 1, 2016. The Board tentative date to commence issuance is January 2018. The new certificates will display signature(s) by the Board Chair and two additional Board Members.

Inclement Weather Policy – The Board will announce/post inclement weather announcements via the Board’s official website and office main numbers. The office is working with the IT department to request website updates at the time MDH updates their website. Administrators will facilitate timely notification to Board members regarding any updates and changes.

Official Board License vs Board Wall Certificate for clarification – Official Board License / Registration is the blue safety paper document containing the expiration date of and the status of Lic. / Reg. 3½” x 8 ½”. The LMT Wall Certificate is a certificate of status only for LMT’s initially licensed with the Board.

VI. Petition (Tracy R.) – Request waiver of the accreditation component and to accept 2004 completion of 600 hours of training from the Asten Center of Natural Therapeutics in Whitehall, Montana. Note: Asten Center of Natural Therapeutics was a MD Board approved school in the year of 2000. Additional Information was needed to whether school is on FSMTB list of approved schools new system – Tabled

VII. Ratification of New Licensees and New Registrants – (motion Gloria Boddie-Epps / 2nd Paula Jilanis) - Passed

VIII. Miscellaneous Discussion facilitate by Chair: Audience – Tara McManaway, Prgm. Coord. CSM – Provided information that she is required to provide passing rates for FSMTB Massage Board and Bodywork Examination (*MBLEx*) for accreditation purposes and wanted to know if the Board would provide the pass rates for the MD State Jurisprudence Examination regarding CSM graduates who sat for the JP Exam? Laurie Sheffield-James requested that Tara McManaway file a written request under the Maryland Public Information Act (“PIA or “the Act”) be submitted to the Board and Board Counsel can review and advise.

Marcy Myers, LMT, asked the Board whether establishments have to display licensees license/registration and if so how would we check? David Cox responded that we are a complaint driven board and that generally establishments post license/registrations in lobby area and or independent licensees/registrants would display within the confines of the area they are working. Currently we are limited as self-funded board with regard to hiring additional investigators and we cannot use board members or volunteers. However with the 4000 licensees/registrants they are required to report unlicensed/unregistered individuals practicing with them.

*Board Chair asked the remainder of audience introduce themselves.

David Cox announced that he would be attending a meeting the State of Maryland’s Lieutenant Governor on January 8, 2018 along with other Board Chairs, Presidents and Executive Directors. Q & A and collaborative input to address legislative initiatives and other areas respective to licensing to specific boards and non-specific boards for this meeting.

Laurie Sheffield-James lightly touched on letter from Marc Cohen with regard to a push to make sure the Board is immune to any law suits derived from disciplinary actions taken against a licensee/registrant.

Adjourned – motion by Gwenda Harrison / 2nd Paula Jilanis – General Session Adjourned 11:18 a.m. – unanimous.

Respectfully submitted,

*Gloria Boddie-Epps
Secretary/Treasurer*