

MINUTES

**UTAH
BOARD OF MASSAGE THERAPY
Meeting**

November 16th, 2010

**Room 474 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:00 a.m.

ADJOURNED: 12:36 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Sally Canavan

Board Members Present:

Sharon Muir
Craig Sauer
Hal Morrell
Jennifer H. Pruetz
Carolyn Redington

Board Members Excused:

None

Guests:

Roger Olbrot, Myotherapy College of Utah
Ron Findlay, AMTA – UT
Leanna Christensen, Lisa Bouvier- Support

DOPL Staff Present:

Connie Call, Compliance Specialist
Neena Bowen, Compliance Specialist
Kent Barnes, Compliance Manager

ADMINISTRATIVE BUSINESS:

MINUTES:

DECISIONS AND RECOMMENDATIONS

The minutes from the September 21st, 2010 meeting were reviewed and discussed. Ms. Pruetz made a motion, seconded by Ms. Redington, to approve the minutes, with corrections. The motion passed unanimously.

COMPLIANCE REPORT:

**Connie Call, Compliance Specialist
Neena Bowen, Compliance Specialist**

Ms. Call introduced Ms. Bowen, as a Compliance Unit Specialist for the Massage Therapy profession. Ms. Call gave the report on the probationers being seen today.

PROBATION INTERVIEWS:

Kevin L. Rock

Ms. Pruetz interviewed Mr. Rock. He stated he had no new clients. He stated he has been on probation of one sort or another for seven years. He requested to return to the six months interview schedule now that he was

compliant again. The Board discussed he needed to show a track record of compliance before the six months interviews could be offered again. The Board requested to see him at the January 18th, 2011 Board meeting. **Compliant**

Lisa Ann Bouvier

Mr. Sauer interviewed Ms. Bouvier. She did not know she had missed a call on September 27th, 2010. The Board informed her she needs to call the compliance specialist if she missed calling or a test. The tests are random so a test on the next day would not be valid. She wants to prove to the Board she is clean and clear. She stated she is striving for 100% on the testing. She stated she has seven months left on probation. The Board informed her if she missed one time calling or testing, the Attorney General will draft an Order to Show Cause. The Board requested to see her at the January 18th, 2011 Board meeting. **Non Compliant**

April LaVaun Peterson

Ms. Redington interviewed Ms. Peterson. She stated she has a new supervisor at work. He has read her MOU. Things are going good at the school and work. The Board reminded her that her MOU states if she does not work in the field the time worked does not accumulate towards probation time. She stated she is in the process of changing her last name back to Rose and will submit a name change document. Upon receipt of a letter to the Compliance Specialist requesting early termination, the Board will consider the request at that time. The Board requested to see her or review her letter requesting termination of probation at the January 18th 2011 Board meeting. **Compliant**

Michael Ryan Beidler

Mr. Beidler did not come in for his appointment with the Board. He was last seen in September, 2010. The Board requested the Compliance Unit send a non-compliance letter to him. **Non Compliant**

Jennifer Anna Boley

Mr. Sauer interviewed Ms. Boley. All of Ms. Boley's paperwork has been received. She stated she is working three days a week and spending a lot of time with her family. She also stated she is taking a class to learn to do "Belly-casting and Breast-casting". The Board requested to see her at the January 18th, 2011 Board meeting. **Compliant**

Scott Kenneth Griffiths

Ms. Muir interviewed Mr. Griffiths. This is his first meeting with the Board. The Board discussed one of the requirements for licensure is the applicant must be in good moral character because they work 'hands on' with their clients. He stated he is currently working in massage as a private contractor. He is now doing testing through Compass Vision. The Board informed Mr. Griffiths he can do mobile-testing, to make it more convenient for him. He stated he would like to start his own business since he can make much more money one his own, but currently he needs a supervisor. He requested early release from the probation so he can work his own business without a supervisor. The Board discussed that early release is down the road a ways. The Board requested to see him at the January 18th, 2011 Board meeting. **Non Compliant**

Michael Parley Baker

Ms. Muir interviewed Mr. Baker. The Board suggested he needs to read his MOU. He stated school and work are going good. Mr. Baker is not working in the field. He stated he is taking General Education courses, hoping to have his Associates degree by next summer. The Board discussed different options possibly an indefinite suspension of his license. He stated he wants to keep his massage license as an option for working later on. The Board requested to see him at the January 18th, 2011 Board meeting. **Non Compliant**

NEW STIPULATIONS:

Caroline Cluff Hanlin

Ms. Pruetz interviewed Ms. Hanlin. She was introduced to Board. She stated she is looking to be in compliance so she can get off probation. She stated she is currently working and would like more hours. She will call Compass Vision every day. Ms. Hanlin stated life is sometimes very stressful. She handles the stress by walking or going into her room and turning on her music. This is her career and she is going to do what it takes to get her license back in good standing. She has taken an Anger Management Class and has a certificate. She would like to teach school and do Massage Therapy. Ms. Pruetz made a motion, seconded by Mr. Sauer, that the Anger Management class Ms. Hanlin completed meets the MOU requirements. The motion passed unanimously. The Board requested to see her at the January 18th, 2011 Board meeting. **Compliant**

Mr. Morrell interviewed Ms. Odekirk. She is on probation for two years. She made her first call for testing today. She stated she is currently working six massages a day and absolutely loves what she is doing. She is taking a class learning Hot Stones. She stated she doesn't see the MOU terms of probation as a problem. She was very proactive, came in and asked questions regarding the MOU. She stated she has new friends and they are a good support group for her. The Board requested to see her at the January 18th, 2011 Board meeting. **Compliant**

**DISCUSSION ITEMS:
Proposed Rule Changes including
Education Requirements**

The Board was given the proposed changes to read before the Board meeting. The Board discussed Distance Learning options, defining separate hours for apprenticeships and schooling, fixing or correcting the curriculum, Code of Conduct inclusion and an Unprofessional Conduct Classification for an apprentice. Ms. Stewart requested the Board to make suggestions of items to be included or verbiage to be used if the Massage Therapy Act was opened.

**Changes to the Act which might benefit the
profession - Lloyd Hansen**

Investigators Pam Bennett, Andy Free, Lynn Hooper and Lloyd Hansen came to the Massage Therapy Board meeting to discuss a situation they are encountering in the field. People are claiming to be doing a Reiki procedure but they are crossing the line into massage. Since Reiki is not a massage technique people should be certified but don't have to be either certified or licensed. The only option the Investigators have in this situation is Administrative action in that all they can do is serve them with papers. If Reiki practitioners are license as massage therapists and cross out of the scope of their practice it is a criminal charge.

There is no citation authority in the Massage Therapy Practice Act. It makes it hard for the investigators to do anything. People sometimes use the term Reiki to get around police charges, sometimes calling it their religion. If the act were to be opened, the investigators are requesting they be given "some teeth" by including Citation Authority in their practice Act. The Board discussed making Reiki a sub-license, a two-tiered license or possibly a regulated profession.

The Board and Ron Findlay from the American Massage Therapy Association –Utah Chapter discussed

Changes to the Act which might benefit the profession - Lloyd Hansen (continued)

that something needs to be done. It is giving all Reiki practitioners and Massage Therapists a black eye and hurting the profession. It is mostly the Massage Therapists that are calling the Division and filing complaints. Mr. Findlay stated he will address these concerns with his Association and include Ms. Stewart in his network. The Board discussed that they have to be careful if they open their act. There are some professions laying in wait to change other things within the Act. The Board discussed that this is just an option and open discussion to see if the need outweighs the problems encountered when any Practice Act is opened.

1:00 P.M. HEARING

Judge Eklund noted David Waldner does not intend to appear for the hearing.

NEXT SCHEDULED MEETING:

Tuesday, January 18th, 2011

ADJOURN: 12:36 p.m.

No motion needed

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

January 18, 2011
Date Approved

(ss) Sharon Muir, Chairperson
Board of Massage Therapy

January 18, 2011
Date Approved

(ss) Sally A. Stewart, Bureau Manager
Division of Occupational & Professional Licensing