

MINUTES

UTAH
BOARD OF MASSAGE THERAPY
Meeting

September 18th, 2012
Room 474 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:02 a.m.

ADJOURNED: 11:51 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Sally Canavan

Board Members Present:

Sharon Muir, Chairperson
Carolyn M. Redington
Craig M. Sauer
Hal Morrell

Board Members Excused:

Jennifer Hanna, excused

Guests:

DOPL Staff Present:

Debra Troxel, Compliance Specialist

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the July 17th, 2012 meeting were reviewed. Ms. Redington made a motion, seconded by Mr. Sauer, to approve the minutes as written. The motion passed unanimously.

The Board made a motion to rescind the acceptance of previously approved minutes. The minutes need to show a change in Ms. Elvin report. Ms. Redington made a motion, seconded by Mr. Sauer, to approve the minutes with one correction. The motion passed unanimously.

PROBATION INTERVIEWS:

Meghan Marie Elvin

Meghan Marie Elvin (continued)

Aaron Thomas Keefe

Ms. Redington interviewed Ms. Elvin. She stated she is better from her cold. The Board noted her script and her employer reports were in her file. She stated she is working in the field approximately 20 hours per week and is also taking a job bartending, for supplemental income. She stated the pains in her arms and wrist were not bothering her as much as they had been, the last time she visited with the Board. She stated she is nursing her arms and wrists along. The Board noted her employer stated she was one of the most requested therapists the company has. The Board requested to see her at the November 13th, 2012 meeting. **Compliant**

Ms. Redington interviewed Mr. Keefe. He stated life is good, his son is in school. The Board stated he had two missed calls and a missed test. He stated his unemployment had run out and the tests are \$70.00 a piece. He stated he is currently looking for full time work; he needs health benefits for his son and himself. He stated massage therapy may not be for him right now because of lack of benefits. The Board stated he must work eight hours per week to be in compliance with his MOU. If he is not practicing in the field the Board will move to revoke his license for not complying with the terms of his MOU. The Board noted he could do a voluntary surrender of his license and what that means to him. The Board suggested he request his Kung Fu Life Coach let him do some volunteer massages; that way he could send in employer reports. His clients could sign off on the services. He could get eight hours per week. The report on his NA attendance looks good. The Board is here to support him; they don't want to take his license away. The Board stated please just tow the mark. He stated he had paid his insurance for Massage Therapy for two years. The Board requested to see him at the November 13th, 2012 meeting. **Non-Compliant**

Alice Eileen Ray

Mr. Sauer recused himself from this interview. Mr. Morrell interviewed Ms. Ray. She stated she had been sick. She stated things are going amazing, except she missed calling for one check in. She had been working at the Expo really hard and was very upset when she realized she had missed calling in. The Board stated she is still compliant because of a very narrow grace period. She stated she is now working at a new center. She stated she is working doing seven to eight massages a day. The Board noted her arms are going to fall off. She stated her daughter is living with her and her other children are living with a sister in Brigham until she gets her life completely better. She stated she wanted to do more with essential oils. The strain of infection she had was real strong. She stated no one else she knows had the same symptoms she thinks it may have been stress related. Mr. Morrell made a recommendation to see Ms. Ray every other meeting. The Board stated employer reports are due on the 1st of the month. The Board requested to see her at the January, 2013 meeting. **Compliant**

Alice Eileen Ray (continued)
Karsten Barrett

Ms. Barrett called will be late but is on her way. Ms. Redington interviewed Ms. Barrett. The Board stated this is her second time meeting with the Board since her last meeting she had two missed calls. She stated she went to Lake Powell and she had no service on the lake so as soon as she got off the lake she called Affinity. She stated she had called Ms. Harry in the Compliance Unit but no one called back. She wasn't sure what to expect, being on probation. The Board introduced Ms. Troxel and told her how to request a monitoring interruption. She has been trying to make every call since then. The Board stated trying is not doing. She stated she is working in the field but they are not very busy and she is going to a new massage location. She stated she plans to do eight hours per week. The Board told her to get with Ms. Troxel and go over any medicines and if she has any questions to be sure and call Ms. Troxel. The Board stated she is doing well. The Board requested to see her at the November 13th, 2012 meeting. **Compliant**

Melissa Ann Camp

Ms. Camp is excused for this Board meeting. She is in Court today.

Roger Lee Newcomb (Telephone Interview)

Ms. Muir interviewed Mr. Newcomb. He stated he is on his way out of DC. to New York tomorrow night. He stated he is doing fantastic compared to a year ago. This employment decision has been a good thing for him. He stated he is checking out living in New York. He stated he is going to work on trying to get his massage license in New York. New York said whether they would grant his license or not is on a case by case basis. He plans to stay there for awhile. He stated he has started picking up bass guitar. He stated he had an amazing experience; he was in an apartment they had a full jam going and no complaints or cops. The Board stated the reason he was non-compliant was because we could not get a hold of him, at the last meeting. Mr. Sauer made a motion, seconded by Mr. Morrell, to amend his MOU and release him from probation today (9-18-2012). The voting was unanimous. The Board reminded him to wait for the letter from the Division Director. **Compliant**

Priscilla Theresa Olsen

Mr. Sauer interviewed Ms. Olsen. She stated at her old business they were sharing a building with unlicensed massaged therapists. She stated she wanted no part of even being close to that. She stated she has opened her own business. The Board stated her MOU says she must have supervisor and employer reports. She stated her old boss completed the last employer report. She also stated she called the police regarding the unlicensed massage therapist. There was nothing they could do about it. The Board told her to call investigations and report it, they would be interested. If nothing else they can compile the information and start a file. She stated things are going pretty well clientele is building slowly but surely. The Board told her to make certain she got the supervisor and employer reports worked out immediately, if not sooner, and be sure to let Ms. Troxel know. The Board requested to see her at the November 13th, 2012 meeting. **Compliant**

Jason Meinhart (Telephone Interview)

Ms. Muir interviewed Mr. Meinhart. He stated he is doing well. The Board noted they were running a bit late on the phone call. He stated he is in Kingman, Arizona (AZ) working outside the field. He stated he is currently working with a "temp" agency just to have some money coming in till he can find a job in the field. He stated he is looking for a job in massage.

The Board noted he had attended lots of classes in AZ. The Board checked on his medical condition, he stated he is balancing his medication just fine. He stated he is getting good support from his family and church and he has found a support group in AZ that is working well for him. He stated he is practicing privately on just family and friends, working about 18 hours week. The Board told him to send in the 12 steps report and employer reports just have clients sign for the time he does massage volunteer work on them. The employer report should state not working in the field. He stated he plans to be returning permanently to Utah in December 2012. The Board introduced Ms. Troxel to him by phone, and said if he had any questions be sure and call her. The Board requested to do a telephone interview with him at the November 13th, 2012 meeting and then see him at the January 2013 meeting.

Non-Compliant

Scott Morrison

Mr. Sauer interviewed Mr. Morrison. He stated things are going well. He said he had been doing yard work it was hard to estimate how long it will take, that is the reason he did not get to his appointment on time. He is making a backyard into the Raintree Rejuvenation Retreat. He stated he has a nice deck and does ionic foot massages, people can detoxify and he has a nice bench on the deck people can recharge their individuals energy force. He stated the raintree in his yard is extremely large. He stated he is working on his website and doing 20-25 massages week. He stated he is getting some work done on himself at least once a week. He stated he will submit his employer report every other month. The Board asked about completing the Ethics course, he stated he had gone to Las Vegas; they had an LMY success group do their annual symposium on medical massage. He did an eighteen hour course on medical massage techniques, eighteen hours on lymphatic and a course on insurance billing and reimbursements. He stated he thinks it will not be too much longer before more insurance companies will validate billing for massage. The Board requested to see him at the January 2013 meeting. **Compliant**

Charla Tuttle

Ms. Redington interviewed Ms. Tuttle. She stated she has talked to new Compliance Specialist. The Board had offered Ms. Tuttle to send electronically a letter requesting early release to be considered at this Board meeting. She stated she did not do that because

the Board had stated they would consider it, but they wanted to see her at the September meeting anyway so she decided to wait. The Board requested she submit an electronic letter for early release so they could discuss it at the next Board meeting. She stated she is working in the field two places. The employer report stated she is dependable, hard working, is the most requested therapist and often earns the praise of being the best massage therapist the owner has ever had. The Board stated she never missed a call, she stated she does it before she gets out of bed in the morning. She stated she is comfortable with the living she can earn and trades massages with another massage therapist. She and the other massage therapist work very well together. The Board noted the physician and his wife still have their standing appointment. She stated they are both independent contractors. The Board requested to call her for the November 13th, 2012 meeting.

Compliant

Irina Robison

The Board noted Ms. Robison is in a “Catch 22” situation. There was an investigation into Ms. Robison business. She stated the investigator recommended she surrender her license and agree not to reapply for two years, which she did. At the time she reapplied for a license the rules had changed. The apprenticeship curriculum she had done no longer met the current licensure requirements. The Division is hoping for recommendation from the Board on how to deal with this, it is not a circumstance we have seen before. The Board discussed the options at this point are the issuance of an apprenticeship license with an approved apprenticeship supervisor to take the additional hours under the apprenticeship to meet the minimum training requirement. The other alternative is to literally attend school and apply for a license. The only wrinkle is whether or not the previous apprenticeship time can be used as part of the required time. Mr. Sauer made a recommendation that Ms. Robison be given the opportunity to get an apprenticeship license as an extension to her original apprenticeship and in that extension complete the pathology training necessary to satisfy current law. It must be with an approved apprentice supervisor. The Board told Ms. Robison to complete the apprenticeship application including the information concerning a supervisor and submission of the necessary syllabus curriculum structure showing that you would meet the

additional need. The assistance of the Peer Advisory committee would know that the allocation is indeed true. We will need to set a deadline for our records. She has taken the MBLEx so no new exam will be required. Ms. Stewart will check with the Attorney General's office to see if that option can be considered before we consider any issuance of your license. The Board stated for the record they support the recommendation in the above notes. The Board requested the application to us by the first week of October. Ms. Robison stated she will be out of the country for the month of October she is going to Russia. The Board stated then we will deny her application and she may reapply when she returns. She will receive a denial letter on her current application. The division will look forward to her submitting a new application and all the supporting documentation.

Page 8 of 8
Minutes
Board of Massage Therapy
September 18th, 2012
ADJOURN: 11:51 a.m.

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.

November 13, 2012)
Date Approved

(ss) Sharon Muir
Chairperson
Board of Massage Therapy

November 13, 2012
Date Approved

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