

MINUTES

UTAH
BOARD OF MASSAGE THERAPY
Meeting

March 19th, 2013
Room 474 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED 9:00 a.m.

ADJOURNED: 11:40 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Sally Canavan

Board Members Present:

Sharon Muir, Chairperson
Carolyn M. Redington
Hal Morrell
Micheal Black

Board Members Excused:

Craig Sauer- absent

Guests:

Roger Olbrot, American Massage Therapy Association (AMTA)
Kirk Jorgensen, AMTA
Randy Nikola, Healing Mountain School and Accrediting Bureau of Health Education Schools (ABHES)
Dave Hunter, LMT – St George
Ron Findlay, LMT – Bountiful
Janece Hoopes, Support for Heather Welch
Robyn Ryther, LMT

DOPL Staff Present:

Debra Troxel, Compliance Specialist

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the January 15th, 2013 meeting were reviewed. Mr. Morrell made a motion, seconded by Ms. Redington, to approve the minutes with corrections. The motion passed unanimously.

The legislature made a change that will affect posting of Minutes for this Board and any others. There may be a change in the manner in which Board meetings are held. The legislature determined that draft Board minutes will be posted to the public website within 30 days following the meeting, approved or not. Approved minutes will be posted within three days following their approval.

The recording of the Board meetings will be posted to the website within three days following the meeting. There may be some changes in the way in which the meetings are handled, dealing with character or criminal history and various other things that would be subject to privacy concerns. Future meetings may be a little differently structured. The meetings are recorded and the recording will be put on the web, so in the future please be very careful what is said.

**PROBATION INTERVIEWS:
Meghan Marie Elvin**

Ms. Muir interviewed Ms. Elvin. She stated she is feeling sick. She has been working like crazy with no time for a letter requesting release from probation. It was requested from her at the last Board meeting. She stated she has learned everyone has to pay for the ramifications of their choices. She stated being a part-time bartender makes her not want to drink. The Board stated this is her final interview with them. She stated the probation has been very inconvenient but she is glad she got to know the Board. She stated she would tell other people entering the (massage) program, if you have any criminal history make sure this is what they want to do. The schools don't tell you if you have a criminal history you may not get licensed. She stated that was understandable as they are running a business. She stated she plans to stick with part-time bartending and working in the field. The Board requested a letter to Ms. Troxel to go in her file. Ms. Redington made a motion, second by Mr. Morrell, to amend her Memorandum of Understanding and Order (MOU) to release her upon Mr. Steinagel's signature. The voting was unanimous. They cautioned her to keep doing what she is doing until she gets a letter from the Division stating she is released. **Compliant**

Aaron Thomas Keefe

Mr. Morrell interviewed Mr. Keefe. He stated he did not mean to miss the last meeting. The Board stated Affinity is open 24 hours per day, seven days per week. He stated when he called in the message said they were closed on the weekends. He stated he got a job but did not like the environment; he is looking for work and recovering from a back injury. He stated he is feeling better now. The Board stated its concern he may be going the wrong direction. He must follow his MOU. If he comes back in two months and is non-compliant the Board will have forms for him to sign for a

Aaron Thomas Keefe - continued

Voluntary Surrender of his license, which is better than a revocation. It could also involve a citation, which may involve a fine. The Board requested to see him at the May 21st, 2013 Board meeting. **Non-compliant**

Priscilla Theresa Olsen

Ms. Muir interviewed Ms. Olsen. She went to test and was told there was not enough for a sample. She was called to test and drank a lot so she could give a good sample and it was a dilute. She waited to test until 3:00 p.m. She stated work is slow right now. She stated her entire family moving to Texas. She stated she has checked out licensing requirements for Texas. The Board stated her record will follow her. The Board explained to her what non-compliant means. The Board noted her past history shows compliance. She stated she is going to a state where she thinks she will fit in better. The Board stated one more stepping stone on the learning path. She stated she wants to leave on a good note. The Board told her we will require her to continue meeting her MOU, Affinity is nationwide program. We can do telephone interviews. The Board stated she is leaving a trail. People with licenses cannot just move away and get a new start. The Board requested to see her at the May 21st, 2013 Board Meeting. **Non-compliant**

Jason Meinhart

Mr. Morrell interviewed Mr. Meinhart. He stated he is still working for Dr. Conger and enjoying it. The Board noted his excellent employer report. It appears his employer really likes him. He stated he is doing 40 to 50, 20 minute massages using the paper protectors and changing them per use. He stated he is still going to counseling with his wife; it is working out good He is looking at additional classes to see if there is anything else he can do. They noted he is becoming more confident. He asked what the Board would suggest for him to get the most education he can. They suggested he look outside the state, sports, join the association, volunteer. They also suggested he look at medical massage as it seems to be the up and coming field. The Board requested to see him at the July 16th, 2013 Board meeting. **Compliant**

Heather Welch

Mr. Morrell interviewed Ms. Welch. She stated she asked her family to help her. They sent her to a rehabilitation facility in California. She needed to be away from old friends and places. She needed to make

Heather Welch - continued

other friends. She stated if she is not at work, she is with her family or her son. She stated she had another job as soon as they found out she had a probationary license, she lost that job. Ms. Welch stated she was working in the field; she just started a new job. Her employer came with her today. Ms. Welch gave Ms. Troxel updated contact information. The Board stated she will be with us for four years. She stated she has recently reread her MOU with her employer. She stated the Professionals in Recovery group she was with was not very helpful. In her experience you meet with people who relapse or have other problems and bring each other down. The Board stated she had options, any professional groups with a Professional Counselor guiding it will work. It does not have to be AA or NA. The Board suggested she talk with Ms. Troxel for additional help. The Board stated statistics state the support groups' help; we have to go with that. She stated right now she needs someone to drive her or she takes the bus. The Board requested to see her at the May 21st, 2013 Board meeting. **Non-compliant**

Mary Beth Lindsey

The Board phone did not work, so the Board used Ms. Stewart's cell phone. Ms. Redington interviewed Ms. Lindsay. She stated she is working in the field, she has just gotten a new job and has recently moved. The Board noted she did not come in for her appointment. She stated she was living with friends and out of boxes. Ms. Troxel was able to locate her and tell her about the Board meeting. She stated she did not have enough notice to come to Board meeting. She had already planned to go to her handicapped child's new school orientation. The Board told her how to go to the website and get or view her disciplinary information. The Board stated Ms. Troxel will follow up with Ms. Lindsay. The Board stated she will need to appear in person at the next meeting on May 21st, 2013 Board meeting. **Non-compliant**

Garrett Ammon Bevan

Mr. Bevan did not come in for his appointment with the Board. Mr. Black made a motion, seconded by Mr. Morrell, to send Mr. Bevan a voluntary Surrender Stipulation and Order with a short response time, and if no response then move to take Agency action to revoke. The voting was unanimous. **Non-compliant**

DISSCUSSION ITEMS:
Upcoming Legislative Changes

The 2013 Legislative session is now closed. The Board discussed at the last Board meeting the possibility of Continuing Education (CE) being added to the renewal requirements in the Act. The American Massage Therapy Association – Utah Chapter recommended at that time that the Board, in collaboration with the Division, write the rule to govern the possible CE requirement. The latest legislative session did not add CE's to the Massage Therapy Act. The Board noted the Massage Therapy profession was scheduled for sunset next year. The sunset provision will cause the Act to be opened at the next legislative session and the possible CE option will be visited again. The Board noted that a Legislative Committee has been appointed to review the proposed addition of CE and determine if there is a need before a proposed change would be made to the Legislature.

ADJOURN: 11:40 a.m.

No motion required

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.

May 21st, 2013
Date Approved

(ss) Sharon Muir
Chairperson
Board of Massage Therapy

May 21st, 2013
Date Approved

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