

MINUTES

UTAH
BOARD OF MASSAGE THERAPY
Meeting

January 21st, 2014
Room 474 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:03 a.m.

ADJOURNED: 10:43 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:

None – remaining position vacant

Guests:

Roger Olbrot, President, American Massage Therapy
Association-Utah Chapter (“AMTA”)
Kirk Jorgensen, AMTA
Thomas Togisala, UCMT & Steiner Institute of
Esthetics (“SIE”)

DOPL Staff Present:

Debra Troxel, Compliance Specialist

ADMINISTRATIVE BUSINESS:
MINUTES:

The minutes from the November 19th, 2013 meeting were reviewed. Ms. Redington made a motion, seconded by Mr. Black, to approve the minutes as corrected. The voting was unanimous.

Compliance Report

Ms. Troxel presented the report on the probationers being seen today.

PROBATION INTERVIEWS:
Jennifer Richins

Ms. Richins did come in for her appointment. The Board discussed doing a voluntary surrender, giving her ten days to respond. The Board stated they had met with her only one time in May of 2013. The Board suggested an informal agency action to revoke rather than the surrender offer. Ms. Stewart stated she will go ahead and prepare the informal action for the March 2014 Board meeting. **Non-compliant**

Heather Welch

Ms. Welch was not here at the time of her appointment. Mr. Morrell made a motion, seconded by Mr. Black, to give her a \$300.00 citation and fine for failure to appear for her appointment in non-compliance with her Memorandum of Understanding and Order (“MOU”). The voting was unanimous. Ms. Welch came in later stating that there had been an accident on the freeway causing the delay in arrival. Mr. Morrell made a motion, seconded by Mr. Black, to rescind the previous motion with citation. The voting was unanimous. She is working in the field, 35 hours per week. It is a new full time position. The Board received documentation that her employer is aware of her probationary status. She stated her son’s dad is incarcerated and she is now 100% sole provider. His grandparents have left for a mission. She and her son are in counseling. He feels like his whole life has changed. She says she has a lot of resources. Having a car makes her feel more successful and be more resourceful. She mentioned she had trouble with Affinity. Ms. Troxel stated the problem has been resolved, it was not Ms. Welch’s fault. She has been sober for 24 months, so now she can be a sponsor. The Board stated they are a support resource for her and are very excited they can call her compliant. The Board stated if you keep your nose clean and pay attention things with her son would work out. In the mean time don’t stop doing what you are doing. The Board requested to see her at the March 18th, 2014 Board meeting. **Compliant**

Scott Morrison

Mr. Black interviewed Mr. Morrison. He stated work is going okay and he is trying to get a blog going. It is called “Massage Therapy Bytes”. He is doing work primarily on existing clients. He is also going to a company where the company pays for employees to get some massages, and he has a business at his home. The Board asked about Kathryn Hawkins. He stated she is still working as his chaperone. The Board requested him to come to the March 18th, 2014 Board meeting because of his scheduled release date in April 2014. The Board requested a short essay telling what he has learned through this process; how the meetings worked for him. They requested it in electronic form, to go to Ms. Troxel so DOPL could get it out to the Board for review before his meeting in April.

Compliant

NEW STIPULATIONS:

None at this meeting

DISCUSSION ITEMS:

Possible changes to the Massage Therapy Practice Act

Kirk Jorgensen with AMTA stated the Massage Therapy Act was scheduled for automatic repeal this year under Sunset Review. He stated there was a Legislative Committee hearing last fall. He, Mr. Olbrot and Mr. Findlay were there to present or demonstrate that there was a compelling reason to protect the public against a present and recognizable and significant harm continues. Ms. Muir was also present along with Division Director Mark B. Steinagel. Mr. Jorgensen stated Senate Bill 27 crosses out the date of repealing the act from 2014 and changes it to 2024. There were no other modifications known at this time. The AMTA had been talking about requiring continuing education but stated the most important item is that the sunset repeal of licensing act not happen. Senator Valentine stated that was a very professional presentation to the legislature.

The Athletic Trainer Licensing Act has an exemption within the massage therapy act, as long as the licensee is working within the scope of practice. They may work on team members or in the educational process. A licensee who is exempted cannot delegate the exemption. This is the only concern with the exemption.

Request to be listed on the related website

There are several groups who periodically ask to be included as related sites with a link to them from DOPL's public website. It is not an endorsement of a group, only a link for information purposes. The Board stated it is appropriate that related groups be listed. Ms. Stewart stated she will check to see if there are any issues from DOPL's point of view; and if not, request that additional links be listed.

As a point of information only it was noted that the Salt Lake County Health Department does inspections of Cosmetology related locations and Massage Therapy spas or salons. They have noticed some sanitation issues. A case in point is the stones for "hot stone" massage. When the stones are sprayed with alcohol to disinfect or sanitize, the surface must stay wet for ten minutes with a 70% alcohol solution. There is concern that some safety and sanitation protocols are not being followed. Most County Health Departments do not

Awaiting Formal Approval

inspect spas or salons unless there is a complaint. The Board noted there are some crossovers between the professions and took note of the information.

ADJOURN: 10:43 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.

Date Approved

Chairperson
Board of Massage Therapy

Date Approved

Bureau Manager
Division of Occupational & Professional Licensing

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