

MINUTES

UTAH BOARD OF MASSAGE THERAPY MEETING

May 26th, 2009

ROOM 475 – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, Utah

CONVENED: 9:05 a.m.

ADJOURNED: 11:53 a.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Penny Vogeler

Board Members Present:

Craig M. Sauer, Chairman
Carolyn M. Redington
Sharon Muir
Richard C. Engar, DDS

Board members absent

Jennifer H. Pruetz, excused

DOPL Staff Present:

Ronda Trujillo, Compliance Specialist

DOPL Staff Excused:

n/a

Guests:

Roger Olbrot, Myotherapy College of Utah
Craig Anderson, Ogden Institute of Massage Therapy

TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:

DECISIONS AND RECOMMENDATIONS

A motion was made by Dr. Engar, seconded by Ms. Redington to approve the minutes with corrections noted. The motion passed unanimously.

INTERVIEWS/APPOINTMENTS:

COMPLIANCE REPORT:

Ronda Trujillo

Ms. Trujillo reported the current compliance status of the probationers scheduled for interviews today.

PROBATION INTERVIEWS:

Penny H. Anderson

Ms. Anderson was interviewed by Ms. Redington. She stated she cannot do massage any longer. She is only comfortable doing sports massage and has been laid off from her previous job. Ms. Anderson has not been able to find new employment. She is considering going into Physical Therapy. Her goal is to have her own business and do sports massage on injuries. All of her reports are current. The Board stressed that they are here to support her in practicing her profession. It was suggested that she take a refresher

course on light massage to broaden her employment opportunities. She will return **July 21st, 2009.**
Compliant

Lisa Ann Bouvier

Ms. Bouvier was interviewed by Mr. Sauer. She stated she has built a great clientele and will be excited to be off probation soon. She will return **July 21st, 2009.** **Compliant**

Julieta Hernandez

Ms. Hernandez was interviewed by Ms. Redington. She is missing her current employee list. She stated she will submit it later today. She feels things are going well. She has 15 hours of CE due in November. She stated she is currently working on completing this portion of her stipulation. She will return **July 21st, 2009.** **Non-compliant**

Lawrence Gale McCandless, Jr.

Mr. McCandless did not appear for his interview. Dr. Engar made the motion, seconded by Ms. Redington to issue an Order to Show Cause. Motion carried unanimously. **Non-compliant**

Melissa Anne Rasmussen

Ms. Rasmussen was interviewed by Ms. Muir. She stated she has been doing great. Her criminal paperwork was submitted. She will be off probation as of August 30th, 2009. Her last meeting with the Board will be **July 21st, 2009.** She has completed her ethics course. **Compliant**

Kevin L. Rock

Mr. Rock was interviewed by Dr. Engar. He stated he is doing very few Massages and working mostly in construction. He recently lost one of his clients and will notify the Board in writing. He will return **September 15th, 2009.** **Compliant**

Francisco Javi Velasquez

Ms. Redington interviewed Mr. Velasquez. The Board asked for clarification on his supervisor reports. The signature of Ryan Hymas, a partner at the Solitude spa, was questioned and the matter cleared up. He had requested early release of his probation. It was agreed by the Board to have Mr. Velasquez complete at least half the length of his probation. He may request early release again after January, 2010. He will return **September 15th, 2009.** **Compliant**

Ryan K. Yakiwchuk

Mr. Yakiwchuk was interviewed by Ms. Muir. He is working approximately 30 hours a week with Dr.

Nelson and doing additional massages in the evening. He was instructed to submit his reports sooner. He has completed his drug testing. He has two meetings with the Board before the end of his probation. He must have his reports in during the month of August. He will return **September 15th, 2009. Compliant**

Tanya Rebeka Rodriguez

Ms. Rodriguez did not appear for her interview. The Board discussed that since she is not practicing they may want to consider some changes. A motion was made by Dr. Engar, seconded by Ms. Muir, to amend the order to suspend the restriction requirements while the order continues until she is employed as a Massage Therapist. At that time there will then be restrictions implemented. Motion carried unanimously.

Non-compliant

MASSAGE CURRICULIUM APPROVAL

Jennifer Ricks

Ms. Ricks had e-mailed her curriculum to DOPL, which was then forwarded to Roger Olbrot for review. The Board recommended that Mr. Olbrot and Ms. Ricks discuss the content further before approval by DOPL.

DISCUSSION ITEM:

Administration changes

Ms. Stewart announced that Mr. F. David Stanley, DOPL Director, was no longer with the Division. She stated the new Director will be Mark B. Steinagel. Mr. Steinagel is coming to DOPL from the Division of Real Estate. Mr. Steinagel will join DOPL in June and possibly meet with this Board at the July 21st meeting.

Reiki Modality

Ms. Stewart discussed the practice of Reiki and mentioned that Reiki is not considered to be a Massage Therapy modality. There has been a good deal of negative media coverage of Reiki and Massage Therapy recently. DOPL is aware of it and is doing whatever is possible to protect the public.

It was suggested that members of the profession and its association may want to consider opening its Practice Act at the next Legislative session and making some changes to correct problems including some modalities that are not within the definition of the practice of massage therapy. There is also a correction needed to the apprenticeship program qualifications as currently stated in the Act.

Craig Anderson asked about schools accepting

apprenticeship hours. A change will be needed to the Rule to clarify that school education hours and apprenticeship hours should not be combinable. It may require a change to the Act also.

“Zone Therapy” was brought up for discussion noting that this practice does not require a license. DOPL must take a neutral position on this topic. It was suggested the members of the profession and its association make the legislature aware of any concerns. It was further discussed that opening the Act may occur without prompting by members of the profession or its association in the coming year. The definitions within the Act should also be reviewed if the opportunity arises.

Open and Public Meetings Act

Ms. Stewart discussed the posting of minutes awaiting formal approval to the DOPL website. The recordings of Board meetings are presently available within three days. Minutes are to be posted in a “reasonable length of time” under the most current Act. The Minutes will be edited and posted stating they are awaiting formal approval.

Alterations to Applications

The Massage Therapist Apprentice application was discussed. DOPL has removed the page titled “Completion of the Apprentice Program” which should be part of the Massage Therapist application. The Massage Therapist application will have a new form, a transcript or curriculum worksheet, included in the application.

Discussion Item:

Ms. Muir questioned if a student needed to be fingerprinted. The discussion concluded that an apprentice does due to licensing requirements but that the student does not.

ADJOURN:

11:53 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.

July 21, 2009
Date Approved

(ss) Craig M. Sauer, Chairperson
Massage Therapy Licensing Board

July 21, 2009
Date Approved

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