

MINUTES

UTAH
BOARD OF MASSAGE THERAPY
Meeting

January 15th, 2013
Room 474 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:05 a.m.

ADJOURNED: 12:31 p.m.

Bureau Manager:

Sally A. Stewart

Board Secretary:

Sally Canavan

Board Members Present:

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

Board Members Excused:

None

Guests:

Roger Olbrot, American Massage Therapy Association
Kirk Jorgensen, AMTA – Utah Chapter
Ron Findlay, Utah Massage

Oath of Office

Ms. Stewart administered the oath of office for Micheal Black. The Board welcomed him.

DOPL Staff Present:

Debra Troxel, Compliance Specialist

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the November 13th, 2012 meeting were reviewed. Ms. Redington made a motion, seconded by Mr. Morrell, to approve the minutes with corrections. The motion passed unanimously.

PROBATION INTERVIEWS:

Meghan Marie Elvin

Ms. Redington interviewed Ms. Elvin. The Board stated she had missed four check-ins. She stated she has started a new second job doing bartending. She gets home very late. She has changed her schedule so she will not be so tired and will be able to make her calls from now on. The Board noted her employer report has been received it states she is doing a good job. It was an excellent report. The Board after talking with her stated it appears she has her priorities straight. She stated she had never wanted to drink less in her life. The Board stated her next meeting will be her last

Meghan Marie Elvin (continued)

meeting with us and reminded her to stay compliant. She will be off probation in April 19th, 2013. The Board noted she could send a letter electronically to Ms. Stewart before the next Board meeting; and she would forward it to the Board. Ms. Elvin should include a short synopsis of her experience on probation. The Board has the option of amending the order to release her early as of March 2013. That would be the Board's call to recommend it to the Division. The Board requested to see her at the March 19th, 2013 meeting. **Compliant**

Aaron Thomas Keefe

Mr. Keefe did not come in for his appointment with the Board. Mr. Morrell made a motion, seconded by Mr. Black, for a Voluntary Surrender of his license. The voting was unanimous. **Non-compliant**

Karsten Barrett

She was excused from this meeting. She talked with Ms. Stewart on the phone and will sign a Voluntary Surrender.

Scott Morrison

Ms. Muir interviewed Mr. Morrison. He is clearing the snow off his Zen garden in his backyard. He says the bears go into hibernation so he is not going to resist anymore. The Board noted his reports always look good. He stated he is getting a lot of referral business. He stated his newest client is a pharmacy chemist who has developed some big name drugs. He does photography of healing naturescapes with inspirational sayings and puts them on a calendar. One of the pictures is from his backyard. He stated he heard people say they would get out more if they knew where to go. He stated he had done some research on short distance places to go, so people have a resource. He stated the future for him is medical massage. The Board requested to see him at the May 21st, 2013 meeting. **Compliant**

Priscilla Theresa Olsen

Ms. Muir interviewed Ms. Olsen. The Board stated she had missed a test on January 4th, 2013. She stated that was the day she got back from Mexico. She was excused with a monitoring interruption. She stated she went to Mexico-Roserita to spend time with family. She stated getting back across the Border to the US was a two to three hour wait. She stated work when she got back was slow, now it is getting busy again. She is doing average about six clients per day. She stated her future plans are to keep working to pay off a lawyer.

Priscilla Theresa Olsen (continued)

She stated she wants to go to her brother's house in California for the Super Bowl. Ms. Troxel told her that was fine to go to California; she still needs to call in every day. Ms. Troxel stated she could call her for help with the testing locations if needed. She stated she is still participating in a 12-step program; she only goes to certain ones. She picks out certain types of people to be around. She stated she is on no medications now. The Board told her to keep up the good work. The Board requested to see her at the meeting on March 19th, 2013 meeting. **Compliant**

Jason Meinhart

Mr. Meinhart came in a few minutes late for his appointment with the Board, stating it was just poor planning on his part. Mr. Sauer interviewed him. He stated he is still working with Dr. Conger, a Chiropractor. They do the massage first so the adjustments can stay better. Dr. Conger has mentioned several time to Mr. Meinhart that his employment has helped Dr. Conger's business grow. The Board stated his employer reports are in and he is doing well. He stated he and his wife are attending marriage counseling. It is working out great for him. He stated he and his wife are learning healthy communication. The Board noted it sounds like he is well grounded. He stated he is working 30-36 hrs per week. He stated he loves working in Dr. Conger's office. The Board requested to see him at the March 19th 2013 meeting.

Compliant

Heather Welch

Ms. Welch did not come in for her appointment with the Board. Mr. Sauer finds her non-compliant because of missed check ins, no supervisor/employer report and not coming in for her appointment. The Board determined to have the Compliance Unit send a non-compliant letter, stating what is missing.

Non-compliant

Alice Ray

Mr. Sauer recused himself from the interview with Ms. Ray. Mr. Morell interviewed Ms. Ray. She stated she is glad she is here too; otherwise she would be in trouble. She stated she was keeping busy, more busy than she wanted. The Board noted she has done everything required; all her calls are in, all reports are to the Board. She stated the kids are good. She stated she has heightened anxiety about being sure to call. She is three-fourths of the way through probation. The Board stated she will need to be here in July for a last

Alice Ray (continued)

meeting. Her probation expires in August 2013. She stated the people she works with are good and behaving well as massage therapists. She stated she was very nervous doing the Essential Oils class, everyone stated she did very well. She stated it feels really good to not be using. She stated she is working on the coffee, she stated she has a lot of it, a lot of times. She stated her boyfriend was a bad influence on her. She has not talked to him in eight months. The Board requested to see her at the May 21st, 2013 meeting. **Compliant**

Mary Beth Lindsey

Ms. Lindsey did not come in for her appointment. Her situation required constantly moving, there were three different addresses for her. Ms. Troxel stated she may not have been invited because of the address question. She stated she would contact her and confirm her address. Ms. Redington stated her record shows she has been compliant in the past. She would be non-compliant for not coming in today. **Compliant**

**NEW STIPULATION:
Garett Ammon Bevan**

This is Mr. Bevan's initial interview with the Board. He has not met with the Compliance Unit before this Board. For failure to show up at the meeting he is non-compliant. Ms. Troxel will send a letter to him.

Non-compliant

**DISCUSSION ITEMS:
NCBTMB Exams**

Ms. Stewart stated an issue has come up regarding the NCBTMB exams. The question was whether the NCBTMB would continue to offer exams. The NCBTMB circulated an e-mail stating "yes" they will still be offering the exam and it is still the same exam. The Board discussed the exams is used in 38 states as the exam of choice along with the MBLEx offered by the FSMTB. To take the NCBTMB exams you must have attended a school in the United States or attended school in a foreign country and they determine equivalency. Students may take the MBLEx also; it is less expensive. The students do find value in the National Certification because is some question if there is such a thing a National Certification.

NCBTMB Continuing Education

The NCBTMB has made some changes to the specification of their exams. The changes are not significantly different from what the previous exams were. The NCBTMB provided a handout of the new specifications for the Boards review. The NCBTMB

NCBTMB Continuing Education (continued)

has changed their certifications; instead of every four years it will be every two years. The Board discussed that Utah does not require national certification be maintained but they cannot practice without a license. Utah does not require that certification be maintained for licensure.

Upcoming Legislative Changes

The Board requested Mr. Olbrot, Mr. Jorgensen, and Mr. Findlay to join the Board at the conference table. The Board noted this discussion item was listed at the request of the Utah Massage Therapy Association (UMTA) and is to be introduced by Mr. Olbrot and Mr. Jorgensen. The UMTA stated there was a meeting with Paul Ray, the chairman of the House Health and Human Services Committee. He is planning to open a bill to introduce language into the Massage Therapy Practice Act that would require continuing education for renewal. It would leave the details of the CE's to the Massage Therapy Board and the Division to specify by Rule. It would be placed in the Act in section 58-47b-303 Terms of License– Expiration–Renewal. It should be one line only. The Board discussed the topics suggested for continuing education. Mr. Olbrot and Mr. Jorgensen stated the Association doesn't know what is going to happen in the next three to four years with the Affordable Health Care Act. The UMTA has done some research and stated the average for CE's in other states is ten hours per year. The Board, in collaboration with the Division, would write the rules to regulate Continuing Education. The UMTA stated the CE's are expected to add legitimacy to the profession and insurances generally request some type of certification before paying any claim. It also gives regulation to cite licensees. The Board also discussed the fiscal note that would automatically be attached. The Board stated a concern about the rest of the Massage Therapy Practice Act being altered. Mr. Jorgensen stated Mr. Ray believes he can protect the rest of the Act.

ADJOURN: 12:31 p.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.

03/19/2013
Date Approved

(ss)Sharon_Muir
Chairperson
Board of Massage Therapy

03/19/2013
Date Approved

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