

MINUTES

UTAH
BOARD OF MASSAGE THERAPY
Meeting

September 16th, 2014
Room 464 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:02 a.m.

ADJOURNED: 11:15 a.m.

Acting Bureau Manager:

Dane Ishihara

Board Secretary:

Sally Canavan

Board Members Present:

Sharon Muir, Chairperson
Carolyn M. Redington
Micheal Black
Remaining position – vacant

Board Members Excused:

Hal Morell - Excused

Guests:

Kirk Jorgensen, AMTA

DOPL Staff Present:

Lynne Anthony, Investigator
Debra Troxel, Compliance Specialist

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from July 15th, 2014 meeting were reviewed. Ms. Redington made a motion, seconded by Mr. Black to approve the minutes with corrections. The voting was unanimous.

Compliance Report

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

PROBATION INTERVIEWS:

Heather Welch

Ms. Troxel gave a report on Ms. Welch. Licensee has developed Mersa virus and complications from the Mersa involving her liver. The Board requested Ms. Troxel keep an eye on her condition. If she is no longer contagious and is able the Board would like to have her invited to the next meeting. The Board wishes her well and hopes she will be able to be here for the Board meeting on November 18th, 2014.

He stated he is moving but his mailing address will stay the same. The Board noted he is making his calls in the morning. His supervisor's report was exemplary. His business went through a slow period. During that time he got out and did massages at the entrance to the park to get clientele. The Board stated their expectation for him is that he attends the Board meetings. He is going to Mexico for two weeks and will be gone during the next Board meeting. He requested a phone interview. He has unlimited international calling. The Board said to stay in contact with Ms. Troxel to make arrangements on his end and we will make arrangements on our end for a November 18, 2014 telephonic Board meeting with him.
Compliant

Michelle Stout Moore

The Board stated they had amended her order last meeting. To allow her to work less. She left a voice mail message at 5:31 pm on 9/15/14 on the Board secretary's phone stating "she could not come to the meeting and she was non compliant. We could tear up her license if we would like" and left a contact number. The Board determined she was non compliant, she has missed 34 calls and three tests. The Board reviewed her case file. Mr. Black made a motion seconded by Ms. Redington for a formal surrender of license. Mr. Black continued the motion. In case of not signing a voluntary surrender a citation be issued for non compliance. The fine amount would be \$250.00. Ms. Redington re seconded the motion. The voting was unanimous.
Non compliant

Tessa Marie Stephens

Ms. Stephens says everything is going great. The business she works at striving to get her eight hours per week of massage she is currently 4-6 hours. As the ski season approaches she will be doing more massages and Pilates and expects to be much busier. She said the business merger going on at Park City promised to keep 1200 people on the mountain. The Board pointed out that she was late for her appointment. The Board had moved on to a different subject. Ms. Stephens stated she was late due to parking issues. The Board stated be here on time next time, in fact be ten minutes early. The Board noted she had done all that was expected. The Board requested to see her at the next Board meeting on November 18th, 2014.

Compliant

Cammie Nicole Hullinger (Apprentice)

Ms. Hullinger was requested in her invite letter to bring the person she wants to be her supervisor with her to the meeting. Her MOU requires her supervisor be approved by the Board. Ms. Muir noted there was only one curriculum purchased. The Division has received the disassociation papers but the supervisor has not been approved. There is a required form that Ms. Maria Mailland has but has not had time to complete the form and turn it in. She is asking for two additional days to complete the form. The Board stated no one, who is being supervised by an unapproved supervisor can count their hours. They cannot work in the shop without an approved supervisor. Ms. Hullinger has two fines and has not paid on either one. The Board asked many questions of Ms. Mailland the supervisor. They told her to make sure she knew the law and rules so you can supervise Ms. Hullinger properly. Ms. Hullinger stated she is doing better on her hours and that she had made arrangement with Ms. Lesh for a payment program beginning in November 2014. The Board stated for Ms. Hullinger to continue to make her calls. Set up a contract that works for both of you. The Board stated the bottom line is to get your paper work in today. Both the supervisor and apprentice are in violation of the law for practicing right now. The Board stated do not do one more massage until you get paperwork stating the supervisor is approved. The Board requested to see her at the November 18, 2014 Board meeting.

Non compliant

Jason David Meinhart

He has been involved in a motor cycle accident. The Board stated he had moved twice and he took too long notifying DOPL of his new address, probationers have one week to notify the Division of a new address. He was apologizing for not being to the last meeting. He did get fined for not being at he last meeting. The Board noted we received an employer report but it was not signed. He stated is had not been approved by the Board yet to be given to his supervisor for signature. Last time Mr. Mienhart was here the Board

recommended he make up a form the Board could look at and possibly approve for him to use. The Board looked at his form and stated once there is a signature on it they can approve his form. He stated he lost business from U of U. The athletic director saw his license was probationary and told he could not work there. He lost another high paying client when they requested an illegal touch massage. He turned and walked away. He did not get paid for that one. He is hoping to be off probation in a year. He is two months behind because he needed to have form approved. He can make arrangement today to make payments. The Board cannot find him compliant. He stated he will have it to Ms. Troxel in a week. The Board requested to see him at the November 18th, 2014 Board meeting.
non compliant

Nathan Joseph Trujillo

Excused

Jennifer Holdaway

She stated she is doing okay. She has been looking for a job. She applied at a chiropractic office, but he wanted a chiropractic assistant who could do massage. She had applied at Massage Envy and Utah Valley. She stated she would like to work from home with a supervisor. The Board stated a supervisor has to be there all the time she is doing services. The Board suggested she call Ms. Troxel and talk about employment options. Ms. Troxel will be happy to talk to any prospective employers or anyone with questions about probation. The Board stated it generally takes two years to build clientele. She went to school at myo therapy school. The Board stated they should have a placement program. She needs to check that out. She is non compliant because she is not working. The Board requested to see her at the November 18, 2014 Board meeting where she can tell us about her new job.
Non compliant

NEW ORDERS:

Tai Vi Ly

This is Mr. Ly's initial interview with the Board. He stated he had made some bad choices in his life. He had a car accident and needed therapy. He found that it really helped him. Now he wants to help others so he went to school to become a massage therapist. He said he had always had a passion to help people. He graduated end of July. It has been a struggle to find

job. He recently found one working in the field. He truly loves this work. He set a goal for himself he wants to be NCBTMB certified. He wants to be compliant not offend or break any laws. He will do the daily phone calls and test when notified. The Board stated he should look at long range goals and keep going in that direction. The Board is a support team and will scrutinize what he is doing. They will let him know if his direction is out of line. He wants to take advantage of his education. He wants to be the one people go to, to get help to be better. The Board noted he is in a good space. He is responsible to stay there. He says Ms. Troxel helped him to feel positive. He will send her a text to show proof he is working. The Board requested to see him 10 minutes early at the November 18, 2014 Board meeting.
Compliant

DISCUSSION ITEMS:

Introduction of the Utah Foot Zone Association

Sharla Pearce came for Katherine Atkinson. She brought the company's by laws for the Utah Foot Zone Association. She said they do a minimum of eighty hours of house calls and fifty hours minimum of practical training. They can put a seal on their certification so investigators can see if they are truly compliant. They do not have a brick and mortar location. Information to contact them should go to Ms. Anthony. She said she will distribute what she gets to those who need it. The Board requested anything Ms. Pearce has that makes it specific to their organization. It does not help if the certificate can be easily reproduced. The Board stated they must build walls to protect their best interest so no one comes in doing alternate services. The American Foot Zoneologist Practitioners Association requires three hundred hours. They have a seal already set up on their certifications. The Foot Zoneologist Practitioners Association thanked the Board helping them get this set up.

Possible Rule Changes

The Board discussed the proposed rules and industry organizations. The Board discussed there is quite a difference between the two professions Utah Foot Zone Association and the American Foot Zoneology Practitioners Association they both have national organizations. They need to maintain good standing within their national organizations. The Board

discussed these two professions are exempt from the Massage Therapy practice act. The Board discussed the Massage Therapy Law and Rule exam will no longer be required when the Division goes to the electronic applications. There will be an affidavit in the electronic application, the applicants sign stating they have read the laws and the rules. Mr. Jorgensen American Massage Therapy Association (AMTA) wanted to go on records stating the AMTA thinks the proposed rules are appropriate. Ms. Redington made a motion seconded by Mr. Black that the Board accept to these new changes in rule and recommend that proposed rules be accepted to be put forward to the administrative rule making process. The voting was unanimous.

Next Board Meeting

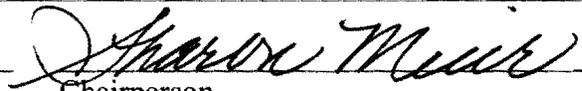
Tuesday, November 18th, 2014

ADJOURN: 11:15 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.

11-18-2014
Date Approved


Chairperson
Board of Massage Therapy

11-18-2014
Date Approved


Bureau Manager
Division of Occupational & Professional Licensing