

MINUTES

UTAH
BOARD OF MASSAGE THERAPY
Meeting

September 17th, 2013
Room 464 – Fourth Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:01 a.m.

ADJOURNED: 12:11 p.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, President, American Massage Therapy
Association (AMTA)
Kirk Jorgensen (AMTA)
Paul Emery, LMT

DOPL Staff Present:

Mark Steinagel Division Manager
Debra Troxel, Compliance Specialist
Allyson Pettley, Investigator

ADMINISTRATIVE BUSINESS:
MINUTES:

The minutes from the May 21st, 2013 meeting were reviewed. Ms. Redington made a motion, seconded by Mr. Black to approve the minutes with two changes. The motion passed unanimously.

Compliance Report

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

PROBATION INTERVIEWS:
Jennifer Richins

Ms. Richins did not come in for her appointment with the Board. Ms. Redington made a motion, seconded by Mr. Black, that Ms. Richins be contacted to see why she did not come in. The voting was unanimous. The Board discussed the citation and fine authority that had been given to the Board. They determined a citation and a fine should be issued for failing to appear. Ms. Pettley stated the citation becomes a permanent disciplinary action on the probationers' record. That

way a layering effect can begin if there to be further disciplinary actions. The Board requested Ms. Troxel contact Ms. Richins and let Ms. Stewart and Ms. Pettley know the reason for not appearing. The Board discussed the fine amount would be \$50.00. The Board discussed on a 2nd citation the fine would start at \$251.00. **Non-compliant**

Garet Ammon Bevan

Mr. Bevan did not come in for his appointment with the Board. **Non-compliant**

Jason Meinhart

Ms. Muir interviewed Mr. Meinhart. He stated he is frustrated, he stated the profession needed more ICD-9 codes for billing. He is picking up more and more clientele from Dr. Conger's patients. He stated he is better at massage than the female therapist, but does not get as many requests. He says there is a stigma against male therapists. Some of the patients see a neurologist. The neurologist are telling clients the same thing Mr. Meinhart is telling them. He stated he got a low rating on the employer report, he had been sick but is reversing that low rating on his employer report, now that he feels better and Dr. Conger has noticed. The Board stated AMA is in charge of coding for IC9. The Affordable Care Act will be changing all those codes. The Board suggested he figure out how to adjust his work to fit within the existing codes, the codes will not bend for him. He is doing additional learning. He is studying Essential Oils right now and learning Office Management from Dr. Conger. He eventually plans to open his own business. The Board told him to keep doing what he is doing. **Compliant**

Scott Morrison

Ms. Redington interviewed Mr. Morrison. He was rear ended in a car accident and has injuries. He had noticed some reduction in blood flow. He has filed a claim and is using his personal injury protections on his insurance. His insurance has been very good to him. They sent him to a Chiropractor. He is learning the functions of some new machines, one is a traction machine it has been very helpful for him. He is receiving massage therapy three times per week. The Board requested to see him at the January 21st, 2014 Board meeting. He says he misses us when he does not come. **Compliant**

Priscilla Olsen (Excused - Out of State)

Ms. Olsen had informed the Board at her last meeting that her family was planning on moving to Texas (TX)

and she may be going with them. The compliance unit reported she had moved to TX. She received a license there with no restrictions. Her order in Utah has been suspended; with the time passing not counting towards the period of probation. Ms. Redington made a motion, seconded by Mr. Black, that Ms. Troxel contact her and inform her of her options. They include revocation, surrender, extending time on probation or allowing her license to expire in 2015. The voting was unanimous.

Heather Welch

Ms. Welch did not come in for her appointment with the Board. Mr. Morrell made a motion, seconded by Mr. Black, to give her a citation and fine her \$100.00 for being non-compliant and failing to appear. The voting was unanimous. The Board requested Ms. Troxel to find out why she did not appear. Ms. Pettely will issue a citation regardless. **Non-compliant**

Zachary Scott Timothy – Informal Agency Action

Mr. Timothy was on the agenda because he had had an Agency Action filed against him. He has failed to comply with the terms and conditions in his MOU. The Board discussed his violations 5a; 5i; 5h; 5k; 5l, 5m and 5n. Mr. Morrell made a motion, seconded by Mr. Black, to revoke Mr. Timothy's license and that he not be allowed to re-apply for five years. The voting was unanimous.

NEW STIPULATIONS:

None

DISCUSSION ITEMS:

Report on Massage Technique- Micheal Black

Mr. Black gave a handout to the Board to report on the technique Michael Bridan had brought to the Board's attention. Mr. Black talked to Mr. Briden about the procedures. The procedure consists of pushing the nasal tissues against the walls of the nose thus clearing the nasal passage way. He talked with the Dean of a massage therapy school who said it is too dangerous they do not teach it. Further investigations found the death of a child and two other severe injuries from the procedure. The Dean informed Mr. Black the appliance used for the procedure is not within the Massage Therapist scope of practice. The Board has made the determination Nasal Specific is not a Massage Therapist technique. If it comes up again it is not Massage Therapy.

Blueprint for Entry level Massage Education

The Board noted there was a group of five full-time researchers, they emailed a survey to many massage

therapists. It was a big survey. They were looking at all kinds of massage techniques. Some of the Peer Education Committee stated they answered the survey.

Sunset Review- Sharon Muir

Ms. Muir was asked to meet with a legislative body to talk about a sunset review for Massage therapy. Mr. Jorgensen stated he would be attending the same meeting with Ms. Muir. The Board discussed many of the reasons the profession should not be "sunsetting". Ms. Muir had a print out of possible questions. The Board discussed those and possible responses. Ms. Stewart, Mr. Olbrot and Mr. Jorgensen will have a meeting after the Board adjourns to go over more information with regards to the sunset review. The Board noted the next meeting is scheduled for November 19th, 2013.

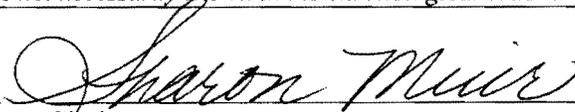
ADJOURN: 12:11 p.m.

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.

11-19-2013

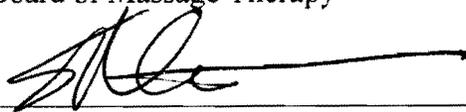
Date Approved



Chairperson
Board of Massage Therapy

11/19/2013

Date Approved



Bureau Manager
Division of Occupational & Professional Licensing