

MINUTES
BOARD OF MASSAGE THERAPY
JUNE 7, 2022 • 9:00 A.M

In Person and Electronic Meeting

Convened: 9:05 a.m.

Adjourned: 2:02 p.m.

BOARD MEMBERS PRESENT:

Roger Olbrot, Board Chair
Randall Nikola
Anita Egbert
Gloria Miley
Maile Tau'A-Roberts

DOPL STAFF PRESENT:

Lynne Anthony, Bureau Manager
Tynisha Lutz, Board Secretary
Allyson Pettley, Bureau Manager
Deborah Blackburn, Assistant Director
Mark Steinagel, Division Director

GUESTS:

Ben Bowen
Rebecca Farraway
Christine Hooper
Ivan Thompson
Katie Bell
Andrew Bell
Leilia Tuia
Jonathan Hoagland
Daniel Schmidt
Jen Wakefield-Dillier
Chase Bowles
Kirk Jorgensen
Michael Farley
Tiffani Jackson
Ezralea Robbins
Bijan J Hosseini
Jill Hilton

Jennifer Hanna
Libiann Tangreen
Cortney Taylor
Jennifer Hanna
Cortney Taylor
Nancy Carter
Benjamin Smith
Jennifer Hanna
Hugh Washburn
Julieta Hernandez
Hugh Washburn
Benjamin Smith

NOTE: OTHER GUESTS MAY HAVE BEEN IN ATTENDENCE ELECTRONICALLY BUT WERE NOT IDENTIFIED

DISCUSSION ITEMS:

Massage Therapy Micro-Licensing

Director Steinagel discussed the history of licensing reform and the implementation of the Office of Professional License Review. (OPLR) Director Steinagel mentioned Governor Cox: One Utah Road Map including Micro credentials and how it relates to the Utah Department of Commerce.

OPLR will review all licenses within the Department of Commerce every 10 years. It will also manage Sunrise requests for new licenses and quick requests near the legislative sessions.

Attendees discussed micro-licensure and Senate Bill 180 as it relates to the Massage Therapy profession. It was noted that Senate Bill 180 passed both the Senate and the House but failed review. Information was provided that clarified the rule writing authority within DOPL as well as Professional Licensing Board duties. Director Steinagel noted that all of DOPL boards have the authority to opine on legislation. All Professional Licensing Boards are considered advisory to DOPL as referenced in 58-1-202.

A discussion was conducted between the massage therapy board members, school representatives, massage associations/councils, licensees, and the general public. Individuals in attendance included those who supported SB 180 and those that opposed it. Proponents of SB 180 expressed that a future bill will be proposed. Individuals from both sides expressed their concerns and opinions.

Robbins discussed her introduction to Massage Therapy. She stated that her success resulted from starting her career on a “sub-license” that allowed her to experience different pieces and technicalities under mentorship. She expressed that this allowed her to make an informed

decision about pursuing a career in massage therapy prior to investing in and attending school.

Proponents of the bill expressed that its intent would be to give mentorship early on. Both for massage therapy students attending school and those interested in pursuing a full career in massage therapy.

Hilton expressed concern that Utah does not require continuing education that would make up for the deficiencies in education.

Bell articulated that a 300 hour micro-license would give individuals an opportunity to experience massage therapy in a limited capacity before pursuing full licensure.

Attendees extensively discussed SB 180: 3rd substitution (Ivory)

Noted discussion topics included defining Swedish massage for micro-licensure, the number of massage assistants and massage assistants in training, licensed professionals approved for supervision and the language in the bill.

Individuals in opposition of the bill stated several examples of potential concerns in the bill.

- Insufficient training in massage therapy by individuals in professions other than massage therapy who would be approved to supervise massage assistants and massage assistants in training.
- Massage assistants and massage assistants in training receiving inadequate training due to the number of assistants and assistants in training allowed under a supervisors license.
- Ambiguous and confusing language that could be misconstrued and interpreted in ways that would be harmful to the public.
- Potential loopholes such as performing reflexology without proper certification.
- Difficulty transferring training to other states/other programs and the inability to use training towards full licensure.

DOPL employees clarified the difference between direct and indirect supervision and suggested the inclusion of rule writing authority for DOPL to provide information in rule, such as curriculum requirements or Swedish massage.

Attendees suggested limiting the scope of practice for massage assistants and assistants in training to Swedish massage and seated chair massage.

DOPL employees explained the current requirements and appropriate training for licensure as a massage therapist and massage apprentice. Under the current statute and rules a massage supervisor must have 6000 hours of licensed massage therapy work experience to take on a massage apprentice. DOPL employees articulated how massage apprenticeship applications are reviewed and the process for supervisor disassociations.

Individuals in attendance reviewed the bill line by line. Individuals asked numerous questions and provided clarification.

Opinions and perspectives differed on many sections of the bill, most often regarding massage supervisor qualifications, ambiguous language, economic opportunity, educational investment, appropriate hours of training, unintended consequences, and intent.

Pettley expressed her thanks and appreciation towards Nikola for his service as a board member noting his last meeting.

TENTATIVELY SCHEDULED MEETINGS

July 19, 2022
September 20, 2022
November 15, 2022

ADJOURN: 2:02 PM. (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 necessary shown in the chronological order they occurred.

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| <u>07/19/2022</u> |  Roger Olbrot (Jul 19, 2022 15:11 MDT) |
| Date Approved | Board Chair – Board of Massage Therapy |
| <u>07/20/2022</u> |  |
| Date Approved | Bureau Manager – Division of Occupational & Professional Licensing |