



South Dakota Board of Massage Therapy

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South Dakota Board of Massage Therapy Regular Meeting Monday, March 17, 2014

President Woitte called the meeting to order at 10:10 am central.

Present: Board Members Laura Woitte, Karen Kappel, Bridget Myers, Christine Ellwein, and Linda Zeller; Board Staff, Jennifer Stalley and Heather Ellenbecker; and legal counsel Jim Carlon and Steve Blair. Also present: Olawa Rae-Bruhjell, Robb Shuttlesworth, Jennifer Greene, and Julia Reed. Rhanda Heller joined the meeting via telephone at 10:40 am.

Woitte asked for public comments. Rae-Bruhjell indicated she had no formal comments to offer.

Motion to approve the Board Minutes of October 28, 2013 and December 9, 2013 by Kappel. Seconded by Ellwein. Motion carried.

Stalley presented the Financial Report. Motion to approve the Financial Report as of March 1, 2014 by Zeller. Seconded by Myers. Motion carried.

Stalley presented an office update. She presented the Board with lists of new licensees (31) and temporary licensees (4) since October 2013. There were no expired licensees.

Stalley reported the Board's newsletter was sent to all licensees in December and the next edition will be sent in early June. The newsletters are posted on the website for licensees and the public.

Stalley provided the Board with an updated version of the Board Policies Summary. This version replaces earlier versions. Stalley noted the Board Policies Summary is posted on the Board's website.

Stalley updated the Board on frequently asked questions of the office. There have been several questions about students practicing massage. Instances of students performing massage on clients without the client's knowledge have been reported. The Board reaffirmed that a student may practice massage techniques but no money may be exchanged and the client must be made aware of the student practicing. Stalley also noted questions about continuing education requirements for 2014, for new licensees, and carryover continuing education. These issues are on the Board's agenda for full discussion.

Stalley reported the Board is moving office locations on April 16th. The change coincides with the moving of the Midwest Solutions' office and will be at no cost to the Board. The change of address will be noted on the Board's website and upcoming communications. Phone and post office box address will remain the same.

Stalley noted a number of questions received concerning areas of overlap with the South Dakota Board of Cosmetology. The Board of Cosmetology has invited the Board to meet informally on July 21st at 4:30 pm to discuss overlapping areas. The Board agreed to change its upcoming meeting date to coincide with this opportunity to meet with the Cosmetology Board.

Stalley reviewed the proposed criteria for recognizing facilities for purposes of meeting the requirement of initial licensure. Motion by Zeller that for purposes of demonstrating the education required for initial licensure, the Board recognizes facilities that are accredited by an accrediting body recognized by the United States Department of Education. Seconded by Kappel. Motion carried.

Heller addressed the Board in Open Forum. She requested the Board request a 5-year budget projection due to the lack of renewal revenue since July 2013, the costs associated with the online renewal database and the costs of administrative services. Heller also asked for clarification on the Federation of State Massage Therapy Board's annual report which indicates state boards are to provide surveys to all licensees for the Federation. Heller also noted her official complaint regarding the technical difficulties experienced in accessing the meeting via conference call.

The Board conducted an application hearing for Contested Application Case 2014-001, Jennifer Greene. Greene addressed the Board concerning her application.

Stalley provided an update on the online renewal database. She demonstrated the database fields that will be part of the online renewal form. She noted that all licensee files have been reviewed to add a school for each licensee file. This school will be confirmed by the online renewal process. Licensees will also confirm contact information, select a primary address for communications from the Board and opt-in to third-party mailings. Language for each page of the renewal will be reviewed prior to the next Board meeting.

The Board recessed from 11:53 am to 12:25 pm for lunch. The Board reconvened at 12:27 pm.

The Board discussed continuing education requirements for licensees moving to the universal renewal date and new licensees. Motion by Ellwein to require all applicants for renewal in 2014 that were originally licensed before October 1, 2012 to show at least 8 hours of continuing education between January 1, 2012 and September 30, 2014. Zeller seconded. Motion carried.

Motion by Kappel to pro-rate the hours of continuing education required for renewal of a licensee licensed on or after October 1, 2012 in six month increments: 8 hours required if licensed within 19-24 months of renewal; 6 hours required if licensed within 13-18 months of renewal; 4 hours if licensed within 7-12 months of renewal; and 2 hours required if licensed within 0-6 months of renewal. Seconded by Ellwein. Motion carried.

The Board discussed carrying over continuing education credits to multiple renewal periods. Motion by Zeller to not accept carryover continuing education credits for multiple renewal periods. Seconded by Kappel. Motion carried.

The Board conducted an application hearing for Contested Application Case 2014-002, Julia Read. Read addressed the Board concerning her application.

The Board discussed a request to approve providers of continuing education and/or pre-approve continuing education courses. Motion by Myers that the Board may pre-approve education courses if the courses meet the statutory requirements for qualifying continuing education. Seconded by Ellwein. Motion carried.

The Board discussed education from schools that are closed and were not previously recognized by a state board or recognized accrediting body. Motion by Zeller that the Board not accept education from a school that is no longer operational and was not recognized by a state board or recognized accrediting body while in operation. Ellwein seconded. Motion carried. Myers and Kappel voted no.

The Board discussed communication between the board and state and national associations. Stalley clarified that the Board is a member of the Federation of State Massage Therapy Boards, not the individual licensees of the Board. The Board will consider opportunities to communicate with state and national associations.

Motion to go into Executive Session for consideration of contested cases or contractual matters at 1:47 pm by Zeller. Seconded by Kappel. Motion carried.

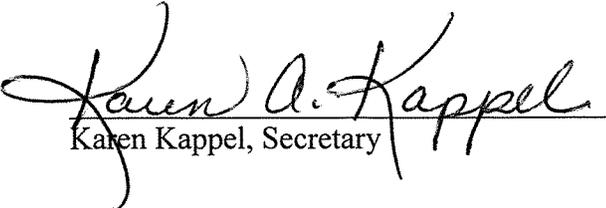
Motion to come out of Executive Session at 2:57 pm by Zeller. Seconded by Kappel. Motion carried.

Motion by Zeller to deny Application Case 2014-001, Jennifer Greene, due to education from an unrecognized facility. Seconded by Ellwein. Motion carried.

Motion by Zeller to deny Application Case 2014-0002, Julia Reed, due to lack of authority to issue a license. Seconded by Kappel. Motion carried.

Motion to adjourn by Kappel. Second by Myers. Motion carried. The meeting was adjourned at 3:02 pm.

Respectfully Submitted,


Karen Kappel, Secretary