

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 12/1/2014

BOARD MEMBERS PRESENT: Gayla Nickel - Chair
Paul J Weston
Gail L. King
Linda A Chatburn

BOARD MEMBERS ABSENT: Ione C Springer

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, Legal Counsel
Debbie Sexton, Technical Records Specialist II
Erin Anderson, Technical Records Specialist I

OTHERS PRESENT: B-G Tall Bear
Cecilia Escobedo, Massage Envy Spa
Nicole Macdonald
Tony Smith, Eiguren, Fisher, Ellis

The meeting was called to order at 8:30 AM MST by Gayla Nickel.

APPROVAL OF MINUTES

Mr. Weston made a motion to approve the minutes of 9/29/2014. It was seconded by Ms. King. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board has a cash balance of \$126,234.49 as of 10/31/2014.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

OLD BUSINESS

TO DO LIST

The Board discussed sending a postcard to all schools teaching massage therapy in Idaho. The intent of the postcard is to assist schools with transcripts submitted on behalf of a student and the requirements of Rule 600. A motion was made by Ms. King to draft the postcard and have the Chair review and approve it prior to mailing. It was seconded by Mr. Weston. Motion carried.

The Board discussed the question posted on the Frequently Asked Questions page "If CE is approved by other entities named in Rule 501, is it automatically approved by the Idaho Board?" The Board has received questions about continuing education course approval. The Board changed the question and answer to read "If CE is approved by other entities named in Rule 501, is it automatically approved by the Idaho Board? No. In Rule 501 it states that, *"Approved continuing education courses shall be those courses and programs that meet the requirements of these rules, AND are approved, sponsored, or provided by the following entities or organizations, or otherwise approved by the Board."*

The Board requested that removing 1-3 Rule 501 be added to the To Do List for future discussion. By removing this section of the rule, the Board would review every request for continuing education.

NEW BUSINESS

INACTIVITY LETTER

The Board reviewed a proposed letter that will be sent to applicants when their application has had no activity for a year per Rule 200.04. The letter will notify the applicant that their application will be denied unless they complete the application by providing the missing information or provide good cause as to the reason for lack of activity. A motion was made by Mr. Weston to accept the letter with changes. It was seconded by Ms. King. Motion carried

FEDERATION OF STATE MASSAGE THERAPY BOARDS

Ms. Nickel and Ms. Anderson gave an update from their attendance to the 2014 annual meeting. The FSMTB announced that their model practice act had been voted on and approved for use by members. As of November 1, 2014, the National Certification Board for Therapeutic Massage will no longer offer licensing exams for licensure. The Board requested that Mr. Hales attend one of the Boards future meetings so that it may discuss with him if we need to make adjustment to Law and Rule. The Board members also stated they would contact surrounding states from their areas to speak with them about FSMTB and the changes. A motion was made by Mr. Weston that FSMTB's

announcement regarding the NCBTMB exam be posted on the Board's web page. It was seconded by Ms. King. Motion carried.

CORRESPONDENCE

The Board addressed correspondence submitted by Ms. Kerrie Jannelle. Ms. Jannelle requested direction from the Board on accepting tips from clients when they have received a massage from a student. The Board instructed Ms. Anderson to draft a letter directing Ms. Jannelle to the FAQ's page on the website and to reference Idaho Code 54-4005 and 54-4002. Ms. Jannelle also stated to the Board that there were a number of schools that currently charge clients for student massage. The Board instructed Ms. Anderson to inform Ms. Jannelle that the Board does not have regulation over schools and that the fees collected may not be used to benefit the student.

The Board addressed correspondence submitted by Rose Morningstar. Ms. Morningstar inquired with the Board if Intra Oral Massage is a technique regulated by the Idaho Board of Massage Therapy. The Board directed Ms. Anderson to refer Ms. Morningstar to Rule 700 and Rule 800.

The Board addressed correspondence from Jessica Kisiel. She was concerned with the Board not accepting the online course she was seeking to attend. The Board referred her to Idaho Code 54-4009(4) and Rule 500.

STATE BOARD OF EDUCATION

Ms. Val Fenske discussed with the Board a school in Washington that is offering continuing education courses to Idaho licensees. This school and the courses offered have not been reviewed or approved by the Board. Ms. Anderson will forward a continuing education application to the school.

Ms. Fenske also discussed with the Board what could possibly be accepted for proof of a high school diploma or GED if the person is unable to provide this documentation when they make application to attend school or when they apply for licensure. Ms. Fenske stated that there is a compass test that can be taken and submitted or the applicant can sign an affidavit attesting that they have completed their high school education.

The Board reviewed the syllabus and course information from Amanda Mittan with Carrington College. The Board requested that Ms. Anderson instruct Ms. Mittan to follow the educational guidelines of Rule 600 when submitting transcripts for students who have applied for licensure.

EXECUTIVE SESSION

Ms. King made a motion that the Board go into executive session under Idaho Code § 67-2345(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Weston. The vote was: Ms. Nickel, aye; Ms. King, aye; and Mr. Weston, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Mr. Weston. The vote was: Ms. Nickel, aye; Ms. King, aye; and Mr. Weston, aye. Motion carried. Motion carried.

APPLICATIONS

Ms. King made a motion to approve the following for licensure:

MAS-2387	EMILY COX
MAS-2407	LISA JAMES
MAS-2441	RACHEL ROSE
MAS-2444	AMELIA CLARK
MAS-2449	LYNN MOBLEY
MAS-2461	MARYANN MAUGHAN
MAS-2437	SAYCHELLE RINCON
MAS-2465	TAYLOR HARRIS
MAS-2476	CHERIE THURGOOD
MAS-2450	DARBY POZENEL
MAS-2477	STACEY ECKMAN
MAS-2393	MIRANDA MCBROOM
MAS-2351	CRYSTAL HELDER
MAS-2435	KIMBERLEE DONOVAN
MAS-2417	JAMES MILLS
MAS-2473	LATASHA ORR
MAS-2445	KELSEY GREEN
MAS-2439	JOSEF SCHAFFER
MAS-2416	NICOLE MACDONALD
MAS-2426	ANNA REED

It was seconded by Mr. Weston. Motion carried.

Ms. King made a motion to approve the following for licensure:

MASG-2370	B-G TALLBEAR
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It was seconded by Mr. Weston. Motion carried.

Ms. Chatburn joined the meeting via conference. Mr. Weston made a motion to approve the following for licensure:

MAS-2456 TRINA DIXON
MAS-2474 LYNDEE BATTSON
MAS-2470 SAMANTHA CALLAHAN
MAS-2454 MELANIE SHERER
MAS-2463 LUANNE REED
MAS-2468 RAIN TAYLOR
MAS-2467 DANNIELLE BLANCHARD

It was seconded by Ms. Chatburn. Motion carried. Ms. King recused herself from discussion and voting.

Ms. King made a motion to approve the following for licensure pending receipt of additional documentation:

#901136353

It was seconded by Mr. Weston. Motion carried.

Ms. King made a motion to approve the following for licensure pending receipt of additional information and review by the Board Chair:

#901136040
#901135750
#901136278
#901135984
#901134652
#901135035
#901134654
#901136428
#901128754

It was seconded by Mr. Weston. Motion carried.

Ms. King made a motion to table the following applications and request additional information from the applicant:

#901135711
#901039130
#901136481
#901136079
#901135222

It was seconded by Mr. Weston. Motion carried.

Ms. King made a motion to approve the following for licensure pending receipt of a completed exam application, transcripts sent directly from the school and review by the Board Chair:

#901135887
#901135644
#901135448
#901135313
#901136080
#901135319
#901135792

It was seconded by Mr. Weston. Motion carried.

The Board Chair explained that these applicants were endorsement applicants who did not qualify for endorsement due to their state not having requirements for licensure that were substantially similar to Idaho.

The Board requested that a warning letter be sent to anyone approved for licensure if there is evidence they had been practicing Massage Therapy without a license after the July 1, 2013 deadline for licensure.

CE COURSES

Ms. King made a motion to deny the following continuing education applicant due to the course not being germane to the profession and per Idaho Code 54-4003(2)(f):

Intermountain College of Natural Health

It was seconded by Mr. Weston. Motion carried.

Ms. King made a motion to table the following continuing education applicant pending receipt of additional information:

#9920

It was seconded by Mr. Weston. Motion carried.

NEXT MEETING DATES

3/2/2015 at 8:30 AM
6/22/2015 at 8:30 AM

ADJOURNMENT

Ms. King made a motion to adjourn the meeting at 4:32 PM. It was seconded by Mr. Weston. Motion carried.

Gayla Nickel, Chair

Ione C Springer

Paul J Weston

Gail L. King

Linda A Chatburn

Tana Cory, Bureau Chief