

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 3/2/2015

BOARD MEMBERS PRESENT: Gayla Nickel - Chair
Ione C Springer
Gail L. King
Linda A Chatburn

BOARD MEMBERS ABSENT: Paul J Weston

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

OTHERS PRESENT: Suzie Lindberg, AMTA
Lydia Benson, AICM
Robbin Blake, Therapeutic Training Center
Kathy Maclaren

The meeting was called to order at 8:31 AM MST by Gayla Nickel.

APPROVAL OF MINUTES

Ms. Springer made a motion to approve the minutes of 12/1/2014 with noted corrections. It was seconded by Ms. King. Motion carried.

Ms. King made a motion to approve the minutes of 12/15/2014. It was seconded by Ms. Springer. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the Board's proposed law and rule changes removing "light" and defining supervision in the rules were passed by both committees. Both HB 116, the bill that will allow Boards served by the Bureau of Occupational Licenses to recoup attorney fees when a licensee is found to be in violation of the Boards laws and rules in disciplinary cases, and HB 117, which allows licensees to reinstate their licenses without paying for the years they were not

licensed and increases the reinstatement fee from \$25 to \$35, had passed the House and are on their way to be considered by Senate.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$139,045.58 as of 1/31/2015.

INVESTIGATIVE REPORT

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

FOR BOARD DETERMINATION

Ms. King made a motion to approve the Bureau's recommendation and authorize closure in case I-MAS-2015-2. It was seconded by Ms. Chatburn. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to-do list. Mr. Hales spoke with the Board regarding the current approval process for continuing education. It was discussed that Rules 501.01, 02, and 03 should apply as follows; as long as a course is germane to the Idaho practice of Massage Therapy and it is approved, sponsored, or provided by one of the following: 1. college or university accredited by a nationally recognized accrediting agency as recognized by the United States Secretary of Education; 2. any Federal, State or Local Governmental entities; 3. or a national or state massage therapy association, it does not require approval by the Board.

The course can be considered germane if it falls within the statutory scope of practice for Massage Therapy in Idaho under Idaho Code § 54-4002(7), which states:

"Practice of massage therapy" means the application of a system of structured touch, pressure, movement and holding of the soft tissues of the human body. The application may include:

- (a) Pressure, friction, stroking, rocking, kneading, percussion, or passive or active stretching within the normal anatomical range of movement;
- (b) Complementary methods, including the external application of water, heat, cold, lubricants and other topical preparations; or
- (c) The use of mechanical devices that mimic or enhance actions that may be done by the hands.

If there is a question about whether or not a course that is approved, sponsored, or provided by one of the above entities is germane to the Idaho practice of Massage Therapy, or if a course is not sponsored, approved or provided by one of these entities, an application for approval can be submitted to the Board for review.

Discussion was also held on the Board implementing a CE audit. Ms. King made a motion to audit 10% of licensees annually. The 10% is to be audited over a period of four quarters, starting July 1, 2015. It was seconded by Ms. Springer. Motion carried.

Ms. Anderson was instructed to direct callers who had questions about CE and whether or not it was approved to Rules 501-503.

The Board stated it does not plan to pursue any law or rule changes for 2016.

Discussion was held on the Board accepting on-line schooling. The Board determined that per Rule 600, the applicant applying for licensure must have a minimum of five hundred (500) hours of in-class supervised hours of coursework.

The Board requested that the last Frequently Asked Question regarding continuing education be removed. The Board was asked to review the FAQ page and submit any changes or concerns to the Bureau at the next meeting for correction.

CORRESPONDENCE

The Board reviewed transcript material and correspondence submitted by Susan Beck with Idaho State University Department of Health Occupations. She informed the Board that her facility was in the process of correcting the transcripts to better reflect the requirements listed in Rule 600. The Board instructed Ms. Anderson to send correspondence thanking Ms. Beck for her hard work.

The Board reviewed correspondence submitted by Amy Forkan. Ms. Forkan asked the Board if she was required to be licensed to teach Thai Yoga Therapy. The Board referred her to Idaho Code 54-4002(7) to determine if what she was teaching was in the scope of practice for an Idaho Massage Therapist and asked Ms. Anderson inform Ms. Forkan that the Board does not regulate instructors.

The Board reviewed correspondence submitted by Ciara Davenport. Ms. Davenport was seeking Board clarification on whether or not it would accept an online massage therapy course for licensure. The Board requested that Ms. Anderson refer her to Idaho Code 54-4009 and Rule 600.

The Board reviewed multiple pieces of correspondence that all had similar questions in regard to continuing education. A motion was made by Ms. Springer to draft a letter to those who wrote and to all licensees explaining the continuing education approval process. The letter for all licensees will be drafted by staff and reviewed by the Board Chair. It was seconded by Ms. King. Motion carried.

EXECUTIVE SESSION

Ms. Springer 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 Ms. Chatburn. The vote was: Ms. Springer, aye; Ms. Chatburn, aye; Ms. King, aye; and Ms. Nickel, aye. Motion carried.

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

APPLICATIONS

Ms. Chatburn made a motion to deny the following applicant per Rules 305 and Rule 600:

MASA-2485 Joan Hurst

It was seconded by Ms. Springer. Motion carried.

Ms. Chatburn made a motion to approve the following for licensure once additional information is received:

#901131369

It was seconded by Ms. King. Motion carried.

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

#901137687

It was seconded by Ms. Springer. Motion carried.

Ms. Chatburn made a motion to approve the following applicants for license once additional information is received:

#901135582

#901136732

It was seconded by Ms. Springer. Motion carried. Ms. Nickel recused herself from discussion and voting.

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

MAS-2487 Janessa Sharp

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

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

MAS-2498 Xueyuan Zhou
MAS-2517 Shari Hadlock
MAS-1800 Xirong Chen
MAS-2506 Lynne Elise
MAS-2511 Heather Wilson
MAS-2501 Tamara Culp
MAS-2504 Staci Spilsbury
MAS-2508 Amy Mitchell
MAS-2457 Mary Eagen
MAS-2499 Anthony Wilburn
MAS-2518 Jacquelyn Komperud
MAS-2491 Meggan Riley
MAS-2424 Cheanine Williams
MAS-2515 Teri Kinney

It was seconded by Ms. Chatburn. Motion carried.

Ms. Springer made a motion to approve the following applicants for licensure once additional information is received and the Chair reviews:

#901136790
#901135445
#901136460
#901136079
#901137387
#901135600
#901137681
#901137764
#901137036
#901137332
#901137766
#901137240

#901137048
#901137201
#901137855
#901137047

It was seconded by Ms. King. Motion carried.

Ms. Chatburn made a motion to approve the following applicants for licensure once additional information is received:

#901073826
#901135854
#901134398
#901134568
#901133457
#901137799
#901137261
#901137238
#901134151
#901134103
#901134047
#901136274

It was seconded by Ms. Springer. Motion carried.

Ms. Chatburn made a motion to table the following applicants for further information:

#901137770
#901135711
#901136814
#901137715

It was seconded by Ms. Springer. Motion carried.

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. Springer made a motion to approve the following Continuing Education courses:

Ethical Practices
Core Psychological Concepts

Boundaries
Ethical Practice Management
Dual Relationships
Sex, Touch and Intimacy
Structural Muscular Balancing

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

Ms. Springer made a motion to approve the following Continuing Education courses:

Level 2: Class 2 PPS Seminars
Defining Expectations
Level 1, PPS Seminars
Level 2, Class 1, PPS Seminars
Ethics: Massage Etiquette
Cervical PPS
Thoracic and Lumbar PPS
Forearm Protocol
Lymphatic Massage
Essential Oils: Therapeutic Uses
Kinesiology Re-visited
Ethics Question and Answer
Full Body Stone Massage
Precision Neuromuscular Therapy for the Neck and Head
Precision Neuromuscular Therapy for the Thoracic Spine

It was seconded by Ms. King. Motion carried.

Ms. Chatburn made a motion to deny the following Continuing Education courses per Idaho Code 54-4002 and Rule 503 due to the courses not being germane to the profession:

2015 Chinese Physical Therapy and Massage Symposium
Phase II: Ingham Reflexology Method
Phase I-II: Ingham Reflexology Method
Reflexology for Urinary Tract Infections, Kidney Stones, Kidney Failure and Incontinence
Integrative Blood Chemistry

It was seconded by Ms. Springer. Motion carried.

NEXT MEETING was scheduled for 6/22/2015 at 8:30 AM.

ADJOURNMENT

Ms. Springer made a motion to adjourn the meeting at 5:12 PM. It was seconded by Ms. King. Motion carried.

Gayla Nickel, Chair

Ione C Springer

Paul J Weston

Gail L. King

Linda A Chatburn

Tana Cory, Bureau Chief