

The Oklahoma State Advisory Board on Massage Therapy met on Thursday, October 19, 2017 at 10:00 a.m. at 2401 Northwest 23rd Street, Suite 84, Testing Center, Oklahoma City OK 73107

The following persons were present:

1. LAURA GRISSO, CHAIR
2. PAM MATHERLY, VICE CHAIR
3. MARILYN IHLOFF
4. ROBERT ROWE
5. THERESA SCHROEDER

BOARD'S LEGAL ADVISOR

Grant Moak

BOARD STAFF

Sherry Lewelling, Executive Director
John Funderburk, Principal Assistant
Janelle Hastings, Administrative Assistant

VISITORS

Mary Elizabeth LeBlanc
Laura Hickman
Scott Rayburn
Cythia Atchico
India Carson
Courtne Blakemore
Lauri Ann Gillette
Deanna Christian
Sara McDermitt
Susan Hawkins
Ken Young
Astrud Ray Kubier
Holli James

1. Call to Order

Chair Grisso called the meeting to order

(The meeting agenda had been properly posted and agenda-ized)

2. Roll Call

Quorum was established with roll call. The following persons answered roll call:

1. LAURA GRISSO, CHAIR
2. PAM MATHERLY, VICE CHAIR
3. MARILYN IHLOFF
4. ROBERT ROWE
5. THERESA SCHROEDER

3. Public Comment – Opportunity for the Board to Receive Public Comment – Each speaker is limited to three minutes. Comments must be related to items listed on the agenda

No formal requests to speak had been received.

4. Discussion and Possible Action To Approve Board Meeting Minutes from **August 17, 2017** Board Meeting

MOTION BY Ms. Matherly and seconded by Ms. Ihloff to approve the Board Meeting Minutes from August 17, 2017

Matherly, yes: Ihloff, yes: Rowe, yes: Schroeder, yes.

Motion carried.

5. Director's Report – Sherry G. Lewelling

Ms. Lewelling introduced the Agency's new Principal Assistant, Mr. John Funderburk. John has worked for the State of Oklahoma since 2007 and holds a Master's of Science in Management degree and SHRM-CP Society of Human Resource Management Certified Professional.

Legislative updates: Ms Lewelling continues to work with numerous Senators, Representatives as well as the Governor's office to extend the grandfather dates and allow those Massage Therapists to be grandfathered in but acknowledged that it will be a lengthy process to get through legislation.

Ms. Lewelling met with Luke Martin and Pat Hall, lobbyists for the Oklahoma Massage Association and discussed how we can work together during the upcoming legislative season

Ms. Lewelling met with Senator AJ Griffin to discuss the Massage Therapy Act –the Senator believes there will be no issues with getting it passed this year and said a lot of legislators are pushing for the Grandfather clause to be extended and they also understand that we need establishment authority. And after discussing the strong push for deregulation this year, Senator Griffin was convinced deregulation would not be a good idea at all. Ms. Lewelling is preparing information to educate lawmakers about what we deal with and how we are protecting the public.

6. Committee Reports:

Legislative Committee: The committee met on September 26, 2017, Theresa Schroeder gave a summary of the committee's recommendations, including eligibility of an applicant to receive license if they have been convicted of, or received deferred sentence or has pled guilty or nolo contendere to any of the following: prostitution, pandering, operating a house of prostitution, human trafficking, sexual assault, crimes of violence against a person, grand larceny, robbery.

A waiver may be considered by the Board with written request from and appearance before the board, by the applicant at least 3 years after conviction of, or deferred sentence or guilty plea or nolo contendere plea of a misdemeanor or five (5) years for a felony. Several factors may be considered by the Board, including age of the applicant at time offense was committed, nature and severity of the crime, criminal history, any other information relevant to the applicant's fitness to perform without posing a reasonable threat to public health and safety.

Recommendations also included some wording was changed for clarification, not intent and a decrease for the cost of a license reprint from \$10.00 to \$5.00.

Continued Education Committee –report presented by Ms. Grisso, the committee met on September 14, 2017 at 1:00 pm and discussed the number of continuing education unit (CEU's) that should be required, 16 hrs every two years, (or 8 hours per year when annual license occur) was small, but perhaps should keep is small to get it passed. Highly recommend first aid and CPR in addition to 8 hrs CEU's for safety and care for clients.

Also discussed were challenges and benefits of re-opening grandfather clause,

Overview Committee

Ms. Grisso said the committee met on September 21, 2017 at 11.00 am Majority of meeting dealt with national background check vs. state background checks, with proponents citing the mobility of our society and our need to protect the public and opponents concerned about costs and time constraints, Sara McDermot, was able to provide information on cost of national background check which is about \$35 vs the cost of OSBI report of \$19 National background checks move fairly quickly unless violations are from smaller courts.

Professional Conduct Committee

Ms. Grisso said the committee met last week and this week via e mail due to some unforeseen and unavoidable circumstances experienced by some members.

Discussion included reopening of the grandfather clause which some thought might be confusing to massage therapists, India Carson suggested a waiver program similar to criminal background in which applicant could apply for exemption by making written request and appearing before the board.

7. **FSMTB Annual Meeting Report** – Laura Grisso attended this intense three day event during the last week of September 2017, major highlights included FSMTB report on human trafficking task force, a copy of which was provided to Sherry Lewelling. Info a new nation wide data base called MTLT (Massage Therapy Licensing Database), state boards and Massage Therapists can log on and pull up records previous license status, also receive and keep track of CSU's ceu's also see what CEU classes are being offered in your area. Is only being used by four 'pilot' states at this time but when used will be a valuable tool to boards and licensees. Many states are facing deregulation in massage as well, she was surprised that many states do not have establishment authority-

8. Discussion and possible action to submit to the Oklahoma State Board of Cosmetology and Barbering proposed amendments to the Massage Therapy Practice Act (59 O.S. § 4200.1 *et seq.*)

A motion was made by Pam Matherly and seconded by Theresa Schroeder to submit proposed amendments as discussed.

Matherly, yes: Ihloff, yes: Rowe, yes: Schroeder, yes.

Motion carried.

9. Discussion and possible action to submit to the Oklahoma State Board of Cosmetology and Barbering proposed amendments to administrative rules governing the practice of massage therapy.

a. OAC Title 175

Chapter 20. Massage Therapy

A motion was made by Ms. Matherly and seconded by Ms. Ihloff to submit to the Oklahoma State Board of Cosmetology and Barbering proposed amendments to administrative rules governing the practice of massage therapy.

Voting: Matherly, yes: Ihloff, yes: Rowe, yes: Schroeder, yes.

Motion carried.

10. Discussion and Possible Action to Approve ABMT meeting for December 21, 2017.

After discussion it was agreed that the meeting scheduled for December 21, 2017 was unnecessary. A motion was made by Ms. Ihloff and seconded by Ms. Matherly to cancel the scheduled meeting for December 21, 2017

Voting: Matherly, yes: Ihloff, yes: Rowe, yes: Schroeder, yes.

Motion carried.

11. Discussion and Possible Action to Approve the establishment of regularly Scheduled ABMT meetings in 2018, every other month, 3rd Thursday of the month at 10:00 am.

2018 dates would be as follows:

February 15, 2018
April 19, 2018
June 21, 2018
August 16, 2018
October 18, 2018
December 20, 2018

A motion to approve this item was made by Ms. Schroder and seconded by Mr. Rowe to approve this item.

Voting: Matherly, yes: Ihloff, yes: Rowe, yes: Schroeder, yes.

Motion carried.

12. New Business Which Could Not Have Been Reasonably Foreseen Prior to Posting Of Meeting Agenda 25 O.S. (A) (9)

No new business was heard.

12. Board Adjournment

Chair Grisso announced the meeting to be adjourned.

LAURA GRISSO, CHAIR

PAM MATHERLY, VICE CHAIR

MARILYN IHLOFF

ROBERT ROWE

THERESA SCHROEDER