

MINUTES OF THE MEETING OF THE BOARD OF MASSAGE THERAPY

April 22, 2016

These minutes were approved by the Board on May 27, 2016

1. ROLL CALL

The meeting of the Board of Massage Therapy was called to order by Hupka, Chairperson, at 9:43 a.m. in Lower Level Conference Room A, State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

The following members answered roll call:

<u>Members Present:</u>	Kim Adams Johnson	-	Vice-Chair
	Michelle Helaney	-	Member
	Keli Hupka	-	Chairperson
<u>Members Absent:</u>	Brian Allison	-	Secretary
<u>Others Present:</u>	Lisa Anderson, Assistant Attorney General Kris Chiles, Program Manager, Licensure Unit Russ Fosler, Administrator, Investigations Dennis Scott, Investigator, Licensure Unit Jeff Newman, Investigator, Licensure Unit		

2. ADOPTION OF AGENDA

MOTION: Adams Johnson moved, seconded by Helaney, to adopt the agenda. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

3. APPROVAL OF MINUTES (2-12-16)

MOTION: Helaney moved, seconded by Adams Johnson, to approve the minutes of 2-12-16. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Adams Johnson moved, seconded by Helaney, to enter into closed session at 9:45 a.m. to hear discussions of an investigational/confidential nature for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

10:12 a.m. - Fossler, Scott and Newman departed meeting

MOTION: Adams Johnson moved, seconded by Hupka, to enter into open session at 10:47 a.m. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

10:52 a.m. - Public entered meeting

10:54 a.m. - Break

11:09 a.m. - Meeting resumed

- Teresa Hampton, Department attorney, entered meeting

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

- Applications, Reinstatements, Out-of-State Training Programs

Body Haven Massage & Bodywork

MOTION: Adams Johnson moved, seconded by Hupka, to recommend offering to recommend offering a 6 month probationary massage therapy establishment license, to include the standard terms and conditions and the following: jurisprudence examination by owner within first 90 days. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

Virginia Smith

MOTION: Helaney moved, seconded by Adams Johnson, to issue the massage therapist license with no terms and conditions. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

Ethan Hatcher

MOTION: Adams Johnson moved, seconded by Helaney Johnson, to recommend offering a 6 month probationary massage therapist license, to include the standard terms and conditions and the following: jurisprudence examination. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

Terrell Mackey

MOTION: Adams Johnson moved, seconded by Helaney, to recommend offering a 6 month probationary massage therapist license, to include the standard terms and conditions and the following: jurisprudence examination. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

Sophia Lord

Motion: Adams Johnson moved, seconded by Helaney, to defer and request additional information. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

6. UNFINISHED BUSINESS

- a. Review/Revision of Conviction Review Guidelines

This item was not addressed.

7. NEW BUSINESS

- a. Correspondence
 - Cryotherapy (can massage therapist provide)

The members discussed cryotherapy.

Motion: Adams Johnson moved, seconded by Hupka, cryotherapy chambers was not within the scope of practice of a massage therapist. A roll call vote was taken. Voting aye: Adams Johnson, Helaney, Hupka (3). Voting nay: None (0). Absent: Allison (1). Motion carried.

- Mobile Massage Request

The members expressed concerns such as:

1. Need to know where at to do inspections (perhaps send itinerary)
2. Check into whether city would allow them to park
3. Would there be privacy with 1 room for waiting and 1 for customers?
4. Would have to be licensed
5. Zoning issues
6. Would there be restroom
7. Regulation for establishment refer to clearly identifiable location

It was suggested that the individual submit an application for an establishment license.

11:53 a.m. - Anderson department meeting

8. UPDATES AND REPORTS

a. 2016 Legislative Session

Chiles provided an update on LB 859, LB 947, LB 750 and LB 867.

b. Nebraska Chapter of AMTA

There was nothing to report.

c. Federation of State Massage Therapy Boards (FSMTB)

Met in Vail, Colorado, and set out initiatives for next 4 years. They had a management group come in and review finances. They are working on putting out a consumer brochure.

d. Statistics: Examinations / Licensing / Administrative Penalties / Renewals / Disciplinary and Non-Disciplinary Information / School Report

Chiles distributed the Disciplinary/Non-Disciplinary Report.

Chiles reported the following examination results from 2-12-16 to 4-22-16:

Jurisprudence, CEU – 1 pass
Jurisprudence, probation – 5 pass
Jurisprudence, reciprocity – 18 pass, 2 fail
MBLEx – 10 pass

Chiles reported the following statistics:

Massage Therapist – 1359
Massage Therapist Establishment – 512
Massage Therapy School – 7

The Board agreed to cancel the June 24, 2016 meeting and meet on May 27, 2016. Also cancel the August 12, 2016 meeting and meet instead on August 19, 2016

9. Adjournment

There being no further business, Hupka declared the meeting of the Board of Massage Therapy adjourned at 12:13 p.m.

Respectfully Submitted,

Brian Allison, Secretary
Board of Massage Therapy

Minutes completed by Carrie Nielsen, Health Licensing Specialist