

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY
SPECIAL MEETING/RETREAT MINUTES
AUGUST 13-14, 2010**

A special meeting/retreat of the Kentucky Board of Licensure for Massage Therapy was held at the General Butler Resort State Park Carrollton, Kentucky on August 13-14, 2010.

MEMBERS PRESENT

Theresa Crisler-Board Chair
Cheryl Turner
Denise Logsdon-Secretary
Holly Anne Barnhill
Michael Mansfield
Max Maxwell

OCCUPATIONS AND PROFESSIONS STAFF

Frances Short, Executive Director
Michael West, Board Attorney
Adriana Lang, Board Administrator

OTHERS

Julie Harper, AMTA

MEMBERS ABSENT

Laurie Bond Horsford

CALL TO ORDER

Ms. Crisler, Board Chair, called the special meeting to order at 10:13 a.m.

MINUTES

Motion was made by Ms. Barnhill to approve amended the minutes of the July 12, 2010 meeting. Motion, seconded by Mr. Mansfield, carried unanimously.

Motion was made by Ms. Barnhill to approve amended the minutes of the August 2, 2010 special meeting. Motion, seconded by Mr. Mansfield, carried unanimously.

FINANCIAL STATEMENT

A motion was made by Ms. Turner to accept the financial statements, as presented. Motion seconded by Mr. Mansfield, carried unanimously.

DIRECTOR'S REPORT

Ms. Short provided the following report:

- 1) Informed the Board that the statewide furlough days will be September 3, 2010, November 12, 2010 and May 27, 2010. In addition to three furlough days that will be individually taken by each state employee.
- 2) Budget reduction will be 1.5 of the total allotted amount for the fiscal year and the budget loss per year will be \$1,800.00.
- 3) Ms. Short also updated the Board that Mr. Halloran informed her that it is acceptable for the Board Administrator to approve applications as long as the file is complete, and provide the Board with a list of all approved licenses at the next Board meeting so the Board may vote to ratify the licenses. However, if the administrator is uncertain of completion a file, it must be taken for a review by the Applications Review Committee.

ATTORNEY'S REPORT

Mr. West provided the following report:

- 1) An e-mail stated that correspondences to Betsy Giltiman, Sallie Hoelscher and Kimberly Young are completed.
- 2) Will check on Donna Musser, however, he believed that a response has been sent.
- 3) Legislative Research Commission (LRC) Acknowledgment of Proposed Administrative Regulation or Amendment- 201 KAR 42:040 and Application for Renewal as a Massage Therapist. Mr. West clarified that this amendment is to make some corrections to the renewal form in order to be consistent with the current law. Ms. Barnhill made a motion to authorize the amendments of the current renewal form and to ratify the form that was submitted to the LRC. The motion, seconded by Mr. Mansfield, carried unanimously.

Ms. Crisler requested Mr. West to provide her with copies of all correspondences he sends on behalf of the Board. Mr. West stated that he usually provides copies to the Board office and he will forward electronic copies to Ms. Crisler.

OLD BUSINESS

The Board reviewed a cease and desist letter sent from the Kentucky State Board for Proprietary Education to the Kentucky Academy of Medical Massage (KAMM). Ms. Logsdon made a motion to withdraw the letter of good standing from the KAMM, to no longer accept transcripts from that school pursuant to KRS 309.363 Section 1 (a). The motion, seconded by Ms. Turner, carried unanimously. The Board requested staff members to remove KAMM from the website and from the Board's approved school list.

The Board reviewed KRS 13A.270. Ms Short explained the regulatory process and public hearing comments. Ms. Logsdon stated that she has some comments and suggestions for the renewal form. Ms. Barnhill suggested to have all schools or associations submit their written comments in writing for a full Board review. Julie Harper introduced herself as a representative of the American Massage Therapy Association (AMTA). Ms. Harper clarified that the AMTA does not have copies of the new regulations draft, and implied that she wants to work with the Board and stated that she does not understand why there is animosity from the Board towards AMTA. The Board explained to Ms. Harper that there isn't any animosity towards any association, schools or members of the public. They thanked Ms. Harper for her comments and advised her that the Board as a whole will promulgate the new regulations; however, the schools, associations and members of the public will have a change to make comments on the new regulations during the Public hearing comments. Ms. Harper stated that she appreciated the clarification from the Board.

The Board reviewed and amended the following new regulations:

201 KAR 40:010, 201 KAR 42:020, 201 KAR 42:030, 201 KAR 42:035, 201 KAR 42:040, 201 KAR 42:050, 201 KAR 42:060, 201 KAR 42:070, 201 KAR 42:080 and 201 KAR 42:110.

Mr. Mansfield made a motion to approve the final drafts of the new regulations as amended and to authorize Mr. West to file them with the Legislative Research Commission (LRC). The motion, seconded by Mr. Maxwell, carried unanimously.

The Board requested staff members to have Mr. Boler add the e-mail address on the new renewal form, the application form and the name/change form.

OLD BUSINESS CONTINUED

The Board reviewed a draft of the amended KBLMT commercial for Public Service Announcement (PSA). Mr. Maxwell informed the Board that he received a response from Dick Brown from the Public Protection Cabinet stating the PSA will cost approximately \$10,000.00. Mr. Mansfield made a motion to authorize Mr. Maxwell to write a request for Proposal for Public Service Announcements to schools with broadcast programs and other agencies to obtain new estimates. The motion seconded by Ms. Turner, carried unanimously. Furthermore, the Board discussed advertisement possibilities, such as, creating a Facebook page for the KLBMT. The Board requested staff members to check with Jeff Boler and bring a report to the next meeting.

NEW BUSINESS

Mr. Mansfield withdrew his request to go into closed session to discuss ongoing investigation.

APPLICATION COMMITTEE REPORT

The Applications Committee met on August 9, 2010 at 10:00 a.m. at the Division of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky.

Initial Applications

7 Total

2 Approved

1 Approved pending

3 Deferred

1 Denied

Ms. Tuner made a motion for Mr. West to send a letter to the school requesting clarification on the transcripts for AM. The motion, seconded by MMs. Logsdon, carried unanimously.

Endorsements

7 Total

3 Approved

3 Deferred

1 Denied

Mr. Mansfield made a motion for Mr. West to send a letter to EHM requesting the applicant to provide an official Federal background check and 100 hours of continuing education. The motion, seconded by Ms. Barnhill, carried.

Renewals

17 Total

5 Approved

5 Approved pending

2 Deferred

5 Denied

APPLICATION COMMITTEE REPORT CONTINUED

Ms. Logsdon moved to accept the report from the applications Committee. Mr. Tuner seconded, carried unanimously.

Ms. Logsdon made a motion to approve 3 hours of continuing education for CAM Referral and Outcomes: Chronic Low Back Pain in Urban and Rural Primary Care-LMT Training, instructors William G. Elder, Margaret M. Love, Katie Stewart and Robert S. Wells. The motion, seconded by Mr. Mansfield, carried unanimously.

CHAIRPERSON'S REPORT

Ms. Crisler provided the following report:

- 1) Revision of Board member handbook
- 2) Development of Board Policy/ Procedures
- 3) Complete Newsletter articles for net addition
- 4) Addressed how to improve Public Awareness of Licensure
- 5) Fingerprinting/background checks
- 6) Define "deep physical agent modalities" that Massage Therapist shall not perform
- 7) Discussed intraoral/trigger point work
- 8) Updated FAQ

The Board discussed the Internal Policy Procedures.

Ms. Crisler discussed with the Board the possibility of providing another continuing education session to the licensees. Ms. Barnhill made a motion to authorize Ms. Crisler to obtain more information on the continuing education speaker. The motion, seconded by Mr. Mansfield, carried unanimously.

TRAVEL AND PER DIEM

Mr. Maxwell made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Mr. Mansfield, carried unanimously.

NEXT MEETING

The next regular meeting is scheduled for September 13, 2010 at the Office of Occupations and Professions 911 Leawood Drive Frankfort, Kentucky.

ADJOURN

Mr. Maxwell made a motion to adjourn at 4:10 p.m., having no further items of discussion. The motion, seconded by Mr. Mansfield, carried unanimously.

