

BOARD OF MASSAGE THERAPY
FULL BOARD MEETING
301 S. PARK AVENUE, HELENA, MT
BASEMENT CONFERENCE ROOM 12:30 P.M.
SEPTEMBER 7, 2010
OPEN SESSION MINUTES

AMERICANS WITH DISABILITIES ACT:

The Department of Labor and Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the Board office prior to the proposed meeting date for further information.

EXECUTIVE SESSION: The decision on whether to hold a meeting in executive session is at the discretion of the Presiding Officer pursuant to Section 2-3-203 MCA.

CALL TO ORDER: 12.33 P.M.

Members Present:

Michael Eayrs, Chair
Nick Soloway, DC, LAC Health Care Member, Professional Member
Grace Bowman, Public Member
Deborah Kimmet, Professional Member
Stacy Baird, Professional Member

Others Present:

Susan Carlson

Staff Present:

Cheryl Brandt, Program Manager (out-going)
Priscilla Bode, Program Manager
Tyler Moss, Board Counsel
Mary Tapper, Department Counsel

REVIEW OF AGENDA: The agenda was reviewed and a quorum was established.

PUBLIC COMMENT STATEMENT:

In accordance with 2-3-103(1), MCA, the Board will hold a public comment period. Please note that Open Forum is the public's opportunity to address the Board on any topic not on the current agenda. While the Board cannot

take action on the issues presented, the Board will listen to comments and may ask that the issue be placed on a subsequent agenda for possible Board action. The Chairperson of the Board will determine the amount of time allotted for public comment.

APPROVAL OF MINUTES:

The minutes of the 7/27/2010 meeting were considered. Deb Kimmet asked that the minutes be revised to show that it was a meeting and not a conference call. The Board agreed.

Motion: Deb Kimmet moved to approve the minutes as amended. Grace Bowman seconded. Motion Carried.

ENDORSEMENT APPLICATIONS:

The application for licensure by endorsement from Georgia submitted by Kyle Eckman was discussed. Upon review of Georgia's licensing requirements, the Board determined that they are substantially equivalent to those of Montana.

Motion: Deb Kimmet moved to license Ms. Eckman. Dr. Soloway seconded. Motion Carried.

Tyler Moss brought to the attention of the Board equivalency provisions regarding examinations for licensure in Georgia. The Board discussed the need to review equivalency in future applications.

The application for licensure by endorsement from New York submitted by Melanie Simmerman was discussed. Ms. Simmerman joined the meeting by telephone.

The application for licensure by endorsement from New York submitted by Lee McKenna was also discussed.

The examination requirements of New York were discussed and the Board determined that those requirements were commensurate with the requirements for licensure in Montana.

Motion: Deb Kimmet moved to license Ms. Simmerman and Ms. McKenna upon receipt of completed applications for both applicants. Stacy Baird seconded. Motion Carried. Ms. Simmerman left the meeting.

ENDORSEMENT REQUIREMENTS:

The Board discussed the response received from Arizona regarding the licensure requirements in that state.

Motion: Deb Kimmet moved that the Board deny endorsement applications from Arizona because the examination requirements are not equivalent to Montana, and that any such applicants be encouraged to change their application method to grandfather or examination. Dr. Soloway seconded. Motion Carried.

The Board discussed licensure requirements from Oregon and the information received from that state's Board in response to our request for details.

Motion: Grace Bowman moved that the Board obtain further information on the curriculum breakdown for Oregon. Dr. Soloway seconded. Motion Carried.

NON-ROUTINE APPLICATIONS:

The non-routine application for licensure by endorsement from George Derry was discussed. The requirement for listing work history was discussed on a general basis.

Motion: Dr. Soloway moved to license Mr. Derry upon receipt of a completed application. Stacy Baird seconded. Motion Carried.

The non-routine application for licensure by examination from Jennifer Elder was reviewed.

Motion: Deb Kimmet moved that further information on Ms. Elder's conviction be provided before the board makes a determination. Stacy Baird seconded. Motion Carried.

Michael Eayrs left the meeting and Deb Kimmet assumed the chair.

The non-routine application from Nevada Bennett applying for licensure by grandfathering was reviewed. Ms. Bennett joined the meeting by telephone.

Michael Eayrs returned to the meeting.

Motion: Michael Eayrs moved to approve the application from Ms. Bennett upon receipt of updated written information from her probation officer and a completed application. Dr. Soloway seconded. Motion Carried. Ms. Bennett left the meeting.

Michael Eayrs reassumed the Chair.

The non-routine application from Caitlyn Symons applying for licensure by grandfathering was reviewed. Ms. Symons joined the meeting in person.

Motion: Deb Kimmet moved to approve the application from Ms. Symons. Dr. Soloway seconded. Motion Carried. Ms. Symons left the meeting.

The non-routine application from Tarah Hilbrand applying for licensure by grandfathering was reviewed.

Motion: Grace Bowman moved to approve the application from Ms. Hilbrand. Deb Kimmet seconded. Motion Carried.

The non-routine application from Che Stafford applying for licensure by grandfathering was reviewed.

Motion: Dr. Soloway moved that further information relating to the applicant's criminal charges and conviction be requested. Deb Kimmet seconded. Motion Carried.

The non-routine application from Jennifer Hicks applying for licensure by grandfathering was reviewed.

Motion: Deb Kimmet moved to approve the application from Ms. Hicks upon receipt of a completed application. Grace Bowman seconded. Motion Carried.

The non-routine application from Lindsey Green applying for licensure by grandfathering was reviewed.

Motion: Deb Kimmet moved to approve the application from Ms. Green upon receipt of a completed application. Grace Bowman seconded. Motion Carried.

The non-routine application from Cheryl Schiavon applying for licensure by grandfathering was reviewed.

Motion: Deb Kimmet moved to approve the application from Ms. Schiavon upon receipt of a completed application. Stacy Baird seconded. Motion Carried.

The non-routine application from Dustin Davis applying for licensure by grandfathering was reviewed.

Motion: Deb Kimmet moved that further information regarding Mr. Davis' conviction for sexual assault be requested. Stacy Baird seconded. Motion Carried.

The non-routine application from AndraLecia McDonnell applying for licensure by grandfathering was reviewed. Ms. McDonnell joined the meeting by telephone.

Motion: Deb Kimmet moved to approve the application from Ms. McDonnell upon receipt of a completed application. Stacy Baird seconded. Motion Carried. Ms. McDonnell left the meeting.

TRAVEL TO FEDERATION ANNUAL MEETING OCTOBER 7-10, 2010:

The Board discussed whether or not members would attend this meeting. The Program Manager advised the Board on travel restrictions imposed by the State but advised that the Federation does provide for one member to attend at the Federation's expense. The Board discussed sending up to two people to attend the meeting.

Motion: Grace Bowman moved to approve that up to two people attend the Federation Annual Meeting October 7-10, 2010. Dr. Soloway seconded. Motion Carried.

LETTER FROM BOARD OF BARBERS & COSMETOLOGISTS:

This agenda item was not addressed due to a lack of time and will be brought forward at the next meeting.

MONTANA AMTA MEETING OCTOBER 2, 2010:

The Program Manager advised the Board that the AMTA has requested someone from the Board attend this meeting to answer questions. This would be at Board expense. The Board discussed the possibility of someone attending the function and decided to ask AMTA to take questions from attendees and forward them to the Board for response.

FINANCIAL/OFFICE REPORT:

The Program Manager presented a report on the Board financial situation. With 8% of the year completed the Board has collected 57% of anticipated income. The present cash balance as of the date of the meeting is \$58,784. The Board was advised that there is unlikely to be significant income until the

renewal date in July of 2011. To date 1085 applications have been received and 871 have been licensed. The remaining applications are awaiting additional information prior to approval.

ISSUE WALL CERTIFICATES FOR LICENSEES:

The Board was advised that the cost of the wall certificates would be approximately 30¢ each. A sample certificate will be forwarded to each board member for review.

Motion: Deb Kimmet moved to approve the issuance of wall certificates to all licensees. Grace Bowman seconded. Motion Carried.

Dr. Soloway left the meeting at 2.52 p.m.

DISCUSSION OF "ENGAGED IN THE PRACTICE OF MASSAGE THERAPY FOR 100 HOURS" PER 37-33-503, MCA

This agenda item was not addressed due to a lack of time and will be brought forward at the next meeting.

CORRESPONDENCE:

These agenda items were not addressed due to a lack of time and will be brought forward at the next meeting.

BOARD STAFF CHANGES:

The Program Manager introduced Priscilla Bode who will be assuming the duties of Program Manager, and also advised that Mary Hainlin will be processing applications in the future.

DISCUSSION ITEMS:

These agenda items were not addressed due to a lack of time and will be brought forward at the next meeting.

NEXT MEETING:

The next meeting will tentatively be at 10:30 P.M. on November 4, 2010.

ADJOURNMENT:

As the time allowed for the conference call was finished, the meeting adjourned without a motion being made.

SUBMITTED BY: Priscilla Bode, Program Manager

APPROVED BY: Michael Eayrs, Chair

DATE APPROVED: