



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH PROFESSIONS
RAE RAMSDELL
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

MICHIGAN BOARD OF MASSAGE THERAPY MEETING MINUTES OF APRIL 9, 2012

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Massage Therapy met in regular session on April 9, 2012 at the Ottawa Building, 611 W. Ottawa, Conference Room 3, Upper Level Conference Center, Lansing, Michigan.

CALL TO ORDER

Karen Armstrong, Chairperson, called the meeting to order at 9:31 a.m.

ROLL CALL

Members Present:

Karen Armstrong, Chairperson, Professional Member
Bilky Joda-Miller, Vice Chairperson, Professional Member
Melissa Mueller, Professional Member
Tom Mackowiak, Public Member
Hal Rudnianin, Professional Member
Mike Ryan, Professional Member
Amanda West, Public Member

Members Absent:

Tim Bograkos, Public Member
Donald Bowman, Professional Member
Jodi Kubizna, Professional Member
Bridgett Lomax, Public Member

Staff Present:

Kristen Kinney, Board Secretary, Health Regulatory Division
Norene Lind, Board Manager, Health Regulatory Division
Desmond Mitchell, Policy Analyst, Health Regulatory Division
Kelly Hugh, Policy Analyst, Health Regulatory Division
Rae Ramsdell, Director, Bureau of Health Professions

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Others Present:

Jana Olson
Nancy Levitt, Lakewood School of Therapeutic Massage
Mary Beth Holtz, Everest Institute
Dusty Fancher, Midwest St. Group
Kate Selvig, SolSpring
Bonnie Gildea, SolSpring
Sue Bibik, IMF
Lyn Fordyce IMF
Mabel Menadier-Thomas, Lansing Community College

INTRODUCTION OF NEW BOARD MEMBER

Melissa Mueller, introduced herself to the Board and provided a brief background of her professional experience.

APPROVAL OF MINUTES

MOTION by Joda-Miller, seconded by Rudnianin, to approve the minutes of the March 14, 2011 meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Rudnianin, seconded by Ryan, to approve the amended agenda as presented.

MOTION PREVAILED

ELECTIONS

MOTION by Ryan, seconded by West, to re-elect Karen Armstrong as Chairperson.

MOTION PREVAILED

MOTION by Rudnianin, seconded by Ryan, to elect Bilky Joda-Miller as Vice Chairperson.

MOTION PREVAILED

OLD BUSINESS

Mitchell provided Board members with a document that summarized the comments received in response to the proposed Massage Therapy rules that were presented at the public hearing held on March 5, 2012. Lind explained that the Office of Regulatory Reinvention will eventually review the rules and the public comments to determine if the Board and Department were responsive to comments received.

The Board was asked to review the public's suggestions for changes to the proposed rules and determine if any of the changes should be adopted.

MOTION by West, seconded by Ryan, to approve or reject the following changes, as noted below:

Approved:

R 338.701(f): Allow 20% of subjects identified in R 338.705(1)(b-d) to be provided in an on-line format, provided the credits obtained for those on-line courses not be counted toward the 500-hour classroom requirement.

R 338.707(1): The rule will be revised to reduce the number of classroom hours required before a student may start their supervised clinic. The rule will be modified to require 40 hours of classroom instruction in pathology before a student may start the supervised clinic.

R 338.711(a): The rule will be revised to include membership in the IMF as meeting the licensure requirements under the grandfather provision.

R 338.723(g)(ii): Reference to the 6-month prohibition on sexual relationships will be removed. Remaining language will be clarified.

R 338.727: The rule will be modified to clarify that a licensee may maintain a full or abbreviated client record for special events.

Rejected:

Revise rules to specify when massage therapy schools/programs will be required to establish a supervised curriculum that meets the requirements of R 338.705.

Revise R 338.705(1)(d) to require 10 hours of classroom instruction in business and professional practice instead of 4 hours.

R 338.707(1): Six general suggestions were offered for reducing or eliminating the requirement for a student to complete 250 hours of classroom instruction. The

Board rejected five of the proposals and approved the corresponding proposal noted above.

R 338.707(2): Revise the rule to require students submit their SOAP notes for the clients they provide massages to during the supervised clinic.

R 338.707(2)(a):

- Eliminate the requirement that supervised clinics be held on school premises.
- Revise the rule to allow 10-20% of supervised clinic to be held off-site.

R 338.707(2)(c): Revise the rule to reduce the ratio of students to supervisors in supervised clinics to 5 students to 1 supervisor.

R 338.707(3):

- Revise the rule to define what constitutes "appropriate education, experience, and skills."
- Also, define how it should be documented.
- Eliminate the requirement.

R 338.711(c): Revise the rule to allow any continuing education an applicant completed prior to the proposed rules taking effect count towards the 300 hours of formal training in massage therapy.

R 338.723(c): Remove the language from the rule that prohibits a licensee from refusing to provide services based on sex, age group, or disability.

R 338.723(g)(iii):

- Remove the provision that prohibits a licensee from soliciting or engaging in a sexual relationship within 6 months after the termination of treatment.
- Amend the rule to adopt the language used by the AMTA, NCBTMB, or ABMP.
- Note: This rule will be amended in accordance with the accepted change noted previously.

R 338.725: Revise the rule to require that licensees provide their license number as part of any advertisement.

R 338.727(2): Require employers to provide massage therapists with history/treatment notes.

R 338.727(3): Revise the rule to state that a licensee *shall* maintain an abbreviated client record at special events. Note: The rule will be amended in accordance with the accepted change noted previously.

MOTION PREVAILED

NEW BUSINESS

Department Update

Department representatives discussed the remaining timeline of rule promulgation.

Resolutions

MOTION by Rudninanin, seconded by Joda-Miller, to provide Board Resolutions to the following board members whose terms have expired:

Mary Ericson, Professional Member
Tiffany Hartung, Public Member
Dennis Hilton-Scheffler, Professional Member

MOTION PREVAILED

PUBLIC COMMENT

Several of the attendees addressed the Board regarding the Board's decision to limit on-line education to a percentage of specified courses listed in R 338.705(1). They spoke in support of on-line education, and they noted how difficult it would be to express this allowance as a percentage, especially since many programs weight their course credit values differently. The Board agreed to reconsider an alternative to the 20% online provision earlier approved.

MOTION made by Ryan, seconded by Mueller, to require the coursework identified under R 338.705(1) (a) and (e) to be part of the 500 required face-to-face hours.

Yeas: Armstrong, Mueller, Mackowiak, Ryan, West, Joda-Miller
Nays: Rudninanin

MOTION PREVAILED

MOTION by Ryan, seconded by Mueller, to allow students to obtain all of their coursework noted in Rule (1)(b-d) in either live, on-line, or a hybrid, provided the coursework taken in the on-line format does not count toward the mandatory 500-hours of classroom instruction.

Yeas: Armstrong, Mueller, Mackowiak, Ryan, West
Nays: Rudninanin, Joda-Miller

MOTION PREVAILED

ANNOUNCEMENTS

The next regularly scheduled meeting will be held on July 9, 2012 at 9:30 a.m. at the Ottawa Building, 611 W. Ottawa, Conference Room 3, Upper Level Conference Center, Lansing, Michigan.

ADJOURNMENT

MOTION by Joda-Miller, seconded by Ryan, to adjourn the meeting at 1:50 p.m.



Karen Armstrong, Chairperson

MIKE RYAN



Kristen Kinney, Board Secretary

1-7-13
Date Minutes Approved

4-20-12
Date Minutes Prepared