South Dakota Board of Massage Therapy

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Meeting Minutes
South Dakota Board of Massage Therapy
South Dakota Association of County Officials Board Room
211 East Prospect Avenue, Pierre
April 10, 2017

President Kappel called the meeting to order at 12:45 pm. Stalley called the roll. A quorum was present.

Members of the Board present in person: Karen Kappel, Christine Ellwein and Linda Zeller.

Members of the Board present via telephone: Meg Johnson and Bridget Myers.

Board staff in attendance in person: Jennifer Stalley, Lisa Harsma and Grant Flynn.

Others in attendance in person: Valerie Rowen, Susan Hoffman and Olawa Rae-Bruhjell.

Others in attendance via telephone: Rhanda Heller, Gene Heller, Richard Albrecht, Debbra Calmus, Sonja Way, Barbara Trevett, Heather Payden, Lacey Spradling, Rebecca Hermann, Amber Rasmussen, Tara Hall, and Amanda Decker.

Kappel called for public comments. Rhanda Heller, Debbra Calmus, Barbara Trevett, Gene Heller and Rebecca Hermann addressed the Board.

Ellwein made a motion to approve the agenda. Johnson seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to go into executive session for consideration of proposed contested cases and contractual matters pursuant to SDCL 1-25-2 at 1:00 pm. Ellwein seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to come out of executive session at 3:26 pm. Ellwein seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to dismiss Complaint 2016-004 with a private letter of reprimand to be placed in the licensee's file. Ellwein seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein and Johnson voted aye. Myers abstained. **MOTION PASSED.**

Johnson moved to proceed with a settlement offer as directed in Complaint 2016-005 or proceed to a hearing. Ellwein seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Ellwein moved to approve the meeting minutes of October 17, 2016 and January 23, 2017. Zeller seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to approve the financial report as of March 4, 2017. Johnson seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

The Board reviewed the list of new licensees since the October 17, 2016 meeting.

Stalley provided the Board with an office update. Stalley reviewed the information provided to the Government Operations Committee and Audit Committee on November 22, 2017. Stalley informed the Board the Governor's Office is asking all Boards to meet in locations that allow for live streaming access of the meeting, similar to the legislative committee streaming access. Stalley will secure a location for the next meeting that allows for live streaming access. The live streaming access will take the place of conference call access. Stalley reviewed the renewal timeline for 2017 and the audit process that will take place post renewal. Stalley provided a brief update on Federation of State Massage Therapy Board activities, including the licensee database, school requirements for national examination, and available board training. The Federation will send a representative to the next meeting to present additional information on these topics and others.

Stalley provided the Board with a response to the Board's question about Board participation on outside human trafficking task forces. The Board may accept invitations to participate on outside boards or workgroups that fit the mission of the Board if the Board deems such participation necessary.

Ellwein moved to adopt the Findings of Fact and Conclusions of Law and Order in the Matter of the Licensure of Rhanda Heller. Zeller seconded. The Board voted by roll call. Kappel, Zeller, Ellwein and Johnson voted aye. Myers abstained. **MOTION PASSED.**

Myers moved to allow the Board President to negotiate for legal services for the Board with the Department of Health or a law firm on the approved contract list. Johnson seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Myers moved to defer action on the proposed Complaint Procedures Operating Policy until the next meeting. Ellwein seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to approve the Board Meeting Recordings Policy as presented. Johnson seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Ellwein moved to renew the Board's membership in the Federation of State Massage Therapy Boards. Zeller seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to appoint Ellwein as the Board's delegate and Myers as the Board's alternate delegate to the Federation of State Massage Therapy Boards' annual meeting. Seconded by Johnson. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Zeller moved to renew the contract with Midwest Solutions for executive secretary services at the current rate and terms. Ellwein seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein and Johnson voted aye. Myers voted nay. **MOTION PASSED.**

Kappel announced the next Board meeting date is October 16, 2017.

Ellwein moved to adjourn the meeting at 4:05 pm. Zeller seconded the motion. The Board voted by roll call. Kappel, Zeller, Ellwein, Myers and Johnson voted aye. **MOTION PASSED.**

Respectfully Submitted,

Christine Ellwein, Secretary

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