

South Dakota State Board of Massage Therapy

Regular Meeting

SD Board of Nursing Conference Room, 4350 S. Louise Ave. Sioux Falls SD
Tuesday, September 25, 2019, 9:00 AM CDT

Call In Number 605 472 5671

Access Code: 574257#

Members present:

Christine Ellwein, Bridget Myers, Lorin Pankratz, Fallon Helm

Department Staff Present via phone:

Justin L. Williams, Legal Counsel, SD Department of Health

Others in Attendance:

Mitch Richter, Executive Secretary, Julie Richter, administrative assistant to Executive Secretary, Kevin Snedden LMT, FSMTB Director of Professional Standards, Sierra Bouchard, Rick Albrecht, James Johanneson, Amelita Johanneson, Alvin K Trace, Gene Heller, Lauren Opp, Barb Trevett, Jessica Bronnemann, Rebecca Hermann, Kelsey Lee, Kelli Nickerson, Erica Degler, Alexis Kanz, Jori Gulker, David Zokaites, Valerie Rowen, Shayla Mulenburg, Mary Johnson, Rhanda Heller, Olawa Rae-Bruhjell, Mele-Ann Rae-Bruhjell

Purpose: The purpose of the board shall be to guide or advise the licensed massage therapists in the State of South Dakota and to protect the public.

1. Call to Order/Welcome and Introductions

Christine Ellwein called the meeting to order at 9:04 am and welcomed members to the meeting.

2 Roll Call

Christine Ellwein called the roll. A quorum was present

3 **Approval of Agenda**

The agenda was changed to reflect item 11 Administrative Rules & Policy. Add Kevin Snedden from FSMTB to speak regarding FSMTB at 11:00 AM. Bridget Myers made a motion to approve the proposed agenda. Lorin Pankratz seconded the motion. **MOTION PASSED.**

4 **Approval of Minutes**

Lorin Pankratz made a motion to approve the April 29, 2019 meeting minutes. Bridget Myers seconded the motion. **MOTION PASSED**

5 **Financial Report**

Mitch Richter explained the financials and year to date we are on track. It is renewal period and December financials will reflect the financial position of the Board

6 **Public Testimony/Public Comment**

Christine Ellwein called for public comments which were limited to 3 minutes each.

Sierra Bouchard
Rick Albrecht
Rhanda Heller

addressed the Board
addressed the Board
addressed the Board

7 **Continuing Education/Energy Work**

Mitch Richter, Fallon Helm and Lorin Pankratz discussed call with Lorena Hayes from FSMTB (Federation of Massage Therapy Boards) regarding continuing education that has been worked on by FSMTB. Licensed massage therapists from multiple states collaborated on the Course Category Policy. Lorin Pankrtaz moved that the Course Category Policy of the FSMTB be adopted by the Board effective November 1, 2019, assuring this policy in not in conflict with existing statutes or administrative rules and if in conflict existing statute and administrative rules apply. Bridget Myers seconded the motion. Discussion followed. **MOTION PASSED.**

- 8 **Successful Alternative Licensing Opportunities**
Fallon Helm presented the MLady products and discussed the curriculum. Fallon presented the apprentice method of education. Discussion followed.
: Christine Ellwein set up a committee of Fallon Helm and Bridget Myers to review apprenticeship in massage therapy and to report to the Board at the next meeting.
- 9 **FSMTB Atlanta**
Bridget Myers discussed the FSMTB annual meeting in Atlanta that is held October, 3 – 5, 2019. Bridget Myers and Mitch Richter are attending from South Dakota.
- 10 **Complaints/Investigations/Ticketing**
Mitch Richter discussed investigation in Sioux Falls, the arrests and tickets. Several verbal complaints from Rapid City, but individual wasn't willing to sign a complaint. Rapid City did a sting on unlicensed massage therapists several arrests were made.
- Discussed a complaint in process. Complaint is by Mitch Richter on individual in Pierre practicing without a license. Discussion followed. Christine Ellwein assigned Lorin Pankratz to investigate the complaint (File # 2019-04)
- Discussed two other complaints that had come in that were early in the process. Letters were to be sent in the next week.
- 11 **2020 Legislation**
Mitch Richter discussed meeting with Bridget Myers and Representative Hanson. Representative Hanson recommended the Board put back into effect 36-35-11 which puts back more rule making authority. The wording on repealed 36-35-11 was not available for the meeting. Mitch will work with Justin L. Williams, Legal Counsel, SD Department of Health to have recommended wording of the rule for the next meeting.

12 **Administrative Rules**

Mitch Richter proposed an administrative rule changing the renewal period to be bi-annually. Half of the licensees would renew each year. The separation could be made with birth year. Even birth year renews on even years, while odd birth year will renew in odd years. The change could be made next year with even birth year applicants renewing for 2 years and odd year applicants renewing for 1 year. Discussion Followed.

Lorin Pankratz suggested adding a rule adding it is the licensee's responsibility to update address and name changes to the Board.

Mitch Richter will bring forward potential rules for adoption by the board at the next meeting.

13 **FSMTB Presentation**

Kevin Snedden from FSMTB gave a short presentation of what FSMTB does and who makes up FSMTB. Kevin invited everyone in attendance to his full presentation directed toward schools at 1:00pm that day.

14 **Set Next Meeting**

Fallon Helm made a motion to set the next meeting in Pierre on December 2, 2019 at 9:00 AM CST. **MOTION PASSED.**

15 **Adjourn**

Bridget Myers made a motion to adjourn. Lorin Pankratz second the motion. **MOTION PASSED.** Christine Ellwein adjourned the meeting at 12:49 PM CDT