

LOUISIANA BOARD OF MASSAGE THERAPY

March 15, 2016

Minutes of Open Board Meeting
Special Meeting Called by the Board Chair

PLACE: Louisiana Municipal Association
700 North 10th Street
Baton Rouge, LA 70802

TIME: 10:00 AM

CALL TO ORDER – Time: 10:09 AM
By: Linda Strickland

ROLL CALL - P = Present A= Absent

Linda Strickland, Chair: P
Shari Harter, Vice Chair: P
Sallye Raymond, CIO: P
Faith Miller, Treasurer: P
Colleen Curran, Board Member: P
Robin Alexander, Secretary: A

NEW BUSINESS:

1. Review of Proposed Legislation for the 2016 Legislative Session **A. Designation of Board Spokesperson or persons**

Chair acknowledged the need for the special meeting. Request was made by the American Massage Therapy Association (AMTA) Louisiana (LA) Chapter Board of Directors to meet and discuss proposed legislation that they endorsed and have as House Bill Number 792 (HB NO.792) and Senate Bill Number 341 (SB NO. 341).

Robin Alexander joined the meeting.

An open letter to the LBMT is read by the AMTA LA Chapter Government Relations Chair, Kathie Lea. It details the organization's concerns in depth regarding the unprofessionalism they feel strongly about concerning massage and human trafficking, unlicensed practices, educational requirements, and other ethical and legal practices.

Cheryl McCormick, AMTA LA Chapter governmental lobbyist described and reviews the two parallel Bills that have been put before the House of Representatives and the State Senate.

Board Member Sallye Raymond thanks the representatives for their dedication to correct and close some loopholes in the laws and recognize the need to have better oversight of the massage profession and the industry in Louisiana. All other Board members speak up in agreement and desire to have the AMTA to support and work with them.

Cheryl McCormick covers HB No.792 line by line with clarification of purpose for the language changes and/or corrections that are being sought with the introduction of the amendments to the current laws.

Marie Humphries discusses her concerns regarding the inclusion of Trigger Point Therapy in the massage therapist's scope of practice since other professions allow some unlicensed technicians to perform similar work and it is perceived as massage therapy.

Robin Alexander, Linda Strickland, and Rhonda McManus really stress the point of making sure that complaints are brought to the Board by the pre-established policy and procedures. Faith Miller also noted that the associated costs of implementing the changes in law could increase expenses and that has to be taken into consideration. Kathie Lea reiterates the AMTA's logic and reasoning for some additional restrictions and requirements being law.

Rhonda McManus explained how the opt-out process on the LBMT website has to allow therapists the ability to not show to the public where they work except in the physical location onsite. Jenna Laitinen, LMT expresses her frustration with the lack of response to the issues being brought up. She worries about repercussions to those who report or make complaints. Rhonda McManus reminded her that the staff does not contact those who report unless they must come to a hearing and that has been a rare occasion.

Addition to the law regarding initial inspections sparks a lengthy potential fee increase discussion. Rhonda McManus stated that the requested 45 days from establishment opening to inspection be increased to 60 days.

Board Chair redirects to continue with the ongoing HB NO. 792 review. Continuing Education approval concerns brought up by Kathie Lea. The LBMT is still looking at The Federation of State Massage Therapy Boards (FSMTB) for collaboration.

Break taken. Call back to Order at 11:26 PM

An out-of-state applicant's ability to read, speak, and write English is covered in HB NO. 792 page 4, line 13-16. The Board's oversight in this area has to be reviewed by the LBMT's General Counsel.

HB No. 792 page 4, line 29 to page 5 line 2 covers additional requirements for out-of-state applicants with recent licensure (10 years) in the other state.

Inappropriate advertising and marketing is addressed in HB NO. 792 page 5 line 6-10 and enforcement of the Chapter by local or state law representatives or officials is covered by HB NO 792 page 5 lines 14-18. After input from representatives from AMTA, American Organization for Bodywork Therapies of Asia (AOBTA) and the District Attorney's Association of Louisiana, Cheryl McCormick closed out the overview of proposed changes.

Motion to recess for an hour lunch at 12:29 PM made by Sallye Raymond and seconded by Colleen Curran. Motion carried unanimously.

Meeting called back in session by Linda Strickland, Board Chair at 1:26 PM.

Attorney Comments: Concerns regarding retroactive movements made by the Board; causing more issues than are resolved. Policy should be applied going forward and may be more acceptable. Noted that there are already laws in place about zoning issues and how some noted changes may conflict. Advertising restrictions would need to be more concise and specific or they could be misconstrued.

Proper attire, display of license number in advertising, and some aspects of the general statement about advertising policies need clarification about what is "professional" for the industry.

Board members explain in details the process for a Cease and Desist Order to be filed against a Massage Establishment. The legal standing is covered by the Board's outside Counsel.

Motion to designate as Board Spokespersons Linda Strickland, Board Chair; Rhonda McManus, Executive Director; and Jack Miller, Legal Counsel for the legislation session to be held forthwith made by Robin Alexander and seconded by Sallye Raymond. Motion carried unanimously.

Posting of the Bills on the LBMT website will be done for informational purposes.

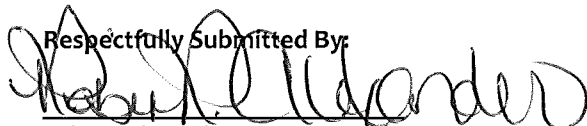
PUBLIC COMMENT

None.

ADJOURNMENT

Motion to adjourn the meeting at 2:44 PM made by Faith Miller and seconded by Shari Harter. Motion carried unanimously.

Respectfully Submitted By:



Robin R Alexander, Secretary