

OPEN MINUTES
Missouri Board of Therapeutic Massage
April 23, 2001 – 2:00 p.m.
Telephone Conference Call
Division of Professional registration
3605 Missouri Boulevard – Jefferson City, Missouri

The Missouri Board of Therapeutic Massage was called to order by Board Chairperson Elizabeth Miller at 2:06 p.m. at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Board Members present

Elizabeth Miller, Chairperson
Dr. Gretchen Lockett, Public Member (Exited the call at 3:04 p.m.)
Christi Warner
Sid Brantley
Juliet Mee, Non-voting member
Kevin Snedden (Joined the call at 2:07 p.m.)

Board Members Absent

Derek Alvarez
Bernard Wesley

Staff Present

Loree Kessler, Executive Director
Jeanette Stuenkel, Executive I
Chad Sooter, Licensure Technician
Daryl Hylton, Assistant Attorney General (Exited the call at 3:04 p.m.)

Ms. Miller indicated she would be voting in open and closed session.

A motion was made by Ms. Warner and seconded by Mr. Snedden to approve the open session agenda adding a update from Ms. Miller regarding the Board President's meeting that convened in February and adding a discussion concerning correspondence from Molly Efflandt. Motion carried unanimously. Ms. Efflandt's correspondence was moved from the closed session agenda to open session agenda.

Board President's Meeting

Ms. Miller reported that she attended the board president's meeting on February along with the executive director. All boards comprising the division were represented at the meeting. Ms. Miller advised the board that a recent court decision concerning the Board of Healing Arts, *Bever vs. Board of Healing Arts* would have an impact upon disciplinary proceedings. While the disciplinary hearing is in open session, the disciplinary deliberation by a board occurred in closed session. The *Bever* decision determined the deliberation must appear in open session as well. Board presidents unanimously voted to pursue legislation to address the language in the statute.

The meeting included a presentation from the cost allocation team concerning the allocation of division wide costs and proposed changes to the formula for calculating those costs.

Teaching Assistants

The board reviewed an email sent to the office regarding the use of teaching assistants in massage therapy programs. The board instructed the executive director to draft a response referencing the requirement for instructor to be licensed or licensure eligible and that a teaching assistants could not be used as an instructor in massage therapy training programs.

At 2:33 p.m., a motion was made by Ms. Warner and seconded by Mr. Snedden to convene in closed session pursuant to motion to close 610.021 subsection (14) subsection (7) RSMo for the purpose of discussing applicants for licensure and/or discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant *NEED LANGUAGE REGARDING EXAMS* and section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation, and any confidential or privileged communication between this agency and its attorney. Board members voting aye; Dr. Lockett, Ms. Warner, Mr. Snedden, Mr. Brantley and Ms. Miller. Motion carried unanimously.

At 2:57 p.m., a motion was made by Dr. Lockett and seconded by Ms. Warner to convene in open session. Board members voting aye; Dr. Lockett, Mr. Snedden, Mr. Brantley Ms. Miller, and Ms. Warner. Motion carried unanimously.

Student License Clarification Correspondence

The board discussed a letter received from a former massage therapy program student requesting clarification of sections of the law and regulations concerning the practice of massage therapy on friends, relatives and other students as well as providing massage therapy when a person is no longer a student. The board instructed the executive director to respond concerning the regulation that applied to students practicing on family members and other students or at special events when supervised by an instructor of the massage therapy program. Additionally, the board requested the correspondence cite the definition of massage therapy and massage therapy business as it relates to providing services.

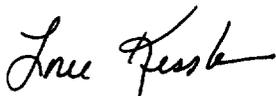
St Charles School of Massage

The board requested the executive director send a letter to the program's director requesting information on how the exam was developed. Dr. Lockett stated that the board needed to know the details concerning how the exam was normed (regionally or nationally) and what steps were taken by the program to assure the exam was valid and reliable. Before a determination of the applicability of an examination for licensure can be made the board must have the data verifying the exam is statistically valid and regionally normed. The executive director was asked to review the minutes of the May 2000 board meeting as there was considerable discussion regarding this topic at the meeting.

Molly Efflandt Correspondence

At 3:04 p.m. a motion was made by Ms. Warner and seconded by Mr. Snedden to convene in closed session pursuant to motion to close 610.021 subsection (14) subsection (7) RSMo for the purpose of discussing applicants for licensure and/or discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant and section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation, and any confidential or privileged communication between this agency and its attorney. Board members voting aye; Ms. Warner, Mr. Snedden, Mr. Brantley and Ms. Miller. Motion carried unanimously.

At 4:07 p.m., a motion was made by Ms. Warner and seconded by Mr. Brantley to convene in open session and adjourn the conference call. Board members voting aye; Mr. Brantley, Ms. Warner, Mr. Snedden; and Ms. Miller. Motion carried unanimously.



Executive Director

Approved by State Board on May 6, 2002