

**DRAFT MINUTES OF THE MASSAGE THERAPY  
ADVISORY COMMITTEE**

**Call to Order:** Ms. Rieve called the meeting to order at 1:05 p.m. on Thursday, October 20, 2005.

**Committee members present:** Dennis Gibbons, Mark Melecki, Rick Greely, and Rick Phillips.

**Guests Present:** Ramona Chance, AMTA, Ohio and Len Montavon, Spirit Creek Healing Arts.

**Staff members present:** Diann Thompson, Kay Rieve, Beth Wismar, Ginny Wemmerus and Jean Gillman

**1. Minutes Review and Approval – July 21, 2005**

Mr. Gibbons said that the words “would you” were reversed in the last sentence of page 3. It should read “you would”.

Dr. Wemmerus said that in the same sentence, it should read “three” areas of the chart instead of four.

Mr. Greely moved to approve the minutes as amended and Mr. Gibbons seconded the motion. All committee members voted aye.

**2. Meeting calendar for 2006**

Ms. Rieve reported that she scheduled quarterly meetings for 2006 that will be shown on the website. Rooms will be scheduled on the 19<sup>th</sup> floor of the Riffe and the room numbers will be shown on the website as they become available. If another meeting is needed, it can be scheduled at a later time.

**3. Textbook proposal from MTAC members/Council of Schools**

Ms. Rieve included a list of textbooks proposed from MTAC members and the Council of Schools.

Dr. Wemmerus stated that she had no objections to modernizing the selection of textbooks. She believes that students should be taught the content domain of the field, however, not specific text. She is in favor of using the listed textbooks but not the limited pages, specific sentences and/or chapters for the exam as proposed. Mr. Greely said that the textbooks were approved at the last meeting, and Dr. Wemmerus said she agreed, but not the restriction on pages in the textbooks that can be used for testing.

Mr. Melecki said that that is the dilemma; the 40 schools in the state of Ohio that do not know what direction to move in for the new 750-hour curriculum. He felt the question is who is in charge of the curriculum. He said the Board said that the Board only gives a broad outline of the requirements. The Council of Schools have put together information for a curriculum recommendation and would like the test writers to hold their questions within a specified domain.

Dr. Wemmerus said that there are two discussions; one is the appropriate content for a massage therapist to practice safely and effectively, and part of the proposed curriculum is that it is not broad enough. Ms. Montavon said that she felt that initially there needed to be a starting point and that it could then be broadened.

Mr. Greely said the Council of Schools has narrowed the content to a well defined content domain to start to bring everyone to a common point. He said that his understanding of the exam was to test the curriculum that has been dictated. The content domain should be well defined with parameters on it. He said the total content domain of massage therapy has not been defined anywhere.

Dr. Wemmerus said that she agreed that the content domain of the field has not been defined anywhere, and it will continually change. But she felt that to reduce the field to such a limited area is too much.

Ms. Montavon said that she felt development of the curriculum is the responsibility of the schools and the job of the Medical Board is to make sure the public is safe in terms of, is the curriculum well defined and are the students tested on what they need to be tested.

Mr. Phillips said that maybe the core curriculum should not be looked at as restrictions, but as guidelines. Dr. Wemmerus said that there is nothing in the proposed core curriculum that shouldn't be there but she felt that she should be able to ask questions beyond what is proposed. She said the texts include more material than is in the proposed curriculum, and the whole curriculum should be broadened beyond the material in the books for the safe practice of massage.

Ms. Thompson said that its the licensing agency's responsibility to insure those people with licenses can safely and effectively practice what they are licensed for, and, if the schools decided they are only going to teach one thing, but the Medical Board knows there are additional things that need to be taught, it is not solely the schools decision. The curriculum and the exam influence each other.

Mr. Greely said that, as proposed by Mr. Melecki at the last meeting, there needs to be a five year plan. Ms. Thompson agreed that that is the goal but she did not feel quarterly meetings of MTAC with others having input will get there fast enough. She felt the DACUM report would be a beginning. Dr. Wemmerus said that the first three parts on DACUM is strictly the domain of the Medical Board.

Dr. Wemmerus said that it is not enough to describe the process of tissue repair, she also wanted to know if the student knows what an adhesion feels like when

encountered, and the thought processes as to how it got there and what needs to happen with it. That is the difference between the basic science of tissue repair and the safe practice of massage therapy.

Ms. Montavon said she felt the practice of massage therapy did need to expand. She sees it as an ongoing process that probably will take five years. She felt that it could be accomplished by working together to make it happen. Dr. Wemmerus said that if everyone can work together will win on several counts; will have a far better product, a more pleasant environment and be a model for other states to follow.

Mr. Melecki said that everyone present represent those who have a stake in the success of the practice of massage therapy and have a vision for it. Part of that vision is to make sure the consumers in the state of Ohio are safe, and part of that safety is basic minimum standards for training. Hopefully, there is a common vision of massage therapy as a profession that has value. One of the big issues for him is the enforcement issues for the protection of the licensee and the profession. His question was how to get the Board, the schools and the Council of Schools to work together to slowly and progressively step up the curriculum requirements, and, at the same time, step up the level of the exam.

Mr. Greely said that the DACUM is step one. In order to complete the process, each task listed needs to have a task analysis to obtain the objectives. He said that he would be willing to work to do some of the task analysis but it is not going to be a quick process. He said that Columbus State is willing to allow him to do some, but it must be fit in with his other duties but he is willing to do it. He said that he felt small groups would be the best way to start. Discussions on this process have already started. He said that if the Board is receiving a significant amount of complaints about clients being injured, then that is critical.

Mr. Greely said that he felt everyone in the meeting is looking at one thing, and that is to grow the profession. The issue becomes where to start. It is also important that the schools are willing to work on it.

Ms. Thompson said that the Board may be able to help facilitate the process. Mr. Greely requested that the Board mail out the DACUM report to licensees who have been in practice over five years to survey if they felt that the report covered how they defined the practice of massage therapy.

Mr. Phillips asked if it would be possible to advise the schools that the Board will be testing on the stated portions of the Salvo text with the understanding they will be advised as other areas of the text are used. Dr. Wemmerus said that she does not adhere to any particular sentence of a textbook, even though it may seem that way.

Mr. Melecki proposed forming a joint conference committee between the Medical Board Testing Staff, the Council of Schools and MTAC members. He felt that is

what it is going to take; the Board and schools working together. At the current time there is no mechanism for ongoing communication.

Dr. Wismar observed that the current meeting of MTAC lacked direction and she was stumped as to how to determine direction. She said that surveying the working professionals was the best idea so far. She said that once a committee is formed, it would be good to publicize the results so as to generate more interest in the process. She said there also has to be a truce; whenever anyone walks into the committee they had to leave their own interests behind.

Mr. Gibbons was concerned about the timeline due to curriculum changes and what the schools/colleges have to go through to accomplish the change. Mr. Greely said that, if a change is planned and the schools are notified that it will be testable by a certain exam date, there should not be a problem. It would avoid the “fourth quarter panic”. Mr. Melecki said the first priority is to set it up so that the schools know what they are doing and how to create a communication process that is ongoing. What is missing is a professional organization in the state of Ohio. He felt that AMTA acts as a satellite of the national organization and is not willing to get involved in this type of issue. It may be because massage therapy across the country is not quite as organized yet as it is in Ohio.

Ms. Chance responded that they felt they had to do what the Medical Board requires. Ms. Thompson said that professional organizations have input into Board policy. Professional organizations for other Ohio licensees attend meetings and offer their view point and the Board takes that into consideration. She said that AMTA input would be considered as well. Without other points of view to consider, the Board will do what works for itself.

Mr. Greely said that he noticed that the executive director met with other professional organizations on an annual basis and asked if that would be something that the AMTA could establish. Ms. Thompson said that he would be open to that due to the fact of the large number of massage therapists that are licensed in Ohio.

Dr. Wemmerus said that what gives value to being licensed by the state of Ohio is that the profession is respected, the regulations are enforced, licensee names are publicized, it has an active professional organization that polices its area, and there are meaningful education requirements.

Dr. Wemmerus said that she does not want to remove topics from the exam because it is not listed on the proposed curriculum. Mr. Greely suggested drafting objectives that are not in the Council of Schools list for the content that she does not want to remove from the exam and distribute it so that the schools can implement it. However, he said that the schools have already set their curriculum for the year and that cannot be changed at this point. Ms. Thompson said that she would prefer that the exam stay at the level it is at present and keep improving it, taking into consideration the lead time that the schools need.

Mr. Melecki said that the issue is communication. He said that there is potential for AMTA, the Council of Schools and MTAC members to jointly communicate with the Board to resolve these issues. Mr. Melecki inquired as to whether AMTA is interested in taking more of a role in moving the profession forward. Ms. Chance said that there is interest, not only in Ohio, but nationwide. She also said that she felt they had no representation on the Medical Board itself, that all they had was the MTAC committee. All the other Boards represented at the Federation of Massage Therapy Associations had boards of their own or representation on the boards in their states. They had to change the by-laws for representation at the Federation to include those appointed to represent a state, to not necessarily be a board member.

Mr. Melecki asked what the possibility of increasing the licensure fees and having one person on the Board staff who primarily coordinates interaction between Council of Schools, AMTA, etc. who could be a contact person. He said that he receives a lot of email, and being essentially a volunteer, he does not have the in depth answers that some questions need. Ms. Rieve said that at present there is no one person at the Board for MTAC members to forward questions to for answers. Ms. Thompson said that the positions at the Board that had previously filled that role have been vacant for approximately a year. The Board is currently in transition and is looking at staff functions and how to organize personnel. She said that the Board felt that answering questions, such as scope questions, is very important and that is where the Board is understaffed at the moment.

Ms. Thompson said that she felt a small conference committee of approximately 6 members was a good suggestion. Dr. Wemmerus suggested the committee members be; Board staff member possibly from testing staff, AMTA, Council of Schools, and MTAC. Mr. Melecki asked if AMTA would be willing to chair the committee. The committee would look at how to implement curriculum and testing changes. Mr. Greely said that communication and lead time is essential for the schools to implement changes that will be incorporated into future exams.

Dr. Wemmerus thought that things had moved very quickly in the last few years and that now there is time to be more oral about the changes. Mr. Greely said that he knew in the last few years that the exam questions were being reviewed and new questions added but the schools did not know that new content was being added, and that issue was due to lack of communication. He said that the list provided to Mr. Wayda was an idea of what the Council of Schools had drafted but was never meant to implemented. Also the curriculum that has been presented was an effort to bring everyone to a central point to start from.

Ms. Thompson advised the committee that the today's handout on exam content is not in the exam now. Dr. Wemmerus said that the handout is pending changes for the exam. She said that a committee can use that plus the other information gathered in the last meeting to develop a timeline to incorporate new content to the exam.

Mr. Melecki suggested the following as a charge for the joint committee:

### **Charge to the Joint Curriculum & Testing Committee**

1. Start with the Council of Schools curriculum guidelines, review them to be sure they meet or exceed current testing standards.
2. Revise the curriculum guidelines for implementation with implementation of test changes for testing in June 2007.
3. Develop a mission statement and objectives for continuous curriculum improvement and Board exam improvement.
4. Develop a meeting schedule and a plan to implement continuous curriculum improvement and Board exam improvement.
5. Exchange contact information for all committee members.

#### Suggestions for formation of the committee:

1. Maximum of 6 members on the committee
2. Recommended that AMTA coordinate and chair the meetings.
3. Representation will include:
  - Medical Board Staff
  - Council of Schools
  - AMTA
  - MTAC
  - Test Writers (1 or more)
4. Recommended the committee work by consensus and only vote when under a deadline or communication breakdown.
5. Meetings will take place at State Medical Board Building, initially.
6. Charge is for the committee to meet before December 1, 2005. AMTA will coordinate and chair the meetings. The first report will go to Ms. Rieve, and all MTAC members will be informed of the conclusions.

Discussion was held on MTAC becoming an official statutory advisory committee. Ms. Thompson said it would make no difference to the Board functionally, however, it would make a difference in requiring contracts and having a personal appointment. As far as having a seat on the Board, there may be a concern as to how many of the Limited Branches would be represented on the Board in the future and how big would the Board become. Mr. Greely suggested that the top three licensee groups be represented on the Board, thus limiting the smaller Limited Branch groups. Ms. Thompson said that legally the Board could dismiss the MTAC and CTAC committees at any time, so a statute could solidify the committee but it would also introduce term limits, etc.

Dr. Wemmerus said that per #1 on the above chart, it would be easy for her to map the content of the exam on to the guidelines. Mr. Greely said that would make sense and Mr. Melecki said that from there the curriculum guidelines could be revised. Dr. Wemmerus said that #1 and #2 could be accomplished fairly easily, and, although she does not want to back anything out of the exam, she is willing not to add anything to the exam for now. Mr. Greely agreed with her.

Mr. Melecki said that the Joint Committee would also need to develop a vision statement and objectives for continuous curriculum and Board exam improvement.

Dr. Wemmerus asked how the three documents could be reconciled. Mr. Greely suggested removing the DACUM statement be taken out of consideration until some of the listed tasks could be developed and the overall document could be validated as being accurate by working professionals in the field. Mr. Melecki said that step number one should be to take the current core curriculum with the proposed Council of Schools curriculum and justify between the two documents, always comparing what exists now against the proposed Council of Schools version to have a working document. Dr. Wemmerus said that she is going to compare the test bank to the proposed core curriculum and will write statements about any test content that is not in the core curriculum. She will advise about the content that is not noted on the core curriculum and states that she will not add any new content at this time.

Dr. Wemmerus said the next step would be to do the mission statement and use DACUM to drive the development. Mr. Melecki said the first meeting will be used to get a working document the schools can use, and a working relationship with the commitment for continuous improvement. Mr. Gibbons said that he felt the Joint Committee would be able to develop a mission statement, but they should have an understanding there is an urgency to come up with the information in a timely fashion.

It was recommended that the Joint Committee meetings be held in the Riffe. Ms. Chance will coordinate the meeting schedule and the Medical Board staff will provide office support as necessary such as making copies, etc.

#### 4. Council of Schools Meeting

Mr. Greely reported that elections were held at the last meeting of the Council of Schools. Those elected are as follows:

President:	Barb Harwell
Vice President:	Carl Meyers
Secretary	Frank Schwartz
Treasurer	Patty West

Mr. Greely said there was a concern expressed of the perceived lack of action when complaints are filed with the Board. Mr. Phillips said that part of the problem is the complaint form. The form is geared to the consumer not from a professional.

Ms. Thompson responded that there is nothing that the Board can do for persons practicing without a license; it is a criminal action. You have to have proof beyond a reasonable doubt and a prosecutor who is willing to prosecute the case. You have to prove a person is practicing massage therapy, not necessarily massage, which is not easy. Massage is a form of stress reduction as opposed to someone who comes to a therapist with an injury and you are doing massage as a treatment for that injury. If they are using the term “therapy”, then the Board can tell them to stop.

Then there are those who are working, say, in a physical therapy office, or a chiropractor’s office; are they practicing massage therapy without a license? You not only have to look at what they are doing but you have to look at the statutes that regulate the other profession and whether they can delegate it or not. The chief of enforcement at the Physical Therapy Board said that they are not practicing massage therapy, they are practicing physical therapy. They have different classes of people who can work in a physical therapist’s office that include unlicensed personnel who have been trained and are working under sufficient supervision, they can do certain specific tasks. As long as they working under that statute, they are not working as a massage or a massage therapist, they are working as a physical therapy assistant. Chiropractic law is not as clear, but, again, it must be established whether the person is doing massage therapy or it is a delegated function from the Chiropractor. Part of it is what is being done and part of it is what are they calling it and what is the person calling themselves. These are not easy cases.

When someone writes in and says “This person is a student and they’re practicing massage therapy without a license...” The Board reviews it and may investigate it in a variety of ways. However, to think there will be

criminal prosecution of that person quickly, is very unrealistic. Most attorneys do not view the practice of massage therapy as a felony, and they are the ones who the Board needs to prosecute a case.

Mr. Melecki said he felt the policy of the Board ought to be that once a student is enrolled in a school and given a preliminary education number that they are no longer a relaxation technician. Ms. Thompson responded she did not feel the Board could do that. She said that a person who has been doing something without requiring a license, why would they have to give it up when they enroll in school? If that person is calling themselves a massage therapist and holding themselves out as doing therapeutic work prior to becoming licensed, it is a problem. However, if a person presents themselves as a relaxation technician and does massage therapy, treating medical conditions, then it is a different issue. They are complicated issues. Mr. Gibbons suggested that students call their insurance agent and discuss their liability when they are working outside their scope.

## **5. Report of Federation of Massage Therapy conference**

Ms. Chance reported that there were 23 jurisdictions at the meeting which included executive directors, board members and advisory persons. The reason they started the Federation was to get portability to credentials, get communication between states, failure of the National Certification Board in different areas, lack of a federation as a missing link in the profession, divisiveness in the profession, low education standards, and the competency of education. They did a mission statement and by laws so that everyone could become members if they wanted to. There are 37 jurisdictions that are regulated and they are looking at model legislation for more conformity. They want to develop a test in coordination with the National Certification Board.

They elected three officers who were also on the interim committee. Three directors at large were elected; one is from the board in Missouri, the executive director of the Arkansas board and the chair of the Illinois licensing board. The public member seats remain open. Ms. Chance is on the nominating committee. The Board member dues are \$500 a year with an additional fee per licensee which covers additional expenses. The bylaws will be mailed.

The advantages of a federation would be:

- Communication between the states

- Creating an exam that is comparable to the standards set by the Ohio Medical Board

- Developing standards that are accepted nationwide

Ms. Chance said that she felt this federation would progress the massage therapy field naturally raising it into a recognized profession. She recommended that Ohio join the federation.

**6. Review of communication with MTAC members**

Mr. Greely had a communication concerning the age of a student when they start school. The rules state only that they must be 18 when they take the exam. Ms. Rieve said that she understands that some students graduate early, and, as long as they have a diploma, they can start school.

Mr. Gibbons said the biggest number of emails they receive are from out-of-state therapists that want to get a license in Ohio. Ms. Rieve said they would put that topic on the next meeting agenda.

Mr. Melecki asked about beginning the process to replace Ms. Jewitt on the MTAC Committee. Mr. Greely said that the way it had been done in the past was that the Medical Board Staff initially reviewed applications. As long as they met the criteria for MTAC, the names were then redacted and the MTAC Committee then made their recommendation to the Board after reviewing the resumes. Ms. Rieve said that she has not posted the position on the website as yet. She does have some resumes on file. Mr. Gibbons suggested that a female be nominated to replace the one female who is now off the committee.

Mr. Gibbons made a motion to adjourn and Mr. Greely seconded the motion. The meeting adjourned at 4:05 p.m.