

Georgia Board of Massage Therapy
Legislative Subcommittee Meeting
Teleconference Minutes
Wednesday, December 21, 2016
1:00 - 3:00 PM EST

Call to Order

Craig Knowles called the meeting to order at 1:04 PM EST and identified members as present and absent.

Subcommittee Members Present

Craig Knowles	Georgia Board of Massage Therapy
Jane Johnson	American Massage Therapy Association Georgia Chapter (AMTA-GA)
Judy LeFave	American Massage Therapy Association Georgia Chapter (AMTA-GA)
Laura Delanoy	Associated Bodywork & Massage Professionals (ABMP)
Laura Embleton	Associated Bodywork & Massage Professionals (ABMP)
Libby Eason	The International Association of Structural Integrators (IASI)

Subcommittee Members Absent

Deborah Nimmons The International Association of Structural Integrators (IASI)

Administrative Staff Absent

Adrienne Price Executive Director, Georgia Board of Massage Therapy

Agenda

Knowles reviewed the agenda with the members present and asked if there were any additions or deletions. There being none, Knowles indicated that he will proceed with the agenda as established. LeFave made a motion to adopt the agenda and Embleton seconded the motion. The motion passed unanimously.

Minutes

Members reviewed the 12-16-2016 Legislative Subcommittee Meeting Minutes. Knowles presented an amendment to the minutes under 2 (a) by Nimmons in her absence. In addition, LeFave made an amendment and Knowles made a correction. A motion to adopt the 12-16-2016 Legislative Subcommittee Meeting Minutes as amended and was made by LeFave and Embleton seconded the motion. The motion passed unanimously.

Review of Language

a) Exemption Definition from FGNA

The definition regarding movement practices was discussed and it was the consensus of the subcommittee to move forward with the underlined language:

Nothing in this Article shall be construed to prevent or restrict the practice of any person in this state who uses touch, words and directed movement to deepen awareness of existing patterns of movement as well as to suggest new possibilities of movement while engaged within the scope of practice of a profession with established standards and ethics, provided that their services are not designated or implied to be massage or massage therapy. Movement-based practices are conducted with participants clothed as one would normally be in a public place, such as the street or an exercise studio. Such practices include, but are not limited to the Feldenkrais Method® of somatic education, the Trager Approach® to movement education, and Body-Mind Centering®. Practitioners must be recognized by or meet the established standards of either a professional organization or credentialing body that represents or certifies the respective practice based on a minimum level of training, demonstration of competency, and adherence to ethical standards."

LeFave stated that including trademarked names was not acceptable in statute and may cause legal problems. Knowles stated that should the movement practices be exempted, which is a Board decision, that a list of movement practices may be created by the Board.

b) Review "Bodywork" and "Bodyworker" Definition ~ Knowles

The Bodywork definition was discussed and the following amendments underlined:

'Bodywork' shall refer to the practice of a person representing themselves as a bodyworker or bodywork therapist, or the practice of a person using any form of touch to manipulate tissue, which does not constitute Massage as defined in, in the course of a treatment or therapy provided to another person. Bodywork may include the affectation of the human energy system or acupoints or Qi meridians of the human body. The Board, in conjunction with the Department, will maintain a list of treatment and therapy modalities considered Bodywork for the purposes of these Regulations.

It was the consensus of the Subcommittee members to move forward with this definition of Bodywork. Knowles stated that amendments to the bodywork definition may be made by the Board and that all energy work will not be exempted. He reiterated that the Board will create a list of bodywork therapies and any new bodywork therapies may be added if they meet requirements set forth by the Board. In addition, the Board will create categories for the various bodywork professions and create requirements for qualification.

Report of Input from Identified Stakeholders ~ Eason and Nimmons

1. Eason reported no new information from FGNA, AOBTA, and APTA. Knowles informed the subcommittee that FGNA did send in new correspondence however, it was submitted within the 3 day timeframe prior to the meeting so the correspondence will be discussed during the meeting on December 28, 2016. Eason requested that the Amended Draft be sent to Stakeholders in PDF.
2. Nimmons - absent - no report received pertaining to ISMETA, USTA, and BCTA/NA.

Review of Language on Board ability to publicly publish or display data on educational programs - Price

In advance of the meeting, Price provided, an example of language from the Nursing statute (Rule 410.8-.20 Nursing Education Program Approval) to review when considering drafting language for publishing data for educational programs. The Subcommittee consensus was to include language in statute rather than just in rules.

Inserting the word “publish” in line # 192 so it reads as follows:

“Be authorized to collect and publish data regarding existing massage therapy and bodywork resources in Georgia...”

It was the consensus of the Subcommittee to have Johnson insert the word ‘publish’ on line # 192.

Review of Draft

The Subcommittee members started reviewing the Draft on line # 203 and stopped on line # 392.

Knowles emailed language to include for discussion during the next meeting:

“Certification” shall mean successful completion of the most current requirements of the American Organization for Bodywork Therapies of Asia (AOBTA®), National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM), American Reflexology Certification Board, or other national professional membership organization recognized by the Institute for Credentialing Excellence, or its accrediting body, that provides a certification or credential. Any such national professional membership organization or national certification commission must include an established set of educational standards, require compliance with a specific code of ethics, and offer a grievance process. All certifications and/or credentials must be approved by the Georgia Board of Massage Therapy and Bodywork.

It was consensus of the subcommittee for Johnson to insert the definition of “Certification” draft language under “Definitions” starting on line #73 in the 12.21.2016 Proposed Amendments Title 42 Chapter 24A to prepare for review for the meeting on December 28, 2016.

It was consensus of the subcommittee for Johnson to insert the following language on line # 245-248:

The applicant shall provide satisfactory evidence of being appropriately certified in accordance with Section 2-2 'Certification.'

The previous language entered on lines # 245 - 248 was stricken and current language was inserted on line #248 which will be reviewed during the next meeting on December 28, 2016.

In Section 2-10, LeFave pointed out the importance of using the term "massage therapy and bodywork or bodywork" and that it needs to be used consistently throughout the proposed amended draft. The term "massage therapy and bodywork" encompasses both massage and bodywork therapies as taught in massage school and would allow those practicing to this point to continue. When using "massage therapy and bodywork" or "bodywork," the term "bodywork" would be a separate and distinct category with specific requirements. The use of "or" allows for either. If "massage therapy" is going to one requirement and "bodywork" is going to be another requirement then massage therapists won't be able to practice bodywork techniques. This is a concern and Knowles stated that the AG could assist the Board with making the distinction.

Eason posed the question of having liability insurance for supervising massage therapist on line # 267. Johnson stated that in Georgia, LMT's are not mandated by our current statute to obtain liability insurance.

Miscellaneous

LeFave made a point of clarification regarding AMTA's position on supporting "exemptions" and "exceptions" language. She spoke with James Specker at the National AMTA office and since the state has initiated these changes in the law that it is in their policy to take the position of "neutral."

Member Assignments

Assignments for the next Subcommittee meeting on December 28, 2016 meeting at 1:00 - 3:00 PM are as follows:

1. Subcommittee members will review and discuss the definition of "Certification" that was emailed on 12.21.16 and inserted in line #73.
2. Price to provide copy of the proposed amended draft Title 48 Chapter 24 A in PDF to Stakeholders.
3. Knowles to ask Price about liability insurance requirement for the therapist as well as a supervising therapist.

There being no further business, LeFave made the motion to adjourn the meeting. Embleton seconded the motion. Motion passed unanimously.

The meeting adjourned at 2:56 PM EST.

Minutes recorded by Johnson and adopted by the Subcommittee on 12/28/2016.

The minutes were adopted by the Board on 01/13/2017.