# VIRGINIA BOARD OF NURSING
# MASSAGE THERAPY ADVISORY BOARD
## Regulatory Review
## MINUTES

**April 6, 2016**

TIME AND PLACE: The meeting of the of the Massage Therapy Advisory Board convened at 9:00 a.m. in Hearing Room 5, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Joseph Schibner, IV, C.M.T., Chair

MEMBERS PRESENT:
Joseph Schibner, IV, C.M.T., Chair
Stephanie Quinby, C.M.T., Faculty Member, Co-Chair
Dawn Hogue, C.M.T.
Kristina Page, C.M.T.
Jermaine Mincey, Citizen Member

STAFF PRESENT:
Jay P. Douglas, R.N., M.S.M., C.S.A.C., F.R.E., Executive Director
Latasha Austin, Administrative Specialist

OTHERS PRESENT: Elaine Yeatts, Policy Analyst; Department of Health Professions

IN THE AUDIENCE:
Becky Bowers-Lanier, AMTA-Virginia Chapter; Legislative Chair
Jana Laird, AMTA-Virginia Chapter; Board President
Jodi Scholes, AMTA-Virginia Chapter; Board 1st Vice President
Karen Redden, visitor

ESTABLISHMENT OF A QUORUM: With 5 members of the Massage Therapy Advisory Board present, a quorum was established.

CALL TO ORDER: Mr. Schibner called the regulatory meeting to order at 9:04 a.m.

MEETING PURPOSE: An overview was done of the minutes from the last Massage Therapy Advisory Board meeting held on October 28, 2014 in which Mr. Schibner made a motion that the Massage Therapy Board recommends to the Board of Nursing to initiate action for a periodic review of the Regulations Governing the Certification of Massage Therapist in Virginia.

PUBLIC COMMENT: Ms. Bowers-Lanier informed the Massage Therapy Advisory Board that the Virginia Chapter of the American Massage Therapy Association (AMTA) proposed bill to require licensure for massage therapist in Virginia was passed. Ms. Bowers-Lanier also express concerned as to how everyone would be notified of the new changes to ensure they are prepared to answer questions from the public about the new law.

NEW BUSINESS: Ms. Yeatts gave an overview of the new legislation (House Bill 562).

- The bill will begin March 10, 2016, the date of enactment.
- As of January 1, 2017, each applicant seeking licensure in Virginia as a massage therapist will be required to undergo a criminal history background check.
- Under the new legislation no one can engage in the practice of massage therapy or hold themselves out as practicing massage therapy unless they hold a license as a massage therapist issued by the Board of Nursing. [54.1-3008(7)]
- Several exemptions have been added to the law. [54.1-3001(14-18)]
- Any person holding a certificate to practice massage therapy prior to January 1, 2017, shall be deemed to be licensed thereafter and the Board of Nursing at the time of renewal shall provide such persons a license to practice.

Ms. Douglas gave an overview of the criminal background check process currently in place for practical nurses and registered nurses.

- Background checks are being done by FieldPrint
- There are about 25 location throughout Virginia where an applicant can go and get the background check completed
- They are open 6 days a week
- Reports are typically received within 24 hours, longer if an applicant has criminal convictions
- The cost of fingerprinting and the criminal history search is paid by the applicant
- Fact sheets about the criminal background check process were submitted to Virginia Nursing schools. Plans are in place to do the same for Virginia Massage Therapy Programs.

A review of the current Regulations Governing the Certification of Massage Therapist was conducted by the Massage Therapy Advisory Board. In addition to changing all references in the regulations from certification to licensure and adding in the requirements for a criminal background check for all applicants, the Massage Therapy Advisory Board is recommending the following:

- Additions to 18VAC90-50-10 Definitions
- Amendments to 18VAC90-50-20 Operational Requirements
- Amendments to 18VAC90-50-40 Initial Certification
- Amendments to 18VAC90-50-60 Provisional Certification
- Clarification to 18VAC90-50-70 Renewal of Certification
- Amendments to 18VAC90-50-75 Continuing Competency Requirements
- Additions & Amendments to 18VAC90-50-90 Disciplinary Provisions

ADJOURNMENT: The meeting was adjourned at 11:33 a.m.

Jay P. Douglas, R.N., M.S.M., C.S.A.C., F.R.E.,
Executive Director