

1 State of Alaska
2 Department of Commerce, Community and Economic Development
3 Division of Corporations, Business and Professional Licensing
4

5 **BOARD OF MASSAGE THERAPISTS**

6 **MINUTES OF THE MEETING**

7 **October 2, 2017**
8
9

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11 By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a
12 scheduled meeting of the Board of Massage Therapists was held via teleconference
13 Monday, October 2, 2017.
14

15 **Agenda item 1** **Call to order/Roll call:**
16

17 The meeting was called to order by Chair, David Edwards-Smith at 8:30 am
18

19 **Board Members present via teleconference, constituting a quorum:**
20

21 David Edwards-Smith, Board Chair-Licensed Massage Therapist
22 Traci Gilmour, Licensed Massage Therapist
23 Jill Motz, Licenses Massage Therapist
24 Ron Gibbs, Licenses Massage Therapist
25

26 **Division Staff present:**
27

28 Dawn Hannasch, Occupational Licensing Examiner
29 Dawn Dulebohn, Occupational Licensing Examiner
30 Jasmine Bautista, Investigator
31 Renee Hoffard, Records and Licensing Supervisor
32

33 **Agenda item 2** **Review/Approve agenda:**
34

35 **In a motion duly made by Traci Gilmour and seconded by Jill Motz with unanimous**
36 **consent, it was:**
37

38 **Resolved to accept the agenda as written.**
39

40 **Agenda item 3** **Ethics reporting:**
41

42 The Board Chair opened the floor to any Board member that may have an ethics violation or
43 inquiry. Board member Traci Gilmour reported that she has been working with a new massage
44 school on their course outline and may be teaching a course at the school in the future. She has
45 received no compensation as of this date.
46

47 **Agenda item 4** **Review/Approve past meeting minutes:**

96
97 Jill Motz- Yea
98 Ron Gibbs- Yea
99 Traci Gilmour – Yea
100 David Edwards-Smith - Yea

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104 In a motion duly made by Ron Gibbs and seconded by Traci Gilmour, with a roll call vote it
105 is

106 Resolved to approve the application for an Alaska Massage Therapists license for
107 Anna Kokaurova

108
109 Jill Motz- Yea
110 Ron Gibbs- Yea
111 Traci Gilmour – Yea
112 David Edwards-Smith - Yea

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115 In a motion duly made by Ron Gibbs and seconded by Tracy Gilmour, with a roll call vote it
116 is

117 Resolved to deny the application for an Alaska Massage Therapists license for
118 Jung Zhang based on 12 AAC 79.110 (b) (2) (A) “holds a current license to practice massage
119 therapy in another state, jurisdiction, or country where licensing requirements are
120 substantially equal to or greater than the requirements of this state.” Sec. 08.61.030 (3) (A) it
121 states to qualify for a license your must have completed a “course of study of at least 500
122 hours of in-class supervision instruction and clinical work from an approved massage
123 school”. Ms. Zhang’s California license states that she only completed a 250 hour program.

124
125 Jill Motz- Yea
126 Ron Gibbs- Yea
127 Traci Gilmour – Yea
128 David Edwards-Smith - Yea

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131 In a motion duly made by Traci Gilmour and seconded by Jill Motz, with a roll call vote it is
132

133 Resolved to deny the application for an Alaska Massage Therapists license for
134 Kimberly Greeff based on 12 AAC 79.120 (b) (3) “verification that the applicant owned,
135 operated, or worked for a massage therapy business and performed the practice of massage
136 therapy before July 1, 2015” 12 AAC 79.120 (b) (3) (A) (B) (C) (D) (E) (F) clarifies what is
137 acceptable as proof of 12 AAC 79.120 (b) (3) and must be from before July 1, 2015 but after
138 July 1, 2010. Ms. Greeff was not able to provide evidence sufficient to the Board to show
139 employment or business ownership between July 1, 2010 and July 1, 2015.

140
141
142 Jill Motz- Yea
143 Ron Gibbs- Yea

144 **Traci Gilmour – Yea**
145 **David Edwards-Smith - Yea**

146
147

148 **Agenda item 7** **Investigative report**

149

150 Investigator Jasmin Bautista joined the meeting to review the investigative report. The Investigative
151 report will be presented at the November 30th 2017 meeting.

152

153 **Traci Gilmour left the room: 9:41 a.m. – 9:43 a.m.**

154

155

156 **Agenda item 8** **Investigative case review**

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158 Investigator Bautista presented the Board with case #2017-000104 for their review.

159

160 **In a motion duly made by Traci Gilmour and seconded by Ron Gibbs, with a roll call vote it**
161 **is**

162 **Resolved to deny the application for an Alaska Massage Therapists license for Mei**
163 **Fang Ge case #2017-000104 based on 12 AAC 79.910 a crime involving moral turpitude,**
164 **(11) Prostitution. Ms. Ge was convicted of prostitution in Texas on October 27, 2014.**

165

166 **Jill Motz- Yea**

167 **Ron Gibbs- Yea**

168 **Traci Gilmour – Yea**

169 **David Edwards-Smith - Yea**

170

171 **The Board took a break: 10:08 a.m. – 10:17 a.m.**

172

173

174 **Agenda item 9** **Barrier Crimes Matrix**

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176 At this time, the Board Chair, David Edwards-Smith moved the discussion onto the barrier crimes
177 matrix and the disciplinary sanctions/fine schedules.

178

179 The Board reviewed a copy of a barrier crimes matrix for the barrier crimes listed in 7 AAC 10.905
180 dated January 5, 2007. There were several crimes listed that the Board requested further information
181 from Investigator Bautista. She will join the Board at 2:00 pm to clarify those items for the Board.

182 After reviewing that information, the Board will be able to make changes as they deem necessary.

183 The final draft will be presented to the Board at the November 30th 2017 for either adoption or
184 further updates.

185

186 Individual Board members are asked, at times by their Investigator to review files that require
187 disciplinary actions, the Board decided for continuity's sake that they wanted to have a disciplinary
188 sanctions/fine schedule. This will assist each Board member and the Investigative team to have a
189 clear road when disciplinary sanctions or fines are required.

190

191 The following is the purposed actions and fines:

192

Violation	Time frame	Sanction/Fine	Amount suspended
Unlicensed Practice	1-90 days	\$500 fine	At Boards discretion
Unlicensed Practice	91 days to 1 Year	\$1000 fine	At Boards discretion
Unlicensed Practice	1 year or more	\$2500 fine	At Boards discretion

193

194

Violation	Time frame	Sanction/Fine	Amount suspended
License actions according to 12 AAC 79.900-Moral Turpitude	1 st offense	Letter of Advisement	n/a
License actions according to 12 AAC 79.900-Moral Turpitude	2 or more offenses	\$250 per offense	At Boards discretion

195

196

197

Violation	Time frame	Sanction/Fine	Amount suspended
Fraud-In obtaining a license	n/a	-Denial or Revocation -6 year wait until reapplication	At Boards discretion
Fraud-In retaining a license	n/a	-Denial or Revocation -6 year wait until reapplication	At Boards discretion

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199

200

201 **The Board recessed for lunch: 11:58 a.m.**202 **Back on the record at: 1:00 p.m.**

203

204

205 **Agenda Item** **Public Comment**

206

207 Upon return from the lunch recess, the Board prepared to hear public comments. There was no one
 208 present in person in Juneau or on the teleconference line. Therefore the Board moved to the next
 209 agenda item.

210

211

212

213 **Agenda Item 10** **Review of House Bill 110**

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215

216 Chairmen of the Board, David Edwards-Smith distributed a rough draft of the Establishment
 217 Licensing regulations to all members through OLE Dawn Hannasch. These regulations will help the
 218 Board and the Division determine the cost of licensing if HB110 is passed in session next year. The

219 Board has asked the bill sponsor, Representative, Sam Kito to remove the exemption language from
 220 the bill. The Board will continue to pursue this request so that the bill is presentable at the 2018
 221 Legislative season.

222
 223 Mr. Edwards-Smith made a very notable changes as suggested by other Board members and will
 224 present a draft to OLE Dawn K Hannasch that will then be passed onto the Division Director Janey
 225 Hovenden for review. The Boards hope is that this information will allow the Division to make
 226 informed recommendation concerning the licensing fees; should HB110 pass.

227

228

229 **Agenda Item 11** **Continuing Education Waiver Request**

230

231 OLE, Dawn Hannasch informed the Board that the CE waiver request has been withdrawn.

232

233

234 **Agenda Item 9** **Barrier Crime Matrix (continued)**

235

236 At 2:02 p.m., Investigator Jasmin Bautista re-joined the meeting to discuss the particular questions
 237 regarding the barrier crimes matrix. Investigator Bautista reviewed each item with the Board, ranging
 238 from check fraud to crimes against children, the different degrees, typical example of certain crimes
 239 and how in-depth the Board wants to go into an applicant or licensees criminal history.

240

241

242 **Agenda Item 12** **Old Business**

243

- 244 • Past Task list- all items completed

245

Task	Who to complete	When is the deadline?	Dawn to Distribute to the Board?
Do we have application for a public member of the Board?	Dawn	October Mtg	Yes
Provide the Board with the 'formula" to help make a "best guess" on the cost of regulations projects.	Dawn	October Mtg	Yes
Send letter to Chiropractors in Alaska, to notify them of the requirements of licensing for massage therapists in Alaska	Dawn	8/15/2017	Yes

Review HB110 closely	Board	October Mtg	Yes
Review the Barrier crimes matrix and the investigative fee's/fines	Board	October Mtg	Yes

246

247

248

- Vacant Board Seat

250

251 Hearing nothing further on past tasks, the Board Chair opened the floor to the Board to discuss the
 252 vacant Board member seat (public member). The Board brainstormed ideas on how to “recruit” for
 253 this spot. Members have already spread the information by word of mouth and social media. Ideas
 254 such as public service announcements on free radio and sending letters to Rotary and other
 255 professional Boards were discussed.

256

257

258

Agenda Item 13**New Business**

259

260

261

- New Task list

Task	Who to complete	When is the deadline?	Dawn to Distribute to the Board?
Updated the disciplinary sanctions/fine matrix	Dawn/OLE	5-Nov	Yes
Send all lapsed licensee's a reminder about renewal	Dawn/OLE	31-Oct	No
Send the Audit letters to those choses by the random audit	Dawn/OLE	31-Oct	No
Update the Barrier Crimes Matrix	Dawn/OLE	15-Nov	Yes-Nov 30th meeting
Update the draft regulation for establishment license	David Edwards-Smith	15-Oct	Yes

Send the drafted regulations that David sent to Sara Chambers for review and request information about cost.	Dawn/OLE	15-Oct	You will want to provide her answer/information that she provides to the Board at its Nov 30th meeting
Meet with Rep. Kito regarding HB110	Traci Gilmour	30-Nov	She will need to be on the agenda to present information from that meeting
Apprenticeship Program	Jill Motz	30-Nov	She will need to be on the agenda to present information from that meeting

262

263

264 **In a motion duly made by Jill Motz and seconded by Ron Gibbs, with unanimous consent it**
 265 **was**

266

267 **Resolved to name Traci Gilmour the Board designate to meet with rep. Sam Kito**
 268 **regarding HB110 and report back to the Board at its November 30th 2017 meeting**

269

- 270 • Unlicensed practice was discussed during agenda item 9

271

272

273 **Agenda Item 14** **Administrative Business**

274

- 275 • Sign Wall Certificates

276

277 Dawn Hannasch will mail these to Board Chair David Edwards-Smith for his signature

278

- 279 • Sign Past Meeting Minutes

280

281 Dawn Hannasch will mail these to Board Chair David Edwards-Smith for his signature

282

- 283 • Correspondence

284

285 The Board received 2 letters/email from licenses with either questions or concerns that they wanted
 286 to share with the Board.

287

288 Sue Hale wrote to the Board voicing her concern about the cost of renewal and licensing in Alaska.
 289 Her concern was that the cost of renewal was not \$290, it was \$290 + \$30 (the cost of getting a
 290 fingerprint done) + \$60 (fingerprint processing fee) = \$380.

291

292 The Board has requested that OLE Dawn Hannasch respond and thank Ms. Hale for her
 293 correspondence and to give her the following information:

288 The Board received 2 letters/email from licenses with either questions or concerns that they wanted
289 to share with the Board.

290
291 Sue Hale wrote to the Board voicing her concern about the cost of renewal and licensing in Alaska.
292 Her concern was that the cost of renewal was not \$290, it was \$290 + \$30 (the cost of getting a
293 fingerprint done) + \$60 (fingerprint processing fee) = \$380.

294
295 The Board has requested that OLE Dawn Hannasch respond and thank Ms. Hale for her
296 correspondence and to give her the following information:

297
298 "1. The Board does not determine the cost of licensing, the Division does
299 2. The Board is not allowed to determine costs for fingerprint businesses to conduct their business
300 and each business can have different costs. There would be no way for the Board to be able to
301 determine this cost for each LMT
302 3. Again, the Board has no authority to determine the cost that Dept. of Public Safety charges the
303 Division to process fingerprint cards.

304
305 Because of these different factors, the Division updates the website often and even sent out emails
306 to all licensees starting back in April, notifying them of the requirements for renewal."

307
308 The 2nd correspondence came from Sandra Cronland. The Board has given instruction to OLE
309 Dawn Hannasch to write a reply and present it to the Board for review and approval.

310
311

312 Hearing nothing further, the Chair entertained a motion to adjourn.

313

314 **In a motion duly made by Tracy Gilmour and seconded by Jill Motz with unanimous**
315 **consent, it was:**

316

317 **Resolved to adjourn at 4:00 p.m.**

318

319

320 **Respectfully Submitted,**

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323

324

325 
Dawn K Hannasch, Licensing Examiner

325 11/20/17
Date

326

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330 
David Edwards-Smith, Boards Chair

329 12-1-17
Date

331

332