

# ***Annual Report***

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# ***Fiscal Year 2020***

## **Board of Massage Therapists**



**Department of Commerce, Community  
and Economic Development**

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**Division of Corporations, Business  
and Professional Licensing**

This annual performance report is presented in accordance with  
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the  
past and present needs of the licensing program.

**Board of Massage Therapists  
FY 2020 Annual Report**

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**Board of Massage Therapists  
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**Identification of the Board**

<b>Board Member</b>	<b>Duty Station</b>	<b>Date Appointed</b>	<b>Term Expires</b>
<p><b>Dave Edwards-Smith</b> Chair Licensed Massage Therapist</p>	Soldotna	November 25, 2014	March 1, 2022
<p><b>Traci Gilmour</b> Vice Chair Licensed Massage Therapist</p>	Juneau	November 25, 2014	March 1, 2021
<p><b>Jill Motz</b> Licensed Massage Therapist</p>	Wasilla	January 23, 2017	March 1, 2022
<p><b>Kristin Tri</b> Licensed Massage Therapist</p>	Eagle River	March 2, 2020	March 1, 2024
<p><b>Julie Endle</b> Public Member</p>	Palmer	January 24, 2019	March 1, 2021

**Board of Massage Therapists  
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**Identification of Staff**

**Dawn Dulebohn – Licensing Examiner**

Department of Commerce, Community & Economic Development  
Division of Corporations, Business and Professional Licensing  
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**Renee Hoffard – Records and Licensing Supervisor**

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**Dawn Hannasch – Records and Licensing Supervisor**

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**Carl Jacobs – Investigator**

Department of Commerce, Community & Economic Development  
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# Board of Massage Therapists FY 2020 Annual Report

## Narrative Statement

The State of Alaska Board of Massage Therapists continues to focus on the continued development of the Board of Massage Therapists program. The board had specific focus on the completion of massage establishment regulations and worked to improve efficiency in application processing to reduce program costs and decrease application processing time.

This Board has been a successful team of experts in the massage therapy profession that have served Alaska as they achieved several goals. The Board continues to grow as we become more experienced with the application process. The board continues to grow their knowledge base and experience of recognition of fraudulent applications and processes to protect the public by determining the safety and competence of licensed massage therapists in Alaska.

### **The Board of Massage Therapist General Licensing Data**

The Board of Massage Therapists program has a total of 1137 license with 123 new licenses approved in 2019 and 52 new licenses approved in 2020. There was a total of 962 licenses renewed in 2019.

### **Massage Establishment Regulations**

With the passage of HB110 the board completed the process of developing regulations that define and regulate massage establishments and the process of registration of massage establishments. The board has kept focus on massage establishment regulations serving the purpose of safeguarding legitimate massage establishments, therapists, and the public from illicit massage establishments and human trafficking activity. The completed regulations include establishment standards of operations outlined in the "Code of Ethics and Standards of Practice" and registration requirements of massage establishments.

### **Disciplinary Matrix**

The board identified a goal to expedite investigative case reviews to decrease costs, provide increased clarity to ensure consistent decision making upon board review. The board reviewed and completed the Board of Massage Therapists disciplinary matrix. The Board determined means to provide additional clarity to expedite investigative case reviews and provide guidance to the investigations team in determining if investigation necessary.

### **Continuing Education Ethics Requirement**

Board research of the massage therapy profession resulted in the determination that ethics education is a necessary requirement as continuing education. Of the sixteen (16) hours of required continuing education hours, two hours of education in ethics has been established as a board requirement.

### **Vice-Chair Election**

Traci Gilmore was established by the Board as the Vice-Chair of the Board of Massage Therapists.

### **Transcript Analysis Breakdown for Applicant**

Entry level education requirements of 625 hours is a statutory requirement after the passage of HB110. The Board categorized the education requirements of education hours by subject matter and hours of education. To expediate the process of transcript analysis the board determined an analysis form to be completed by the applicant.

**CONTINUED ON FOLLOWING PAGE**

## FY 2020 Narrative Statement (continued)

### **FSMTB Membership and Annual Meeting**

The Board of Massage Therapists continues to benefit from membership with The Federation of State Massage Therapy Boards (FSMTB). The FSMTB is a membership valued by the board for its support in research and education opportunities. The 2019 annual meeting was fully funded by the FSMTB and provided information that was valuable to the Board in the effort to develop effective massage establishment regulations. The Board gained valuable insight into the challenges and successes of its member boards as fraud and illicit establishments continue to burden the massage therapy profession.

### **September Town Hall Meeting and Public Communication**

The Board of Massage Therapists recognized that licensees and the public would benefit from direct communication with the board in an open question and answer forum. This forum was made available to the public during its September 2019 Meeting. The Board believes that this forum was successful in answering questions regarding the application process and regulation projects. The Board has determined that an annual town hall meeting is in the best interest of the public. The Board continues to update its online Frequently Asked Questions (FAQ) web page to provide in-depth information about the massage therapy program for new and renewing applicants.

### **New Board Member**

The Board welcomes new board member Kristin Tri to the team of massage therapy experts.

### **COVID-19**

With the order of the Governor's Mandate 15, the Board held an emergency meeting to determine best practices for health and safety and compliance guidelines in the profession of massage therapy. These guidelines were submitted to the Department and Health and Social Services, Department of Law, and Governor's office for review and approval.

**Board of Massage Therapists  
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**Budget Recommendations for FY 2021**

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
September 10-11, 2020	Anchorage	5	1
<input checked="" type="checkbox"/> Airfare:			\$590.00
<input checked="" type="checkbox"/> Hotel:			\$905.00
<input checked="" type="checkbox"/> Ground:			\$100.00
<input checked="" type="checkbox"/> Other: M & I			\$985.00
<b>Total Estimated Cost:</b>			<b>\$2,580.00</b>

Board Meeting Date	Location	# Board	# Staff
December 7-8, 2020	Video Conference	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Zoom/ GCI Video Conference			\$350.00
<b>Total Estimated Cost:</b>			<b>\$350.00</b>

Board Meeting Date	Location	# Board	# Staff
March 1-2, 2021	Video Conference	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Zoom/ GCI Video Conference			\$350.00
<b>Total Estimated Cost:</b>			<b>\$350.00</b>

Board Meeting Date	Location	# Board	# Staff
June 14-15, 2021	Video Conference	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Zoom/GCI Video Conference			\$350.00
<b>Total Estimated Cost:</b>			<b>\$350.00</b>

**Board of Massage Therapists  
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**Budget Recommendations for FY 2021 (continued)**

**Travel Required to Perform Examinations**

Not applicable

Date	Location	# Board	# Staff
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**Description of meeting and its role in supporting the mission of the Board:**

<input type="checkbox"/> Airfare:	\$0.00
<input type="checkbox"/> Hotel:	\$0.00
<input type="checkbox"/> Ground:	\$0.00
<input type="checkbox"/> Conference:	\$0.00
<input type="checkbox"/> Other:	\$0.00

Describe "Other" (break out all sections):

**Total Estimated Cost: \$0.00**

**Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)**

#1 Rank in Importance or  Not Applicable

Date	Location	# Board	# Staff
October 15-17, 2020	Chicago, IL	1	1

**Description of meeting and its role in supporting the mission of the Board:**

Annual meeting of board delegates and staff to discuss vital issues in the industry such as massage education standards, establishments, active participation in the direction and policy of the Federation, state regulations, and human trafficking. FSMTB pays for one board delegate through direct booking and 3rd party Reimbursement and offers discounted room rate for any other attendees. All costs for 2nd person to attend would be paid by the board. Breakout sessions make it important that 1 staff and 1 board member attend.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$543.00	\$440.00	\$0.00	\$983.00
<input checked="" type="checkbox"/> Hotel:	\$477.00	\$0.00	\$822.00	\$1,299.00
<input type="checkbox"/> Ground:	\$50.00	\$50.00	\$0.00	\$100.00
<input type="checkbox"/> Conference:	\$350.00	\$0.00	\$0.00	\$350.00
<input type="checkbox"/> Other M & I	\$240.00	\$0.00	\$0.00	\$240.00
Describe "Other" (break out all sections):				
<b>Net Total:</b>	<b>\$1,660.00</b>	<b>\$490.00</b>	<b>\$822.00</b>	<b>\$2,972.00</b>

## Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff	
Spring 2021	Bellvue, WA		1	
<b>Description of meeting and its role in supporting the mission of the Board:</b>				
FSMTB Executive Summit is for massage board administrative staff. Its goal is the education of staff on topics such as application fraud, license verification, human trafficking, continuing education, MBLEx testing standards, state approvals for schools, and group activities which include breakout sessions. The Executive Summit is 100% paid for by 3rd party direct booking and 3rd party reimbursement.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$0.00	\$0.00	\$400.00	\$400.00
<input checked="" type="checkbox"/> Hotel:	\$0.00	\$0.00	\$477.00	\$477.00
<input checked="" type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Other	\$0.00	\$70.00	\$0.00	\$70.00
Describe "Other" (break out all sections):		M & I		
<b>Net Total:</b>	<b>\$0.00</b>	<b>\$70.00</b>	<b>\$877.00</b>	<b>\$947.00</b>

## Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

Date	Location	# Board	# Staff	
January 29-31, 2021	Fort Worth, TX		1	
<b>Description of meeting and its role in supporting the mission of the Board:</b>				
The Federation of Associations of Regulatory Boards (FARB) Forum is a conference that brings together experts from across the country to discuss the latest developments in professional regulation. It is billed as an educational program that delivers the tools and information needed to ensure the efficient and effective operation of state regulatory boards and includes sessions related to administering state professional licensing boards. In the January 2019 Forum, board staff found valuable information on how to handle de-regulation, how to justify to the public that board's and staff are necessary, and valuable information on potential ways for the board to pre-screen applicants with criminal history (at their request) to determine if they can practice completely and safely.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$565.00	\$0.00	\$0.00	\$565.00
<input type="checkbox"/> Hotel:	\$836.00	\$0.00	\$0.00	\$836.00
<input type="checkbox"/> Ground:	\$50.00	\$0.00	\$0.00	\$50.00
<input type="checkbox"/> Conference:	\$1,175.00	\$0.00	\$0.00	\$1,175.00
<input type="checkbox"/> Other	\$60.00	\$0.00	\$0.00	\$60.00
Describe "Other" (break out all		M & I		
<b>Net Total:</b>	<b>\$2,686.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$2,686.00</b>

**Board of Massage Therapists  
Fiscal Year 2020 Annual Report**

**Budget Recommendations for FY 2021 (continued)**

**Non-Travel Budget Requests**

- |  |                                    |                                       |
|--|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Not Applicable        | <input type="checkbox"/> Resources | <input type="checkbox"/> Examinations |
| <input checked="" type="checkbox"/> Membership | <input type="checkbox"/> Training  | <input type="checkbox"/> Other        |

Product or Service	Provider	Cost Per Event
Federation of State Massage Therapy Board	FSMTB	\$951.00

**Description of item and its role in supporting the mission of the Board:**

The Alaska Board of Massage Therapists continues to benefit from its annual membership to the Federation of State Massage Therapy Boards. The Alaska Board of Massage Therapists recognizes the exceptional value of the FSMTB as a resource of research, education, and support for member boards given the small membership fee of \$1000. The board recognizes that the costs that the board would incur in these services would be extraordinarily expensive and or unachievable. The FSMTB provides services that currently serve to the Board of Massage Therapists goals and objectives as we look forward to 2021.

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- The upcoming Annual Membership Fee for 2020-2021 is down \$47.00 from 2019- 2020.
- Annual Meeting for board delegates is 100% 3<sup>rd</sup> party booked/reimbursed. The last annual meeting costs for October 2019 were approximately \$2684.00.
- The annual FSMTB Executive Summit for the administrative staff is 100% 3<sup>rd</sup> party booked/reimbursed. The last Executive Summit meeting cost for April 2019 were approximately \$2311.00 (April 2020 was cancelled due to COVID-19).
- The FSMTB provides the only comprehensive list of current and historical knowledge of 48 state’s licensing requirements. Recently I contacted the State of Colorado for their 2014 statutes and regulations so I could ensure an applicant met Alaska’s statutory requirements for licensure (AS 08.61.030). Colorado did not have/would not provide them but FSMTB had them to me within 24 hours of my request.
- The FSMTB provides the only comprehensive list of contact information for the 48 states that are members. This information is invaluable when trying to obtain license verification information that has been left off of online verifications or mailed verifications requested and paid for by the applicant.

**Board of Massage Therapists  
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**Budget Recommendations for FY 2021 (continued)**

**Non-Travel Budget Requests**

- Not Applicable                       Resources                       Examinations  
 Membership                       Training                       Other

Product or Service	Provider	Cost Per Event
Massage Therapy Licensing Database (MTLD)	FSMTB	\$TBD

**Description of item and its role in supporting the mission of the Board:**

FSMTB has developed the *Massage Therapy Licensing Database (MTLD)*, to provide a comprehensive view of massage therapists regulated in the United States, to facilitate the role of public protection among state licensing boards and agencies, and to support licensure portability. This service is an integral component for reducing fraud in the licensure process by allowing board staff access to therapist records which will show disciplinary actions taken by other jurisdictions. The uploading of data into this system began in 2019 and states incur zero financial burden for participating in this service. (Was presented to Division in 2018 but was denied because the resources were not available in IT)

**Summary of FY 2021 Fiscal Requests**

Board Meetings and Teleconferences:	\$3,630.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$6,605.00
Dues, Memberships, Resources, Training:	\$951.00
Total Potential Third-Party Offsets:	-\$2,259.00
Other:	\$0.00
<b>Total Requested:</b>	<b>\$8,927.00</b>

**Board of Massage Therapists  
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**Legislation Recommendations Proposed Legislation for FY 2021**

**No Recommendations**

The Board has no recommendations for proposed legislation at this time.

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**Recommendations**

The Board has the following recommendations for proposed legislation:

**Unfair Discrimination Sec. 21.36.090**

The Board of Massage Therapists is in support in the amendment of 21.36.090, Unfair Discrimination (d). Massage Therapists are defined in statute AS 18.23.400(n)(5) as health care providers. Massage therapy are currently omitted from the "Unfair Discrimination" Statute. Omittance from this statute exposes massage therapists to unfair discrimination against a person who provides a service covered under a group health insurance policy.

**Sec. 21.36.090. Unfair Discrimination**

(d) Except to the extent necessary to comply with AS 21.42.365 and AS 21.56, a person may not practice or permit unfair discrimination against a person who provides a service covered under a group health insurance policy that extends coverage on an expense incurred basis, or under a group service or indemnity type contract issued by a health maintenance organization or a nonprofit corporation, if the service is within the scope of the provider's occupational license. In this subsection, "provider" means a state licensed physician, physician assistant, dentist, osteopath, optometrist, chiropractor, advanced practice registered nurse, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, licensed clinical social worker, licensed professional counselor, or certified direct-entry midwife.

**Board of Massage Therapists  
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**Regulation Recommendations Proposed Legislation for FY 2021**

**No Recommendations**

The Board has no recommendations for proposed regulations at this time.

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**Recommendations**

The Board has the following recommendations for proposed regulations:

**CPR as a Continuing Education Requirement**

The Board has determined that a regulation requirement regarding CPR as a requirement of continued education is necessary in order to be consistent with the national standards in the massage therapy profession and enable the Board to include the proof of CPR certification as a requirement for the continuing education audit.

**Establishment Regulations**

The Board will be reviewing and recommending adjustments to the establishment registration regulations as the program evolves. The Board expects to address issues regarding topics relating to the application for registration which include: clarification of the therapist in charge, procedures and fee for change of location, proof of business license requirement, clarification of employees vs. independent contractors, renewal timeframe and requirements, notification of close of business and the procedure related to unregistered establishment investigations.

**Online Qualifying Education Regulations**

The Board will be reviewing and recommending adjustments to the online qualifying education regulations as the program evolves. The Board expects to address issues regarding online distance monitoring programs and the involvement of the Distance Education Accrediting Commission (DEAC).

**Board of Massage Therapists  
Fiscal Year 2020 Annual Report**

**Goals and Objectives**

**Part I**

***FY 2020's goals and objectives, and how they were met:***

**Objective: Establishment Regulations**

The Board maintained focus on massage establishment regulations serving the purpose of safeguarding legitimate massage establishments, therapists, and the public from illicit massage establishments and human trafficking activity. The Board reviewed and determined a regulation within the boards "Code of Ethics and Standards of Practice" to define "Standards of Operation" of a massage establishment. The Board worked to develop consist standards to apply to all establishment operations.

**Objective: Disciplinary Matrix**

The Board reviewed its disciplinary matrix and determined standards of case review that resulted in expediting cases and improved consistency.

**Objective: Transcript Analysis Breakdown**

The Board tasked members to research and presented methods of application transcript analysis to be submitted by the applicant with their initial application.

**Objective: Town Hall Meeting and Public Communication**

The Board met in person during the September 2019 meeting to organize a public town hall forum in Anchorage.

**Objective: Continued Education Ethics Requirement**

The Board tasked members to research continued education requirements in the massage therapy profession in regard to ethics.

**Board of Massage Therapists  
Fiscal Year 2020 Annual Report**

**Goals and Objectives**

**Part II**

**FY 2021's goals and objectives, and proposed methods to achieve them.**

***Describe any strengths, weaknesses, opportunities, threats and required resources:***

**Establishment Registration Program and Compliance Checks**

In FY 2020 the Board will process the first applications of massage establishment registrations. This registration will provide an opportunity to investigative teams to address complaint driven concerns as compliance checks. The Board will work with Division's Investigations team to develop compliance check lists consistent with regulation to assist in onsite establishment compliance checks.

**Board of Massage Therapists  
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**Sunset Audit Recommendations**

**Date of Last Legislative Audit:**      **October 11, 2017**  
**Board Sunset Date:**                    **June 30, 2022**

<b>Audit Recommendation:</b>	Improvements are needed to comply with the federal standards over criminal history record information obtained as part of the licensing process
<b>Action Taken:</b>	Implementation of OnBoard for secure transmission of confidential materials, additional disclosure information relating to fingerprint cards and background reports was included on the board's website and in applications.
<b>Next Steps:</b>	n/a
<b>Date Completed:</b>	03/28/2019