

Alaska Board of Massage Therapists

PUBLIC COPY



December 1st & 2nd 2015

The Atwood Building
550 W 7th Ave
Anchorage, AK



Agenda Item 1
Call to order/roll call

State of Alaska
Office of Boards and Commissions Roster
BOARD OF MASSAGE THERAPISTS

| <u>Member</u> | <u>Appointed</u> | <u>Term Expires</u> |
|---|-------------------|---------------------|
| Chair Amanda L. Unser <i>Licensed Massage Therapist</i> | November 25, 2014 | March 1, 2018 |
| Ron Gibbs <i>Licensed Massage Therapist</i> | November 25, 2014 | March 1, 2016 |
| Traci K. Gilmour <i>Licensed Massage Therapist</i> | November 25, 2014 | March 1, 2017 |
| Shirley M. Nelson <i>Public Member</i> | November 25, 2014 | March 1, 2017 |
| David Edwards-Smith <i>Licensed Massage Therapist</i> | November 25, 2014 | March 1, 2018 |



Agenda Item 2
Review/Approve agenda



**Alaska State Board of
Massage Therapists
Atwood Building
550 W 7th Ave Suite 1760
Anchorage Alaska**

Conference Line Call In #1-800-315-6338
Access Code: 14875

**Thursday, December 1st 2016
Meeting Agenda (Draft)**

| <u>Time</u> | <u>Agenda Item</u> | <u>Subject</u> | <u>Lead</u> |
|-------------|--------------------|--|---------------------------|
| 8:30 a.m. | 1 | Call to Order/Roll Call | Chair |
| 8:35 | 2 | Review/Approve Agenda | Chair |
| 8:40 | 3 | Review/Approve past meeting minutes | Chair |
| 8:55 | 4 | Ethics Report | Chair |
| 9:00 | 5 | Regulation Review <ul style="list-style-type: none">• Review the "moral turpitude" language | Chair |
| 10:00 | 6 | Division Update | Hovenden/Chambers/Hewlett |
| 10:40 | 7 | Investigative Report | Bautista |
| 11:00 | 8 | Application review | Staff |
| 12:00 p.m. | | Lunch | |
| 1:00 | 8 | Application review (cont.) | Staff |
| 2:00 | | Public Comment | Chair |
| 2:45 | 9 | Old Business <ul style="list-style-type: none">• Past Task's status• Denied application file (Springer) | Chair |
| 4:30 | | Recess until 9:00 a.m. 12/2/2016 | |



**Alaska State Board of
Massage Therapists
Atwood Building
550 W 7th Ave Suite 1760
Anchorage Alaska**

Conference Line Call In #1-800-315-6338
Access Code: 14875

**Friday, December 2nd 2016
Meeting Agenda (Draft)**

| <u>Time</u> | <u>Agenda Item</u> | <u>Subject</u> | <u>Lead</u> |
|-------------|--------------------|--|---------------|
| 9:00 a.m. | | Call to order/Roll Call | Chair |
| 9:05 | | Review agenda | Chair |
| 9:20 | 10 | Administrative Business <ul style="list-style-type: none">• Schedule future meetings• Sign Wall certificates• Task list• Correspondence• Election of Chair | Chair |
| 10:00 | 11 | Establishment licensing | |
| 10:30 | 12 | New Business <ul style="list-style-type: none">• BBP certificated with a letter from the school• Insurance Billing-Traci Gilmour | |
| 11:15 | 8 | Application review (cont.) | |
| 12:00 | 13 | Review Tabled application | Chair |
| 1:00 | | Report from the FSTMB Annual Meeting | Edwards-Smith |
| 1:45 | | Adjourn | |



Agenda Item 3
Review/Approve past meeting minutes

State of Alaska
Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

BOARD OF MASSAGE THERAPY

MINUTES OF THE MEETING

September 15th & 16th, 2016

These are DRAFT minutes prepared by the staff of the Division of Corporations, Business and Professional Licensing. These minutes have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Massage Therapy was held at the Atwood Building, Suite 1760 in Anchorage, Alaska on Thursday, September 15th and Friday, September 16th, 2016 beginning at 8:41 a.m.

September 15th, 2016:

Agenda Item 1 Call to Order

Time: 8:41 a.m.

The meeting was called to order by Chair, Amanda Unser at 8:41 a.m.

Board Members Present, constituting a quorum:

Amanda Unser, Licensed Massage Therapist (Chair)
David Edwards-Smith, Licensed Massage Therapist
Ron Gibbs, Licensed Massage Therapist
Traci Gilmour, Licensed Massage Therapist
Shirley Nelson, (Public Member)

Division Staff Present:

Laura Carrillo, Records & Licensing Supervisor (*telephonically*)
Dawn Hannasch, Records & Licensing Supervisor(*telephonically*)
Sara Chambers, Division Operations Manager(*telephonically*)
Jun Maiquis, Division Regulations Specialist (*telephonically*)
Angela Birt, Chief Investigator
Al Kennedy, Investigator

Jasmin Bautista, Investigator

Members from the Public Present:

Volker Ruby, Alaska Massage Therapy Association (President)
Edward Toal
Shalome Cederberg, Boards & Commissions
Jeremy Applegate, Department of Labor - Wage & Hour

Agenda Item 2 Review Agenda

Time: 8:42 a.m.

Amanda Unser initiated discussion on reviewing the agenda for September 15th, 2016. Ms. Unser informed the Board that FBI representatives would not be available during the scheduled time allocated for their discussion at 1:30 p.m. Ms. Unser instead suggested to the Board that they take 15 minutes during lunch to compile questions to later pose to the FBI.

On a motion duly made by Traci Gilmour, seconded by Ron Gibbs, and approved unanimously, it was:

RESOLVED to amend the agenda as suggested.

On a motion duly made by Ron Gibbs, seconded by David Edwards-Smith, and approved unanimously, it was:

RESOLVED to approve the amended agenda.

Agenda Item 3 Review Meeting Minutes

Time: 8:47 a.m.

Hearing nothing further on reviewing the agenda, Ms. Unser prompted the Board to review the minutes from the previous meeting from June 2nd & 3rd, 2016 as it was advised that the Board would be referring to it throughout the day. Traci Gilmour suggested that in the future, the examiner place the meeting minutes directly behind the agenda for more convenient reference. The Board also requested a follow-up in regards to whether or not the September emergency meeting minutes have been posted. Traci Gilmour noted that at the Board's previous meeting, all members of the public were in attendance in-person, with the exception of Cheri Bell—this needs to be correctly reflected in the June minutes.

On a motion duly made by Traci Gilmour, seconded by David Edwards-Smith, and approved unanimously, it was:

RESOLVED to approve the amended meeting minutes from June 2nd, 2016.

TASK:

The licensing examiner will place the minutes directly behind the meeting agenda for subsequent Board packets.

TASK:

The licensing examiner will follow-up to make sure the September 8th, 2016 emergency meeting minutes have been posted.

TASK:

The licensing examiner will correct the June meeting minutes to reflect that all members of the public were in attendance in-person, except Cheri Bell.

Ms. Unser then directed the Board's attention to a motion made at the previous meeting on June 3rd, 2016 in regards to AS 08.61.080. She informed the Board that the motion was in need of rescinding as the intent behind the motion was for it to ultimately be submitted as part of a regulation change, not a statutory project.

In rescinding the original motion made on June 3rd, 2016 to, "amend 08.61.080 to add: 'Persons who qualify for exemptions 10/13 must register for exemption with the Department and must show current certified professional membership with IASI or current certification from ROLF Institute of Structural Integration or shows current certification with a national reflexology certification board'", the following clarification was made:

On a motion duly made by Traci Gilmour, seconded by Ron Gibbs, and approved unanimously, it was:

RESOLVED to amend the motion to state, "amend 08.61.080 to add as a regulation, 'Persons who qualify for exemptions 10/13 must register for exemption with the Department and must show current certified professional membership with IASI or current certification from ROLF Institute of Structural Integration or show current certification with a national reflexology certification board.'"

Agenda Item 4 Ethics

Time: 8:51 a.m.

There were no ethics issues to disclose.

Agenda Item 5 Announcements

Time: 8:52 a.m.

Hearing no further announcements, the Board then moved to discussion on old business.

Amanda Unser announced to the Board that she would be stepping down as Chair in February, and reminded the Board that applications for appointment can be found on the Boards & Commissions site. Ms. Unser also commented that Board members should not serve on the Board for more than two consecutive years without taking a break as the work load may require an overbearing commitment.

Agenda Item 6 Old Business

Time: 8:58 a.m.

The Board reviewed the previous task list from the June meeting, which were as follows:

| TASK | STATUS | COMMENTS |
|--|---------------|--|
| Trace applications that received a tabled vote after the license was issued. | Pending | Follow-up with examiner |
| Send motion(s) to Jun Maiquis for regulation review. | Pending | Examiner to compile regulations document following September meeting and send to Jun Maiquis |
| FSMTB – file for renewal of membership. | Pending | Follow-up with travel |
| Contact the Department of Environmental Conservation regarding shop inspection, Jolene Godden (FBI), Jeremy Applegate (Labor and Wage Investigator) regarding a three hour class on human trafficking. | Pending | Board to compile questions for the FBI |
| Legal contact regarding conditionally approved applications. | Pending | Follow-up with examiner |
| Follow up with Ed Toal on Claire Miller. | Pending | Ed Toal to speak during public comment |
| Follow up with Michelle Drummond regarding authorization of release of records. | Complete | Not required to release authorization records |
| Anne Anthony at NCBTMB: Interested in receiving the reports that capture sanctions on certificates, assigned schools, and approved providers for continuing education requirements. | Incomplete | Further follow-up requested |
| Sara Chambers: if there were 150 massage establishment businesses, what would the | Pending | Further clarification needed via e-mail |

| | | |
|---|---------|---|
| fee for shop licensing look like? | | |
| (Board Members): Temporary license research | Pending | Further discussion anticipated |
| (Board Members): Revisit tabled motions by Ron Gibbs | Pending | Further clarification needed via e-mail |
| (Board Members): Review scope of practice as initiated by David Edwards-Smith | Pending | Further clarification needed via e-mail |

The Board also requested an updated on an out-of-state conference that will be held in Cleveland. David Edwards-Smith indicated to Ms. Carrillo that he had received travel itinerary from the Division's travel desk. Ms. Carrillo later followed-up with the Board and confirmed that travel had been approved for Mr. Edwards-Smith, but that travel was not submitted for examiner, Randy Brown.

(Regulation projects) –

12 AAC 70 210(d)(2): In addition, Ms. Unser clarified to Ms. Carrillo that the previous motion made during the June meeting to “adopt part 12AAC 79.210(d)(2) to include “regionally or nationally accredited institution of higher education; a course, seminar workshop, or other program through that institution must be approved by the board as directly related to the skills and knowledge required for the practice of massage therapy, and includes a bloodborne pathogens and universal precautions course under (C) of this section; or (3) local, state or national professional organization that serves the massage therapy profession, including (A) Associated Bodywork and Massage Professionals; (B) the American Massage Therapy Association; (C) the Federation of State Massage Therapy Boards; and (D) the National Certification Board for Therapeutic Massage and Bodywork” is intended to be submitted as a regulation.

12 AAC 70.210(g): The Board then entertained a discussion to allow continuing education credit for participation in a Board meeting where public comment is part of the agenda. After deliberation, the Board entertained a motion to allow two continuing education credits.

On a motion duly made by Amanda Unser, seconded by Traci Gilmor, and approved unanimously, it was:

RESOLVED to deny adding a new section under 12 AAC 70.210(g) as a regulation, to allow starting September 16th, 2016 80% of attendance of a Board meeting with public comment given, to count as two continuing education credits.

A new motion was then made.

On a motion duly made by Amanda Unser, seconded by Traci Gilmour, and approved unanimously, it was:

RESOLVED to approve adding a new section under 12 AAC 70.210(g) as a regulation, to allow starting September 16th, 2016 80% attendance at a Board meeting with public comment given to count as one continuing education credit to start December 3rd, 2016.

The Board discussed the above motion, and Tracy Gilmour commented that the intent behind giving credit for Board meeting attendance is not to be awarded for participation at *every* board meeting. Ron Gibbs agreed, adding that participation credit should only be given once per renewal cycle.

(Temporary/military license discussion) –

Traci Gilmour briefly spoke on the topic of temporary licenses, in which she only found information pertaining to individuals who had just graduated from massage therapy school. Traci indicated that the preliminary information gleaned was not very informative. Amanda commented to the Board that she was not supportive of temporary licenses due to the lack of requiring background checks, in addition to other liability issues. The Board also discussed military/expedited licenses under the division's relevant centralized statute.

Ron Gibbs reviewed the previous motions:

(From February) Upon a motion made by Amanda Unser and seconded by David Edwards-Smith, with Amanda Unser, David Edwards-Smith, Shirley Nelson and Ron Gibbs voting "YES", and Traci Gilmour voting "NO"

It was **RESOLVED** to amend 08.61.010(A) to read "a course of study at least 750 hours of in-class supervised instruction and clinical work from an approved massage school".

(From June) Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, with unanimous approval,

It was **RESOLVED** to reconsider 08.61.030 (A) and reopen the discussion on the 750 hours of education discussion. 117PM

(From June) Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval,

It was **RESOLVED** to table the motion until the next board meeting for discussion after more research is done.

Amanda Unser suggested to the Board to move discussion of the above motions to the New Business discussion for the following day, September 16th. The Board would also be discussing massage therapy scope of practice under new business as well.

Amanda Unser called for break at 9:16 a.m.

Off the record on 9:16 a.m.

On the record at 9:34 a.m.

Agenda Item 7 Public Comment

Time: 9:34 a.m.

Volker Ruby joined the room telephonically at 8:32 a.m.

Volker Ruby left the room telephonically at 9:42.

Ed Toal joined the room via Anchorage

Ed Toal left the room via Anchorage

Shalome Cederberg entered the room via Anchorage

Shalome Cederberg left the room via Anchorage

Volker Ruby from the Alaska Massage Therapy Association posed four questions to the Board:

- 1.) Is it possible to notify massage therapists working in remote, seasonal lodges for the purpose of informing them of the requirement to obtain an Alaska massage therapy license?
- 2.) Is it possible for individuals to obtain a temporary permit while waiting for their permanent state license to process?
- 3.) For therapists graduating massage school in 2017 have to obtain an additional background check in order for their renewal to process? Is there a possibility of changing the massage therapy expiration date to two years subsequent to the initial date of issuance?
- 4.) Is there a way for the Board to quantify/qualify acceptable specific continuing education *courses* amongst several courses offered by "approved" providers?

Ed Toal also joined the room to voice his opposition regarding a potential increase in continuing education quantity from 500 to 750, which he previously noted at the Board's June meeting. Mr. Toal also briefly mentioned an entry level analysis report. The Board did not respond to Mr. Ruby or expound on Mr. Toal's concerns at this time, but did make an

The Board and Ms. Chambers then discussed the North Carolina Dental Board issue and its relevance in acting outside of scope in regards to adhering to due process of the law. The NC Dental Board was stripped of immunity due to making decisions without legal consultation. This discussion highlighted the importance of going through specific, pronged state procedures—via the investigative unit and the Department of Law—before determining whether or not a violation has occurred. Ms. Chambers ensured the Massage Therapy Board that their immunity is secured through established division and state processes.

Agenda Item 10 **Investigations**

Time: 11:07 a.m.

Chief Investigator, Angela Birt, Al Kennedy, and Jasmin Bautista entered the room via Anchorage

Chief Investigator, Angela Birt, Al Kennedy, and Jasmin Bautista left the room via Anchorage

The Division's Investigators spoke briefly before Jasmin Bautista discussed confidential matters with the Board. Jasmin informed the Board that the Division had opened 24 matters, closed 16, and that 13 matters remained open.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to enter into Executive Session in accordance with the provisions of Alaska Statutes 44.62.310 (c)(3) to discuss (c)(2): subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

In executive session at 11:07 a.m.

Left executive session at 11:40 a.m.

Agenda Item 11 **Legal/Regulations**

Time: 11:47 a.m.

Regulations Specialist, Jun Maiquis entered the room telephonically at 11:47 a.m.

Regulations Specialist, Jun Maiquis left the room telephonically at 11:47 a.m.

Upon returning from executive session, The Board returned to discussion on regulations. Amanda Unser initiated a brief discussion on adding a clarifying regulation under the statutory authority pertaining to applying for an exemption under AS 08.61.080. The Board

then resumed discussion on 12 AAC 70 210, which was previously discussed under agenda item #6. The Board expressed that they had previously intended for their discussion on potential regulation changes to be submitted to Jun Maiquis subsequent to their last meeting. The Board asked for clarification regarding the regulatory change process, to which Ms. Carrillo stated that the examiner compiles a document with the Board's motions pertaining to regulation changes following completion of the meeting minutes, then sends the pertinent minutes to the regulations specialist, who sends the proposed changes to the Department of Law. Ms. Carrillo commented to the Board that for a cost savings measure, they have an option to bulk regulation projects together, rather than submit several regulation proposals within a short period. Mr. Maiquis reiterated the benefits of this cost savings measure for the Board's consideration. Ms. Unser stated that the Board intended on submitting the regulation project immediately following the completion of this September meeting.

TASK:

Ms. Carrillo will e-mail the Board a document showing the regulation process workflow.

TASK:

Examiner will compile a regulations document including the Board's proposed regulation changes from the June and September meeting.

Agenda Item 12 Lunch

Time: 12:00 p.m.

Upon a motion made by Traci Gilmour and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to break for lunch at 12:00 p.m.

Off record at 12:00 p.m.

On record at 1:44 p.m.

Agenda Item 13 FBI

Time: 1:44 p.m.

Upon return from lunch, the Board moved to discussion on the FBI. Earlier in the day, Ms. Unser noted that FBI agents would not be present for discussion, but that the Board would be spending time thinking of questions to later pose to them. The Board then discussed human trafficking and labor and wage investigations, and whether or not the FBI had any courses to offer on these topics.

Ms. Carrillo inquired to the Board whether they were interested in a program geared towards addressing ethical and boundary issues amongst licensees who have made professional

violations. Ms. Carrillo explained that a program, Ethics and Boundaries Assessment Services (EBAS) has been utilized by several professions, and can be used to help Boards guide disciplinary actions or to make recommendations. It was also added that participation in EBAS would be a cost incurred by the licensee, not to the Board. The Board expressed interest in this.

TASK:

Ms. Carrillo will e-mail the Board information on EBAS.

Agenda Item 14 Labor and Wage

Time: 2:06 p.m.

Labor and Wage Investigator, Jeremy Applegate joined the room at 1:55 p.m.

Labor and Wage Investigator, Jeremy Applegate left the room at 1:44 p.m.

Jeremy Applegate joined the room to discuss a course on human trafficking.

Agenda Item 6 Old Business

Time: 2:07 p.m.

(FSMTB Travel) –

The Board returned to discussing Old Business, at which time the topic of FSMTB travel, for which the Board had previously voted to send David Edwards-Smith as a delegate, as well as Licensing Examiner, Randy Brown. Amanda Unser read an e-mail pertaining to this travel, which included a statement that the FSMTB would be covering travel expenses. This travel for Mr. Edwards-Smith was ultimately approved.

(Board Member Composition) –

The Board stated they had 5 members on the Board, four of whom are licensed massage therapists, and the remaining member is a public seat.

Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval

It was RESOLVED to go on break.

Off record at 2:44 p.m.

On record at 2:55 p.m.

Agenda Item 15 Environmental Conservation

Time: 2:30 p.m.

There was no employee from Environmental Conservation to facilitate discussion under this agenda item. The Board instead resumed discussion on Old Business.

Agenda Item 16 Licensing Draft

Time: 2:55 p.m.

Upon return from break, the Board addressed discussion on reviewing a draft ordinance of the Anchorage Municipal Assembly regarding massage establishment licensure, which are statutory changes.

(Statute changes) –

AS 08.61.030 – The Board reiterated their intent on seeking legislative approval to change AS 08.01.030(7) to read, “has received at least two hours of safety education covering bloodborne pathogens and universal precautions in the two years preceding the application for the license; in this paragraph, “bloodborne pathogens” has the meaning given in AS 18.15.450”.

AS 08.61.080 – The Board intends on clarifying, under this statutory authority, that persons under (7)(10)(11)(13) must apply for an exemption.

Agenda Item 17 Adjourn

Time: 2:55 p.m.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to adjourn the meeting at 4:30 p.m.

September 16th, 2016:

Agenda Item 1 Call to Order

Time: 8:34 a.m.

The meeting was called to order by Chair, Amanda Unser at 8:34 a.m.

Board Members Present, constituting a quorum:

Amanda Unser, Licensed Massage Therapist (Chair)

David Edwards-Smith, Licensed Massage Therapist
Ron Gibbs, Licensed Massage Therapist
Traci Gilmour, Licensed Massage Therapist
Shirley Nelson, (Public Member)

Division Staff Present:

Laura Carrillo, Records & Licensing Supervisor (*telephonically*)
Sara Chambers, Division Operations Manager (*telephonically*)
Jasmin Bautista, Investigator

Members from the Public Present:

Sarah McGlashan
Drew Cason, Alaska Rolfer's Association
Brice Breaux
Ed Toal

Agenda Item 2 Review Previous Day

Time: 8:35 a.m.

The Board reviewed progress from the previous day, then began discussing the differentiation between set aside and guilty convictions; it was clarified that set aside convictions are actually guilty convictions.

Agenda Item 3 Application Review

Time: 8:41 a.m.

Drew Cason joined the room telephonically at 10:39 a.m.
Drew Cason left the room telephonically at 10:41 a.m.

The Board moved to application review and discussed with Sara Chambers the circumstances in which executive session is necessary.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to enter into Executive Session in accordance with the provisions of Alaska Statutes 44.62.310 (c)(3) to discuss (c)(2): subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

In executive session at 8:41 a.m.
Left executive session at 9:12 a.m.

Upon coming out of executive session, the Board moved to vote on applications, beginning with those that had previously been tabled.

Upon a motion made by Ron Gibbs and seconded by David Edward-Smith, with unanimous approval

It was RESOLVED to deny the application for Yong Li per 12 AAC 79.910 and AS 08.61.060(1).

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was RESOLVED to deny the application for Keimonte Blueford, Case #2016-000-901, per AS 08.61.060(1), AS 08.01.075, AS 08.61.030(9), and 12 AAC 79.910(10).

Upon a motion made by Traci Gilmour and seconded by David Edward-Smith, with unanimous approval

It was RESOLVED to deny the application for Arturo Ramirez, Case #2016-001121 per 12 AAC 79.910(10)(11)(3).

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with Amanda Unser and David Edwards-Smith voting, "No", Traci Gilmour and Shirley Nelson voting, "Yes", and with Ron Gibbs voting to table

It was RESOLVED to table the application for Cynthia Taranto until the next Board meeting in December to allow her an opportunity to present additional information to the Board.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to approve the application of Melissa Kelsey pending approval of a consent agreement to pay a \$500 fine per AS 08.61.060.

The Board consulted with Jasmin Bautista on consent agreements, whereby it was clarified that a minimum of \$1,000 is required, but some amount can be suspended.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to deny the application of Peijun Li per AS 08.61.080(9), 12 AAC 79.190(11), and AS 08.61.030(11).

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to approve the application of Tessa Wells.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to refer the application of Yong Li Wang to Investigations for further review.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to approve the application of Lujun Quin pending receipt of a clear background check per 12 AAC 79.130(c).

Upon a motion made by Shirley Nelson and seconded by Traci Gilmour, with unanimous approval

It was **RESOLVED** to approve the application of Rhonda Perry pending receipt of a clear background check per 12 AAC 79.130(c).

Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, with unanimous approval

It was **RESOLVED** to approve the application of Dong Yingqin.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to approve the application of Tamarin Anderson.

Upon a motion made by Amanda Unser and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to go on break.

Off record at 10:20 p.m.

On record at 10:31 p.m.

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to approve the applications of Lisa Wells, Shanti Trevelyan, Athenia Swinford, Rachael Summerlin, Julie Staten pending a clear background check per 12 AAC 79.130(c).

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval

It was **RESOLVED** to approve the applications of Melissa White and Rhma Smith.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was **RESOLVED** to approve the application of Darlene Nalau.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was **RESOLVED** to approve the application of Sarah McGlashan.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was **RESOLVED** to approve the application of Sabrina Barryman pending a clear background check per 12 AAC 79.130(c) and receipt of fees.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval

It was **RESOLVED** to approve the applications of Heather Dollinger, Alice Guyot, Angela Irvin, Courtney McGlinchy, Christi O'Brien, and Nathan Prince pending a clear background check per 12 AAC 79.130(c).

Agenda Item 5 Lunch

Time: 11:28 p.m.

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to break for lunch.

Off record at 11:28 a.m.

On record at 1:00 p.m.

Agenda Item 6 Public Comment

Time: 1:00 p.m.

Brice Brent was on the line for public comment, and had several questions to pose to the Board:

- 1.) What is the best transition to become licensed, reciprocity or exam?
- 2.) Can the Board publish forewarnings about specific convictions that may result in license denial?
- 3.) How can one appeal to the Board, or speak with them directly?
- 4.) Where can one go for the most updated statutes and regulations?
- 5.) What are the requirements for home office sole proprietors?

Agenda Item 7 New Business

Time: 1:10 p.m.

The Board continued to discuss statutory changes, specifically to AS 08.61.030(a).

Upon a motion made by Amanda Unser and seconded by Traci Gilmour, with unanimous approval

It was **RESOLVED** to go on break.

Off record at 1:48 a.m.

On record at 1:54 p.m.

Agenda Item 4 Drafting Licensing Establishments

Time: 1:54 p.m.

The Board resumed discussion on drafting license requirements, and also discussed statute changes in AS 08.61.030, 08.61.100(5), and 08.61.080.

Agenda Item 8 Administrative

Time: 2:45 p.m.

The Board addressed administrative issues, and brought salient the need to emphasize that

failure to disclose is a violation. The Board requested that the Division make this more clear on forms 08-4659 and 08-4658.

TASK:

The examiner add a warning on applications 08-4659 and 08-4658

TASK:

The Board requested that the Division contact the FSMBT for a list of therapeutic schools.

TASK:

The Board requests that examiner looks into posting an updated FAQ's document to the Board's site.

TASK:

Amanda Unser will contact a legislator to help with the Board's proposed statutory changes, including AS 08.61.010, AS 08.61.080, and AS 08.61.030(3)(A).

Upon a motion made by Amanda Unser and seconded by Ron Gibbs, with unanimous approval

It was **RESOLVED** to go on break.

Off record at 2:45 a.m.

On record at 2:51 p.m.

Agenda Item 8 Correspondence

Time: 3:00 p.m.

The Board spent this time responding to questions posed during public comment.

- 1.) Is it possible to notify massage therapists working in remote, seasonal lodges for the purpose of informing them of the requirement to obtain an Alaska massage therapy license? The Board can search the business license database to reach its massage therapists and notify them of the license requirements.
- 2.) Is it possible for individuals to obtain a temporary permit while waiting for their permanent state license to process? This is not a current license option.
- 3.) Do therapists graduating massage school in 2017 have to obtain an additional background check in order for their renewal to process? Is there a possibility of changing the massage therapy expiration date to two years subsequent to the initial date of issuance? Applicants who are applying 90 days preceding the date of renewal are not required to pay the renewal fee; if applicants apply under this

- timeframe, their license is issued to the next renewal date. The renewal date is set by the Department.
- 4.) Is there a way for the Board to quantify/qualify acceptable specific continuing education *courses* amongst several courses offered by “approved” providers? The Board will be setting standards for continuing education for approval of specific courses.
 - 5.) What is the best transition to become licensed, reciprocity or exam? If an applicant has recently graduated from a massage therapy program, the applicant should apply by exam. If the applicant is already licensed in another state, s/he should apply by reciprocity; if an applicant has been practicing massage within the state of Alaska for within 5 years preceding the date of application, it would be best to become licensed by transition.
 - 6.) Can the Board publish forewarnings about specific convictions that may result in license denial? There is a list of certain convictions that the Board has deemed “okay”, but the Board would like to emphasize that failure to disclose is a violation. The Board advises that applicants be thorough in their responses to questions relating to professional fitness, otherwise investigations may be necessary.
 - 7.) How can one appeal to the Board, or speak with them directly? Public comment, and the licensees can go through an administrative appeal procedure.
 - 8.) Where can one go for the most updated statutes and regulations? Website.
 - 9.) What are the requirements for home office sole proprietors, will they be punished for having a home office? This is an exempt issue, which is currently under discussion.

Agenda Item 9 Adjourn

Time: 3:31 p.m.

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval

It was RESOLVED to adjourn at 3:31 p.m.

Respectfully Submitted by:

Laura Carrillo
Records & Licensing Supervisor

Approved by:

Amanda Unser, Chair
Alaska State Board of Massage Therapy



**Agenda Item 4
Ethics Report**

MEMORANDUM

State of Alaska
Department of Law

TO:

DATE:

FILE NO.:

FROM:

Angie White

Litigation Assistant

Department of Law

Opinions, Appeals, & Ethics Section

TEL. NO.:

FAX:

SUBJECT: Executive Branch Ethics Act, AS
39.52 Quarterly Report
[INSERT QUARTERLY DATE
RANGE]

****SAMPLE LANGUAGE – PLEASE COPY ONLY THE PARTS THAT APPLY
ONTO YOUR BOARD OR COMMISSIONER'S LETTERHEAD ****

As designated ethics supervisor and chair [executive director] for the _____, I wish to advise you that I have received no notifications of potential violations or requests for ethics determinations under the Ethics Act (AS 39.52) and have made no written determinations for this quarter.

OR

As designated ethics supervisor and chair [executive director] for the _____, I have received ___ notification(s) of a potential violation and ___ requests for ethics determinations under the Ethics Act (AS 39.52). I have attached a copy of the notices and requests along with my written determination(s) for review by the attorney general. I did [did not] receive an advisory opinion from the Attorney General.

AND

Except as addressed above, no other [board member] [commissioner] disclosed a potential conflict of interest at a recorded public meeting during this quarter.

OR

In addition to the above, at the [date] meeting, [Board member] [Commissioner] _____ disclosed a potential conflict with respect to _____ [insert brief description]_____. *Insert disposition:* [S/He refrained from participation.] or [I determined s/he could [could not] participate.] or [The Board [Commission] members voted to permit [not to permit] participation.]

CONFIDENTIAL

ETHICS SUPERVISOR DETERMINATION FORM

(Board or Commission Member)

Board or Commission: _____

Member Disclosing Potential Ethics Violation: _____

I have determined that the situation described on the attached ethics disclosure form

does or would violate AS 39.52.110 - .190. Identify applicable statute below.

does not or would not violate AS 39.52.110 - .190.

Signature of Designated Ethics Supervisor (Chair)

Printed Name of Designated Ethics Supervisor

Date: _____

COMMENTS (Please attach a separate sheet for additional space):

Note: Disclosure Form must be attached. Under AS 39.52.220, if the chair or a majority of the board or commission, not including the disclosing member, determines that a violation of AS 39.52.110-39.52.190 will exist if the member participates, the member shall refrain from voting, deliberating, or participating in the matter. A member will not be liable under the Ethics Act for action in accordance with such a determination so long as the member has fully disclosed all facts reasonably necessary to the determination and the attorney general has not advised the member, chair, or board or commission that the action is a violation. Forward disclosures with determinations to the State Ethics Attorney as part of your quarterly report. Quarterly reports are submitted to Litigation Assistant, Opinions, Appeals & Ethics, Department of Law, 1031 W. 4th Avenue, Suite 200, Anchorage, AK 99501

Revised 2012

State of Alaska Department of Law

Who Is My Designated Ethics Supervisor?

Every state public officer, employee or board or commission member, has a designated ethics supervisor.

Executive Agencies

The ethics supervisor for each agency is the Commissioner or a senior manager to whom the Commissioner has delegated the function. The current ethics supervisor for each agency is listed below. The ethics supervisor for a Commissioner is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor.

Boards and Commissions

The Chair of each board and commission serves as the ethics supervisor for the other members and any executive director. The ethics supervisor for the Chair is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor. If a board or commission employs staff, the executive director serves as the ethics supervisor for these employees.

Public Corporations

The Chair of the board serves as the ethics supervisor for the other members of the board and any executive director. The executive director is the ethics supervisor for employees of the corporation.

Office of the Governor

The ethics supervisor for the Governor and Lieutenant Governor is the Attorney General. By delegation from the Governor, the ethics supervisor for the staff of the offices of the Governor and Lieutenant Governor is Guy Bell, Director of Administrative Services.

University of Alaska

By delegation of the University President, the ethics supervisor for university employees is Associate General Counsel Andy Harrington.

EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

Commerce, Community & Economic Development: Jon Bittner, Deputy Commissioner

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

Labor & Workforce Development: Michael Monagle, Director, Division of Workers Compensation

Law: Jonathan Woodman, Assistant Attorney General

Military & Veterans Affairs: Marty Meyer, Special Assistant to Commissioner

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

- Highways & Public Facilities: Steve Hatter, Deputy Commissioner
- Aviation: John Binder, Deputy Commissioner
- Central Region: Rob Campbell, Regional Director
- Northern Region: Rob Campbell, Acting Regional Director
- Southcoast Region: Acting Regional Director
- Alaska Marine Highway System: Michael Neussl, Deputy Commissioner
- Headquarters: Mary Siroky, Administrative Services Director

Updated April 2015

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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State of Alaska
Department of Law

Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

Revised 9/2013

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State of Alaska
Department of Law
Executive Branch Ethics Act

Responsibilities of Designated Ethics Supervisors for Boards and Commissions

Boards and commissions subject to the Ethics Act have designated ethics supervisors. The chair serves as the designated ethics supervisor for board or commission members and the executive director. The executive director is the designated ethics supervisor for staff. The designated ethics supervisor for a chair is the governor, who has delegated this responsibility to Guy Bell, Administrative Director of the Office of the Governor.

Designated ethics supervisors should refer to the Manual for Designated Ethics Supervisors (April 2008), available from the state ethics attorney, regarding their responsibilities under the Ethics Act. Briefly, as designated ethics supervisor, you must --

1. Ensure that members and employees are provided copies of the guides, Ethics Information for Members of Boards and Commissions and Ethics Act Procedures for Boards and Commissions -- and keep a supply of disclosure forms.
 1. These guides, other educational materials, disclosure forms, statutes and regulations are available for review and copying on the Department of Law ethics web site. If access to this page is not available, please contact the Attorney General's office at 269-7195.
2. Review all disclosures, investigate potential ethics violations, make determinations regarding conduct, and take action.
3. Keep member or employee disclosure statements (of potential violations, receipt of gifts, and interests in grants/contracts/leases/loans) on file in your office. Disclosure of a gift received from another government must be forwarded to the Office of the Governor.
4. Submit an ethics report to the Department of Law in April, July, October and January for the preceding quarter. You will receive a reminder. There is a sample report on the ethics web page.
 1. Mail, email or fax to Kim Halstead, Litigation Assistant, Department of Law, Opinions, Appeals & Ethics Section, 1031 W. 4th Avenue, Suite 200, Anchorage, AK, 99501, ethicsreporting@alaska.gov, fax no. 907-279-2834.

You may request ethics advice from your agency's Assistant Attorney General or from the State Ethics Attorney, Jon Woodman, at 269-5100 or jonathan.woodman@alaska.gov. Please direct questions about reporting procedures to Kim Halstead at 269-7195 or kimberly.halstead@alaska.gov.

6/14

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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**Agenda Item 5
Regulations review**

12 AAC 79.910. "MORAL TURPITUDE" DEFINED. Under AS 08.61.030, a crime involving moral turpitude includes

- (1) homicide;
- (2) manslaughter;
- (3) assault;
- (4) stalking;
- (5) kidnapping;
- (6) sexual assault;
- (7) sexual abuse of a minor;
- (8) unlawful exploitation of a minor, including possession or distribution of child pornography;
- (9) indecent exposure;
- (10) unlawful distribution or possession for distribution of a controlled substance;
- (11) prostitution;
- (12) sex trafficking.

Authority: AS 08.61.020 AS 08.61.030

- 12 AAC 79.990. DEFINITIONS.** (a) In AS 08.61 and this chapter,
- (1) "criminal justice information" has the meaning given in AS 12.62.900;
 - (2) "universal precautions" means the infectious control precautions that are recommended by the United States Department of Health and Human Services, Centers for Disease Control and Prevention, to be used to prevent the transmission of bloodborne germs such as human immunodeficiency virus and hepatitis B virus.
- (b) In this chapter, unless the context requires otherwise,
- (1) "board" means the Board of Massage Therapists;
 - (2) "department" means the Department of Commerce, Community, and Economic Development;
 - (3) "licensee" means a massage therapist licensed under AS 08.61.

List of Statute and/or Regulations Changes purposed by the Board in September 2016

1. In rescinding the original motion made on June 3rd, 2016 to, "amend 08.61.080 to add: 'Persons who qualify for exemptions 10/13 must register for exemption with the Department and must show current certified professional membership with IASI or current certification from ROLF Institute of Structural Integration or shows current certification with a national reflexology certification board'", the following clarification was made:
2. RESOLVED to amend the motion to state, "amend 08.61.080 to add as a regulation, 'Persons who qualify for exemptions 10/13 must register for exemption with the Department and must show current certified professional membership with IASI or current certification from ROLF Institute of Structural Integration or show current certification with a national reflexology certification board.'"
3. 12 AAC 70 210(d)(2): In addition, Ms. Unser clarified to Ms. Carrillo that the previous motion made during the June meeting to "adopt part 12AAC 79.210(d)(2) to include "regionally or nationally accredited institution of higher education; a course, seminar workshop, or other program through that institution must be approved by the board as directly related to the skills and knowledge required for the practice of massage therapy, and includes a bloodborne pathogens and universal precautions course under (C) of this section; or (3) local, state or national professional organization that serves the massage therapy profession, including (A) Associated Bodywork and Massage Professionals; (B) the American Massage Therapy Association; (C) the Federation of State Massage Therapy Boards; and (D) the National Certification Board for Therapeutic Massage and Bodywork" is intended to be submitted as a regulation. 12 AAC 70.210(g): The Board then entertained a discussion to allow continuing education credit for participation in a Board meeting where public comment is part of the agenda. After deliberation, the Board entertained a motion to allow two continuing education credits
4. On a motion duly made by Amanda Unser, seconded by Traci Gilmour, and approved unanimously, it was: RESOLVED to approve adding a new section under 12 AAC 70.210(g) as a regulation, to allow starting September 16th, 2016 80% attendance at a Board meeting with public comment given to count as one continuing education credit to start December 3rd, 2016. The Board discussed the above motion, and

Tracy Gilmour commented that the intent behind giving credit for Board meeting attendance is not to be awarded for participation at *every* board meeting. Ron Gibbs agreed, adding that participation credit should only be given once per renewal cycle.

5. (From February) Upon a motion made by Amanda Unser and seconded by David Edwards-Smith, with Amanda Unser, David Edwards-Smith, Shirley Nelson and Ron Gibbs voting "YES", and Traci Gilmour voting "NO"

It was RESOLVED to amend 08.61.010(A) to read "a course of study at least 750 hours of in-class supervised instruction and clinical work from an approved massage school".

(From June) Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, with unanimous approval,

It was RESOLVED to reconsider 08.61.030 (A) and reopen the discussion on the 750 hours of education discussion. 117PM

(From June) Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval,

It was RESOLVED to table the motion until the next board meeting for discussion after more research is done.

6. Upon returning from executive session, The Board returned to discussion on regulations. Amanda Unser initiated a brief discussion on adding a clarifying regulation under the statutory authority pertaining to applying for an exemption under AS 08.61.080. The Board then resumed discussion on 12 AAC 70 210, which was previously discussed under agenda item #6. The Board expressed that they had previously intended for their discussion on potential regulation changes to be submitted to Jun Maiquis subsequent to their last meeting. The Board asked for clarification regarding the regulatory change process, to which Ms. Carrillo stated that the examiner compiles a document with the Board's motions pertaining to regulation changes following completion of the meeting minutes, then sends the pertinent minutes to the regulations specialist, who sends the proposed changes to the Department of Law. Ms. Carrillo commented to the Board that for a cost savings measure, they have an option to bulk regulation projects together, rather than submit several regulation proposals within a short period. Mr. Maiquis reiterated the benefits of this cost savings measure for the Board's consideration. Ms. Unser stated that the Board intended on submitting the regulation project immediately following the completion of this September meeting.

7. Upon return from break, the Board addressed discussion on reviewing a draft ordinance of the Anchorage Municipal Assembly regarding massage establishment licensure, which are statutory changes.

(Statute changes) – AS 08.61.030 – The Board reiterated their intent on seeking legislative approval to change AS 08.01.030(7) to read, “has received at least two hours of safety education covering bloodborne pathogens and universal precautions in the two years preceding the application for the license; in this paragraph, “bloodborne pathogens” has the meaning given in AS 18.15.450”.

AS 08.61.080 – The Board intends on clarifying, under this statutory authority, that persons under (7)(10)(11)(13) must apply for an exemption.

Regulations FAQ Worksheet

CBPL Board: _____ Meeting Date: _____
Regulations being amended: 12 AAC _____
General topic of regulations: _____

This worksheet is designed to help develop a list of Frequently Asked Questions (FAQ) in anticipation of an agency or board regulations project. Staff will walk the board through this worksheet at the time a regulations project is being approved for public notice. It will be used to develop a FAQ to be posted on the board's web page to help the public understand the project. Staff will submit the completed worksheet with the draft board minutes to the Paralegal I within 10 days of the meeting.

What will this regulation do?

What is the public need or purpose of this regulation?

What is the known or estimated cost of the new regulation to a private person?

What positive consequences may this regulation have on public or private people, businesses, or organizations?

What negative consequences may this regulation have on public or private people, businesses, or organizations?

If any negative consequences, please address the reasons why the public need for this change outweighs the negative impact.

List any additional questions or comments that may arise from the public during the comment period. Include a response to the questions.

Staff submitting this worksheet: _____ Date submitted to Paralegal: _____

Steps in the Regulation Process for a Board and Commission (board)¹

Beginning the Process

1. Request for draft regulation changes initiated by the board must be done during a properly noticed public meeting.
2. **Reason:** Identify the reason for the proposed action, such as compliance with new or changed state law. If applicable, identify the law, order, decision, or other action of the federal government or federal or state court, if that is the basis for the proposed action. The description need only be a sentence or two.
3. **Cost information:** In the meeting minutes there must be estimated costs in the aggregate to comply with the proposed action to:
 - Private Persons
 - Other State Agencies
 - Municipalities

Cost information is described simply as an estimate of annual costs within the ability of the board to determine due to its familiarity with the regulated community. Example: The Board of Chiropractic Examiners is proposing to add three CE credits to their continuing competency requirements for a biennial license renewal. The proposal may cost

- Private Persons: \$50 per applicant/licensee
 - Other State Agencies: None known
 - Municipalities: None known
4. Within 10 days of the meeting, board staff must transmit board minutes² or an excerpt of the minutes, draft language or proposals, and a completed Regulations FAQ Worksheet for the proposed regulation changes requested by the board to the Regulations Specialist.

What comes next: Regulations Specialist

5. The Regulations Specialist determines if there is authority in statute to adopt the proposed regulation changes.
6. The Regulations Specialist prepares a draft of regulation changes working with the board staff before submitting the final draft to the board for review/approval. In some instances

¹ The process may take six months to a year or longer to complete. It may be expedited if a board meets often or holds a teleconference following the written comment period to adopt the final regulations. Department of Law workload also plays a big part in the timeframe.

² Board minutes reflecting concisely what the project entails plays an important part in getting a project rolling. This is true for the initial stages and the final motion adopting the regulations following the public comment period due to the relevant minutes or an excerpt of the minutes being forwarded to the Department of Law with the final project.

the draft regulation changes will be reviewed by an AAG before the final draft is submitted to the board for review/approval.

7. Board reviews final draft, amends if needed, and requests that the approved draft be finalized and public noticed.

Public Notice

8. NOTE: The board must **always** provide an opportunity for submission of written comments in the regulation-adoption process. Also, the board should determine if it wants to hold a public hearing on the proposed regulation changes at its next meeting. If it does, the location, date and time of the hearing needs to be included in the public notice. Public hearings are usually held in conjunction with a regularly-scheduled meeting of the board and are always recorded. Oral public hearing is optional; however, answering the following questions will help the board determine if an oral public hearing is needed:
 - Are the regulations controversial and is there likely to be substantial public interest in them?
 - Would those most affected by the regulations be better able to participate if an oral hearing were held?
 - Would the board benefit from a face-to-face or teleconferenced opportunity to receive comments on the proposed regulations from interested persons?
9. Regulations Specialist sends notice to Alaska Dispatch News (or other newspapers if warranted) for publication, all interested parties, and licensees, if warranted. The Regulations Specialist posts the notice on the Alaska Online Public Notice System, electronically transmits a copy of the notice and proposed regulation changes to all incumbent legislators and the Legislative Affairs Agency, House & Senate Labor & Commerce Committees, the Administrative Regulation Review Committee, Legislative Council, Lt. Governor, Governor, and Department of Law (Law).
10. Public notice will be posted on the board's webpage.

Comment Period

11. The Regulations Specialist or board staff shall make a good faith effort to answer relevant questions received at least 10 days before the end of the public comment period. Questions must be in writing or asked at a public meeting. The Regulations Specialist or board staff shall answer questions in writing and make the questions and answers available to the public. FAQs will be posted on the board's webpage and updated when relevant questions are answered. The Regulations Specialist or board staff may, but not required to, answer written questions received after the 10-day cutoff date.
12. After the comment deadline (at least 30 days in duration), comments received on proposed regulation changes are copied by the Regulations Specialist and given to the board staff to include in the board packets for the next meeting for the board to consider prior to adopting. Comments received after the deadline should not be forwarded to the board and comments should not be taken at the board meeting from the public prior to adoption

unless a hearing was noticed and the comments are heard by the board during the comment period.

Adoption

13. The board's options regarding the proposed regulation changes at its next meeting are:
 - a. It can adopt the proposed regulation changes as written, amend and adopt them; or
 - b. Choose to take no action on them.
14. When making a motion to adopt the regulations, the board is required to state on the record that it has reviewed any comments received and considered the cost to private persons of the regulatory action being taken.
15. When regulation changes are adopted:
 - a. The chair signs an adoption order; and
 - b. The board staff signs an affidavit of board action and attaches it to the relevant minutes or an excerpt of the minutes and forwards to the Regulations Specialist.

Finalizing the regulation change process

16. Regulations Specialist prepares project for transmittal to Law, which includes the adopted regulations, certain affidavits, and other appropriate documents.
17. Law reviews and will occasionally make edits. (On rare occasions, this may require the edited version to be re-adopted by the board at a subsequent meeting.) At the same time, the adopted regulations are submitted to the governor for review, and to the chair and all members of Administrative Regulation Review Committee (ARRC), together with any fiscal note if required. The ARRC chair has 10 days to submit to the governor comments on the regulations.
18. Unless returned by the governor, when the governor, the ARRC, and Law's review are complete, the adopted regulations are forwarded to the Lt. Governor for filing. Regulation changes are effective 30 days after filing unless a later effective date is specified in the adoption order.

Statutes and Regulations **Massage Therapists**

July 2016

(Centralized Statutes and Regulations not included)



DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING***

NOTE: The official version of the statutes in this document is printed in the Alaska Statutes, copyrighted by the State of Alaska. The official version of the regulations in this document is published in the Alaska Administrative Code, copyrighted by the State of Alaska. If any discrepancies are found between this document and the official versions, the official versions will apply.

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**CHAPTER 61.
MASSAGE THERAPISTS.**

Section

- 10. Board established
- 20. Duties and powers of board
- 30. Qualifications for license
- 40. Licensure by credentials
- 50. Standards for license renewal
- 60. Grounds for imposition of disciplinary sanctions
- 70. Practice of massage therapy without license prohibited
- 80. Exceptions to application of chapter
- 90. Fees
- 100. Definitions

Sec. 08.61.010. Board established. The Board of Massage Therapists is established in the department. The board consists of five members appointed by the governor as follows:

(1) four licensed massage therapists who have been engaged in the practice of massage therapy in the state for the three years immediately preceding appointment and who shall remain actively engaged in the practice of massage therapy while serving on the board; not more than one member appointed under this paragraph may have an ownership or partnership interest in a massage school; and

(2) one public member; the governor may not appoint as a public member

(A) a licensed health care provider;

(B) an employee of the state; or

(C) a current or former member of another occupational licensing board established under AS 08.

Sec. 08.61.020. Duties and powers of board. In addition to the duties specified in AS 08.01, the board shall

(1) provide for the examination of applicants by the board or through a nationally recognized competency examination approved by the board and issue licenses to applicants the board finds qualified;

(2) adopt regulations governing

(A) licensing of massage therapists; and

(B) the practice of massage therapy;

(3) establish standards of professional competence and ethical conduct for massage therapists;

(4) establish standards for continuing education for massage therapists; standards adopted by the board under this paragraph must allow for approval of Internet-based continuing education courses;

(5) make available to the public a list of massage therapists licensed under this chapter;

(6) determine which states have educational and licensing requirements equivalent to the requirements of this state;

(7) enforce the provisions of this chapter and adopt and enforce regulations necessary to implement this chapter; and

(8) approve one or more nationally recognized competency examinations and publish and periodically update the list of approved examinations.

Sec. 08.61.030. Qualifications for license. The board shall issue a license to practice massage therapy to a person who

(1) applies on a form provided by the department;

(2) pays the fees established under AS 08.61.090;

(3) furnishes evidence satisfactory to the board that the person has completed a

(A) course of study of at least 500 hours of in-class supervised instruction and clinical work from an approved massage school; or

(B) board-approved apprenticeship program;

(4) is 18 years of age or older;

(5) has been fingerprinted and has provided the fees required by the Department of Public Safety under AS 12.62.16 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(6) has a current cardiopulmonary resuscitation certification;

(7) has received at least four hours of safety education covering bloodborne pathogens and universal precautions in the two years preceding the application for the license; in this paragraph, "bloodborne pathogens" has the meaning given in AS 18.15.450;

(8) has successfully completed a nationally recognized competency examination approved by the board; and

(9) has not been convicted of, or pled guilty or no contest to, a crime involving moral turpitude, or who has been convicted of, or pled guilty or no contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the person's ability to practice competently and safely.

Sec. 08.61.040. Licensure by credentials. The board shall issue a license to practice massage therapy to a person who

- (1) is 18 years of age or older;
- (2) applies on a form provided by the department;
- (3) pays the fees established under AS 08.61.090;
- (4) has submitted the person's fingerprints and the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;
- (5) is not the subject of an unresolved complaint or disciplinary action before a regulatory authority in this state or another jurisdiction;
- (6) has not had a certificate or license to practice massage therapy revoked, suspended, or voluntarily surrendered in this state or another jurisdiction;
- (7) has not been convicted of, or pled guilty or no contest to, a crime involving moral turpitude, or has been convicted of, or pled guilty or no contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the person's ability to practice competently and safely;
- (8) has a current cardiopulmonary resuscitation certification; and
- (9) is currently
 - (A) licensed to practice massage therapy in another state or country that has licensing requirements that are substantially equal to or greater than the requirements of this state; or
 - (B) certified by a certification entity approved by the board.

Sec. 08.61.050. Standards for license renewal. The board shall renew a license issued under this chapter to a licensee who

- (1) pays the required fee;
- (2) meets the continuing education requirements established by the board;
- (3) has not been convicted of, or pled guilty or no contest to, a crime involving moral turpitude, or has been convicted of, or pled guilty to or no contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the person's ability to practice competently and safely;
- (4) has a current cardiopulmonary resuscitation certification; and
- (5) has been fingerprinted and has provided the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400.

Sec. 08.61.060. Grounds for imposition of disciplinary sanctions. After a hearing, the board may impose a disciplinary sanction under AS 08.01.075 on a person licensed under this chapter if the board finds that the person

- (1) secured a license through deceit, fraud, or intentional misrepresentation;
 - (2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing massage therapy services or engaging in massage therapy;
 - (3) advertised massage therapy services in a false or misleading manner;
 - (4) has been convicted of a felony or another crime that affects the licensee's ability to continue to practice competently and safely;
 - (5) intentionally or negligently engaged in, or permitted a person under the licensed massage therapist's supervision to engage in, client care that did not conform to minimum professional standards, whether or not actual injury to the client occurred;
 - (6) failed to comply with a provision of this chapter, a regulation adopted under this chapter, or an order of the board;
 - (7) continued to practice after becoming unfit because of
 - (A) professional incompetence; or
 - (B) addiction or severe dependency on alcohol or another drug that impairs the ability to practice safely;
- or
- (8) engaged in unethical conduct or sexual misconduct in connection with the delivery of massage therapy services to a client.

Sec. 08.61.070. Practice of massage therapy without license prohibited. (a) A person may not practice massage therapy or represent that the person is a massage therapist unless the person holds a valid license under this chapter. In this subsection, a person represents that the person is a massage therapist when the person adopts or uses a title or description of services that incorporates one or more of the following terms or designations: massage, massage practitioner, massage therapist, massage therapy, therapeutic massage, massage technician, massage technology, massagist, masseur, masseuse, myotherapist, myotherapy, or another term describing a traditional European or contemporary western massage method, or a derivation of a term that implies a massage technique or method.

- (b) A person who knowingly violates (a) of this section is guilty of a class B misdemeanor.

Sec. 08.61.080. Exceptions to application of chapter. This chapter does not apply to a

- (1) person licensed in the state under a statute outside this chapter who performs massage therapy within the scope of practice for which the person's license was issued;
- (2) person who, while acting in an official capacity as an employee of the United States government, performs massage therapy;
- (3) person who is licensed, registered, or certified in another state, territory, the District of Columbia, or a foreign country while the person is temporarily
 - (A) practicing massage therapy in this state in connection with teaching a course related to massage therapy; or
 - (B) consulting with a person licensed under this chapter;
- (4) student enrolled in an approved massage school or course of study who is completing a clinical requirement for graduation under the general supervision of a person licensed under this chapter if the student is clearly identified as a student while performing massage therapy services on members of the public and is not compensated for the massage therapy services;
- (5) person only performing massage therapy on members of the person's family;
- (6) person only performing techniques that do not involve contact with the body of another person;
- (7) person only performing techniques that involve resting the hands on the surface of the body of another person without delivering pressure to or manipulating the person's soft tissues;
- (8) person only performing services such as herbal body wraps, skin exfoliation treatments, or the topical application of products to the skin for beautification purposes when the services do not involve direct manipulation of the soft tissues of the body;
- (9) person only performing massage therapy for the athletic department of an institution maintained by public funds of the state or a political subdivision of the state or only practicing massage therapy for the athletic department of a school or college approved by the board using recognized national professional standards;
- (10) person engaged only in the practice of structural integration for restoring postural balance and functional ease by integrating the body in gravity using a system of fascial manipulation and awareness who has graduated from a program or is a current member of an organization recognized by the International Association of Structural Integrators, including the Rolf Institute of Structural Integration;
- (11) person using only light touch, words, and directed movement to deepen awareness of existing patterns of movement in the body as well as to suggest new possibilities of movement or to affect the energy systems;
- (12) person performing only the traditional practices of Native American traditional healers;
- (13) person practicing only the manipulation of the soft tissues of the hands, feet, or ears and not holding out to be a massage therapist.

Sec. 08.61.090. Fees. The department shall set fees under AS 08.01.065 for application, license issuance, license renewal, and investigation under this chapter.

Sec. 08.61.100. Definitions. In this chapter,

- (1) "approved massage school" means a massage therapy school or program that
 - (A) has an authorization to operate from the Alaska Commission on Postsecondary Education or a similar entity in another state; or
 - (B) is accredited by a nationally recognized accrediting agency;
- (2) "board" means the Board of Massage Therapists;
- (3) "department" means the Department of Commerce, Community, and Economic Development;
- (4) "massage therapist" means a person licensed under this chapter;
- (5) "practice of massage therapy" means the provision, for compensation, of a service involving the systematic manipulation and treatment of the soft tissues, including the muscular and connective tissues of the human body, to enhance the functions of those tissues and promote relaxation and well-being; in this paragraph, "manipulation and treatment"
 - (A) includes manual techniques applied with the intent to physically affect local soft tissues, such as pressure, friction, stroking, percussion, kneading, vibration, muscular assessment by palpation, range of motion for purposes of demonstrating muscle exertion for muscle flexibility, nonspecific stretching, and application of superficial heat, cold, water, lubricants, or salts;
 - (B) does not include diagnosis, the prescription of drugs or medicines, the practice of physical therapy, attempts to manipulate any articulation of the body or spine, or mobilization of these articulations by use of a thrusting force.

**CHAPTER 79.
MESSAGE THERAPISTS.**

Article

1. **Licensing (12 AAC 79.100 – 12 AAC 79.130)**
2. **License Renewal and Continuing Education (12 AAC 79.200 – 12 AAC 79.220)**
3. **General Provisions (12 AAC 79.900 – 12 AAC 79.990)**

**ARTICLE 1.
LICENSING.**

Section

100. **Application for licensure by examination**
110. **Application for licensure by credentials**
120. **Application for transitional license**
130. **Criminal justice information**

12 AAC 79.100. APPLICATION FOR LICENSURE BY EXAMINATION. (a) The board will issue a license by examination to practice massage therapy to an applicant who meets the requirements of AS 08.61.030 and this section.

- (b) An applicant for licensure by examination under this section must submit
- (1) a completed application, on a form provided by the department; the completed application must include
 - (A) the personal identification information requested on the form;
 - (B) information related to the grounds of disciplinary sanctions under AS 08.61.060;
 - (C) the applicant's fingerprint information described in 12 AAC 79.130; and
 - (D) the application fee, fingerprint processing fee, and license fee specified in 12 AAC 02.396;
 - (2) verification of massage therapy education; verification must consist of
 - (A) an official school transcript evidencing completion of a course of study of at least 500 hours of in-class supervised instruction and clinical work from a massage therapy school or program that
 - (i) has authorization to operate from the Alaska Commission on Postsecondary Education under AS 14.48 or from a similar agency of another state; or
 - (ii) is accredited by a nationally recognized accrediting agency; or
 - (B) satisfactory evidence of completion of a board-approved apprenticeship program;
 - (3) verification of having passed
 - (A) the Massage and Bodywork Licensing Examination administered by the Federation of State Massage Therapy Boards; or
 - (B) the National Certification Examination for Therapeutic Massage or the National Certification Examination for Therapeutic Massage and Bodywork, each administered by the National Certification Board for Therapeutic Massage and Bodywork, if the applicant took the examination before February 1, 2015;
 - (4) a current certification in cardiopulmonary resuscitation from the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization; and
 - (5) verification of having completed at least four hours of safety education in bloodborne pathogens and universal precautions in the two years preceding the application.

Authority: AS 08.61.020 AS 08.61.030 AS 08.61.090

12 AAC 79.110. APPLICATION FOR LICENSURE BY CREDENTIALS. (a) The board will issue a license by credentials to practice massage therapy to an applicant who meets the requirements of AS 08.61.040 and this section.

- (b) An applicant for licensure by credentials under this section must submit
- (1) a completed application, on a form provided by the department; the completed application must include
 - (A) the personal identification information requested on the form;
 - (B) information related to the grounds of disciplinary sanctions under AS 08.61.060;
 - (C) the applicant's fingerprint information described in 12 AAC 79.130; and
 - (D) the application fee, fingerprint processing fee, and license fee specified in 12 AAC 02.396;
 - (2) verification that the applicant
 - (A) holds a current license to practice massage therapy in another state, jurisdiction, or country where licensing requirements are substantially equal to or greater than the requirements of this state; or
 - (B) certified by the American Massage Therapy Association, the National Certification Board for Therapeutic Massage and Bodywork, or other board-approved credentialing entity; and
 - (3) current certification in cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization.

Authority: AS 08.61.020
AS 08.61.030

AS 08.61.040

AS 08.61.090

12 AAC 79.120. APPLICATION FOR TRANSITIONAL LICENSE. (a) The board will issue a license under this section to an applicant who applies for licensure before July 1, 2017, and who meets the requirements of AS 08.61.030(1), (2), (4) – (6), and (9) and this section.

(b) An applicant for licensure under this section must submit

- (1) a completed application, on a form provided by the department; the completed application must include
 - (A) the personal identification information requested on the form;
 - (B) information related to the grounds of disciplinary sanctions under AS 08.61.060;
 - (C) the applicant's fingerprint information described in 12 AAC 79.130; and
 - (D) the application fee, fingerprint processing fee, and license fee specified in 12 AAC 02.396;
- (2) a current certification in cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization; and
- (3) verification that the applicant owned, operated, or worked for a massage therapy business and performed the practice of massage therapy before July 1, 2015, by submitting
 - (A) a copy of the applicant's signed federal tax income tax returns for one of the five years immediately preceding July 1, 2015, listing the person's occupation as massage therapist in this state;
 - (B) copies of the applicant's signed schedule C federal income tax returns for one of the five years immediately preceding July 1, 2015, demonstrating that the person has reported income from the practice of massage therapy in this state;
 - (C) a sworn statement from the applicant's employer in this state attesting that the applicant has practiced massage therapy within the five years immediately preceding July 1, 2015, a copy of the business license of the applicant's employer, and a copy of the applicant's Form W-2 or Form 1099-MISC from the same employer;
 - (D) a copy of the municipal occupational license that was current on the day before July 1, 2015, from a municipality in this state, stating the applicant's occupation as a massage therapist;
 - (E) documentation that the person has, for at least one year immediately preceding July 1, 2015, been an active member, as a massage therapist, in a national professional massage therapy association that was established before January 1, 2000, offers professional liability insurance as a benefit of membership, and has an established code of professional ethics; or
 - (F) other documentation satisfactory to the board.

Authority: AS 08.61.020
AS 08.61.030

AS 08.61.090

Sec. 10, ch. 114, SLA 2014

12 AAC 79.130. CRIMINAL JUSTICE INFORMATION. (a) An applicant for licensure under 12 AAC 79.100, 12 AAC 79.110, or 12 AAC 79.120 must submit with the application the applicant's fingerprints and other information required by the Department of Public Safety to obtain state and national criminal justice information under AS 12.62 and AS 12.64.

(b) The board will submit the fingerprints received under this section to the Department of Public Safety and request the Department of Public Safety to

- (1) submit the fingerprints to the Federal Bureau of Investigation for a report on national criminal justice information;
- (2) perform a check for state criminal justice information; and
- (3) report to the board the results of the criminal justice information checks under (1) and (2) of this subsection.

(c) The request under (b) of this section for a criminal justice information report does not delay consideration of the applicant's license application. If criminal justice information that raises questions about an applicant's qualifications for licensure is received after a license has been issued to the applicant, the department and the board will take action under AS 08.61 and AS 44.62 as appropriate.

Authority: AS 08.61.020

AS 08.61.030

AS 08.61.040

ARTICLE 2. LICENSE RENEWAL AND CONTINUING EDUCATION.

Section

200. License renewal

210. Continuing education requirements

220. Audit and documentation

12 AAC 79.200. LICENSE RENEWAL. (a) A massage therapy license must be renewed biennially on or before September 30 of odd-numbered years. A renewal reminder document will be mailed to each currently licensed massage therapist at least 30 days before the renewal date. Failure to receive a renewal notice does not

relieve a licensee from the responsibility of renewing a license on time.

(b) An applicant for renewal of a massage therapy license must meet the requirements of AS 08.61.050 and this section. A massage therapist applying for license renewal must submit

- (1) a completed renewal application on a form provided by the department;
- (2) the applicant's fingerprint information described in 12 AAC 79.130;
- (3) the fingerprint processing fee and the license renewal fee specified in 12 AAC 02.396;
- (4) a current certification in cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization; and
- (5) documentation that the massage therapist satisfied the continuing education requirements in 12 AAC 79.210.

Authority: AS 08.61.020 AS 08.61.050

12 AAC 79.210. CONTINUING EDUCATION REQUIREMENTS. (a) An applicant for renewal of a massage therapy license,

(1) for a biennial licensing period that begins on or after July 1, 2015, must document at least six continuing education credits, all of which may be met through Internet-based continuing education courses;

(2) for a biennial licensing period that begins on or after July 1, 2017, must document at least 16 continuing education credits, all of which may be met through Internet-based continuing education courses.

(b) An applicant for renewal under (a)(2) of this section may receive two hours of continuing education credit for completion of hands-on cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization.

(c) An applicant for renewal under (a)(2) of this section may receive four hours of continuing education credit for completion of a bloodborne pathogens and universal precautions course once every six years.

(d) Continuing education must be completed through a

- (1) board-approved massage therapy or bodywork therapy school or training program;
- (2) regionally or nationally accredited institution of higher education; a course, seminar, workshop, or other program through that institution must be approved by the board as directly related to the skills and knowledge required for the practice of massage therapy, and includes a bloodborne pathogens and universal precautions course under (c) of this section; or

(3) local, state, or national professional organization that serves the massage therapy profession, including

- (A) Associated Bodywork and Massage Professionals;
- (B) the American Massage Therapy Association;
- (C) the Federation of State Massage Therapy Boards; and
- (D) the National Certification Board for Therapeutic Massage and Bodywork.

(e) For the purposes of this section,

(1) one continuing education credit equals one hour of classroom instruction between instructor and participant;

(2) one academic semester credit equals 15 contact hours; and

(3) one academic quarter credit equals 10 contact hours.

(f) An applicant for renewal is responsible for maintaining adequate and detailed records of all continuing education hours claimed and shall make the records available to the board upon request under 12 AAC 79.220. Records must be retained for four years from the date the contact hours were obtained.

Authority: AS 08.61.020 AS 08.61.030 AS 08.61.050

12 AAC 79.220. AUDIT AND DOCUMENTATION. A licensee shall comply with all applicable requirements of 12 AAC 02.960 and 12 AAC 02.965. If selected for an audit of continuing education activities, the licensee shall cooperate with the department and shall submit all requested verifications of continuing education activities claimed by the licensee.

Authority: AS 08.61.020 AS 08.61.050

ARTICLE 3. GENERAL PROVISIONS.

Section

900. Code of ethics and standards of practice

910. "Moral turpitude" defined

990. Definitions

12 AAC 79.900. CODE OF ETHICS AND STANDARDS OF PRACTICE. The *Alaska Board of Massage Therapists Code of Ethics and Standards of Practice*, dated June 2015, is adopted by reference as the code of ethics

for massage therapists in the state. In order to maintain a high standard of integrity in the profession and to safeguard the health and welfare of the public, massage therapists licensed in this state shall adhere to the code of ethics.

Authority: AS 08.61.020

Editor's note: A copy of the *Alaska Board of Massage Therapists Code of Ethics and Standards of Practice*, adopted by reference in 12 AAC 79.900, may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Board of Massage Therapists, State Office Building, 9th Floor, 333 Willoughby Avenue, Juneau, Alaska 99801; phone (907) 465-3811; website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofMassageTherapists.aspx>.

12 AAC 79.910. "MORAL TURPITUDE" DEFINED. Under AS 08.61.030, a crime involving moral turpitude includes

- (1) homicide;
- (2) manslaughter;
- (3) assault;
- (4) stalking;
- (5) kidnapping;
- (6) sexual assault;
- (7) sexual abuse of a minor;
- (8) unlawful exploitation of a minor, including possession or distribution of child pornography;
- (9) indecent exposure;
- (10) unlawful distribution or possession for distribution of a controlled substance;
- (11) prostitution;
- (12) sex trafficking.

Authority: AS 08.61.020 AS 08.61.030

12 AAC 79.990. DEFINITIONS. (a) In AS 08.61 and this chapter,
(1) "criminal justice information" has the meaning given in AS 12.62.900;
(2) "universal precautions" means the infectious control precautions that are recommended by the United States Department of Health and Human Services, Centers for Disease Control and Prevention, to be used to prevent the transmission of bloodborne germs such as human immunodeficiency virus and hepatitis B virus.
(b) In this chapter, unless the context requires otherwise,
(1) "board" means the Board of Massage Therapists;
(2) "department" means the Department of Commerce, Community, and Economic Development;
(3) "licensee" means a massage therapist licensed under AS 08.61.

Authority: AS 08.61.020



Agenda Item 6
Division Update



Agenda Item 7
Investigative report



Agenda Item 8
Application review



Agenda Item 9

Old Business

- Past tasks status
- Denied application file (Springer)

Tasks from June 2016 meeting

| Task | Status | Comments |
|--|--------|----------|
| Amanda will provide a legible copy of statutes that the board has decided needs changing. David Edwards-Smith will be reviewing data to come up with an estimate of the number of potential massage establishments in the state. | | |
| The board is waiting to hear back from the Department of Law regarding the regulations that were submitted regarding the apprenticeship program. | | |
| Contact FBI and Investigations regarding financial records for potential shop licensing requirements | | |

Task from September 2016 meeting

| TASK | STATUS | COMMENTS |
|--|----------|---|
| Trace applications that received a tabled vote after the license was issued. | Pending | This is an ongoing process, will continue until every application has been re-reviewed for correctness. |
| Send motion(s) to Jun Maiquis for regulation review. | Complete | Done |
| Contact the Department of Environmental Conservation regarding shop inspection, Jolene Godden (FBI), Jeremy Applegate (Labor and Wage Investigator) regarding a three hour class on human trafficking. | | Board to compile questions for the FBI |
| Sara Chambers: if there were 150 massage establishment businesses, what would the fee for shop licensing look like? | | Further clarification needed via e mail |
| (Board Members): Temporary license research | | Further discussion anticipated |
| (Board Members): Review scope of practice as initiated by David Edwards-Smith | | Further clarification needed via e mail |

**Alaska Board of Massage
Therapists**

***Code of Ethics and
Standards of Practice***

June 2015



DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING***

**ALASKA BOARD OF MASSAGE THERAPISTS CODE OF ETHICS
AND STANDARDS OF PRACTICE
JUNE 2015**

In order to maintain a high standard of integrity in the profession and to safeguard the health and welfare of the public, massage therapists licensed in this state must adhere to the Alaska Board of Massage Therapists Code of Ethics and Standards of Practice:

CODE OF ETHICS

- 1) I will represent my qualifications honestly including education, certifications and professional affiliations and accurately inform clients, health care professionals and the public of the scope and limitations of my discipline. I will provide only those services I am qualified to perform.
- 2) I will provide treatment only where there is a reasonable expectation that it will be advantageous to the client and will acknowledge the limitations of and contraindications for massage therapy and refer clients to appropriate health care professionals when indicated.
- 3) I will not discriminate against clients and/or healthcare professionals.
- 4) I will abide by the Federal guidelines of the Health Insurance Privacy and Portability Act (HIPPA).
- 5) I will respect the client's right to refuse, modify or terminate treatment at will regardless of prior consent given.
- 6) I will exercise my right to refuse to treat any person or part of the body for just and reasonable cause.
- 7) I will respect the client's autonomy by providing draping and treatment in a way that ensures the safety, comfort and privacy of the client.
- 8) I will not, in any circumstance, initiate or engage in sexual conduct, activities, or sexualizing behavior involving a client, even if the client attempts to sexualize the relationship.
- 9) I will refuse any gifts or benefits that are intended to influence a referral, decision or treatment or those that are purely for personal gain and I will avoid any interest, activity or influence which may conflict with my obligation as a massage therapist to act in the best interest of my client or the profession.
- 10) I will refrain from practicing under the influence of alcohol, drugs or any illegal substances, with the exception of a prescribed dosage of prescription medication which does not impair my ability to practice safely.
- 11) I will report in accordance to AS 41.17.070 (a)(1) any suspected child abuse or neglect.

STANDARDS OF PRACTICE

- 1) Obey all applicable local, state and federal laws when pertaining to massage therapy.
- 2) Maintain a record of daily clientele including name and date of service and adequate progress notes when applicable.
- 3) Provide a setting that is safe and meets all applicable legal requirements for health, safety, sanitation, hygiene, universal and standard precautions, in accordance with local, state and federal regulatory bodies including guidelines set by the Centers for Disease Control and Prevention (CDC), the National Institute of Health (NIH), and the Occupational Safety and Health Administration (OSHA).
- 4) Therapists shall prominently display the State of Alaska massage license in his or her place of business. Therapists will make available proof of licensure while practicing off site.
- 5) Therapists shall display or discuss a schedule of fees in advance of the session that is clearly understood by the client.



Agenda Item 10

Administrative Business

- Schedule future meetings
- Sign Wall certificated
- Task list
- Correspondence

Sarah Johnson

8823 Forest Village Drive
Anchorage, AK 99502

Cell: 423-827-7816
Work: 907-341-5555

smjohns06@gmail.com

September 29, 2016

Board of Massage Therapists
State Office Building
333 Willoughby Ave., 9th Floor
PO Box 110806
Juneau, AK 99811-0806

Dear Board,

First of all thank you for setting the bar high and for all you do for Therapeutic Massage. I am grateful to be a part of this amazing and rewarding field! My name is Sarah Johnson. I graduated from Alaska Career College September 13th of this year. I am writing you because I am extremely interested in furthering my education in the field in the form of practice and research. I was hoping for some guidance, or resources from our leadership team.

I love massage therapy, science, and research. I would also like to add that now, more than ever, is an opportune time to be in the field. We are expanding, we are networking with the medical field, and our services are being covered by insurance. I want to be a part of this expansion and growth.

This is the essence of what I want to know. Is there any research for the massage therapy field that is being done that I may be a part of? Is there someone I may be in contact with, a mentor, that will point me in the right direction? I appreciate your time.

Thank you,
Sarah Johnson

STATE OF ALASKA

2017 HOLIDAY CALENDAR

State Holidays

| Date | Holiday |
|-------|------------------------------------|
| 01/01 | New Year's Day (observed 01/02) |
| 01/16 | MLK Jr.'s Birthday |
| 02/20 | Presidents' Day |
| 03/27 | Seward's Day |
| 05/29 | Memorial Day |
| 07/04 | Independence Day |
| 09/04 | Labor Day |
| 10/18 | Alaska Day |
| 11/11 | Veterans' Day (observed 11/10) |
| 11/23 | Thanksgiving Day |
| 12/25 | Christmas Day |

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

Holiday

State calendar maintained by the
Division of Finance,
Department of Administration
<http://doa.alaska.gov/calendars.html>
Rev. 04/08/2016

JANUARY

| S | M | T | W | T | F | S |
|----|-----------------------------|----|----|----|----|----|
| 1 | <input type="checkbox"/> 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | <input type="checkbox"/> 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

FEBRUARY

| S | M | T | W | T | F | S |
|----|-----------------------------|----|----|----|----|----|
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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | <input type="checkbox"/> 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | | | | |

MARCH

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| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | <input type="checkbox"/> 27 | 28 | 29 | 30 | 31 | |

APRIL

| S | M | T | W | T | F | S |
|----|----|----|----|----|----|----|
| | | | | | | 1 |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | | | | | | |

MAY

| S | M | T | W | T | F | S |
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| 28 | <input type="checkbox"/> 29 | 30 | 31 | | | |

JUNE

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| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | |

JULY

| S | M | T | W | T | F | S |
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| | | | | | | 1 |
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| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 | | | | | |

AUGUST

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| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

SEPTEMBER

| S | M | T | W | T | F | S |
|----|----------------------------|----|----|----|----|----|
| | | | | | 1 | 2 |
| 3 | <input type="checkbox"/> 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

OCTOBER

| S | M | T | W | T | F | S |
|----|----|----|-----------------------------|----|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | <input type="checkbox"/> 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

NOVEMBER

| S | M | T | W | T | F | S |
|----|----|----|----|-----------------------------|-----------------------------|----|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | <input type="checkbox"/> 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | <input type="checkbox"/> 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |

DECEMBER

| S | M | T | W | T | F | S |
|----|-----------------------------|----|----|----|----|----|
| | | | | | 1 | 2 |
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| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | <input type="checkbox"/> 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |



Agenda Item 11

New Business

- Blood borne Path certificate with a letter from the school
- _____
- _____



Agenda item 13
Tabled Application review

copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received.

From: Ward, Charles W (CED)
To: Brown, Randy S (CED)
Subject: "Stricken Off" charges
Date: Thursday, September 08, 2016 10:05:53 AM
Randy:

Per the Illinois Legal Aid website, "stricken off" charges are charges that are dismissed without resulting in a conviction. Please see <https://www.illinoislegalaid.org/legal-information/commonabbreviations-rap-sheet> for more.

The site states they could be reinstated, but given the information on the documents from Cook County, the time for the state to reinstate has passed. Based on the information presented, it would seem Ms. Liu has not been convicted of the charge of prostitution that was filed against her in 2007.

From: Hannasch, Dawn K (CED)
Sent: Monday, October 24, 2016 4:07 PM
To: Birt, Angela G (CED)
Subject: MAS-Yes application-Liu, Jinrong #114146

To: Angela Birt, Chief Investigator
From: Dawn Hannasch, Records and Licensing Supervisor

The prostitution charge from 2007 was "stricken off". Please advise.

Thank you,

Dawn K Hannasch

Records and Licensing Supervisor
dawn.hannasch@alaska.gov
State of Alaska
Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau AK 99811-0806
New phone # (907) 465-2525
(907) 465-2974 fax
<http://commerce.alaska.gov/cbpl/pl>



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Hannasch, Dawn K (CED)

From: Birt, Angela G (CED)
Sent: Tuesday, October 25, 2016 4:56 PM
To: Hannasch, Dawn K (CED)
Cc: Kennedy, Alvin M (CED)
Subject: RE: MAS-Yes application-Liu, Jinrong #114146

Dawn,

In September 2016, Charles Ward explained this to Randy (see note below from CBP).

“Stricken off” is akin to a dismissal, except that the agency reserves the right to reinstate the charges at a later date. It’s been over seven years since the dismissal, so it’s unlikely that will occur. The applicant fully disclosed her arrest and explained it in a letter from her attorney, which is appended to the original application.

This matter meets the criteria in P&P 28 and investigative review would not assist in providing additional information. There is adequate information for the Board to reach a licensing decision and Ms. JINRONG did not falsify her application.

VERY RESPECTFULLY.

ANGELA

ANGELA G. BIRT
CHIEF INVESTIGATOR
PROFESSIONAL LICENSING
550 WEST 7TH AVENUE, SUITE 1500
ANCHORAGE, ALASKA 99501-3567
PHONE 907.269.4964
EMAIL ANGELA.BIRT@ALASKA.GOV

FAX 907.269.8195 PLEASE NOTE, I DO NOT HAVE A DIRECT FAX LINE. SENDING DOCUMENTS VIA EMAIL WILL BRING THEM TO MY ATTENTION SOONER.

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To: Angela Birt, Chief Investigator
From: Dawn Hannasch, Records and Licensing Supervisor

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Thank you,

Dawn K Hannasch

Records and Licensing Supervisor
dawn.hannasch@alaska.gov
State of Alaska
Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau AK 99811-0806
New phone # (907) 465-2525
(907) 465-2974 fax
<http://commerce.alaska.gov/cbpl/pl>



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