

STATE OF ALASKA

DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING BOARD OF MASSAGE THERAPISTS

MINUTES OF MEETING June 2-3, 2016

By the 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 Massage Therapists was held on June 2-3, 2016 at the Atwood Building, 550 W 7th AVE, Anchorage, AK.

June 2, 2016

Agenda Item - Call to order and Roll Call - 839AM by Chairperson Amanda Unser.

Those present representing a quorum of the Board:

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

In attendance from the State of Alaska were:

Randy Brown, DCCED Licensing Examiner
Sara Chambers, DCCED Division Supervisor (teleconference from Juneau)
Sonia Lipker, DCCED Investigator
Angela Birt, DCCED Chief Investigator
Jasmin Bautista, DCCED Investigator
Jun Maiquis, DCCED Regulations Specialist (teleconference from Juneau)
Brian Howes, DCCED Investigator
Ed Rifle, DCCED Investigator

In attendance as members of the public (all telephonic):

Edward Toal - ROLFer
Robert Bradley - Self
Thanya Bradley - Applicant
Cheri Bell - Massage Therapist
Ashley Hood - Applicant
Jessi Demit - Applicant
Laura Embleton - ABMP

Agenda Item - Review & Approve Agenda

Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval,
It was RESOLVED to approve the agenda. 842AM

Agenda Item - Review Minutes

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval,
It was RESOLVED to approve minutes February 22-23, 2016 meeting as written.

Agenda Item - Task List Review

- Follow up with previous correspondence

- Drafting of language for massage establishment licensing
- House keeping

Agenda Item - Ethics Report

There are no ethics issues to disclose.

Agenda Item - Public Comment

Robert Bradley joined to attest the qualities of his wife, and asked the board to exercise its discretion with his wife's application "Thanya Bradley" as she was out of the country in Thailand, not practicing in Alaska.

Ed Toal joined to note that the board's discussion surrounding the potential raise of classroom hours from 500 to 750 is not supported by him.

Upon a motion made by David Edwards-Smith and seconded by Traci Gilmour, with unanimous approval, It was RESOLVED to recess until 945AM. 919AM

Agenda Item - Division Update

Sara Chambers and Martha Hewlett joined to notify the board that it is in good financial standing and the latest quarterly financial report with the division (available as part of the board packet). 945AM

Agenda Item - Investigative Report

Sonia Lipker, Jasmin Bautista, and Angela Birt joined to notify us of upcoming staffing changes, and to give their investigative report to the division (available as part of the board packet). 10:26AM

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 matters which by law, municipal charter, or ordinance are required to be confidential. 1030AM

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval, It was RESOLVED to return from Executive Session at 1114AM. 1114AM

Upon a motion made by Shirley Nelson and seconded by Ron Gibbs, with unanimous approval, It was RESOLVED to recess until 1PM. 1115AM

Agenda Item - Guest Speaker: Kierke Kussart (Alaska Commission on Post-Secondary Education)

Kirke Kussart from the Alaska Commission on Post-Secondary joined to discuss the process that private schools go through to apply for authorization to operate in Alaska. 101PM

Agenda Item - Application Review

Upon a motion made by Traci Gilmour 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 matters which by law, municipal charter, or ordinance are required to be confidential.. 130PM

Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval, It was RESOLVED to return from executive session. 345PM

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

It was **RESOLVED** to deny applicant "Chan Springer" in accordance with Alaska Statute 08.61.030 (9). 349PM

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval,
It was **RESOLVED** to approve applicant "Jessi Demit." 354PM

Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with only Traci Gilmour voting yes (the remaining four board members voting "no"),
It was **NOT RESOLVED** to conditionally approve applicant "Thanya Bradley" once proof of completion of 100 hours of massage therapy coursework (6 in ethics), medical liability insurance and two notarized letters from clients stating that massage services have been performed. 354PM

Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, with unanimous approval,
It was **RESOLVED** to conditionally approve applicant "Thanya Bradley" pending receipt of secure medical liability insurance, 24 hours of continuing education from an approved provider (including hours of ethics and 2 notarized letters documenting massage therapy services for compensation (from clients that are not immediate family members). 407PM

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with unanimous approval,
It was **RESOLVED** to conditionally approve applicant "Megan Armstrong" pending the receipt of completion of a 4 hour anger management course. 410PM

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval,
It was **RESOLVED** to table the application for "Peijun Li" until more information is provided. 411PM

Upon a motion made by Traci Gilmour and seconded by Amanda Unser, with unanimous approval,
It was **RESOLVED** to deny the application for "Patharee Sonneson (MAS 106403)" in accordance with Alaska Statute 08.61.030 (9). 414PM

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with unanimous approval,
It was **RESOLVED** to approve applicant "Ashley Hood." 415PM

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval,
It was **RESOLVED** to amend the agenda to continue Application Review, Robert's Rules Review, and Old & New Business to tomorrow (6/3/16) at 2 PM under "Remaining Business." 354PM

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with Traci Gilmour abstaining and all other board members voting "YES",
It was **RESOLVED** to recess until tomorrow. 419PM

Chairperson Amanda Unser was informed after the aforementioned motions passed that if applicants are to be conditionally approved, they must be reviewed by the Department of Law.

STATE OF ALASKA

DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING BOARD OF MASSAGE THERAPISTS

MINUTES OF MEETING June 3, 2016

By the 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 Massage Therapists was held on June 2-3, 2016 at the Atwood Building, 550 W 7th AVE, Anchorage, AK.

June 3, 2016

Agenda Item - Call to order and Roll Call - 8:35AM by Chairperson Amanda Unser.

Those present representing a quorum of the Board:

Amanda Unser, Licensed Massage Therapist

Ron Gibbs, Licensed Massage Therapist

David Edwards-Smith, Licensed Massage Therapist

Shirley Nelson, Public Member

Traci Gilmour, Licensed Massage Therapist (videoconference from Juneau)

Agenda Item - Establishment Regulations / Legislative Strategy

Whereas FBI and local law enforcement expressed concern regarding sex trafficking in the massage establishment industry, and currently there exists no regulations governing such establishments, now therefore be it resolved that we amend 08.61.020 (2) to add “ (C) massage therapy establishments.” (Unanimously resolved at 905AM)

The board further strategized how to accomplish this in the discussion that ensued.

Jun Maiquis then joined to follow up with the board on their continuing education regulation project and was available to answer questions regarding massage establishment regulations the board is considering.

Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval, It was RESOLVED to adopt part 12AAC79.210(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. 10:11AM

Upon a motion made by Ron Gibbs and seconded by Shirley Nelson, with unanimous approval, It was RESOLVED to recess until 1030. 1013AM

Upon a motion made by Ron Gibbs and seconded by Traci Gilmour, It was RESOLVED 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. Shirley Nelson voted “NO;” the remaining board members voted “YES.” 1132AM

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

It was **RESOLVED** to recess until 1PM for lunch. 1132AM

Agenda Item – Administrative Business

The board meeting tentatively scheduled for Fairbanks in September will now meet in Anchorage as a cost savings measure.

Upon a motion made by Traci Gilmour and seconded by David Edwards-Smith, with unanimous approval, It was RESOLVED to retain membership with FSMTB at a cost of \$500. 107PM

Upon a motion made by Traci Gilmour and seconded by Shirley Nelson, with unanimous approval, It was RESOLVED to nominate David-Edwards Smith and Licensing Examiner Randy Brown to attend the annual FSMTB meeting in Cleveland in October. 117PM

The board reviewed board correspondence and provided response guidance to the board staff.

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

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.

Agenda Item – Application Review/Remaining Business

Upon a motion made by David Edwards-Smith and seconded by Ron Gibbs, with unanimous approval, It was RESOLVED to approve the following applications per 12 AAC 79.130(c): (235PM)

- Kimberly Dawn VanZanten
- Emily Wikle-Burgess
- Jessica Razink
- Cristina Botero-Brubaker
- Nancy Minger
- Mauricio Gatica
- Jane Garbisch
- Michelle Latham

Upon a motion made by Shirley Nelson and seconded by Ron Gibbs, with unanimous approval, It was RESOLVED to approve the following applications: (236PM)

- Micaela Bauer
- Rhianna Ahern

Upon a motion made by Ron Gibbs and seconded by David Edwards-Smith, with unanimous approval, It was RESOLVED to approve the following applications per 12 AAC 79.130(c) PENDING receipt of fees:

- Darika Jessing

A review of Robert's Rules of Order was done to ensure the board follows proper procedure(s) when conducting a meeting.

Task List:

- Trace applications that received a tabled vote after the license was issued.
- Send motion(s) to Jun Maiquis for regulation review
- FSMTB - file for renewal of membership

- 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
- Legal contact regarding conditionally approved applications
- Follow up with Ed Toal on Claire Miller
- Follow up with conditionally approved applicants
- Follow up with Michelle Drummond regarding authorization of release of records
- Anne Anthony at NCBTMB: Interested in receiving the reports that capture sanctions on certificates, assigned schools, and approved providers for continuing education requirements.
- Sara Chambers: if there were 150 massage establishment businesses, what would the fee for shop licensing look like?

For Board Members:

- Temporary License Research
- Revisit tabled motion by Ron Gibbs
- Review scope of practice - David Edwards-Smith

**Upon a motion made by Traci Gilmour and seconded by Ron Gibbs, with unanimous approval
It was RESOLVED to adjourn this meeting at 321PM**

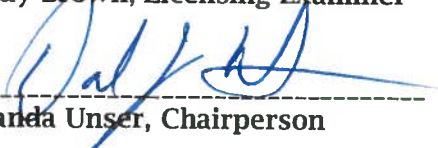
Respectfully submitted:



Randy Brown, Licensing Examiner

12-7-16

Date



Amanda Unser, Chairperson

12-19-2016

Date