

1 State of Alaska
2 Department of Commerce, Community and Economic Development
3 Division of Corporations, Business and Professional Licensing
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5 **BOARD OF MASSAGE THERAPISTS**

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7 **MINUTES OF THE MEETING**
8 **October 20, 2017**
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11 By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a
12 scheduled meeting of the Board of Massage Therapists was held via teleconference
13 Friday, October 20, 2017.
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15 **Agenda item 1** **Call to order/Roll call:**
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17 The meeting was called to order by Chair, David Edwards-Smith at 8:35 am
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19 **Board Members present, constituting a quorum:**
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21 David Edwards-Smith, Board Chair-Licensed Massage Therapist
22 Traci Gilmour, Licensed Massage Therapist
23 Ron Gibbs, Licenses Massage Therapist
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25 **Division Staff present:**
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27 Renee Hoffard, Records and Licensing Supervisor
28 Dawn Hannasch, Occupational Licensing Examiner
29 Dawn Dulebohn, Occupational Licensing Examiner
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31 **Agenda item 2** **Review/Approve agenda:**
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33 In a motion duly made by Traci Gilmour and seconded by Ron Gibbs with unanimous
34 consent, it was:
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36 **Resolved to accept the agenda as written.**
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38 **Agenda item 3** **Ethics reporting:**
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40 The Board Chair opened the floor to any Board member that may have an ethics violation or
41 inquiry. None were presented.
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47 **Agenda item 4** **Clarification on Accredited Massage Schools:**

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49 Traci Gilmour asked that the Chairman calls on board members one by one to hear statements.
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51 David Edwards-Smith states that there needs to discussion to determine if the practice of Rolwing
52 meets the same statutory definition of Massage Therapy.
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54 **Jill Motz, Licenses Massage Therapist (joined at 8:39am)**
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56 Ms. Gilmour states:

57 *12 AAC 79.100(2)(A) an official school transcript evidencing completion of course of study of at least 500 hours of*
58 *in class supervised instruction and clinical work from a massage therapy school or program that*

59 *But 12 AAC 79.100(2)(A)(ii) says that it is accredited by a nationally recognized accrediting agency or (3)*
60 *verification of having passed*

61 Alaska has chosen to exempt Rolfers. Rolfers, by their own testimony, say they are not massage
62 therapists. There is not massage curriculum in RISI. COMTA is a tool, we believed in the
63 beginning, used to qualify schools for continuing education courses. She is curious to why now in
64 education and credentialing, they (Rolfers) would be allowed to be a licensed massage therapist since
65 their school doesn't have massage curriculum and the fact that the transition allowed them to
66 become a licensed massage therapist because they were only required to take the MBLEx or the
67 municipal license. In the testimony opposing HB 110, one of the applicants opposed being
68 regulated by the massage therapy board. Ms. Gilmour muses that *if 12 AAC 79.100(2)(A)(ii)*
69 *requires us to allow Rolfers in even though they have fought so hard against being required to be*
70 *licensed massage therapists. They are asking for exemption yet they want to be part of it, if they so*
71 *choose. Licensed massage therapists don't have a choice yet they (Rolfers) can choose to use us or*
72 *stay out of it by choice. Ms. Gilmour doesn't believe their curriculum affords them the licensing*
73 *that some of them seek.*
74

75 Jill Motz states:

76 She agrees with everything Tracy says Ms. Motz states that she has been part of every coalition
77 leading up to the bill being introduced in the legislature, Rolfers had a representative at every single
78 meeting. The Rolfers strenuously objected to being included in HB 110. Ms. Motz states that
79 Rolfers fought hard and they got what they wanted, they were excluded, not just by structural
80 integration, but by name in the bill. Ms. Motz thinks the board need a legal opinion in the bill itself.
81 Ms. Motz sites *Sec. 08.61.080 This chapter does not apply to a (10) person engaged only in the practice of*
82 *structural integration for restoring postural balance and functional ease by integrating the body in gravity using a*
83 *system of fascial manipulation and awareness who has graduated from a program or is a current member of an*
84 *organization recognized by the International Association of Structural Integrators, including the Rolf Institute of*
85 *Structural Integration.* Ms. Motz feels Rolfers are only going to be rolwing and not massage therapy
86 unless they've gone to massage school. Clearly these are going to be two different professions.
87

88 **Tracy Gilmour left the meeting at 8:45am**
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91

92 Ron Gibbs states:

93 He struggles with the concept of "having your cake and eating it too". All of the vehemence that
94 has come forward to clarify that they (Rolfers) are not massage therapists. Mr. Gibbs wonders if we

95 need another statute change. If the statute gives Rolfers the opportunity to be licensed because of
 96 the word “or”. Quotes *Sec. 08.61.100(1)* “*approved massage school*” means a massage therapy school or
 97 program that (A) has an authorization to operate from the Alaska Commission on Postsecondary Education or a
 98 similar entity in another state; or (B) is accredited by a nationally recognized accrediting agency; It would appear
 99 the Rolf Institute meets both of those. There is a conflict where COMTA is saying RISI is a
 100 massage school but Rolfers were saying it is not a massage school but now Rolfers are saying they
 101 are massage therapists. Mr. Gibbs would like to hear the legislators that were so vehement against
 102 HB 110 weigh in. Are they (Rolfers) massage therapists or are they not? Mr. Gibbs doesn’t feel
 103 comfortable saying to people “you can get a license if you want, but if you don’t want, you’re going
 104 to do your thing”. Mr. Gibbs states that you are either a massage school or you aren’t.

105

106 **Tracy Gilmour re-joined the meeting at 8:46am**

107

108 Chair Edwards-Smith states that the question at hand is whether the school (RISI) is providing the
 109 minimal education requirements that would be expected from a massage therapy program. We’ve
 110 heard from local Rolfers but what we need to hear from is the educational facility, from the Rolfling
 111 Institute. Ms. Gilmore interjects with reference from HB110, Opposing Documents, there are
 112 several pages from iasi (International Association of Structural Integrators) and the Rolf institute and
 113 Patty Anderson, giving full arguments about how they are not massage therapists and they shouldn’t
 114 be licensed and regulated in our industry.

115 Chair Edwards-Smith continues with why RISI has acquired COMTA accreditation that is
 116 completely different scope than massage. Chair Edwards-Smith states a need for clarification. If we
 117 are accepting COMTA accreditation currently, then why do we single out this program?

118 Ms. Motts interjects that if you look at the schools that are accredited, they are all very clearly
 119 massage schools. This is the one thing that does not look like the other. Jill states concern for
 120 financial aid misuse. Chair Edwards-Smith concurs with concern.

121 Mr. Gibbs interjected quoting a rolfer letter that states that the NCBTMB also recognized them.
 122 Chair Edwards-Smith states that they (accrediting agencies) are looking at the tasks that they
 123 (schools/students) are achieving. COMTA is looking at abilities. Chair Edwards-Smith states a
 124 unique perspective of having a different technique of manipulating soft tissues and achieving the
 125 same goal as massage therapists. The rolfling exemption “muddies the water” and they have worked
 126 so hard to distance themselves. Chair Edwards-Smith feels they (Rolfers) are still providing the
 127 same basic services no matter what they call themselves. They (Rolfers) are looking to effect a
 128 person’s well-being with manual techniques. Chair Edwards-Smith last point is does education
 129 determine whether someone actually practices massage therapy (i.e. sound therapy)? Agrees Rolfers
 130 are trying to “have their cake and eat it too”.

131

132 Ms. Gilmour states that on Pg. 53 of Opposing Documents of HB110, Shawn DeFord states that he
 133 doesn’t want to be put in the same role as we. Ms. Gilmour poses the following questions: “Are
 134 you trained as a massage therapist? Have you taken courses defined as massage? Do you want to be
 135 a massage therapist? Does your school teach massage or include any massage courses in their
 136 curriculum?” In statements in letters from the Rolf Institute and iasi answered “no”. Do we use the
 137 MBLEx as a sole qualifier? No massage training and MBLEx? Rolfers have maintained they are not
 138 massage therapists and are pursuing their own licensing. Why is the person who is defining himself
 139 as the regional representative for the Rolf Institute arguing in February of 2017 against being
 140 included in our box, now arguing for it? Do you want to be a massage therapist? Do you want to be
 141 considered a licensed massage therapist? If the answer is no, why are you applying? Is it only for
 142 the benefits that the massage licensing statute is offering? Are you practicing massage therapy? If

143 you aren't, you are an exception to our practice. Ms. Gilmour wants to ask the 55 Rolfers if they
144 want us to repeal the exemption. Rolfers are not massage therapists; they are Rolfers. By their own
145 testimony.

146
147 Ms. Motz states that we caved to pressure to remove opposition. But in the end, the wording of the
148 exemption hinges on the word "only". Rolfers will not and do not say they are massage therapists.
149 They are not performing massage therapy. They are structural integrators. Ms. Motz wants to
150 consult legal for an opinion. In the exemption, the Rolf Institute is mentioned by trademark name
151 because of their opposition. They (Rolfers) didn't go to massage school.

152
153 Mr. Gibbs interjects that the Rolfers argument is that some of them want to practice in a massage
154 place. Those people who are doing that and are choosing to work in that capacity, do need to be
155 licensed, and are licensed because they made that choice. They are massage therapists also.

156 Mr. Gibbs would like to go back to the agencies that have accredited RISI to ask if they are not
157 massage therapists, how they interpreted that rating.

158
159 Chair Edwards-Smith proposed hearing from FSMTB, COMTA, and RISI on the issue of whether
160 the Rolf Institute is a massage school, regardless of Rolfers testimony. Chair Edwards-Smith feels
161 this is the main concern. Public safety needs to be protected by making sure therapists have met the
162 minimum requirements. After compiling that information, the board can convene and make a
163 decision when we are better informed.

164
165 Mr. Gibbs states that we have not denied any applicants (as far as he knows) who have applied for a
166 license. Mr. Gibbs asks OLE Dawn Hannasch if there is anyone applying as new applicants that
167 only have Roling training. OLE Hannasch states there were 3 over the summer that she notified
168 don't meet the minimum requirements. Mr. Gibbs makes a motion that those applications be put
169 on hold, pending further clarification and the board can evaluate. OLE Hannasch clarifies that
170 those 3 people never actually applied; they never sent in an application and fees but corresponded
171 with OLE Hannasch via e-mail. Ms. Gilmour states that in a letter received by the supposed
172 Regional Roling Representative, that applications have been denied. OLE Hannasch states that she
173 did clarify that to him (the supposed Regional Roling Representative) via e-mail.

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175 **In a motion made by Traci Gilmour and seconded by Jill Motts, with a roll call vote it is**
176 **resolved that the board:**

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- 178 1. **Gain a legal opinion on current exemption Chapter 10. Get clarification of the**
179 **word "only" within the phrase "person engaged only in the practice of structural**
180 **integration..." Also, can we put an applicant on hold while we research or are we**
181 **bound by the written statutes?**
- 182 2. **Contact RISI for clarification on their stance on whether or not they believe they**
183 **are a massage school**
- 184 3. **Contact FSMTB for their stance in the accreditation of RISI**
- 185 4. **Contact COMTA for their stance in the accreditation of RISI**

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187 **Jill Motz- yea**

188 **David Edwards-Smith- yea**

189 **Ron Gibbs- yea**

190 **Traci Gilmour- yea**

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Ms. Motz poses the question of reaching out to the Rolfers and asking if they want the exemption pulled from Statutes and Regulations. The Rolfers may have realized that they defended their position too strenuously and have seen a different light. Ms. Motz states that this is an instance where 50 Rolfers are holding 1300 massage therapists hostage.

Chair Edwards-Smith states that as we gain more information, we may or may not have conflicting arguments on the very question that was raised very adamantly by Rolfers during legislative committee meetings. Rolfers are not massage therapists. Chair Edwards-Smith muses that maybe they are starting to see that this small group may be well organized but may not be very consistent with their methods. This raises question as to the validity of the exemption to chapter in the first place. The Board will take the information gathered and forward it to our legislators and if they feel like the exemption to chapter is un-necessary, then they'll take action.

Ms. Gilmour would like the board to forward correspondence from Ed Toal to RISI to clarify the question of Ed Toal being the RISI Regional Chair- Alaska as stated in his correspondence. According to correspondence Ms. Gilmour had, he is falsely representing himself. In RISI's bylaws, assigning titles such as these are against the rules.

The board decides that Chair Edwards-Smith will contact RISI, Ron Gibbs will contact COMTA, and Jill Motts will contact FSMTB. OLE Dawn Dulebohn will take care of the requests for legal, through Sara Chambers, once all of the documentation board members gathered is sent to her.

Mr. Gibbs brings up a new topic of ethics concerning people exposing themselves. Should therapists give "head's up" to other therapists? Is HIPA a factor? Chair Edwards-Smith suggests using boundaries education and communicating with this person. Ms. Gilmour weighs in that that is indecent exposure and the police should be contacted because that behavior is in violation of state and federal laws. Ms. Gilmour also states that in the past, prior to licensing, that communication of inappropriate behavior was done to protect therapists. Ms. Gilmour volunteers to contact HIPA to look into that.

Hearing nothing further, Chair David Edwards-Smith adjourned the meeting.

Respectfully Submitted,



Dawn Dulebohn, Licensing Examiner

11/20/17
Date



David Edwards-Smith, Boards Chair

12-1-17
Date