



Alaska Board of Massage Therapists -June 2022

Regular Board Meeting Minutes

Alaska Division of Corporations, Business and Professional Licensing
Jun 16, 2022 at 9:00 AM AKDT

@ State Office Building, Juneau, Alaska

1. Roll Call 9:00 - 9:05

 [MAS Roster Redacted.pdf](#)

Chair Motz called the meeting to order at 9:14 a.m. All 4 members were present as verified through roll call. A quorum was present.

Attendance

Members Present:

Jill Motz, Kelli Shew, Kristin Tri

Members Present (Remote):

Julie Endle

Guests Present:

Reid Bowman - Records and Licensing Supervisor

Guests Present (Remote):

Melissa Dumas, David Edwards-Smith, Michele Hearn, Jennifer Summers, Marilyn Zimmerman

2. Ethics Review/Disclosure

Chair Motz asked the board if there were any ethical issues to report. There were none reported.

3. Review/Approve Agenda

 [Alaska Board of Massage Therapists -June 2022 Draft.pdf](#)

The board members all confirmed they reviewed the agenda and there were no amendments presented.

Motion:

RESOLVED to APPROVE the agenda as written.

Motion moved by Julie Endle and motion seconded by Kristin Tri. The motion passed unanimously by roll call.

4. Discussion of minutes going forward

Add Feb Action minutes here:

Records and Licensing Supervisor Bowman presented to the board a administrative change regarding the preparation of minutes. In compliance with the order Governors order to expedite professional licensing the Director Chambers has ordered the administration of professional licensing to prepare minutes in the form of action items. Audio recording of minutes will be made available to the public. Records and Licensing Supervisor (RLS) Bowman spoke to the divisions specific focus is on the licensing process and temporarily the focus on the administrative board process will not be prioritized.

5. Best way to distribute information on CE requirements

How to get information out to licensees about CE requirements to avoid mistakes, late CE, etc. causing an abundance of expense to the program due to investigative/paralegal referrals.

The board discussed means of improving communication with licensees in regards to licensing renewal. RLS Bowman spoke to the record number of audits that have failed during the last licensing period. The board discussed means of improving written content and implementing additional email and postal mail notifications that clearly communicate the renewal process. The board suggested staff mail and email reminders about CE to applicants periodically throughout the licensing period.

6. Masking requirements

Chair Motz presented a letter to the board as a proposed position statement regarding masking requirements. Chair Motz informed the board that recently, there have been some changes at the CDC level about masking being based on community transmission. Chair Motz recommended the boards position to continue to encourage, but not require, masking as a first line of defense for the health and safety of therapists and the public, especially when working with vulnerable populations and unvaccinated people.

Motion:

RESOLVED to APPROVE the letter regarding the update of masking guidance written by Jill Motz.

Motion moved by Kristin Tri and motion seconded by Kelli Shew. The motion passed unanimously by roll call.

The board recessed for a break at 9:40 a.m. and reconvened at 9:45 a.m.


7. Credentials based licensing and AS 08.61.020(5) . Deciding which states are equivalent to speed licensing.

The quoted statute says "determine which state have educational and licensing requirements equivalent to the requirements of this state;"

AS 08.61.040 (9)(A) - Licensure by credentials states "licensed to practice massage therapy in another state or country that has licensing requirements substantially equal to or greater than the requirements of this state;"

Incoming license verifications almost never have the requested second page showing verified hours, exam completion, etc. Other states most often will not provide that information to Division, which requires the applicant providing transcripts/MBLex scores, etc. leading to delays.

If the board were to pre-determine which states meet the Alaska education and exam requirements, a license by credentials application could be streamlined for the applicant, board and licensing examiner, without extra delays.

 [FSMTB- AMENDED-State Curriculum and Approved School Requirements \(January 2019\).pdf](#)

 [FSMTB-State Licensure Requirements - Endorsement \(January 2019\).pdf](#)

The board clarified that 625 hours is the minimum standard for licensing. The board has determined that they will contact the FSMTB for an updated list of state licensing requirements and work to develop a list of states that are substantially equal requirements. The board asked staff to investigate what the definition of substantially equal to Alaska requirements means for licensing by credentials. The board tasked Julie Endle with contacting the Federation of State Massage Therapy Boards (FSMTB) to correct their licensing qualification information for Alaska. Jill Motz was tasked with dividing the states list and submitting it for individual research by board members to determine whether states can be pre-qualified as meeting the requirements for being substantially equal.

The board recessed at 10:28 a.m. and returned to the record at 10:35 a.m.

8. Pre-flight education to review needed remedial hours for credentials/exam or alternate route (rolfing) licenses?

Concerns about how a pre-review can work to advise applicants about what is needed to complete remedial education if less than 625 hours or how many hours to accept from "non-massage" schools (i.e. rolfers seeking licensure).

After discussion the board determined to not pre-review applications, in favor of only accepting completed applications that meet the statutory and regulatory requirements . The board would like to improve communication about the 625 minimum education hours during the application process by Division staff.

9. Discussion of cleaning up 12 AAC 79.210 to avoid date confusion.

In the previous meeting the board voted to remove the requirement that CE not be required during the concluding license period. In addition to this regulation project, does the board want to deal with outdated and confusing "grandfathered" regs ? (On or before July 1, 2015...On or before...on or after....) to clarify what the requirements are now, since all the dates are now past.

 [12 AAC 79.210.pdf](#)

Motion:

RESOLVED to BEGIN a regulations project for the changes of 12 AAC 79.210. as discussed in today's board meeting.

Motion moved by Julie Endle and motion seconded by Kelli Shew. The motion passed unanimously by roll call.

Transcript of the desired regulations change as emailed to RLS Bowman by Chair Motz:

12 AAC 79.210 Continuing Education Requirements (a) An applicant for renewal of a massage therapy license,

(1) For every licensing period, applicants must document completion of at least 16 continuing education credits, 2 of which must be in Ethics. CEUs must be completed between the beginning of the prior licensing period and the time of application;

(2) Documentation of completed CPR course as per 12 AAC 79.200.

(b) An applicant for renewal can use 2 ceu if hands on

(c) must be competed through list currently in regulation

(e) forward to remain the same

Discussion of regulations project resulted in the following language:

Begin a regulations project to amend 12 AAC 79.210. CONTINUING EDUCATION REQUIREMENTS

1. (a) An applicant for renewal under (a)(1) for every licensing period the applicant must document the completion of 16 continuing education credits 2 of which must be in ethics. CE's must be completed between the beginning of the prior licensing period and the time of application.

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. This will replace all language of this section and the current item (e) remains the same.

10. Division Update (Presenters: Melissa Dumas)

 [MAS FY22 3rd Qtr.pdf](#)

Division Operations Manager Melissa Dumas provided an update on the 3rd quarter of fiscal year 2022 financials and reviewed cost allocations.

11. Lunch

1:30 PM Roll Call

A quorum is established with Jill Motz, Kelli Shew, Julie Endle and Kristin Tri

12. Public Comment

Celena Votel, Emily Shumate, Stacey Collier and Sky Inglett was in attendance remotely . Stephanie Rodriguez, Suzette Henrikson, and Tammy Gifford presented public comment to the board.

13. Investigations (Presenters: Michele Hearn, Jennifer Summers, Guests: Marilyn Zimmerman)

A. Investigative Report

 [MAS Investigative Report 6.16.2022.pdf](#)

Investigator Michele Hearn presented the investigative report for the periods of February 17 2022 through June 1 2022, the report includes cases complaints an matters addressed, since the last report. The report also includes matters that were opened regarding continuing education audit and license actions resulting from those matters.

B. Board investigations training

Training facilitated by Investigator Michele Hearn

 [Investigative Process for Public 4.28.2021.pptx](#)

C. Executive session

 [EXECUTIVE SESSION MOTION.pdf](#)

Motion:

The Alaska state of board of massage therapist move to executive session in accordance with AS.44.62.31 (c) and Alaska constitutional right to privacy provision for the purpose of discussing subjects that tend to prejudice the reputation and character of any person provided the person may request a public discussion.

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

The board requested the attendance of Licensing Examiner David Edwards-Smith, Probation Monitor Katrina Eldred, Paralegal Marilyn Zimmerman and Investigator Brian Surprise.

2:00 PM Roll Call

A quorum is established with Jill Motz, Kelli Shew, Julie Endle and Kristin Tri

Motion:

Approve Consent Agreement for Alice Guyot case number 110130

Motion moved by Julie Endle and motion seconded by Kelli Shew. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Christina Garcia - case number 108639

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Holly Fox case number - 113366

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Lucelia Graves case number - 102006

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Michael Meyer - case number 102088

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Nicole Place case number - 102042

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Nora Skeelee case number - 110415

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Renae Kaas - case number 101931

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement for Terri Eggert case number - 108557

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve voluntary surrender of license for Sterling Rasmussen case number - 107618

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

Motion:

Approve Consent Agreement and Civil Fine for Misty Savage - case number 101344

Motion moved by Julie Endle and motion seconded by Kristin Tri. Unanimous Roll Call Vote

14. Random Audit process (Guests: Marilyn Zimmerman)

 [Random Audit process.pdf](#)

 [CE Audit Application Review Guide - draft.pdf](#)

Records and Licensing Supervisor Bowman presented the board with a flow chart which described the audit process to the board.

Paralegal Marilyn Zimmerman spoke to the process in which mandatory audits are submitted on to the paralegals 90 days before their license lapses that time to process. This also gives board time to review it approve it, and then they can get their license renewed so we won't get into that picture of licenses collapsing.

15. Issuing licenses before background check is returned

 [Statute - Fingerprinting.pdf](#)

Motion:

The board will issue licenses before the background reports are received.

Motion moved by Kristin Tri and motion seconded by Kelli Shew. Unanimous Roll Call Vote

The board discussed the history of the board policy regarding issuing licenses with a complete background check which includes background reports. Chair Motz spoke to the initial licensing period with a significant amount of background checks with convictions that resulted in the current policy. The board discussed that facts that there have been no recent background incidents with convictions that would prevent licensure.

9:30 Break

9:45 Roll Call

A quorum is established with Jill Motz, Kelli Shew, Julie Endle and Kristin Tri.

16. Day 1 Adjourn 4:30 p.m.

17. Day 2 Convene 9:00 a.m. Roll Call

 [MAS Roster Redacted.pdf](#)

9:00 Roll Call

A quorum is established with Jill Motz, Kelli Shew, Julie Endle and Kristin Tri

18. Board consideration of hardship exemptions for CE

Chair Motz indicated that the board has spoken on this issue in the past. Chair Motz spoke to the fact that very few if any other state massage licensing programs allow for continued education to be completed entirely online and this policy is in place because of the geography and size of the state of Alaska and how hard it is for people to get to in person classes.

The board did not take action regarding hardship exemptions for CE's

19. Annual Report process

 [TEMPLATE AnnualReport 2022.pdf](#)

 [MASAnnualReport2021.pdf](#)

Records and Licensing Supervisor Bowman reviewed the annual report deadlines and format with the Board.

20. Application Review Process/Reviewing Board Member roles

Review purpose of reviewing board member and roles - possible practice applications to review. 2 applications, 2 CE reviews

 [Credentials Application Review Guide - draft.pdf](#)

 [Examination Application Review Guide - draft.pdf](#)

 [CE Audit Application Review Guide - draft.pdf](#)

 [MAS - Exam - Acc.pdf](#)

 [MAS - NCBTMB - Examination.pdf](#)

 [MAS - Credentials - Education.pdf](#)

 [MAS - Credentials - Failure to Disclose.pdf](#)

 [MAS - Random Audit.pdf](#)

Records and Licensing Supervisor Bowman presented to the board draft board application review guidance documents that were prepared by Licensing Examiner David Edwards-Smith. The board discussed board member roles and responsibilities in the application review process.

21. Application Review

A. J.W 107435 reinstatement

This application was originally tabled due to a lack of clarity about whether the CE provider was an approved provider.

 [MAS - Jie Wang - 107435 - Reinstatement Results.pdf](#)

B. Tabled random Audit - C.C-B

 [Tabled audit Clark-Berry Chloe 101841.pdf](#)

22. SB 21 Regulations Progress

Please note and remind the board that the comment period for this project closed at **4:30 p.m. on June 7th**; therefore, the board may not consider any comments received after that deadline.

 [Public Comment Received.pdf](#)

 [Certification Order.pdf](#)

 [MAS Notice-0522.pdf](#)

The board reviewed the correspondence regarding SB21 and clarified that this regulation was specifically targeted to provide temporary licensing to military personnel and their spouses.

Motion:

RESOLVED to ADOPT the SB 21 regulations after considering public comments, and the cost to licensees.

Motion moved by Kelli Shew and motion seconded by Kristin Tri. The motion passed unanimously by roll call.

Break at 11:52

12:15 A quorum is established with Jill Motz, Kelli Shew, Julie Endle and Kristin Tri.

23. Massage school education requirements reg project progress

24. Day 2 Lunch

25. CE during concluding period reg project progress

See Day 1 item 9. More discussion needed?

26. FAQ packet review

 [FAQ Re-write.docx](#)

There was no discussion regarding the FAQ packet review

27. Administrative Business

A. Review Previous Task List

Records and Licensing Supervisor Bowman spoke to the current task. This included the pending regulations projects and State licensing requirement breakdown.

B. Correspondence

 [Question about eastern healing and licensure required..pdf](#)

 [Complaint for the meeting - correspondance.pdf](#)

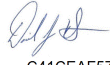
The board discussed the "complaint for the meeting" correspondence and spoke to the past staffing and training issues as well as the steps that have been taken to improve the licensing process.

The board discuss the "question about eastern healing and licensing" correspondence. The board determined that the described issue as a potential licensing case and the situation could be filed as a report to investigations.

28. Adjourn

Meeting adjourned at 3:20

Respectfully Submitted: David Edwards-Smith
Occupational Licensing Examiner

DocuSigned by:

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Approved: 
Jill Motz, Chairperson
Board of Massage Therapists

Date: September 12th, 2022