



State of Idaho
Division of Occupational and Professional Licenses
Idaho Board of Massage Therapy

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Board Meeting Minutes of 9/11/2023

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|-----------------|---------------------------------------|-----------------|---|
| Board | Joanna Robertson - Chair | Division | John Price, Acting Executive Officer |
| Members | Anna Larsen | Staff: | Greg Loos, General Counsel |
| Present: | Melissa Goldsmith Samantha Scholar | | Skip Liddle, Investigations Program Supervisor Christian Runnalls, Board Support Specialist Katie Stuart, Bureau Chief Administration |
| | | Others | Eric Nelson, Board Prosecutor |
| | | Present: | |

The meeting was called to order at 9:30 AM by Joanna Robertson.

Introductions

Ms. Robertson introduced the new board member, Ms. Scholar, to the Board members and the Division staff.

Approval of Minutes

A motion was made and seconded to approve the 6/5/2023 and 6/26/2023 minutes. The motion carried unanimously.

DIVISION BUSINESS

Health Profession Recovery Program: Ms. Stuart explained the Health Profession Recovery Program to the Board and stated that it can be used in conjunction with or in lieu of discipline for licensees. The Board tabled further discussion.

Financial Update: Mr. Price gave the financial report, which indicated that the Board had a cash balance of \$435,134.23 as of June 30, 2023.

BOARD BUSINESS

Board Election: A motion was made and seconded to re-elect Ms. Robertson as the Board Chair and to elect Ms. Larsen as the Board Vice-chair. The motion carried unanimously.

Topics to Present at FSMTB Annual Meeting: Ms. Robertson will present the Board's rule changes made during Zero-Based Regulation. She will also discuss the Board's difficulty with the Washington State Board of Massage and the ethical obligation for education versus simply meeting minimum regulatory requirements.

DOPL Training at Schools - Update: Mr. Price stated that the Board will review the training presentation on the Board's administrative rules at the next quarterly meeting. The Board will present the training to massage schools next year.

Licensing Report: Mr. Price gave a licensing report to the Board.

Zero-Based Regulation: Mr. Loos presented the ZBR public comments the Board received since its last meeting. He read comments submitted by: Lance Hostetter and Ashley Hernandez opposing changes to Rule 400; Jackie Guilbeault, WSM TA, Lydia Benson, Cammie McLain, Mandy McCrain, Rita Thompson, Suzanne Kaplan, Barb Denham, and Jane Olson opposing any reduction of training hours in Rule 600 with Lydia Benson and Cammie McLain requesting an increase to 625 hours and Mandy McCrain stating that all applicants should be required to pass the MBLEX exam; Lance Hostetter, Ashley Hernandez, Jackie Guilbeault, the Washington State Massage Therapy Association (WSM TA), Lydia Benson, Cammie McLain, Jan Collins, George Condit, Misty Lake, Cynthia Miller, Amy Bradley, Rita Thompson, Suzanne Kaplan, Kayla Ray, Christine Hooper, Desiree Johnson, Brandon (Unknown), and Lance Giles opposing changes to continuing education (CE) requirements; Chadamas Geddes and Louis Jennings supporting changes to CE requirements; David Crettol requesting a reduction of ethics CE hours; Jackie Guilbeault opposing changes to supervision requirements; Lance Hostetter opposing changes to Rules 700 and 800, Lance Hostetter and Christine Hooper opposing the elimination of endorsement licensure; Andrew Campbell and Chelsea Stillman in full support of the proposed rules; and Eric Morin opposing all changes to the current rules.

Mr. Josh Scholer, Division of Financial Management, explained to the Board that the Code of Ethics incorporated by reference in Rule 800 needs to be updated with the specific date of the publication to comply with APA standards.

A motion was made and seconded to move the rules from proposed to pending with the changes made to Rule 800. The motion carried unanimously.

Public Comment

Lydia Bensen stated her disapproval of the changes made to the continuing education (CE) requirements and compared other licensing entities that require fewer CEs but more qualifying education.

Lance Giles stated his disapproval of the changes to the CE requirements.

Executive Session

A motion was made and seconded to enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. The vote was: Ms. Larsen, aye; Ms. Goldsmith, aye; Ms. Scholer, aye; and Ms. Robertson, aye. The motion carried unanimously.

A motion was made and seconded to exit executive session. The motion carried unanimously. No decisions were made in executive session.

Discipline

A motion was made and seconded to authorize the Board prosecutor to negotiate a Stipulation in case numbers I-MAS-2023-4, I-MAS-2023-11, I-MAS-2023-15, and I-MAS-2024-2 and to allow the Board chair to sign on behalf of the Board. The motion carried unanimously.

A motion was made and seconded to close case number I-MAS-2023-10 with an advisory letter. The motion carried unanimously.

A motion was made and seconded to approve the Final Order in case number MAS-2024-1 and to authorize the Board chair to sign on behalf of the Board. The motion carried unanimously.

Adjourn

There being no further business, the meeting was adjourned at 12:12 PM.

The next meeting is on 12/04/2023.