Minutes of 1/24/2022

BOARD MEMBERS PRESENT: Justin Kobbe Solace - Chair
Mary Jo White, D.C.
Riki Nagle-Ker

BOARD MEMBERS ABSENT: Carla A Steen

DIVISION STAFF: Anne Lawler, Bureau Chief
Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Nicholas Krema, General Counsel
Landon Brown, Board Prosecutor
Cesley Metcalfe, Board Support Supervisor
Bonnie Dodson, Board Support Specialist
Christian Runnalls, Board Support Specialist
Candace Villarreal, Licensing Specialist

OTHERS PRESENT: Laura Embleton, Government Relations Director,
Associated Bodywork & Massage Professionals
Heather Kazmark, American Massage Therapy Association
Barb DeHaan, Idaho Director, Northwest Career Colleges

The meeting was called to order at 9:39 AM MST by Justin Kobbe Solace.

INTRODUCTIONS

Ms. Lawler introduced herself as the Bureau Chief of the Occupational Licenses Bureau of the Division, and as the Executive Officer of the Board; Kent Absec as the Licensing Program Manager; Cesley Metcalfe as the Board Support Supervisor; Bonnie Dodson and Christian Runnalls as Board Support Specialists; Nicholas Krema as General Counsel; and John Price as the Investigative Unit Program Manager.

APPROVAL OF MINUTES

Ms. White made a motion to approve the minutes of 9/20/2021. It was seconded by Ms. Nagle-Ker. Motion carried.
DIVISION BUSINESS

LAWS AND RULES

Ms. Lawler gave a legislative update and stated that the Board’s temporary rules will be going to committee next week.

Ms. Lawler also gave an overview of Zero-Based Regulation (ZBR) and stated that the Board is tentatively scheduled to begin its review in 2023. All regulatory boards will also be undergoing a sunset review on their statutes over a five-year period, but a schedule for that has not yet been provided.

DIVISION UPDATES

Ms. Lawler informed the Board that a financial report was unavailable due to issues created by the consolidation of multiple financial systems within the Division. A report will be presented at the next meeting depending on availability from the Finance Department.

Ms. Lawler reviewed the third organization chart showing all employees of the Division. She stated that the Division should be moved into its permanent building by July.

As of January 1, 2022, all Board members will receive an honorarium for each quarterly meeting that they attend.

QUARTERLY MEETING DATES

The Board set its quarterly meeting dates for 2022.

March 14, 2022 at 9:30 AM MDT.
June 6, 2022 at 9:30 AM MDT
September 12, 2022 at 9:30 AM MDT
December 12, 2022 at 9:30 AM MST

BOARD MEMBER TRAINING

Board member training was tabled until the next meeting.

BOARD BUSINESS

CONTINUING EDUCATION AUDIT APPROVAL PROCESS

Ms. Lawler discussed Board governance versus daily operations in relation to documents for Board review from staff. The Board discussed its current approval process for continuing education audits and options for delegating this task to Division staff.

Ms. Nagle-Kerr made a motion to delegate authority to Division staff to review and approve continuing education audits. Dr. White seconded the motion. Motion carried.
TEMPORARY PERMITS AND APPLICATION APPROVAL PROCESS

The Board discussed its current approval process for temporary permit and licensure applications. After review of the authority granted to Division staff on March 8, 2021 to approve applications, no action was taken.

COMPLAINT MEMORANDUM

Mr. Price gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Dr. White made a motion to approve the Division’s recommendations and authorize closure in case number I-MAS-2022-2. It was seconded by Ms. Nagle-Ker. Motion carried.

EXECUTIVE SESSION

Dr. White made a motion that the Board go into 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 consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Nagle-Ker. The vote was Mr. Kobbe-Solace, aye; Ms. Nagle-Ker, aye; and Dr. White aye. Motion carried.

Dr. White made a motion to come out of executive session. It was seconded by Ms. Nagle-Ker. Motion carried.

APPLICATIONS

Ms. Nagle-Ker made a motion to approve the following for licensure:

- Eric Barbour MASA-4537
- Eric Duncan MASA-4553
- Gina Stapleton MASA-4592
- Mykayla Bradley MASA-4642

And to approve the following pending receipt of additional information:

- 901189492

It was seconded Dr. White. Motion carried.

NEXT MEETING March 14, 2022 at 9:30 AM MDT.

ADJOURNMENT

Ms. Nagle-Ker made a motion to adjourn the meeting at 12:53 PM MST. It was seconded by Dr. White. Motion carried.