

**IDAHO BOARD OF MASSAGE THERAPY**  
**Division of Occupational and Professional Licenses**  
P.O. Box 83720  
Boise, ID 83720-0063

**Minutes of 3/14/2022**

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

**DIVISION STAFF:** Anne Lawler, Bureau Chief  
Kent Absec, Licensing Program Manager  
John Price, Investigative Unit Manager  
Nicholas Krema, General Counsel  
Eric Nelson, Board Prosecutor  
Cesley Metcalfe, Board Support Supervisor

**OTHERS PRESENT:** Laura Embleton, Government Relations Director,  
Associated Bodywork & Massage Professionals  
Ashley Hernandez

The meeting was called to order at 9:31 AM MDT by Justin Kobbe Solace.

**APPROVAL OF AMENDED AGENDA**

Dr. White made a motion to approve the first amended agenda. It was seconded by Ms. Nagle-Ker. Motion carried.

**APPROVAL OF MINUTES**

Ms. Nagle-Ker made a motion to approve the minutes of January 24, 2022. It was seconded by Ms. Steen. Motion carried.

**LAWS AND RULES**

Ms. Lawler presented a legislative update. She stated that the Division is tracking the Legislative Session and has not seen any bills come forth that affect the Board.

**DIVISION UPDATES**

Ms. Lawler stated that the Division is still on schedule to move into its permanent building in July. She also informed the Board that the Governor's Office has been working on Board appointments, and that the Board can expect at least one new Board member by the next meeting.

## **FINANCIAL MEMO**

The Board reviewed and discussed a financial memo from the Division Administrator regarding Board finances and allocation of funds.

## **BOARD MEMBER TRAINING**

Board member training was tabled until the next meeting.

## **PUBLIC COMMENT**

Laura Embleton from Associated Bodywork and Massage Professionals requested an update on the Board's sunset review of its Practice Act. Ms. Lawler stated that a scheduled has not yet been provided for the sunrise/sunset reviews of occupational licensing boards in Idaho. Legislative focus is currently on Zero Based Regulation of administrative rules, so Boards will likely not begin sunrise/sunset reviews until 2024. Mr. Krema stated that the sunset legislation affecting the Board that was introduced in 2020 did not go forward in that Legislative Session and was not reintroduced this year.

## **CONFERENCE ATTENDANCE REQUESTS**

The Board discussed the FSMTB 2022 Annual Meeting in October and asked that the topic be placed on the agenda for the next meeting. No action was taken.

## **CORRESPONDENCE**

The Board reviewed correspondence from FSMTB regarding litigation that has been initiated to protect the integrity of the MBLEx<sup>®</sup>.

## **COMPLAINT MEMORANDUM**

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

## **EXECUTIVE SESSION**

Ms. Nagle-Ker 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 discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. White. The vote was: Mr. Kobbe Solace, aye; Ms. Steen, aye; Ms. Nagle-Ker, aye; and Dr. White, aye. Motion carried.

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

The Board provided direction to the Board Prosecutor in case number MAS-2022-4 during executive session.

**ADJOURNMENT**

Mr. Kobbe Solace adjourned the meeting at 10:16 AM MDT.