

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

Board Meeting Minutes of 6/6/2022

BOARD MEMBERS PRESENT: Justin Kobbe Solace - Chair
Joanna Robertson
Mary Jo White, D.C.
Carla A Steen

DIVISION STAFF: Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Nicholas Krema, General Counsel
Cesley Metcalfe, Board Support Supervisor
Emily Rough, Board Support Specialist

OTHERS PRESENT: Eric Nelson, Board Prosecutor
Hunter Irons, Federation of State Massage Therapy Boards
Lance Giles, The Giles Group, LLC

The meeting was called to order at 9:36 AM MDT by Justin Kobbe Solace.

CONFERENCE ATTENDANCE REQUEST

The Board discussed the FSMTB Annual Meeting in October. Dr. White made a motion to send Ms. Robertson to the FSMTB Annual Meeting. It was seconded by Ms. Steen. Motion carried.

COMPLAINT MEMORANDUM

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

EXECUTIVE SESSION

Dr. White made a motion that the Board 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. It was seconded by Ms. Steen. The vote was: Mr. Kobbe Solace, aye; Dr. White, aye; Ms. Steen, aye; and Ms. Robertson, aye. Motion carried.

Ms. Steen made a motion to leave executive session. It was seconded by Dr. White. Motion carried. No decisions were made in executive session.

DISCIPLINE

Dr. White made a motion to close case number I-MAS-2022-6 with an advisory letter regarding following the rules and proper record keeping. It was seconded by Ms. Steen. Motion carried.

Ms. Steen made a motion to accept the Stipulation and Consent Orders for case numbers: MAS-2021-4, MAS-2021-6, and MAS-2021-9, and to allow the Board chair to sign on behalf of the Board. It was seconded by Dr. White. Motion carried.

EXECUTIVE SESSION

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

Ms. Steen made a motion to leave executive session. It was seconded by Ms. White. Motion carried. No decisions were made in executive session.

APPLICATIONS

Dr. White made a motion to approve MASG-344 and MASA-4741 for reinstatement. The motion failed for lack of a second.

Dr. White made a motion to approve MASG-344 for reinstatement. It was seconded by Ms. Steen. Motion carried.

Dr. White made a motion to approve applicant MASA-4741 for examination. It was seconded by Ms. Steen. Motion carried.

LAWS AND RULES

Mr. Absec presented a legislative update. He informed the Board that the following bills passed the 2022 Legislative Session: House Bill 612 allows expungement of continuing education or late renewal disciplinary action older than seven years, upon request of the licensee; Senate Bill 1368 prevents boards from denying licensure to applicants base on vague terms such as good moral character or moral turpitude and requires that criminal offenses must be deemed relevant to the profession; Idaho Code § 67-9410 allows an applicant to present details of prior criminal convictions for Board consideration prior to submitting an application for licensure; and House Bill 629 establishes the Office of Administrative Hearings.

DIVISION BUSINESS

Mr. Absec informed the Board that the Division is scheduled to move into its permanent location on June 15th. In-person meetings should resume in August.

FINANCIAL REPORT

Mr. Absec gave the financial report, which indicated that the Board had a cash balance of \$495,533.83 as of March 23, 2022.

BOARD MEMBER TRAINING

Board member training was tabled until a future meeting after new Board members have been appointed.

APPROVAL OF MINUTES

Ms. Steen made a motion to approve the meeting minutes for 3/14/22. It was seconded by Dr. White. Motion carried.

NEXT MEETING was scheduled for September 12, 2022, at 9:30 AM MDT.

ADJOURNMENT

Mr. Kobbe Solace adjourned the meeting at 10:59 AM MDT.