



## Washington State Board of Massage

### Business Meeting Minutes May 20, 2022 | 9:00 a.m.

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On Friday, May 20, 2022, the Board of Massage held a board meeting via Webinar. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

#### Board Members

Heidi Williams, LMT, chair  
Autumn Christina Straker, LMT, vice chair  
Chimere Figaire-Correa, LMT

#### Staff Present

Megan Maxey, Program Manager  
Renee Fullerton, Executive Director  
Davis Hylkema, Assistant Program Manager  
Joan Simmons, Administrative Assistant  
Jake Miller, Assistant Attorney General  
Anthony Partridge, Policy Analyst  
Hope Kilbourne, Policy Analyst

#### Guests

Mark Allen	Stephanie Dickey, LMT	Anne Nutwell
Pat Archer, LMT	Danae Heuett	Virginia Schwicker, LMT
Robbin Blake, LMT	Karen James, LMT	Susan Sherman, LMT
Maryann Brathwaite, LMT	Cynthia Longnecker, LMT	Diana Thompson, LMT
Lillian Cassidy, LMT	Gail McGaffick, JD	Mary Van de Ven, LMT
		Claira Young, LMT

#### OPEN SESSION – 9:00 a.m.

##### 1. CALL TO ORDER

The board meeting was called to order by Heidi Williams, LMT, chair, at 9:04 a.m.

###### 1.1. Introductions and Meeting Ground Rules.

The board and staff introduced themselves. Ms. Williams read the Meeting Ground Rules.

###### 1.2. Approval of the May 20, 2022 Agenda

Ms. Maxey proposed two amendments to the board.

- Determine if the board wants to have the remaining 2022 meeting dates completely virtual
- Add a closed session agenda item after adjournment.

**MOTION:** A motion was made to approve the May 20, 2022, business meeting agenda with the proposed amendments. The motion was seconded and passed.

1.3. Approval of the March 11, 2022, Business Meeting Minutes

**MOTION:** A motion was made to approve the March 11, 2022, business meeting minutes as presented. The motion was seconded and passed.

**2. SCHOOL PROGRAM REVIEWS**

Reviewing Board Members (RBMs) presented the following school program requests for full board consideration:

- West by Northwest – 760 hybrid
  - The RBMs recommended deficiency.

**MOTION:** A motion was made to send a deficiency letter to West by Northwest – 760 hybrid. The motion was seconded and passed.

- West by Northwest – 915 hybrid
  - The RBMs recommended deficiency.

**MOTION:** A motion was made to send a deficiency letter to Northwest – 915 hybrid. The motion was seconded and passed.

- West by Northwest – 760 hybrid transfer
  - The RBMs recommended deficiency.

**MOTION:** A motion was made to send a deficiency letter to West by Northwest – 760 hybrid transfer. The motion was seconded and passed.

- West by Northwest – 915 hybrid transfer
  - The RBMs recommended deficiency.

**MOTION:** A motion was made to send a deficiency letter to West by Northwest – 915 hybrid transfer. The motion was seconded and passed.

**3. PUBLIC COMMENT**

Members of the public who indicated an interest in speaking were given the opportunity to provide comment to the board.

Four individuals offered comment.

- There was mutual encouragement for the continuance of board meetings to be held virtually and in-person meeting to also provide for remote attendance.
- On the topic of massage school transfer program rules, all agreed that reaching out for input from the schools that offer transfer programs was important. Because the rules are so new there was concern that it was too soon to rewrite them, though it would be good to review them with interest to be sure they are fair and in alignment with RCWs.

**4. RULES DISCUSSION AND WORKSHOP**

4.1 Ms. Maxey presented a brief history of transfer programs to the board. After the presentation the board invited public comment. The following items were shared:

- Support for reaching out to the schools with transfer programs for input on their thoughts, experiences, and concerns with the new rules.
- Suggestion that the board consider standardizing minimum requirements that includes testing standards for transfer programs.
- Concern that not allowing programs to match the number of transfer program hours to their regular program requirements may cause school or transfer program closures.
- A concern that if requirements are reduced specifically for transfer programs the integrity of a school's reputation and of the massage profession could be lost.
- Not only credits, clock hours and testing should be considered but also practical hands-on skills should be evaluated.
- Encouragement for the board to focus on public safety through all considerations.
- There are not many transfer programs which limits the options for applicants.
- The concern that a search for a non-existing problem is happening as the current rules, as they are written, seem fair, equitable and clear. And seeking feedback from schools is a good idea.

Following public comment, the board determined they would like to get input from more schools about how they may have been impacted by the recent rule change and any concerns. The board is interested in hearing this feedback before considering drafting revisions to the rule language. Mr. Miller will review the existing rules to identify possible issues of inequity. Information from these activities will be reported on at the next regular meeting.

**MOTION:** A motion was made to revisit the topic in the July meeting to bring information back to the board regarding additional input from schools and review analysis if inequities are in the rule language. The motion was seconded and passed.

4.2 Based on the discussion and decision in 4.1, the board determined to table the rules workshop for the July meeting to examine for consideration revising the following sections of the massage therapist rules related to massage education and training transfer programs:

- WAC 246-830-005 – Definitions.
- WAC 246-830-037 – Transfer programs and transfer of credit or clock hours for prior education and training.
- WAC 246-830-430 – Education and training.

## **5. IMPLEMENTATION OF ESSB 5229 CONCERNING HEALTH EQUITY CONTINUING EDUCATION FOR HEALTH CARE PROFESSIONALS**

Ms. Kilbourne presented the implementation plan for ESSB 5229 requiring health care professionals to obtain continuing education in health equity and answer questions from the board and public.

The board thanked Ms. Kilbourne for her presentation. There were no public comments.

## **6. FEDERATION OF STATE MASSAGE THERAPY BOARDS' (FSMTB) ANNUAL MEETING**

Board members were asked to nominate and select a delegate to attend the FSMTB 2022 Annual Meeting that will be held in Charlotte, North Carolina on October 18-20, 2022.

**MOTION:** A motion was made to appoint Heidi Williams as the delegate to attend the FSMTB 2022 Annual Meeting that will be held in Charlotte, North Carolina on October 18-20, 2022. The motion was seconded and passed.

Ms. Figaire-Correa offered to be back up to attend the annual meeting if Ms. Williams is unable to attend. Ms. Maxey will attend the annual meeting as the program administrator.

## **7. 2023 BOARD MEETING DATES AND LOCATIONS**

The board was presented with proposed dates to set their 2023 business meeting dates and locations in anticipation of in person meetings. Ms. Fullerton added choosing locations may be difficult as DOH public meeting space being very limited at this time and the Kent campus closing in August. She also noted that hybrid options would be available.

Mr. Miller shared that the Open Public Meeting Act (OPMA) was amended this year and supports hybrid and remote attendance by public entities.

The dates of January 6, March 10, May 19, July 14, September 22, and November 3 were proposed as the board of massage regular meetings in 2023.

**MOTION:** A motion was made to approve the proposed 2023 business meeting dates and to have them in a hybrid format to allow for virtual attendance with a physical location in the Tumwater/Olympia area. The motion was seconded and passed.

## **8. VIRTUAL MEETINGS FOR 2022**

Ms. Maxey explained the governor's newly issued proclamation amending the proclamation that waives portions of the OPMA. Proclamation 20-28.16 is effective June 1, 2022. With the new proclamation for complete remote attendance at meetings, the board must determine it cannot hold physical location meetings with reasonable safety because of the state of emergency due to Covid-19.

Mr. Miller explained the proclamation in more detail to the board that and provided examples of other board decisions.

**MOTION:** A motion was made to continue virtual meetings for 2022 as the Board of Massage cannot at this time make a determination of reasonable safety for the members of the governing body or with public in person attendance based on the current state of emergency. The motion was seconded and passed.

## **9. PROGRAM REPORT**

### **9.1. Budget.**

Ms. Fullerton shared the budget status as of January 2022. The fund reserve continues to climb due to fee increase despite the decrease in licensees. Over the previous two years the active licensee count has dropped from about 13,500 to approximately 12,100.

Ms. Straker asked if graduates are being licensed currently at a rate like they were before the pandemic emergency, and if the gap is being filled. Ms. Maxey will reach out to the credentialing office to see if they can provide the answer.

### **9.2. Rulemaking Update.**

Ms. Maxey informed the board that documents were not filed in time to hold a hearing at this meeting to discuss the technical updates to the massage rules. The hearing will be added to the July meeting agenda.

### 9.3. Board Member Recruitment Update.

Ms. Maxey reported that recruitment notices were sent on April 22, 2022, for the professional member positions and on May 2, 2022, for the public member and school owner/massage educator positions. A separate recruitment notice was also sent out to the board approved schools regarding the new massage educator position. On June 1 she will check with the governor's office on applications.

Ms. Fullerton asked the board and public to share the recruitment announcement with any LMTs they think might be a good fit for board service.

### 9.4. School Approval Application Update.

Ms. Maxey and Mr. Hylkema informed the board they created and recorded the school approval application presentation this week. The recorded presentation will be uploaded to the massage therapy website once it is finalized, and efforts will be made to notify school of the availability of this tool.

### 9.5. Credential Counts.

As of May 13, 2022, there were 12,139 active licenses. Ms. Maxey noted that Credentialing will be invited to the July meeting to provide a report including the number of graduates that make up the active licenses.

### 9.6. Future Agenda Items.

- Rules hearing for technical language updates.
- Continuation of discussion on transfer programs including school feedback and report on potential inequities in the language of the current rules.
- Report from credentialing staff including licensing trends over the past couple of years.
- Authorize CR 101 for continue education rule making

## 10. ADJOURNMENT

Ms. Williams thanked the DOH staff for all the work they provide.

**MOTION:** A motion was made by Heidi Williams, chair, at 11:33 a.m. to adjourn the meeting. The motion was seconded and passed.

## 11. CLOSED SESSION

The board attended to disciplinary matters in closed session.

Submitted:

Approved:

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Megan Maxey, Program Manager

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Heidi Williams, LMT, Chair