



Washington State Board of Massage

Business Meeting Minutes July 29, 2022 | 9:00 a.m.

On Friday, July 29, 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, Interim Executive Director
Davis Hylkema, Interim Program Manager
Joan Simmons, Administrative Assistant
Sierra McWilliams, AAG
Anthony Partridge, Policy Analyst
Stephanie Vaughn, Regulatory Affairs
Hyon Yi, Deputy Credential Manager
Deborah Mendoza, Credentialing Supervisor

Guests

Ashley Hernandez	Kathleen Fitzgerald, LMT	Marybeth Berney, LMT
Diana Thompson, LMT	Laura Embleton	Pat Archer, LMT
Gail McGaffick, JD	Lydia Benson, LMT	Stephanie Dickey, LMT
Julie Onofrio, LMT	Mark Allen	Susan Sherman, LMT
Karen James, LMT	Maryann Brathwaite, LMT	Vickie Schaefer, LMT

OPEN SESSION – 9:00 a.m.

1. CALL TO ORDER

The board meeting was called to order by Heidi Williams, LMT, chair, at 9:02 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 July 29, 2022 Agenda

MOTION: A motion was made to approve the July 29, 2022. The motion was seconded and passed.

1.3. Approval of the May 20, 2022, Business Meeting Minutes

MOTION: A motion was made to approve the May 20, 2022, business meeting minutes as presented. The motion was seconded and passed.

2. RULES HEARING

A rules hearing was held to accept testimony in support of or opposition to the proposed changes to WAC 246-830-201, 246-830-485, 246-830-490, and 246-830-500 massage therapy.

There was no opposition to the proposed language in voiced on the language changes to WACs 246-830-201, 246-830-485, and 246-830-490.

Representatives of the American Massage Therapy Association (AMTA) and a representative from WA Massage Envy Owners Co-op shared support of the proposed language for WAC 246-830-500.

Opposition to the proposed language to WAC 246-830-500 was voiced by a few attendees. They believed that blankets should not be identified separately from linens in this rule, and that blankets should be single use and washed after use with every client.

The board followed the public hearing with discussion.

MOTION: A motion was made to pull WAC 246-830-500 out of the CR-102 for the board's further consideration and to move forward with the CR-103 for WACs 246-830-201, 246-830-485, and 246-830-490. The motion was seconded and passed.

3. PUBLIC COMMENT

Members of the public who have indicated an interest in speaking shared comments at this time.

Comments shared included:

- It was suggested that, due to recent rule change, the jurisprudence exam should be updated
- The Council of State Governments (CSG) is drafting language for a massage interstate compact. CSG is accepting comments on the compact until the end of August. The draft language is available on their website. Public attendees request this subject be included in a future meeting.
- Multiple comments were received on the topic of the 625-hour minimum education and training requirement with concern that the standard is a barrier and hardship for out-of-state applicants which is contributing to the shortage of massage therapists. An additional comment was to have a standardized test to determine if applicants meet the state's knowledge and skillset.

4. SCHOOL PROGRAM REVIEWS

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

- West by Northwest – 760 hybrid
 - The RBM recommended approval.

MOTION: A motion was made to approve West by Northwest – 760 hybrid. The motion was seconded and passed.

- West by Northwest – 915 hybrid

- The RBM recommended approval.

MOTION: A motion was made to approve West by Northwest – 915 hybrid. The motion was seconded and passed.

- West by Northwest – 760 hybrid transfer
 - The RBM recommended approval.

MOTION: A motion was made to approve West by Northwest – 760 hybrid transfer. The motion was seconded and passed.

- West by Northwest – 915 hybrid transfer
 - The RBM recommended approval.

MOTION: A motion was made to approve West by Northwest – 915 hybrid transfer. The motion was seconded and passed.

- Zorganics Institute of Beauty and Wellness
 - The RBM recommended deficiency.

MOTION: A motion was made to send a deficiency letter to Zorganics Institute of Beauty and Wellness. The motion was seconded and passed.

5. CREDENTIALING REPORT

Mr. Yi provided information on massage credentialing data and answered questions from the board. As of June 2022, there are 12,068 active licensees, 314 pending and 314 applications have been received.

6. RULES DISCUSSION AND WORKSHOP

6.1. Mr. Hylkema provided a recap of previous discussions and actions. Responses to a survey sent to schools as well as other correspondence received, regarding board approved transfer programs were sent to the board for their review. After the update, the board invited public comment. The following items were shared:

- Support to allow schools to decide the length they want to set for their transfer programs.
- Suggestion that the board have a legal review to see if there are any potential legal problems with current transfer program law and rule, and if any changes might be needed. Multiple voices shared support for this suggestion.
- Concern about the legality of setting a standard for transfer programs.
- Suggestion that transfer program exams should be of equal content and rigor.
- Concern about equity of transfer program schools all being held to the 625-hour minimum.
- Not only credits, clock hours and knowledge testing should be considered, but students' practical hands-on skills need to be evaluated.
- Standards are standards and it is what is being required to raise the bar, which is what is being asked of the people that come into the state. Massage therapists are healthcare providers.

- Concern if standards are not upheld our system will go backwards or be less successful in weeding out individuals who are not qualified.
- Suggestion that the board seeks legal advice regarding whether or not there is a public health and safety risk relevant to what is required for out-of-state applicants.
- If Washington state keeps the current standard, the opportunity to participate in the massage interstate compact may be less likely without possible legislative changes.
- Encouragement to keep in mind that the 625-hour minimum is not a higher standard as there are many schools in Washington state that are over that minimum.
- Recommendation that the board look into the massage interstate compact.
- Suggestion that the board authorize DOH staff to include the length and cost of transfer programs listed on the website allowing students to make informed decisions.

6.2. Based on the comments received in 6.1, the board determined to table the rules workshop until the September meeting after they've had a chance to review the AAG's legal review of the rule.

MOTION: A motion was made to table item 6.2 to allow time to gain legal opinion from the AAG regarding the equity of transfer rules. The motion was seconded and passed.

7. WAC 246-830-475

The board took a vote to authorize program staff to file a CR 101 to commence rulemaking for massage therapy continuing education to implement ESSB 5229 Concerning health equity continuing education for health care professionals.

MOTION: The motion was made to authorize program staff to file the CR 101 to commence discussion about the health equity CE requirements. The motion was seconded and passed.

8. BYLAWS

The board reviewed the edited board of massage bylaws.

MOTION: A motion was made to adopt the bylaws as edited. The motion was seconded and passed.

9. PROGRAM REPORT

9.1. Budget.

Mr. Hylkema shared the budget status as of June 2022 and reported the fund reserve is now in the positive.

9.2. Board Member Recruitment Update.

Mr. Hylkema reported twenty applications were received and qualified applicants were interviewed. Reports are being compiled for internal DOH review, then will be forwarded to the governor's office for review and the Governor's appointment.

9.3. Future Agenda Items.

- Report on the jurisprudence exam
- Legal review of transfer program and endorsement rules
- Continuation of WAC 246-830-500 discussion
- Report or presentation on the Massage Interstate Compact

- Heath Equity CE update
- Updated Bylaws
- Determination on the Hands-on CE policy expiration date

10. ADJOURNMENT

The meeting was adjourned.

MOTION: A motion was made by Heidi Williams, chair, at 12:17 p.m.to adjourn the meeting. The motion was seconded and passed.

Submitted:

Approved:

Davis Hylkema, Interim Program Manager

Heidi Williams, LMT, Chair