

BOARD OF MASSAGE THERAPY
Professional & Vocational Licensing Division
Department of Commerce & Consumer Affairs
State of Hawaii

AGENDA FOR PUBLIC HEARING

Date: November 13, 2024

Time: 9:00 a.m.

In-person Meeting Location: Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Virtual: Virtual Videoconference Meeting - Zoom Meeting
(use link below)
[https://dcca-hawaii-
gov.zoom.us/j/82415665135?pwd=rV15CXUEvqXqfXJUTZvgJ
NZQhTaXKn.1](https://dcca-hawaii.gov.zoom.us/j/82415665135?pwd=rV15CXUEvqXqfXJUTZvgJNZQhTaXKn.1)

Zoom Phone Number: (669) 900 6833

Meeting ID: 824 1566 5135

Passcode: 635071

Agenda: Posted on the State electronic calendar as required by Hawaii Revised Statutes section 92-7(b).

If you wish to submit written testimony on any agenda item, please submit your testimony to massage@dcca.hawaii.gov or by hard-copy mail to Attn: Board of Massage Therapy, P.O. Box 3469, Honolulu, HI 96801. We request submission of testimony at least 24 hours prior to the meeting to ensure that it can be distributed to the Board members.

INTERNET ACCESS:

To view the meeting and provide live oral testimony, please use the link at the top of the agenda. You will be asked to enter your name. The Board requests that you enter your full name, but you may use a pseudonym or other identifier if you wish to remain anonymous. You will also be asked for an email address. You may fill in this field with any entry in an email format, e.g., *****@***mail.com.

Your microphone will be automatically muted. When the Chairperson asks for public testimony, you may click the Raise Hand button found on your Zoom screen to indicate that you wish to testify about that agenda item. The Chairperson will individually enable each testifier to unmute their microphone.

When recognized by the Chairperson, please unmute your microphone before speaking and mute your microphone after you finish speaking.

Upon request, your Zoom video or similar on-camera option will be enabled to allow you to be visible to the Board members and other meeting participants while presenting oral testimony. Please turn off your camera after you conclude your testimony. It is the individual testifier's responsibility to ensure they have the video and internet capabilities to successfully stream or remotely testify. The Board maintains the authority to remove and block individuals who willfully disrupt or compromise the conduct of the meeting.

PHONE ACCESS:

If you cannot get internet access, you may get audio-only access by calling the phone number listed at the top on the agenda.

Upon dialing the number, you will be prompted to enter the Meeting ID which is also listed at the top of the agenda. After entering the Meeting ID, you will be asked to either enter your panelist number or wait to be admitted into the meeting. You will not have a panelist number. So, please wait until you are admitted into the meeting.

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For both internet and phone access, when testifying, you will be asked to identify yourself and the organization, if any, that you represent. Each testifier will be limited to five minutes of testimony per agenda item.

If connection to the meeting is lost for more than 30 minutes, the meeting will be continued on a specified date and time. This information will be provided on the Board's website at <https://cca.hawaii.gov/pvl/boards/massage/board-meeting-schedule/>.

Instructions to attend State of Hawaii virtual board meetings may be found online at <https://cca.hawaii.gov/pvl/files/2020/08/State-of-Hawaii-Virtual-Board-Attendee-Instructions.pdf>.

1. Call to Order of the Public Hearing
2. Introduction of Board Members

3. Purpose: Amendments to Chapter 16-84, Hawaii Administrative Rules (“HAR”) – Massage Therapy
4. Notice of Public Hearing
5. Testimony

The Board Chairperson may place time limit on each testimony, pursuant to HAR 16-84-39(a)(5)
6. Procedures after Hearing:
 - A. Board will consider adoption of these rules at Board meeting to follow.
 - B. Rules, if adopted, will be sent to the Attorney General’s Office and the Governor’s Office for approval.
 - C. Rules will remain at the Lieutenant Governor’s Office for a period of 10 days after approval by the Governor before becoming final.
7. Conclusion of Public Hearing

11/7//2024

If you need an auxiliary aid/service or other accommodation due to a disability, contact Randy Ho at (808) 586-2696, Monday through Friday from 7:45 a.m. to 4:30 p.m., or email message@dcca.hawaii.gov as soon as possible, preferably by November 8, 2024. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

BOARD OF MASSAGE THERAPY
Professional & Vocational Licensing Division
Department of Commerce & Consumer Affairs
State of Hawaii

AGENDA FOR MEETING

Date: November 13, 2024

Time: Immediately following the public hearing

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King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

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(use link below)
<https://dcca-hawaii.gov.zoom.us/j/85642353498?pwd=jky4vUPLYWka4CfahDMQyMjf9XbASR.1>

Zoom Phone Number: (669) 900 6833

Meeting ID: 856 4235 3498

Passcode: 151955

Agenda: Posted on the State electronic calendar as required by Hawaii Revised Statutes section 92-7(b).

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1. Roll Call, Quorum, Call to Order, Public Notice – HRS §92-3 Open Meetings and HAR §16-84-39 Oral Testimony

2. Approval of the Minutes of the September 17, 2024 Board Meeting

The Board may move into Executive Session in accordance with HRS §92-4 and §92-5(a)(1) and (4) "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities."

3. Chapter 91, Hawaii Revised Statutes ("HRS") Adjudicatory Matters:

- a. None

4. Applications

The Board may move into Executive Session in accordance with HRS §92-4 and §92-5(a)(1) and (4) "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities."

- a. Ratifications (see attached Addendum)
- b. Massage Apprentice Applications
 - 1) Jonathan Luna
- c. Massage Therapist Applications
 - 1) James Blair
 - 2) Salina Kincaid – Exam Waiver Request
 - 3) Nestor Ruiz
- d. Massage Establishment Applications
 - 1) None

5. Executive Officer's Report

- a. Massage Therapy examination statistics
- b. Continuing education audit

On June 25, 2021, Act 21 was signed into law by the Governor mandating continuing education requirements for massage therapist licensees beginning in 2024. The renewal deadline for licensees was June 30, 2024.

Pursuant to Hawaii Revised Statutes (“HRS”) 452-16(c), “The Board may conduct random audits of licensees to determine compliance with the continuing education requirements of subsection (b). The board shall provide written notice of an audit to a licensee randomly selected for audit. Within sixty days of notification, the licensee shall provide the board with documentation verifying compliance with the continuing education requirements established by subsection (b).”

Randomly audited licensees have been contacted in writing to their mailing address on file. Response is required by December 31, 2024.

c. Hawaii State Ethics Commission

Memo from Wesley Fong, Chair of the Hawaii State Ethics Commission, recognizing state agencies and boards that achieved 100% completion of the mandatory ethics training, including the Board of Massage Therapy.

6. New Business

a. Discussion of the November 13, 2024 Public Hearing for Proposed Amendments to Title 16, Chapter 84 Hawaii Administrative Rules (“HAR”) and consideration of adoption of proposed rules

b. Delegation to Executive Officer

The Board will consider whether it will delegate to its Executive Officer the authority to approve certain prior convictions/misdemeanors on its behalf to expedite the application process.

c. Legislative Liaison(s)

The Board will consider appointing legislative liaison(s) to provide positions and testify on legislative proposals.

d. Federation of State Massage Therapy Boards (“FSMTB”) Meeting Summary from Shanon Skoog

Board member Shanon Skoog will deliver a report regarding her attendance at the 2024 FSMTB Annual Meeting.

