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SARAH R. WILKINSON COMMISSIONER, DIVISION OF OCCUPATIONAL LICENSURE

Board of Registration of Massage Therapy January 13, 2025 Meeting Minutes

A public meeting of the Massachusetts Board of Registration of Massage Therapy (the Board) was held remotely via video and telephone conferencing pursuant to Chapter 20 of the Acts of 2022, allowing remote participation by Board members and the public.

Attending Members: Paul Andrews/Chair, Alexei Levine/Vice Chair, Pallas Hutchison, Kimberlee Schuler

Members Absent: Sheri Miller-Bedau

Staff: Kerry Cassidy, Executive Director, Richard Holtz, Deputy General Counsel, Nirit Eriksson, Board Counsel, Peter Kelley, Board Counsel

Meeting Called to Order

Remote meeting procedures – At approximately, 10:00 AM, Paul Andrews confirmed quorum via roll call which showed the following members participating via remote means; Paul Andrews, Alexei Levine, Pallas Hutchison, and Kimberlee Schuler; Paul Andrews called the meeting to order.

Board Business

- The Board reviewed the Public Session Meeting Minutes for December 9, 2024. Motion was made to approve the minutes as presented; So Moved by Kimberlee Schuler; Seconded by Pallas Hutchison
 - Paul Andrews called for a roll call vote
 - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, and Kimberlee Schuler
 - Members opposed: None; Motion passed
- The Board reviewed the Executive Session Meeting Minutes for December 9, 2024. Motion was made to approve the minutes as presented; So Moved by Pallas Hutchison; Seconded by Kimberlee Schuler
 - Paul Andrews called for a roll call vote
 - Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, and Kimberlee Schuler
 - Members opposed: None; Motion passed

FSMTB Presentation on IMpact and Course Development/Continuing Education-Patty Glenn, Director of Education and Professional Mobility, presented on IMpact (Interstate Massage Compact), which is a legislative contract between two or more states that allows them to address and share problems, enhance public safety, and improve workforce mobility. The compact is a multi-state license that allows you to move in and out of other states. Compacts were primarily developed by the Department of Defense and the Council of State Governments to improve professional licensure for military spouses and family members when being deployed or relocated. Massage Therapy, represented by FSMTB, was selected as one of those licenses to be developed and funded by the Department of Defense and a commission was formed. Once the legislation is enacted, the licensee would apply for a license within their home state and then apply for a multistate license. This license would allow them to practice in any state that has joined the compact. The details of this process will be vetted through the rulemaking process when the first seven members have enacted this legislation. As long as the license remains encumbered, the licensee can renew the license and continue to practice in any state within the compact. A few of the benefits to the state would be to enhance cooperation among state boards, creates a shared database (known as MTLD) for all licensees. increases access to quality therapists, and reduces the burden of processing out of state license applications. Some of the benefits to the massage therapists would include increased mobility, support of relocation, and streamlined processes with decreased financial burden. The requirements for states to join the IMpact would be to require applicants to satisfy education requirements, require applicants to pass a National Licensing Exam, conduct background checks on applicants, mandate continuing education for renewals, and participate in the shared database. The massage therapists requirements would be to have an unencumbered license in their home state, complete at least 625 hours of massage therapy education, pass a national licensing exam and background check, and pay all application fees. If disciplinary action is taken with a licensee in their home state, that information is reported into the shared database and the multi-state license is then encumbered. If discipline occurs in a remote state, an investigation is conducted and a violation is then reported into the shared database. Nevada and Ohio are the only two states that have enacted this legislation, while Montana and Virginia have bills that have been introduced. More information can be found on massagecompact.org.

Ellen Helmich, Assistant Director of Continuing Education, presented to the Board on REACH, Regulatory Education and Competence Hub. REACH is a registry that offers members courses for licensure renewals and remediation. Currently, there are 19 courses offered online which include cultural competence, human trafficking, professional relationships, and MBLEX guides. Some of these courses would also include boundaries, draping, and informed consent. Many of these courses are written specifically for certain states. Ms. Helmich explained the process involved for course development. The length of time varies depending on the course content and can typically take around 90 days. The cost for a remediation course is \$50.00 per credit hour and a CE course is \$15.00 per credit hour. Mark Malloy with Cascade Strategies inquired if this education could be mandated by the Board if there is a disciplinary issue. Ms. Helmich explained that is considered a remediation course. She further defined that courses found in REACH are courses that are written by FSMTB and the CE Registry consists of courses offered by providers from all over the United States.

• Vote Regarding Delegated Authority to the Subcommittee of the Board to Review Application Materials and Information – Paul Andrews directed the Board to review the language that was included in the packet and read to all those attending the meeting. Alexei Levine inquired what authority would be given to the administration that they are unable to do now. Mr. Andrews stated that it does not give additional authority but clarifies current authority. Motion was made to approve delegated authority as presented; So Moved Alexei Levine; Seconded by Kimberlee Schuler

- Paul Andrews called for a roll call vote
- Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, and Kimberlee Schuler
- Members opposed: None; Motion passed

Other Board Business

Kerry Cassidy reiterated that DOL will be moving in March of 2025 to One Federal Street in Boston.

Executive Director Report

The Executive Director did not have any updates to report.

Board Counsel Report

Richard Holtz, Deputy General Counsel, re-introduced Nirit Eriksson as the incoming Board Counsel. Mr. Holtz mentioned that draft language was included for consent agreements in the Board packet and will likely be addressed at the March meeting. In addition, an update on the proposed regulations was given regarding the following requirements: the national exam, continuing education, written informed consent, and the proof of CPR and AED education. A brief discussion was held about some feedback involving the concerns regarding the burden for applicants and licensees seeking licensure or renewals.

Discuss other matters not reasonably anticipated within 48 hours in advance of meeting.

• No unanticipated matters were discussed.

At 11:02 AM, Kimberlee Schuler moved to exit Public Session and enter into Closed Session pursuant to G.L. c. 112, §65C for the purpose of conducting investigatory and settlement conferences and pursuant to G. L. c. 30A, § 18, ¶ 5(d) for the purpose of conducting adjudicatory conferences; So Moved by Kimberlee Schuler; Seconded by Pallas Hutchison

- Paul Andrews called for a roll call vote
- Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, and Kimberlee Schuler
- Members opposed: None; Motion passed

The Board took the following actions during closed session:

- 2024-000805-IT-ENF Refer to Prosecution
- 2024-000619-IT-ENF Table

Motion to adjourn the meeting at 11:41 AM; So Moved by Kimberlee Schuler; Seconded by Pallas Hutchison

- Paul Andrews called for a roll call vote
- Members in favor: Paul Andrews, Alexei Levine, Pallas Hutchison, and Kimberlee Schuler

• Members opposed: None; Motion passed

Respectfully Submitted,

Kerry Cassidy Kerry Cassidy

Executive Director

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Paul Andrews Board Chair

MT Public Agenda MT Public Meeting Minutes 12.09.2024 MT Executive Session Meeting Minutes 12.09.2024 FSMTB Presentation on IMpact – Interstate Massage Compact FSMTB Presentation on REACH – Regulatory Education and Competence Hub Draft Language -Delegated Authority to Subcommittee to Review Applicant Information Draft Language Regarding CEUs for Inclusion in Consent Agreements