

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

**MINUTES OF MEETING**

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Wednesday, June 4, 2014

Time: 9:30 a.m.

Place: Princess Likelike Conference Room  
King Kalakaua Building  
335 Merchant Street, Third Floor  
Honolulu, Hawaii 96813

Present: Olivia Nagashima, Massage Therapist, Chair  
George Davis, Jr., Massage Therapist, Vice Chair  
Stephanie Bath, Massage Therapist  
Laura Chock, Public Member  
Rodney J. Tam, Deputy Attorney General ("DAG")  
Lee Ann Teshima, Executive Officer ("EO")  
Jennifer Fong, Secretary

Guest: Anne Fritz, American Massage Therapy Association ("AMTA") Hawaii

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

There being a quorum present, the Chair called the meeting to order at 9:30 a.m.

The Chair announced that this is Ms. Chock's last meeting as a board member. She commended Ms. Chock for her dedication to public service and thanked her for devoting valuable time while serving on the Board.

Additions/Additional  
Distribution:

None.

Approval of Minutes  
of the April 30, 2014  
Meeting:

The Chair asked if there were any corrections to the April 30, 2014 minutes.

After some discussion, the following changes to the minutes were requested (underlined material added, while bracketed material is to be deleted):

- On Page 3, the first sentence should read "The Chair stated it is not a violation of the code of ethics."
- On Page 3, the fifth sentence should read "Ms. Bath pointed out that sometimes a client may have a condition where [no] full body draping is not necessary." (underlined material added, while bracketed material is to be deleted)

The Vice Chair commented that the issue of whether draping is required is not addressed in any code of ethics.

There being no further discussion or amendments to the minutes, the Vice Chair voted to approve the minutes of the April 30, 2014 meeting as amended. It was seconded by Ms. Chock, voted on and unanimously carried.

Chair's Report:

The Chair noted that she also teaches at Hawaii Healing Arts College and she has recently been hearing that people have been having difficulty getting consistent information from the clerks at the licensing counter.

The EO asked the Chair to request specific instances and examples in order to get a better idea of what types of difficulties the public is experiencing.

Vice Chair's Report:

None.

Executive Officer's  
Officer's Report:

**Correspondence**

i. Ratio of Clients

The Board reviewed an inquiry that states "I have concerns in regards to the amount of clients for a one hour massage a License Massage Therapist are allowed to do per work day as an employee of an establishment. I have read through the "Hawaii Administration Rules" Title 16; the Department of Commerce and Consumer Affairs, Chapter 84 Massage Therapy; Chapter 452 Massage Therapy, and Chapter 436 B Professional and Vocational Licensing Act and have not found any regulation on such. I think for the best interest of the License Massage Therapist that the ratio of Clients: LMT's should be regulated. Too many LMT's go beyond what they can handle in a given work day due to "job security" which takes a toll on them physically as well as on their hands. So please consider in regulating a Standard Operating Procedure for establishments."

After some discussion, it was the consensus of the Board that based on the information provided as well as the Board's statutes and rules, the amount of

clients a massage therapist can work on in a specific time period is not currently addressed.

The Vice Chair suggested that the Board consider possibly addressing this issue in the rule amendments.

The DAG noted that if there is a violation of labor laws, the Department of Labor should be contacted.

ii. Having One Foot on the Floor When Providing Massage Therapy

The Board reviewed an inquiry that states "I have attended KCC and learned that one of the rules of massage therapist license of this state is one foot needs to be on the floor. I remember since we had a discussion about this in class. I noticed that many other therapists don't think that is a part of rules and trying to find out where it is written. I just witnessed a therapist was standing on the back of a client who was lying on massage table and wondered If that is violation of a rule of our practice in this state. She insists that standing on a body is part of Thai massage and legitimate practice."

After some discussion, upon a motion by the Vice Chair, seconded by Ms. Chock, it was voted on and unanimously carried that based on the information provided as well as the definition of "massage", "massage therapy", and "Hawaiian massage" and the massage laws and rules, the Board determined that this issue is not specifically prohibited or addressed.

At this time, the Chair announced she was taking the agenda out of order to discuss the following agenda items:

- 7. Unfinished Business, b. Code of Ethics, i. American Massage Therapy Association ("AMTA"), ii. National Certification Board for Therapeutic Massage & Bodywork ("NCBTMB")
- 7. Unfinished Business, b. Recognition of National Massage Exams, i. Hawaii Massage Exam Content Outline, ii. Federation of State Massage Therapy Boards – Massage and Bodywork Licensing Examination ("MBLEx") Content Outline, iii. NCBTMB Exam Content Outline

Unfinished Business:     **Code of Ethics**

- i. American Massage Therapy Association ("AMTA")
- ii. National Certification Board for Therapeutic Massage & Bodywork ("NCBTMB")

Copies of the code of ethics for the above-referenced organizations was distributed to the Board.

The Chair stated that the Board will be looking at the different code of ethics and possibly adopting a code of ethics.

The Vice Chair asked if the Board could come up with their own code of ethics using the different versions available for reference or if they had to choose either the AMTA or NCBTMB's code of ethics and if so, if the Board has to be a member of that organization.

The EO stated that the Board may do either one. She does not know if the Board has to be a member to adopt an organization's code of ethics since the information is available on each organization's public website.

Ms. Bath noted that the AMTA and NCBTMB code of ethics seem to focus on western practitioners. She asked if the Board has considered doing outreach to eastern or Hawaiian practitioners to see if they had a code of ethics for the Board to review.

The EO noted that previously the Board had reached out to a local reflexology association as well as lomilomi and shiatsu practitioners to get their input on previous rule revisions.

Ms. Bath asked if the Board could send a letter out to these types of practitioners.

The EO stated that in order to do so, the Board would need specific names and contact information. She noted that board members can also contact those practitioners that they know of to ask about a code of ethics. It would be similar to how would gather information for the rule revision.

The Chair stated that she believes that most shiatsu and reflexology practitioners subscribe to the AMTA or NCBTMB code of ethics, however, lomilomi practitioners may be different.

Ms. Bath stated that Big Island practitioners are very different as there are less AMTA members there. She will contact practitioners she knows to see if they have any information regarding a code of ethics and the rule revision.

The EO asked the Chair to check with the AMTA and the NCBTMB to see if the Board needs to be a member in order to adopt either organization's code of ethics.

The Chair agreed.

### **Recognition of National Massage Exams**

- i. Hawaii Massage Therapy Exam Content Outline
- ii. Federation of State Massage Therapy Boards – Massage and Bodywork Licensing Examination ("MBLEx") Content Outline
- iii. NCBTMB Exam Content Outline

Copies of the content outline for the above-referenced exams was distributed to the Board.

The Chair noted that she reviewed the percentages of content in each outline. The NCBTMB exam percentages are similar to the Hawaii exam. The MBLEx is slightly different.

Ms. Bath asked what the purpose is of reviewing the content outline.

The EO noted that it would be something the Board would need to review for military spouses requesting reciprocity pursuant to Act 185. It would also be a consideration for Hawaii licensees who try to get licensed in another state.

Upon a motion by the Vice Chair, seconded by Ms. Chock, it was voted on and unanimously carried that based solely on the information provided, the content of both the MBLEx and NCBTMB exams is equivalent to or exceeds the content of the Hawaii massage therapy exam.

The Board returned to its regular order of business.

### **Unfinished Business: Rule Revisions – Title 16, Chapter 84, Hawaii Administrative Rules – Draft #2**

The Chair noted that this discussion was deferred from the April 30, 2014 meeting.

The Vice Chair reported that the sub-committee is currently working on Draft #3. He suggested that the board members review the table of contents to ensure that the rules cover everything that they feel the Board needs to address.

The DAG reminded the Board that the rules should not duplicate what is already in the statute. The rules are to provide additional information or clarification on what is in the statute.

The Chair recommended that the sub-committee review the laws of the states who have reviewed their laws within the last few years such as Colorado, Idaho, Illinois,

Pennsylvania and Texas as they probably cover issues that other states are having problems with. She also noted that California revised their practice act in 2008 which could be reviewed for content.

The Vice Chair stated that he had already reviewed the Illinois laws and marked content he thought the Board may want to incorporate. He said he feels the main thing is to revise the table of contents and get a list of topics that the Board feels should be addressed as a starting point.

Ms. Bath inquired whether she could speak to individuals within her community regarding what they think should be addressed in the rules and bring that information back to the Board.

The DAG said that she may gather information as long as the information is sent to the EO for dissemination and not to other board members to ensure no violation of the Sunshine Law.

The Chair asked Ms. Fritz if she knew of any issues the AMTA would like addressed in the draft.

Ms. Fritz stated that two issues that she did not see addressed in the draft are whether proof of CPR would be required for renewals and also, what the sanitation guidelines would be for chair massages.

The Chair noted that in general, a massage establishment ("MAE") license is required for anyone providing massages in a location that is not the client's place of residence or business.

Ms. Bath questioned if they were required for open-air venues.

The Chair stated that even for non-traditional locations such as farmer's markets, the Board wants to ensure that the sanitation rules are being followed.

The DAG noted that generally, if the public knows that the MAT can be found at a particular location such as a farmer's market on a regular basis, they would require an MAE license, however, the determination is made on a case-by-case basis.

Applications:

**Ratification List**

Upon a motion by the Vice Chair, seconded by Ms. Bath, it was voted on and unanimously carried to approve the attached ratification list.

Executive Session: At 10:52 a.m., upon a motion by the Chair, seconded by the Vice Chair, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 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".

At 11:10 a.m., the DAG left the meeting.

At 11:19 a.m., upon a motion by the Chair, seconded by Ms. Bath, it was voted on and unanimously carried to move out of executive session.

### **Applications**

#### Exam & License – Massage Therapist

##### **Natalia Lopez – Request for Exam Waiver (License Forfeiture)**

Upon a motion by the Chair, seconded by the Vice Chair, it was voted on and unanimously carried to and unanimously carried to defer Ms. Lopez's request for exam waiver subject to receipt of additional information and to delegate to the EO that upon receipt of information, to approve Ms. Lopez's request for exam waiver.

##### **David Clark – Request for Exam Waiver (License Forfeiture)**

Upon a motion by the Chair, seconded by Ms. Chock, it was voted on and unanimously carried to approve Mr. Clark's request for exam waiver.

#### Massage Apprentice

##### **Kathleen Sheehan**

Upon a motion by the Vice Chair, seconded by the Chair, it was voted on and unanimously carried to defer Ms. Sheehan's application for massage apprentice permit subject to receipt of additional information and to delegate to the EO that upon receipt of information, to approve Ms. Sheehan's application for massage apprentice permit.

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Next Meeting: Wednesday, August 6, 2014  
9:00 a.m.  
Queen Liliuokalani Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 11:23 a.m.

Taken by:

/s/ Jennifer Fong

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Jennifer Fong  
Secretary

Reviewed by:

/s/ Lee Ann Teshima

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Lee Ann Teshima  
Executive Officer

7/3/14

Minutes approved as is.

Minutes approved with changes; see minutes of \_\_\_\_\_.

## BOARD OF MASSAGE THERAPY

*RATIFICATION LIST*  
*Wednesday, June 4, 2014*

### MASSAGE THERAPIST

MAT 13802 SANDRA L NOVOTASKY  
MAT 13803 ANA C RUAS SHAKESPEAR  
MAT 13804 MELANIE A PEDDLE  
MAT 13805 SABRINA A STEKLACHICK  
MAT 13806 KELLY L OSATO  
MAT 13807 STACEY L N MARTIN  
MAT 13808 KASUMI HIGUCHI  
MAT 13809 CHRISTINE H SILVA  
MAT 13810 JENNIE M TIN HIN  
MAT 13811 NIPAPHAN YINGYOD  
MAT 13812 JESSICA L GOODONI  
MAT 13813 JENNIFER MARIE OWEN  
MAT 13814 SUZANNE L REMINGTON

### MASSAGE THERAPY ESTABLISHMENT

MAE 2949 ADVANCED MEDI SPA LLC  
MAE 2950 HIRAN MASSAGE INC  
MAE 2951 ROYAL ZEN SPA LLC  
MAE 2952 LYNN LY  
MAE 2953 SMILE MASSAGE & SPA LLC  
MAE 2954 DANE S SATO  
MAE 2955 YOUNGSEON LEE IKEDA  
MAE 2956 HAWAII NATURAL THERAPY CLINIC  
MAE 2957 ALOHA HEALING MASSAGE AND ACUPUNCTURE LLC  
MAE 2958 NATALIE SEWA  
MAE 2959 'AINALANI MASSAGE LLC  
MAE 2960 SAKURA GARDEN CORPORATION  
MAE 2961 2L2TF LLC  
MAE 2962 REBOUND HAWAII LLC

### MASSAGE THERAPY WORKSHOP

Angela Leslee, MAT 4052  
Aloha Massage Academy, MAE 2828

July 2, 2014 – September 10, 2014

Rochelle Featheran, MAT 3097  
Misty Miyashiro, MAT 8351  
Juleen Nakamoto, MAT 2075  
Healing Journey LLC, MAE 1745

July 1, 2014 – November 15, 2014