

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

**MINUTES OF MEETING**

- Date: Wednesday, January 31, 2018
- Time: 9:00 a.m.
- Place: King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii 96813
- Present: George Davis, Jr., Massage Therapist, Chair  
Paula Behnken, Public Member, Vice Chair  
Jodie Hagerman, Public Member  
Samantha Meehan-Vandike, Massage Therapist  
Carol Kramer, Executive Officer ("EO")  
Shari Wong, Deputy Attorney General ("DAG")  
Jennifer Fong, Secretary
- Excused: Stephanie Bath, Massage Therapist
- Guests: Tanya Raymond, Hellerwork Association  
Lei Fukumura, Professional & Vocational Licensing Division Special DAG  
Taylor Engcabo, Remington  
Rebekah Morris, Remington  
Don McCoy, Remington  
Kawika Palimo'o, Remington  
Megan Young, Hawaii School of Professional Massage
- 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").
1. Call to Order: There being a quorum present, Chair Davis called the meeting to order at 9:01 a.m.
2. Additional Distribution to Agenda: None.

3. Introduction of New Board Member, Jodie Hagerman: Chair Davis introduced Ms. Hagerman as the newest member of the Board, noting that with her appointment the Board is now full.

Ms. Hagerman gave a brief self-introduction, noting that it was Chair Davis who informed her of the opening on the Board and encouraged her to submit an application.

EO Kramer stated that Governor Ige appointed Jodie Hagerman as a public member on an interim basis, effective January 12, 2018. She reminded all current board members that if their term is expiring on June 30, 2018 and they are interested in continuing to serve on the Board, they should submit their completed application to the Lieutenant Governor's office as soon as possible.

4. Approval of Minutes of the November 1, 2017 Meeting: Chair Davis asked if there were any comments or concerns regarding the Board minutes of the November 1, 2017 meeting.

There were none.

Upon a motion by Vice Chair Behnken, seconded by Ms. Meehan-Vandike, it was voted on and unanimously carried to approve the minutes of the November 1, 2017 meeting as circulated.

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

- 8. Chapter 91, HRS Adjudicatory Matters, a. In the Matter of the Massage Therapist License of Angel K. Bone (MAS 2016-98-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Declaration of Angel K. Bone; Exhibit "A".
- 8. Chapter 91, HRS Adjudicatory Matters, b. In the Matter of the Massage Therapist and Massage Therapy Establishment Licenses of Rosalind Canite (MAS 2016-98-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.
- 8. Chapter 91, HRS Adjudicatory Matters, c. In the Matter of the Massage Therapist's License of Heather N. Monell (MAS 2016-51-L) – Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "A" and "B" and Petition for Disciplinary Action Against Massage Therapist's License; Demand for Disclosure.
- 7. Applications, b. Applications, 1) Shawn Marie Flynn.
- 7. Applications, b. Applications, 2) Chiemi Trias.

8. Chapter 91,  
HRS –  
Adjudicatory  
Matters:

At 9:04 a.m., Chair Davis recessed the Board's meeting to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

- a. In the Matter of the Massage Therapist License of Angel K. Bone (MAS 2016-98-L – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Declaration of Angel K. Bone; Exhibit "A")

After discussion, it was moved by Vice Chair Behnken, seconded by Ms. Meehan-Vandike, and unanimously carried to approve the above-referenced Settlement Agreement.

- b. In the Matter of the Massage Therapist and Massage Therapy Establishment Licenses of Rosalind Canite (MAS 2016-98-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

After discussion, it was moved by Ms. Meehan-Vandike, seconded by Vice Chair Behnken, and unanimously carried to approve the above-referenced Settlement Agreement.

- c. In the Matter of the Massage Therapist's License of Heather N. Monell (MAS 2016-51-L) – Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "A" and "B" and Petition for Disciplinary Action Against Massage Therapist's License; Demand for Disclosure

After discussion, it was moved by Vice Chair Behnken, seconded by Ms. Meehan-Vandike, and unanimously carried to approve the above-referenced Settlement Agreement.

At 9:15 a.m., the Board moved out of Chapter 91, HRS, and returned to its regular order of business.

7. Applications:

- b. Applications

Executive  
Session:

At 9:15 a.m., it was moved by Vice Chair Behnken, seconded by Ms. Hagerman, 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" to discuss the following agenda items:

- 7. Applications, b. Applications, 1) Shawn Marie Flynn

- 7. Applications, b. Applications, 2) Chiemi Trias

At 9:27 a.m., it was moved by Ms. Hagerman, seconded by Ms. Meehan-Vandike, and unanimously carried to move out of Executive Session.

The Board returned to its regular order of business.

5. Executive Officer's Report:

None.

6. New Business:

a. 2018 Legislative Session

a. 2018 Legislative Representative

EO Kramer requested one or two members of the Board be available to represent the Board during legislative hearings on bills that may impact the profession. She noted that at minimum, the Legislature would post the hearing notice at least 48 hours prior to the hearing date.

DAG Wong stated that the representative would speak at the hearing on the Board's behalf to give the Board's position on the bill.

Ms. Meehan-Vandike volunteered.

Vice Chair Behnken said in an emergency, she would be willing to fly in to testify for the Board.

After some discussion, it was the consensus of the Board that for the 2018 Legislative session, Ms. Meehan-Vandike will be the Board's official representative and Ms. Hagerman and Chair Davis will be alternates.

Chair Davis asked if it is possible for EO Kramer to take a poll via email regarding each member's position on a bill without discussion amongst the members.

DAG Wong said that it is possible, however, the any testimony submitted regarding a bill that has not been discussed at a Board meeting would still have to state that the Board has not met to discuss the bill. She cautioned against discussion outside of a meeting even if no decisions are made. She noted that other boards and programs run into the same issue. The legislature is well aware that some boards are unable to meet in order to determine a position before a hearing.

b. 2018 Legislation

- a. H.B. No. 1724 Relating to Human Trafficking – *Expands the poster requirement to massage therapy establishments that employ three or more people. Increases the penalties for violations of the poster requirement and deposits the penalties in the human trafficking victim services fund. Allows the Department of Labor and Industrial Relations to contract with any state or county department or agency for implementation or enforcement.*

EO Kramer noted that the currently, any person that maintains a massage therapy establishment that employs five or more people is required to post, in a place readily accessible to employees, a poster regarding the National Human Trafficking Resource Center Hotline. The bill would change the amount of employees from five or more people to three or more people.

After some discussion, it was the consensus of the Board that they would like all people working in the massage therapy establishment counted as part of the number of people employed including independent contractors and/or adding a definition of “employee” which includes independent contractors.

- b. H. B. No. 1966 Relating to Massage Therapy – *Exempts individuals specializing in only foot, hand, and outer ear manipulation from licensure as a massage therapist.*

EO Kramer noted that this bill was scheduled for a hearing this morning at 9:00 a.m. before the House Committee on Intrastate Commerce. Testimony was submitted on the Board’s behalf noting that the Board intended to discuss the bill at its meeting today. The testimony also included comments that at the Board’s July 11, 2008 meeting, the Board confirmed that reflexology has always been considered massage therapy based on the definition which clearly states manipulation of the superficial soft parts of the body constitutes massage therapy.

Chair Davis said he feels that the definition of “massage” in the Board’s statute includes massage of feet, hands and outer ear manipulation. Also, he questioned why there would be an exemption only for clients who “remain fully clothed from the shoulders to the knees”.

Vice Chair Behnken stated that it is difficult to know where the line would be drawn. She questioned how the body parts such as the foot

would be defined. Would the foot also include the ankle? Does it include the achilles? She also noted that enforcement would be extremely difficult.

At 9:55 a.m., DAG Wong was excused from the meeting.

EO Kramer said she believes the Regulated Industries Complaints Office ("RICO") will be submitting testimony in opposition of this bill as it would be hard to enforce.

Ms. Meehan-Vandike noted that she did some research and most other states require a license to perform these types of massage. Some states even require additional specialized training for a massage therapist to be able to call themselves a "reflexologist".

Vice Chair Behnken asked if the Board was told the reasons why the bill was introduced.

EO Kramer said no.

After some discussion, it was the consensus of the Board that they are opposed to this bill as massage performed on the feet, hands and manipulation of outer ear fall under the definition of "massage" pursuant to HRS §452-1 and would therefore, require a Hawaii massage therapist license.

- c. S. B. No. 2464 Relating to Crime – *Establishes the offense of exploitative advertising as a misdemeanor.*

Ms. Meehan-Vandike noted that the bill clearly states that there is an exemption for "owners, publishers, providers, producers, operators, managers, or moderators of a print, broadcast, or electronic advertisement directory, or classified advertisement website, who are acting in accordance with the scope of their professional responsibilities."

Chair Davis noted that there is an exemption for publishers but it makes no mention of an exemption for licensed massage professionals to use the words "massage", "relaxation" and/or "spa" in their legitimate advertisements.

EO Kramer asked if they also see a problem with massage therapists not being able to use the words "body rubs". She noted that the

Board's office seems to be getting more inquiries lately regarding use of body products such as lotions, creams and scrubs.

Chair Davis noted that the Board can appreciate the intent of the bill in trying to stop exploitative advertising and give more legitimacy to licensed massage professionals, however, this seems like it would also prevent licensed massage therapists and massage establishments from using legitimate words to advertise their services.

Mr. McCoy noted that he works as a bouncer at a strip club and he feels what it comes down to is "risk vs. reward". He noted that representatives from the Liquor Commission visit his workplace and assess fines, however, the employers feel that the \$1,000 fine per violation is not a big deal when compared to the money that they make.

Ms. Morris said she feels that while some people take massage therapy and therapists seriously, others don't because of situations like this.

Vice Chair Behnken stated that it is a challenge to keep illegitimate businesses from using massage as a cover. It affects the reputation and legitimacy of the profession.

Mr. McCoy noted that acronyms and emojis are also being used to describe where these illegitimate services are provided.

EO Kramer noted that the bill also includes a definition of "relaxation therapy" to mean "any non-medical method of practicing healing arts other than massage therapy that is intended to help a person relax, attain a state of increased calmness, or otherwise reduce pain, anxiety, stress, anger, or depression, including but not limited to reflexology and spa treatment services."

Chair Davis noted that the bill says "'massage therapy' has the 'same meaning as in section 452-1'" and said that reflexology is considered massage therapy under that definition.

Ms. Meehan-Vandike said that "spa treatment services" could also be part of massage therapy.

After some discussion, it was the consensus of the Board that while they appreciate the intent of the bill, they have the following amendments:

- On page 1, in section 1, line 8: delete the words “massage”, “relaxation” and “spa”.
- On page 1, in section 1, line 11: at the end of the sentence, add “any other words, acronyms, or images that imply activities contrary to HRS chapter 452.”
- On page 2, section 1, line 1: delete the words “massage”, “relaxation” and “spa”.
- On page 3, section 2, lines 20-21: delete “including but not limited to reflexology and spa treatment services”.

Chair Davis asked that Ms. Hagerman work with EO Kramer on the Board’s testimony for this bill.

Ms. Hagerman agreed.

b. Federation of State Massage Therapy Boards (“FSMTB”) 2017 Human Trafficking Task Force Report

A copy of the FSMTB’s 2017 Human Trafficking Task Force Report and the joint response letter from the American Massage Therapy Association (“AMTA”) and Associated Bodywork & Massage Professionals (“ABMP”) which includes recommendations was distributed to the members for their information.

Ms. Meehan-Vandike asked if the Board was required to follow the recommendations from the AMTA and ABMP.

Chair Davis stated that as the Board is not a member of either organization, they are not required to do so, however, if they choose, they can incorporate any of the recommendations into their laws and rules.

c. Delegation of Duties to Executive Officer – to delegate to its Executive Officer the authority to approve renewal applications for licensees with disciplinary action issued for violations pursuant to Hawaii Revised Statutes §452-23.5

EO Kramer reminded the Board that effective July 1, 2016, HRS §452-23.5 took effect which allows RICO to issue citations to any person who holds a massage therapist or massage therapy establishment (“MAE”) license or is the designated principal massage therapist of the MAE for specific violations including failure to conspicuously display a current MAE license and the current licenses and permits of all persons engaging in the practice of massage therapy in the MAE.



She noted that any massage therapist or MAE who is issued a citation is required to answer “yes” to the question on the renewal application pertaining to disciplinary action. Any licensee with a “yes” answer pertaining to disciplinary action and/or criminal convictions cannot renew their license online and will need to submit a hard copy renewal application with supporting documentation pertaining to all “yes” answers.

After some discussion, it was moved by Vice Chair Behnken, seconded by Ms. Meehan-Vandike, and unanimously carried to delegate to the Executive Officer the authority to approve renewal applications with a “yes” answer for any violations of HRS §452-23.5.

d. Request from Tanya Raymond regarding whether Hellerwork Training would be accepted towards the education requirement for massage therapist applicants

Chair Davis acknowledged that the Board received the information submitted by Ms. Raymond and asked for clarification on what Ms. Raymond is requesting.

Ms. Raymond stated that she would like someone who has a Hellerwork certificate to meet the Board’s education requirements.

Vice Chair Behnken noted that “kinesiology” is not included on the transcript. She asked where the kinesiology training is.

Ms. Raymond stated that kinesiology is included with the body awareness and movement education.

Chair Davis asked if kinesiology could be added to the transcript.

Ms. Raymond said she believes so, noting that Hellerwork International owns the curriculum for the program.

Vice Chair Behnken asked if Hellerwork International is self-governing.

Ms. Raymond said yes. She told the Board that she received her Hellerwork certification in 1995. She is also a physical therapist but at the time, physical therapists were not allowed to treat patients without a referral. She noted that the Board accepts education from the Rolf Institute. She would like something similar for all structural schools but she only feels qualified to make the request for Hellerwork.

Vice Chair Behnken noted that because Hellerwork International is self-governing, they could potentially change their curriculum at any time.

Ms. Meehan-Vandike asked Ms. Robinson if she knows of any individuals with Hellerwork certification who had or are having problems meeting Hawaii's education requirements.

Ms. Robinson said no but she is looking to streamline the process.

Chair Davis noted that the Board's current rules allow them to accept training by the Rolf Institute, however, every applicant, including those of students who obtained certification at the Rolf Institute, must provide all of the required supporting education documents which are reviewed to determine if that applicant meets the Board's education requirement.

Vice Chair Behnken stated that there is no blanket approval given to any school or institution.

Ms. Robinson thanked the Board for their time and the clarification.

7. Applications:

a. Ratifications

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

b. Applications

1) Shawn Marie Flynn

Upon a motion by Ms. Meehan-Vandike, seconded by Vice Chair Behnken, it was voted on and unanimously carried to approve Shawn Marie Flynn to sit for the Hawaii Massage Therapy Exam once she has met the education requirements to do so.

2) Chiemi Trias

Upon a motion by Ms. Hagerman, seconded by Ms. Meehan-Vandike, it was voted on and unanimously carried to defer Chiemi Trias' Application for Exam & License – Massage Therapist pending receipt of additional documentation.

9. Unfinished Business:

a. Rule Revisions – Title 16, Chapter 84, Hawaii Administrative Rules

By consensus, this matter was deferred.

10. Next Meeting:       Wednesday, March 7, 2018 **(New Date)**  
                                  12:30 p.m. **(New Time)**  
                                  Queen Liliuokalani Conference Room  
                                  King Kalakaua Building  
                                  335 Merchant Street, First Floor  
                                  Honolulu, Hawaii 96813

11. Adjournment:       With no further business to discuss, Chair Davis adjourned the meeting at  
                                  11:22 a.m.

Taken by:

/s/ Jennifer Fong

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Jennifer Fong  
Secretary

Reviewed by:

/s/ Carol Kramer

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Carol Kramer  
Executive Officer

2/14/18

[ ] Minutes approved as is.

[✓] Minutes approved with changes; see minutes of March 7, 2018.

## BOARD OF MASSAGE THERAPY

### RATIFICATION LIST

Wednesday, January 31, 2018

#### MASSAGE THERAPIST

MAT 15427 MARY JANE M BARON	MAT 15470 TONYA M NICKERSON
MAT 15428 JESSICA L FELTON	MAT 15471 MEL F D ESTALILLA
MAT 15429 MEGAN J FEIGHT	MAT 15472 BILLIE R WRIGHT
MAT 15430 DYLAN C ARNOLD	MAT 15473 HARUNE TODAKA
MAT 15431 PATRICIA E DAVIDSON	MAT 15474 KAYLA SAENSOMBAT
MAT 15432 SAVANAH N P LOHR	MAT 15475 AMANDA M DAWLEY
MAT 15433 HIRONO KANEKO	MAT 15476 OLGA V GIAMUNDO
MAT 15434 NICOLE E LARSON	MAT 15477 LUCYANNE V DANTAS
MAT 15435 PAULA E HOFFMAN-CLAYPOOL	MAT 15478 ALAN H T DO
MAT 15436 GEORGE A LESLIE	MAT 15479 JENNIFER L BARRON
MAT 15437 AMARIS N PENEKU	MAT 15480 AMANDA R RIVERA
MAT 15438 GEIZY A IRIZARRY-JIMENEZ	MAT 15481 ANDRZEJ SLIWOWSKI
MAT 15439 TIFFANY H CALUYA	MAT 15482 CHONG SUK TURNER
MAT 15440 RHEALYN BUCSIT	MAT 15483 ELASSAR N TROST
MAT 15441 CAROLINA L MEDINA	MAT 15484 YOKO TOMII
MAT 15442 ROXANNE RUSSIN	MAT 15485 KELLEE A WEAVER
MAT 15443 MARY JANE B WELA	MAT 15486 ANGCHANAPORN TRAIRATTHITIKAN
MAT 15444 ANDREA T CESAREK	MAT 15487 CARLY R VANGILLS
MAT 15445 CARLA E MINNICHHOFER	MAT 15488 SUNDRA Y WILLIAMS
MAT 15446 SOPHIA W LEE	MAT 15489 MAREENA TRINNAMAN
MAT 15447 JOHN ESPINAL	MAT 15490 CHARLES TRINH
MAT 15448 LOUIS E LANDSMAN	MAT 15491 ROBERT L SULLIVAN
MAT 15449 PHI T NGUYEN	MAT 15492 MAIKO ASAMI
MAT 15450 RAE-ANN C GARPERIO	MAT 15493 LORINDA C ESPOSITO
MAT 15451 JULIE K LIEURANCE	MAT 15494 JASMINE N GALARITA
MAT 15452 MELISSA L PLEMMONS	MAT 15495 NIKKI-LEE U ASIO
MAT 15453 SHANICE N M SAITO	MAT 15496 LUCILLE S E DWIGHT
MAT 15454 SHARLOMA CLEVELAND	MAT 15497 KELLI J STEINER
MAT 15455 CERRIDWEN L MARTIN	MAT 15498 ROBERT D READER
MAT 15456 ASHLEY J NORRIS	MAT 15499 ELIANA G PEREZ
MAT 15457 THANAPORN T MORTON	MAT 15500 HAYLEY D MUSGROVE
MAT 15458 PATTHAMAPORN C POPESCU	MAT 15501 LIBBY M M PARISH
MAT 15459 KELLY M SEARS	MAT 15502 ALEXANDER K OKAMURA
MAT 15460 TERI A ELIADES	MAT 15503 GRACE A HIKA
MAT 15461 ELIZABETH M CAMPBELL	MAT 15504 PAILIN SAIMUENG
MAT 15462 EMI N KAISER	MAT 15505 SACHIKO MIYAZAKI
MAT 15463 KIMIE KATO	MAT 15506 JAMES LABADY
MAT 15464 JANAKI J ALLISON	MAT 15507 YUKO KARSNICK
MAT 15465 KRISTIN M ALBRECHT	MAT 15508 HATSUE BAILEY
MAT 15466 LARITA G ORBITO	MAT 15509 AUSTIN R B LOWELL
MAT 15467 RACHEL A HOFF	MAT 15510 DANIELLE N JURE
MAT 15468 EMI TSUJIWAKI	MAT 15511 NICHOLAS A MANESSIOTIS
MAT 15469 BRIGID M BARCARSE	MAT 15512 ROBYNNE LA ROCCO

MASSAGE THERAPIST (continued from previous page)

MAT 15513 ANDREW P LANGHORST	MAT 15527 HARMONY J BILAN
MAT 15514 RACHAEL M SNYDER	MAT 15528 JASMIN JOY ABAD
MAT 15515 DEBRA CHINEN	MAT 15529 ALEXANDER B CARVER
MAT 15516 HEATHER S CAUSEY	MAT 15530 EMILY C ACKERMAN
MAT 15517 JANINE H OSHIRO	MAT 15531 CHEYNE T NAKATA
MAT 15518 ALAN K NITTA	MAT 15532 SHUQING W CAMACHO
MAT 15519 MICHAEL S MCCAGH	MAT 15533 KYLIE N BROWN
MAT 15520 SHYANNE M FULLMER	MAT 15534 WASSANA R MEJIA
MAT 15521 GENEVIEVE V B BRUNET	MAT 15535 EMILIE R JANTON
MAT 15522 KATHLEEN C MCCARTHY	MAT 15536 KIRSTEN E COLEMAN
MAT 15523 SEAN T HASEGAWA	MAT 15537 LINING QU
MAT 15524 TAKAKO HASHIMOTO	MAT 15538 TRINA K OSHIRO
MAT 15525 JIN JIN DE LAGARZA XU	MAT 15539 NAMPEUNG YOO ON
MAT 15526 VICTORIA K BUSER	

MASSAGE THERAPY ESTABLISHMENT

MAE 3323 LVL UP MASSAGE LLC	MAE 3333 BEAUTYMED THERAPY INC
MAE 3324 LAURA J ROSENTHAL	MAE 3334 SUGAR MAUI LLC
MAE 3325 PT MASSAGE INC	MAE 3335 MELISSA K MATEOS
MAE 3326 JAMIE T VENDRELL-LAMMERMAN	MAE 3336 SAKURA SPA LLC
MAE 3327 DANIELLE J AMON-WILKINS	MAE 3337 CC&E TADLY LLC
MAE 3328 MIA THAI MASSAGE LLC	MAE 3338 RFO96815 LLC
MAE 3329 WAHIAWA PHYSICAL THERAPY LLC	MAE 3339 MEOHANA LLC
MAE 3330 DIANALEE VOUTSAS-KAPUA	MAE 3340 JENICA E SPRINGER
MAE 3331 SURF INTO YOGA LLC	MAE 3341 UNWIND THERAPIES LLC
MAE 3332 STAR HOKU LLC	MAE 3342 JJ SPA LLC

MASSAGE THERAPY WORKSHOP

***Danielle B. Ho Massage LLC, MAE 3307***

Instructor: Danielle Ho, MAT 5467  
Initial Course: February 10, 2018 – April 9, 2018  
76-6225 Kuakini Highway, Suite C104  
Kailua-Kona, Hawaii 96740  
Phone: (808) 936-5513

***William B. Acason, MAE 1063***

Instructor: William Acason, MAT 1837  
Initial Course: February 19, 2018 – April 7, 2018  
100 Nohea Kai Drive  
Lahaina, Hawaii 96761  
Phone: (808) 214-0977