

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

**MINUTES OF MEETING**

- Date: Wednesday, November 28, 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  
Stephanie Bath, Massage Therapist  
Jodie Hagerman, Public Member  
Olivia Nagashima, Massage Therapist  
Risé Doi, Executive Officer ("EO")  
Shari Wong, Deputy Attorney General ("DAG")  
Jennifer Fong, Secretary
- Excused: Paula Behnken, Public Member, Vice Chair
- Guests: None.
- 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 9:05 a.m.
  2. Additional Distribution to Agenda: Chair Davis announced that the following was distributed to the Board as additional distribution:
    - 6. New Business, a. Guidelines for review of curriculum for Department of Education massage school licensure, Act 164 (Relating to Private Trade, Vocational, and Technical Schools (2017), pages 7-8 and 11-12.
  3. Approval of Minutes of the October 31, 2018 Meeting: Chair Davis asked if there were any comments or concerns regarding the Board minutes of the October 31, 2018 meeting.  
  
There were none.

Upon a motion by Ms. Bath, seconded by Ms. Nagashima, it was voted on and unanimously carried to approve the minutes of the October 31, 2018 meeting as circulated.

4. Executive Officer's Report: Ms. Doi reported that she spoke to a staff member at the Department of Health's Sanitation Branch. As of October 27, 2018, the sanitation rules have officially been repealed.

5. Applications: a. Ratifications

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

At 9:23 a.m., Ms. Hagerman arrived.

6. New Business: a. Guidelines for review of curriculum for Department of Education ("DOE") massage school licensure

EO Doi reminded the Board that upon request, they will need to review curriculum for massage schools to be licensed by the Hawaii DOE and issue a letter in lieu of proof of accreditation.

After some discussion, it was the consensus of the Board that a school requesting a letter stating that the school's curriculum is sufficient to prepare a graduate to qualify for professional licensure must provide at minimum the following documents:

- A written request;
- A sample transcript;
- A copy of the school catalog and/or brochure;
- For each course, a breakdown of the hours including: 1) the number of hours in anatomy, physiology, and structural kinesiology; 2) the number of hours in theory and demonstration of massage; 3) the number of hours in practical massage therapy training; 4) the total number of hours for the course.

Once the above-referenced documents are received, the Board may request additional documents as needed.

7. Unfinished Business: a. Discussion on Revisions to Hawaii Revised Statutes ("HRS"), Chapter 452

Ms. Nagashima reported that she and Ms. Hagerman have been working on proposed amendments to Chapter 452. Ms. Nagashima noted she has been

researching and is able to get legal support from the American Massage Therapy Association (“AMTA”). She said she could request the assistance of the local chapter of the AMTA to get the bill introduced. She noted that the committee has been focusing on streamlining and clarifying the statute as well as making changes due to changes in industry practices and procedures.

Ms. Hagerman stated that based on the discussion at the last meeting, she drafted language to amend HRS §452-18 to remove the reference to the Department of Health and insert sanitation guidelines.

Ms. Nagashima stated that the committee has read through the continuing education checklist and is not sure how to answer some of the questions. She noted that most states that have a continuing education requirement for massage therapist license renewal included it when licensing first started.

After some discussion, it was the consensus of the Board to propose the following amendments HRS Chapter §452 (underlined material added, while bracketed material is to be deleted) and request that Ms. Nagashima work with the local chapter of the AMTA to get a bill introduced:

**§452-18 Sanitary rule.** The board [department of health] shall prescribe such sanitary rules as it deems necessary, with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases[.] including:

(1) The massage therapy establishment shall be separated from any other business or dwelling room by a solid permanent partition;

(2) The massage therapy establishment shall be kept clean and in good repair, properly lighted and ventilated;

(3) Proper hand cleansing facilities with hot, cold or tempered running water, hand cleansing soap and single use towels or other hand drying devices shall be conveniently located. In all new or existing establishments which have been extensively renovated, approved hand cleansing facilities shall be located in the operation area;

(4) Toilet facilities shall be located within 200 feet of the massage therapy establishment;

(5) Massage therapists with contagious diseases in communicable form shall not attend to any client;

(6) Massage therapists shall maintain a high degree of personal hygiene and cleanliness;

(7) Massage therapists shall wash and clean their hands before and after attending to each client;

(8) Clean and sanitized linens and instruments shall be used for all clients then sanitized again prior to use on another client.

**§452-19 Penalties.** (a) Any person who practices massage or maintains a massage therapy establishment, or acts in any capacity wherein a license is required by this chapter, without a license provided for in this chapter, shall be guilty of a [petty] misdemeanor.

**§452-24 Disciplinary actions.**

(b) Any person who violates any of the provisions of this chapter or the rules adopted pursuant thereto shall be fined not less than [~~\$100~~] \$250 nor more than \$1,000 for each violation.

At 9:58 a.m., DAG Wong left the meeting room.

After some discussion, upon consensus, the Board decided not to include continuing education in any proposed legislation for the upcoming session, however, the committee was tasked to continue working on the checklist. The committee was also asked to continue working on revised language for the advertising section.

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

Recess: At 10:52 a.m., Chair Davis called for a recess.

Reconvene: At 10:58 a.m., the Board reconvened their meeting.

The following are some of the substantive changes which were discussed:

- Requiring an off-site massage location to have a current active massage therapy establishment (“MAE”) license or be affiliated with a MAE that has an “active” status license that is current and in good standing.
- A person with a Hawaii massage therapist license that is current, “active” status and in good standing may provide out-call services under the provisions of their massage therapist license and does not require additional licensure.
- Applicants for a massage apprentice permit must provide proof of having current infant and adult cardiopulmonary resuscitation (“CPR”) and automated external defibrillator (“AED”) certification prior to the permit being issued.
- The owner or principal massage therapist of the MAE shall inform the board in writing of changes in any of the information required under this

section within ten calendar days from the change.

- Any changes in instructions, the curriculum, or address of the MAE voids the original approval and is subject to a new MAE application.

The Board will resume discussion of the current draft at their next scheduled meeting.

8. Next Meeting: Wednesday, January 30, 2019  
9:00 a.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, First Floor  
Honolulu, Hawaii 96813

9. Adjournment: With no further business to discuss, Chair Davis adjourned the meeting at 12:30 p.m.

Taken by:

/s/ Jennifer Fong

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Jennifer Fong  
Secretary

Reviewed by:

/s/ Risé Doi

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Risé Doi  
Executive Officer

12/24/18

[  ] Minutes approved as is.

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

## BOARD OF MASSAGE THERAPY

### RATIFICATION LIST

Wednesday, November 28, 2018

#### MASSAGE THERAPIST

MAT 15834	ZANE P DELA CRUZ	MAT 15839	JOLI E NAKANELUA
MAT 15835	SARA ANN L KANEMITSU	MAT 15840	RAELENE O IBIT
MAT 15836	JEFFREY S LEIENDECKER	MAT 15841	ELIZAVETA SALNIKOVA
MAT 15837	LAWRENCE K G NINO	MAT 15842	MIDORI KATAYAMA
MAT 15838	ALEXANDER SHARONE		

#### MASSAGE THERAPY ESTABLISHMENT

MAE 3438	A TOUCH OF TRANQUILITY, LLC	MAE 3449	YVONNE P GIRON
MAE 3439	FREEDOM SPAS LLC	MAE 3450	E EVERETT LLC
MAE 3440	FREEDOM SPAS LLC	MAE 3451	ERIN J BOYLE
MAE 3441	FREEDOM SPAS LLC	MAE 3452	KANYA THAI MASSAGE LLC
MAE 3442	KIRK Y AKASAKI	MAE 3453	JASON P ESTERLE
MAE 3443	JOSEPHINE C SIMPSON	MAE 3454	JUDY C LYNCH
MAE 3444	U-TURN MASSAGE LLC	MAE 3455	HI BODYBAR LLC
MAE 3445	KIMBERLY G EVANS	MAE 3456	KOHALA VILLAGE BODYWORK LLC
MAE 3446	THANAPORN T MORTON	MAE 3457	TANYA A MENDOZA
MAE 3447	RENEE L WULZEN	MAE 3458	MOMO INDUSTRIES LLC
MAE 3448	ANNETTE C BLUE		

#### MASSAGE THERAPY WORKSHOP

*None.*