

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

MINUTES OF MEETING

- Date: Wednesday, May 1, 2019
- Time: 9:00 a.m.
- Place: Queen Liliuokalani 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")
Christopher Leong, Deputy Attorney General ("DAG")
Jennifer Fong, Secretary
Leanne Abe, Secretary
- Excused: Paula Behnken, Public Member, Vice Chair
- Guests: Lei Fukumura, Special Deputy Attorney General
Karen Lucky Thornton, Quantum School of Holistic Health
- 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: By consensus, this item was deferred until later in the meeting.
 3. Approval of Minutes of the March 13, 2019 Meeting: Chair Davis asked if there were any comments or concerns regarding the Board minutes of the March 13, 2019 meeting.
EO Doi noted that DAG Shari Wong did not attend that meeting and her name should be stricken from the list of those present on page 1.

Ms. Nagashima requested the following correction to page 7 (bracketed material to be deleted, underlined material to be added):

- b. In the Matter of the Massage Therapist License of [Brian P. McCord] Annalee Taylor, aka Annalee Akagi (MAS 2018-85 [89]-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order

Chair Davis asked the Board members if there were any additional comments or concerns.

There were none.

Upon a motion by Chair Davis, seconded by Ms. Nagashima, it was voted on and unanimously carried to approve the minutes of the March 13, 2019 meeting as amended.

Chair Davis asked if there were any comments or concerns regarding the Executive Session minutes of the March 13, 2019 meeting.

There were none.

Upon a motion by Ms. Nagashima, seconded by Ms. Bath, it was voted on and unanimously carried to approve the Executive Session minutes of the March 13, 2019 meeting as circulated.

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

- 7. Chapter 91, HRS Adjudicatory Matters, a. In the Matter of the Massage Therapist License of Angel K. Bone (MAS 2018-92-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order; Exhibit “A”
- 7. Chapter 91, HRS Adjudicatory Matters, b. In the Matter of the Massage Therapist’s License of Jill A. Johnson (MAS 2018-60-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order

7. Chapter 91, HRS – Adjudicatory Matters:

At 9:15 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 2018-92-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order; Exhibit “A”

After discussion, it was moved by Ms. Bath, seconded by Ms. Nagashima, and unanimously carried to accept the above-referenced settlement agreement.

- b. In the Matter of the Massage Therapist's License of Jill A. Johnson (MAS 2018-60-L) – Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

After discussion, it was moved by Ms. Nagashima, seconded by Ms. Bath, and unanimously carried to accept the above-referenced settlement agreement.

At 9:44 a.m., the Board moved out of Chapter 91, HRS and Chair Davis announced he was taking the agenda out of order to discuss the following agenda item:

- 5. Applications, b. Applications, 12) Quantum School of Holistic Health

5. Applications:

b. Applications

Executive Session:

At 9:45 a.m., it was moved by Chair Davis, seconded by Ms. Nagashima, 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."

Guests were excused from the meeting room.

At 9:54 a.m., Ms. Hagerman arrived.

At 9:55 a.m., it was moved by Chair Davis, seconded by Ms. Nagashima, and unanimously carried to move out of Executive Session.

12) Quantum School of Holistic Health

Upon a motion by Chair Davis, seconded by Ms. Nagashima, it was voted on and unanimously carried that based on the review of Quantum School of Holistic Health's application and supporting documents, the school's curriculum does meet the Board's minimum education and training hours required for an applicant to obtain a license in massage therapy. The Board directed the EO to issue an approval letter valid through the Department of Education ("DOE") licensure period from September 1, 2019 through August 31, 2021 and to inform the school that the following courses from their curriculum were not accepted: 1) Reiki (4 hours); 2)

Quantum Healing with Energy (20 hours); 3) Holistic Peer Counseling (30 hours); and 4) Cardiopulmonary Resuscitation (4 hours).

At this time, Chair Davis announced the Board would return to its regular order of business.

2. Additional Distribution to Agenda: After some discussion, upon a motion by Chair Davis, seconded by Ms. Nagashima, it was voted on and unanimously carried to add the following items to the agenda:

- 5. Applications, b. Applications, 13) Jamie Reid
- 6. New Business, c. Delegation of authority to Executive Officer to approve license applications

Chair Davis announced that the following was distributed to the Board as additional distribution:

- 6. New Business, b. Email inquiry from Darlene Palama regarding whether a massage establishment without massage (treatment) rooms can have locks on its doors – Email with additional information from Ms. Palama

4. Executive Officer's Report: a. Licensee wall certificates and pocket I.D. cards printed online via MyPVL

EO Doi announced that effective immediately, PVL is no longer providing wall certificates or pocket I.D. cards to licensees. PVL's free online self-printing service for PVL license pocket I.D. cards and wall certificates is available for immediate download and printing by licensees via their MyPVL account at <https://pvl.ehawaii.gov/mypvl>. There is no cost to the licensee for printing via their MyPVL account. Any requests submitted to PVL for wall certificates or pocket ID cards will require a cost of \$10 per item and will be printed on standard white xerox paper.

5. Applications: a. Ratifications

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

b. Applications

Executive Session:

At 10:02 a.m., it was moved by Chair Davis, seconded by Ms. Nagashima, 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.”

Guests were excused from the meeting room.

At 11:26 a.m., it was moved by Chair Davis, seconded by Ms. Nagashima, and unanimously carried to move out of Executive Session.

1) Bradley Allen

Upon a motion by Chair Davis, seconded by Ms. Nagashima, it was voted on and unanimously carried to approve Mr. Allen to sit for the Hawaii Massage Therapy Examination.

2) Christine Armijo

Upon a motion by Ms. Nagashima, seconded by Ms. Hagerman, it was voted on and unanimously carried to approve Ms. Armijo to sit for the Hawaii Massage Therapy Examination.

3) Kyle Brittain

Upon a motion by Ms. Bath, seconded by Ms. Nagashima, it was voted on and unanimously carried to approve Mr. Brittain to sit for the Hawaii Massage Therapy Examination.

4) Maria Margaritis

Upon a motion by Chair Davis, seconded by Ms. Hagerman, it was voted on and unanimously carried to deny Ms. Margaritis’ Application for Exam & License – Massage Therapist pursuant to HRS § 436B-19 (2), (5), (8), (9), and (12); and § 452-24 (a)(1) and (9).

5) Justin Tabios

Upon a motion by Ms. Hagerman, seconded by Chair Davis, it was voted on to approve Mr. Tabios to sit for the Hawaii Massage Therapy Examination with Chair Davis, Ms. Bath and Ms. Hagerman voting “yes” and Ms. Nagashima abstaining. The motion passed.

6) Aisen Shiatsu School

Upon a motion by Ms. Nagashima, seconded by Ms. Hagerman, it was voted on and unanimously carried that based on the review of Aisen Shiatsu School’s application and supporting documents, the school’s

curriculum does meet the Board's minimum education and training hours required for an applicant to obtain a license in massage therapy. The Board directed the EO to issue an approval letter valid through the Department of Education ("DOE") licensure period from September 1, 2019 through August 31, 2021.

7) Bodymindmaui, Inc. dba Maui School of Therapeutic Massage

Upon a motion by Chair Davis, seconded by Ms. Bath, it was voted on and unanimously carried that based on the review of Bodymindmaui, Inc. dba Maui School of Therapeutic Massage's application and supporting documents, the school's curriculum does meet the Board's minimum education and training hours required for an applicant to obtain a license in massage therapy. The Board directed the EO to issue an approval letter valid through the Department of Education ("DOE") licensure period from September 1, 2019 through August 31, 2021 and to inform the school that the following courses from their curriculum were not accepted: 1) Wellness & Stress Management (6 hours); 2) Energy Awareness & Healing (6 hours); 3) Hawaii and Final Exam Review, Final Exam (9 hours); 4) Community Outreach (12 hours); and 4) CPR (4 hours).

8) Hawaii Massage Academy

Upon a motion by Ms. Bath, seconded by Ms. Nagashima, it was voted on and unanimously carried that based on the review of Hawaii Massage Academy's application and supporting documents, the school's curriculum does meet the Board's minimum education and training hours required for an applicant to obtain a license in massage therapy. The Board directed the EO to issue an approval letter valid through the Department of Education ("DOE") licensure period from September 1, 2019 through August 31, 2021 and to inform the school that the following course from their curriculum was not accepted: 1) Business Considerations for a Career (4 hours).

9) Healing Touch Massage Institute

Upon a motion by Ms. Nagashima, seconded by Ms. Hagerman, it was voted on and unanimously carried that based on the review of Healing Touch Massage Institute's application and supporting documents, the school's curriculum does meet the Board's minimum education and training hours required for an applicant to obtain a license in massage therapy. The Board directed the EO to issue an approval letter valid through the Department of Education ("DOE") licensure period from September 1, 2019 through August 31, 2021.

10) Lomino Hawaii Massage School

Upon a motion by Chair Davis, seconded by Ms. Nagashima, it was voted on and unanimously carried to defer Lomino Hawaii Massage School's application and directed the EO to inform the school that based on the review of their application and supporting documents, additional information and clarification is needed.

11) Maui Academy of Healing Arts

Upon a motion by Chair Davis, seconded by Ms. Hagerman, it was voted on and unanimously carried to defer Maui Academy of Healing Arts' application pending clarification regarding the amount of clinical practicum hours and delegate to the EO the authority to approve the application and issue a letter informing the school of: 1) curriculum approval valid through the Department of Education ("DOE") licensure period from September 1, 2019 through August 31, 2021; and 2) inform the school that the following courses from their curriculum were not accepted: 1) Business, Ethics and Laws (10 hours); and 2) Progress Evaluation (3 hours), once the requested information is received.

13) Jamie Reid

Upon a motion by Ms. Hagerman, seconded by Ms. Nagashima, it was voted on and unanimously carried to defer Ms. Reid's Application for Exam & License – Massage Therapist pending receipt of a confidential character reference letter from the sponsoring massage therapist of her apprenticeship.

Recess: At 11:57 a.m., Chair Davis called for a recess.

Reconvene: At 12:02 p.m., the Board reconvened their meeting.

6. New Business:
- a. Email inquiry from Tanya Mendoza regarding whether a massage establishment license is needed for a three-day event

The Board reviewed an inquiry from Ms. Mendoza regarding whether a massage therapist would be required to obtain a massage establishment license for an annual three-day event, such as those held at the Blaisdell or Convention Center.

Ms. Nagashima commented that in facilities such as the Blaisdell or the Convention Center, it would be difficult for the establishment owner to obtain the necessary agreement due to liability concerns.

Chair Davis said he feels a massage establishment license would not be necessary as long as all of the massage therapists have a current, active Hawaii massage therapist license.

Ms. Nagashima agreed, stating that each massage therapist would be responsible for their own conduct.

After some discussion, upon a motion by Chair Davis, seconded by Ms. Nagashima, it was voted on and unanimously carried that based solely on the information provided in Ms. Mendoza's email, it is the Board's informal interpretation that for an event held annually (once a calendar year), a massage therapy establishment license is not required as long as massage therapy is performed solely by individuals who hold a Hawaii massage therapist license that is current, active and in good standing.

This is an informal interpretation for informational and explanatory purposes only and is not an official opinion or decision and therefore is not to be viewed as binding on the Board.

b. Email inquiry from Darlene Palama regarding whether a massage establishment without massage (treatment) rooms can have locks on its doors

The Board reviewed an inquiry from Ms. Palama in which she states that she rents half a building. The space is approximately 200 feet and she was planning to use privacy screens as building a wall would limit the mobility of her treatment area. She is the only therapist. She is asking if she would be permitted to lock the main doors during business hours, while working on a client.

EO Doi noted that HAR §16-85-15(l) states "No establishment shall install or permit the use of any locks on the doors of massage rooms. Any device used to secure a door against easy entry or exit shall be considered a lock."

Ms. Bath stated that it is a safety issue. In this situation, it would be dangerous for both the massage therapist and the client to leave the main doors unlocked.

After some discussion, upon a motion by Ms. Nagashima, seconded by Chair Davis, it was voted on and unanimously carried that based solely on the information provided in Ms. Palama's emails, it is the Board's informal interpretation that as Ms. Palama's space does not contain massage rooms with doors, HAR §16-85-15(l) does not apply.

This is an informal interpretation for informational and explanatory purposes only and is not an official opinion or decision and therefore is not to be viewed as binding on the Board.

c. Delegation of authority to Executive Officer to approve license applications

EO Doi requested clarification regarding what authorities the Board has delegated to the EO. She noted that the Board has already delegated to the EO authorization to approve one conviction of driving under the influence (DUI) or driving while intoxicated (DWI). She is inquiring whether the Board would consider delegating to the EO authorization to approve an applicant, such as Jamie Reid, who has already come before the Board with criminal convictions for a previous apprenticeship permit which was approved, if the applicant provides a current criminal history record check showing no additional criminal convictions.

Ms. Nagashima moved to delegate to the EO authorization to approve an applicant who has criminal convictions previously reviewed and approved by the Board if the applicant provides a current criminal history record check showing no additional criminal convictions. It was seconded by Ms. Bath. Ms. Hagerman expressed concerns and the motion was withdrawn.

After some discussion, it was the consensus of the Board that the EO has authorization to approve one conviction of driving under the influence (DUI) or driving while intoxicated (DWI). All applications with criminal convictions other than one DUI or DWI conviction, including those previously reviewed and approved by the Board, must be reviewed by the Board.

8. Unfinished Business:

a. Discussion on Revisions to HRS, Chapter 452

EO Doi provided the Board with a copy of the language for the proposed bill to amend the Board's sanitary rules that they approved at their March 13, 2019 meeting.

Ms. Nagashima questioned why the proposed bill did not include the language amending HRS §452-19.

EO Doi stated she is asking RICO to review the proposed bill and provide their comments and possible concerns regarding enforcement.

Ms. Nagashima reported that the rules permitted interaction group is still doing research and may have more amendments to propose to the Board. She noted that they are aware of the August deadline to submit bills for administration approval.

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

The Board discussed the revised draft language of Subchapters 1, 2, 3 and 4. The following are some of the substantive changes which were discussed:

- Not allowing installation or use of any locks on the doors of massage treatment rooms that cannot be unlocked from the inside.
- The principal massage therapist shall be responsible for maintaining a file at the office of the board, containing the name and address of the massage establishment, the names and license numbers of all massage therapists employed by or associated with the massage establishment.
- The principal massage therapist shall notify the board in writing of all changes in addresses and in personnel (massage therapists and apprentices) within five business days of the change.

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

At 12:52 p.m., Ms. Hagerman left the room.

9. Next Meeting: Chair Davis announced the next meeting as:

Wednesday, May 29, 2019
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

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10. Adjournment: With no further business to discuss, Chair Davis adjourned the meeting at 1:09 p.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Risé Doi

Risé Doi
Executive Officer

5/31/19

Minutes approved as is.

Minutes approved with changes; see minutes of _____.

BOARD OF MASSAGE THERAPY

RATIFICATION LIST
Wednesday, May 1, 2019

MASSAGE THERAPIST

MAT 15948	RAIMU OGI	MAT 15972	KANEKO BELL
MAT 15949	FUMITAKA MASUDA	MAT 15973	THAI-THANH HO
MAT 15950	SHELLY M W BROWN	MAT 15974	ALEXIS FAITH MARQUINA
MAT 15951	WIPHATSARA M KODANI	MAT 15975	STEPHEN L MANN
MAT 15952	JAMES B GOLDFARB	MAT 15976	ALYSSA L CURRY
MAT 15953	MIKU FUKUZAWA	MAT 15977	TYLER R GAUMOND
MAT 15954	MATTHEW G MATHIS	MAT 15978	MIGUEL A GONZALEZ
MAT 15955	PAUL J W HAAG	MAT 15979	TELMA C P ERICKSON
MAT 15956	KEIKO MAKINO	MAT 15980	MEGU SHIMURA
MAT 15957	ARLENE D JOAQUIN	MAT 15981	IRENE R MAXIMILIAN
MAT 15958	JAMIE M SALVAGNE	MAT 15982	HAILEY M LAU
MAT 15959	SUSAN N ELIAS	MAT 15983	JANA L KILGORE
MAT 15960	MICHELE LEILANI	MAT 15984	KAI KINOSHITA
MAT 15961	JOSHUA D K SANTA ANA	MAT 15985	TAMMY N FONDREN
MAT 15962	SHINOBU KUROYANAGI	MAT 15986	KAREN A BURT
MAT 15963	MIN SOO PATA	MAT 15987	GABRIEL P BEESON-MCARDLE
MAT 15964	RAYMOND P FALVEY	MAT 15988	MELISSA PALACIO CORTES
MAT 15965	AKIKO KAWAHARADA	MAT 15989	LUXIAO HE
MAT 15966	RIKAKO M AUSTIN	MAT 15990	MELISSA DANIELLE HAILE
MAT 15967	SUPPAKORN LI	MAT 15991	TAYLOR J L ENGCABO
MAT 15968	DEQIONG YU	MAT 15992	JESSICA N BELCHER
MAT 15969	JALYN R FAVIS	MAT 15993	CORY I DALCIN
MAT 15970	YOKO SANTIAGO	MAT 15994	BREYANA G WITTE
MAT 15971	TOMOHISA ITO		

MASSAGE THERAPY ESTABLISHMENT

MAE 3493	CARRIE L ABT, LLC	MAE 3501	PIN THAI MASSAGE, LLC
MAE 3494	FREEDOM SPAS LLC	MAE 3502	ROOTED MASSAGE & RECOVERY LLC
MAE 3495	MTT-MASTER TOUCH THERAPIES, LLC	MAE 3503	FAST WALK-IN MEDICAL CLINIC LLC
MAE 3496	KARADA DYNAMICS LLC	MAE 3504	SMART THERAPY HAWAII LLC
MAE 3497	NURTURING BALANCE LLC	MAE 3505	DANIELLE A WEBB
MAE 3498	NURTURING BALANCE LLC		
MAE 3499	RAELENE O IBIT		
MAE 3500	ISLAND ENERGY MASSAGE LLC		

(continued on next page)

BOARD OF MASSAGE THERAPY

RATIFICATION LIST

Wednesday, May 1, 2019

MASSAGE THERAPY WORKSHOP

Dr. Jang Acupuncture Clinic LLC, MAE 3432

Instructor: Byeong Il Seo, MAT 6944

Initial Course: April 15, 2019 – June 4, 2019

1600 Kapiolani Blvd., Ste. 601

Honolulu, Hawaii 96814

Phone: (808) 947-7582

Ekela J. Ka'anapu, MAE 1829

Instructor: Ekela Ka'anapu, MAT 6831

Initial Course: May 1, 2019 – July 15, 2019

21 Waianuenu Avenue, Suite 10

Hilo, Hawaii 96720

Phone: (808) 990-3390

Supergreen 528 HZ Inc., MAE 3200

Instructor: Susan Wilesmith, MAT 9933

Initial Course: October 7, 2019 – November 15, 2019

897 Paniolo Place

Makawao, Hawaii 96768

Phone: (808) 634-0346