

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

MINUTES OF MEETING

Date: Wednesday, October 30, 2019

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Present: Olivia Nagashima, Massage Therapist, Chair
Paula Behnken, Public Member, Vice Chair
Stephanie Bath, Massage Therapist
Jodie Hagerman, Public Member
Risé Doi, Executive Officer ("EO")
Christopher Leong, Deputy Attorney General ("DAG")
Jennifer Fong, Secretary

Guests: Ivy Kim, Regulated Industries Complaints Office ("RICO")
Danny Cup Choy, Hawaii Public Policy Advocates ("HPPA")
Robert Samiljan
Zahava Czara

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 Nagashima called the meeting to order at 9:04 a.m.

Chair Nagashima welcomed the guests and asked them to introduce themselves.

The guests each provided a brief introduction.

Chair Nagashima thanked the guests for attending the meeting.

2. Additional Distribution to Agenda: Chair Nagashima announced that the following was distributed to the Board as additional distribution:

- 7. Applications, b. Applications, 14) Joseph Woo – Additional Information submitted by Applicant

3. Approval of Minutes of the August 7, 2019 Meeting:

Chair Nagashima asked if there were any comments or concerns regarding the Board minutes of the August 7, 2019 meeting.

Ms. Bath requested the following correction for clarification purposes (bracketed material to be deleted, underlined material to be added):

On Page 4, under "b. Request from Stephanie Bath: Discussion on change of meeting day", the first sentence of the fifth paragraph should read "Ms. Bath explained that she frequently has county **and community** committee commitments on Wednesdays in the late afternoon and/or early evening."

Chair Nagashima asked if there were any other corrections to the minutes.

There being no further discussion or amendments to the minutes, upon a motion by Vice Chair Behnken, seconded by Ms. Hagerman, it was voted on and unanimously carried to approve the Minutes of the August 7, 2019 Meeting as amended and the Executive Session Minutes as circulated.

4. Chapter 91, HRS – Adjudicatory Matters:

At 9:09 a.m., Chair Nagashima 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 Robert F. Samiljan, also known as Bob Samiljan (MAS 2018-59-L) – 1) Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order; 2) Petitioner's Exceptions to the Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order; Certificate of Service; 3) Statement in Support; 4) Notice of Opportunity to Present Oral Arguments; and 5) Board's Final Order

After discussion, it was moved by Vice Chair Behnken, seconded by Ms. Bath, voted on and unanimously carried to defer the above-referenced matter pending receipt of additional information.

At 10:31 a.m., the Board moved out of Chapter 91, HRS, and returned to its regular order of business.

5. Executive Officer's Report:

- a. 2020 Board Meeting Schedule

The 2020 Board Meeting Schedule was provided to the Board. EO Doi reported that the 2020 Application Deadlines and Examination Dates have been posted on the Board's website.

6. New Business:

- a. Email inquiry from Adele Lafever: Intraoral massage endorsement

The Board reviewed and discussed Ms. Lafever's email which states in part "In Washington we are required to receive an endorsement on our Massage

Therapist licenses in order to practice techniques that target TMJ, bruxism, and related facial pain disorders. A typical intraoral session would involve neck and face work, including gloved work to the interior surface of the masseter mm and other facial mms. Washington State LMTs with intraoral endorsements may work with or receive referrals from dentists, oral surgeons, orthodontic practitioners, etc.” Ms. Lafever is asking whether intraoral massage is endorsed or licensed separately in Hawaii, or if a massage therapist with intraoral skills may use them in their general scope of practice.

After some discussion, upon a motion by Chair Nagashima, seconded by Vice Chair Behnken, it was voted on and unanimously carried to respond to Ms. Lafever’s questions as follows:

- 1) Is intraoral massage endorsed or licensed separately in Hawaii?

Board’s Response: No.

- 2) May a massage therapist with intraoral skills use them in their general scope of practice?

Board’s Response: Based on the information provided by Ms. Lafever, it appears the intraoral massage technique does fall under the definition of “massage” pursuant to HRS §452-1, therefore, as long as the massage therapist holds a Hawaii massage therapist license that is current, active status and in good standing and the massage therapist has adequate training of the intraoral massage technique with proof of their certification and/or documentation of their training, they may perform this technique.

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. Inquiry from Waimānalo Health Services (“WHC”): Is a massage therapy establishment license required to provide integrated lomilomi services? If so, could WHC confirm that this integrated model of practice does not require the massage therapy establishment premise to be set apart and not used for other purposes since it is not situated in a building used for residential therapy purposes?

The Board reviewed and discussed the inquiry from Mary Frances Oneha, Chief Executive Officer of WHC and Leina’ala Bright of Loea Lapa’au. The letter states in part “Waimānalo Health Center (WHC) is a Federally Qualified Health Center (FQHC) delivering integrated, team-based services, from a patient centered medical home (PCMH) approach in order to improve quality outcomes, reduce healthcare costs, and improve patient experience. Serving

53% Native Hawaiians, integrated, team-based services includes a cultural practitioner (and licensed massage therapist), Loea Lapa'au, delivering Pa'ola style lomilomi and lā'au lapa'au services to patients during a primary care visit. The cultural practitioner may see a patient with the primary care provider or as a warm hand-off in the same exam room. This same patient may also see a psychologist, registered dietician, or care coordinator in that same exam room."

After some discussion, upon a motion by Vice Chair Behnken, seconded by Ms. Hagerman, it was voted on and unanimously carried to respond to their questions as follows:

- 1) Is a massage therapy establishment ("MAE") license required to provide integrated lomilomi services?

Board's Response: Yes. HRS §452-1's definition of "massage" includes "Hawaiian massage commonly known as lomilomi", therefore, as lomilomi is considered massage, an MAE license is required to provide lomilomi services at their facility.

- 2) Could WHC confirm that this integrated model of practice does not require the MAE premise to be set apart and not used for other purposes since it is not situated in a building used for residential therapy purposes (as stated on the application)?

Board's Response: The Board noted that HRS §452-1 defines "Massage therapy establishment" as "premises occupied and used for the purpose of practicing massage therapy or massage therapy training; provided that when any massage therapy establishment is situated in any building used for residential purposes, the massage therapy establishment premises shall be set apart and shall not be used for any other purpose".

Therefore, as the premises must be occupied and used for the purpose of practicing massage therapy or massage therapy training, a separate massage treatment room is needed.

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. Email Inquiry from Matthew Smith: Is it permissible to operate a day spa/massage therapy out of a residential property? Can a massage license be issued to a business operating out of a luxury oceanfront home zoned for vacation rentals?

The Board reviewed and discussed Mr. Smith's email which states in part "I am a realtor on Maui. I have a client that wants to purchase a property with the intention of using it as a legally permitted short term vacation rental. They would also like to offer massage therapy to their guests."

After some discussion, upon a motion by Vice Chair Behnken, seconded by Ms. Hagerman, it was voted on and unanimously carried to respond to Mr. Smith's questions as follows:

- 1) Is it permissible to operate a day spa/massage therapy out of a residential property?

Board's Response: Pursuant to HRS §452-1 which defines "Massage therapy establishment" as "premises occupied and used for the purpose of practicing massage therapy or massage therapy training; provided that when any massage therapy establishment is situated in any building used for residential purposes, the massage therapy establishment premises shall be set apart and shall not be used for any other purpose", it is permissible to operate an MAE in a residential property.

- 2) Can a massage license be issued to a business operating out of a luxury oceanfront home zoned for vacation rentals?

Board's Response: The Board has no purview over zoning and permitted use of property, however, the application for an MAE license requires the applicant to certify that the premises/location of the MAE is in compliance with the respective county zoning laws and regulations.

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.

- d. Department of Human Resources Development ("DHRD")
Discrimination/Harassment-Free Workplace Policy

A copy of the DHRD Discrimination/Harassment-Free Workplace Policy was distributed to the Board members for reference.

- e. Department of Commerce and Consumer Affairs ("DCCA") Workplace
Violence Action Plan

A copy of the DCCA Workplace Violence Action Plan was distributed to the Board members for reference.

Recess:

At 11:03 a.m., Chair Nagashima called for a recess.

Reconvene: At 11:09 a.m., the Board reconvened their meeting.

f. RICO's Massage Therapy Advisory Committee List and Addendum Language for the 2020 Term

The Board reviewed the RICO Massage Therapy Advisory Committee List and Addendum Language for the 2020 term.

By consensus, this matter was deferred.

7. Applications:

a. Ratifications

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

b. Applications

Executive Session:

At 11:10 a.m., it was moved by Ms Bath, seconded by Vice Chair Behnken, voted on and unanimously carried to move into Executive Session in accordance with HRS § 92-5(a)(1), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both".

Guests were excused from the meeting room.

At 1:04 p.m., it was moved by Vice Chair Behnken, seconded by Ms. Bath, and unanimously carried to move out of Executive Session.

Upon a motion by Vice Chair Behnken, seconded by Ms. Hagerman, it was voted on and unanimously carried to direct the EO to inform the following applicants that based on a review of their application and supporting documents, their application been deferred pending submission of additional information:

- 1) Johnathon Cansibog;
- 2) Caroline Collins;
- 3) Vicky Cunningham.

4) Vinceanna DePolo

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

5) Megan Fischer

Upon a motion by Vice Chair Behnken, seconded by Ms. Hagerman, it was voted on and unanimously carried to direct the EO to inform Ms. Fischer that based on a review of her application and supporting documents, her application has been deferred pending submission of additional information.

6) Rebekah Goldstein-Hawes

Upon a motion by Vice Chair Behnken, seconded by Ms. Bath, it was voted on and unanimously carried to direct the EO to inform Ms. Goldstein-Hawes that the online "Advanced Anatomy & Physiology" course from the Institute of Integrative Healthcare is not acceptable towards the education requirement as the Institute of Integrative Healthcare is not a licensed school.

7) JD Wellness LLC

Upon a motion by Chair Nagashima, seconded by Vice Chair Behnken, it was voted on and unanimously carried to approve JD Wellness LLC's Massage Therapy Establishment Application for Relocation of Business.

9) Amanda Painter

Upon a motion by Vice Chair Behnken, seconded by Ms. Bath, it was voted on and unanimously carried to defer Ms. Painter's application and directed the EO to inform Ms. Painter that if she would like the Board to consider her request for an examination waiver pursuant to HRS §452-16, she will need to provide supporting documentation to show that she possesses current knowledge and skills for the practice of massage therapy.

13) Malia Schmitt

Upon a motion by Vice Chair Behnken, seconded by Ms. Bath, it was voted on and unanimously carried to approve Ms. Schmitt to sit for the Hawaii Massage Therapy Examination.

Upon a motion by Chair Nagashima, seconded by Ms. Hagerman, it was voted on and unanimously carried to defer the following applications:

- 8) Kathaleen Nichols;
- 10) Morningstar Peake;
- 11) Villa Perida;

- 12) Elizabeth Reeves;
- 14) Joseph Woo.

8. Unfinished Business:

a. Draft of Bill and Justification Sheet for Proposed Rule Amendments to HRS §452-18, §452-19(a) and §452-24(b)

A copy of the latest draft of the bill and justification sheet was distributed to the Board.

EO Doi reported that this is the most current version after revisions from the Director's Office that will be submitted as part of the Department of Commerce and Consumer Affairs' administrative bill package.

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

The Board deferred discussion on this matter. The Board will resume discussion of the current draft at their next scheduled meeting.

9. Next Meeting:

Wednesday, January 29, 2020
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

10. Adjournment:

With no further business to discuss, Chair Nagashima 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

11/19/19

[] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____.

BOARD OF MASSAGE THERAPY

RATIFICATION LIST
Wednesday, October 30, 2019

MASSAGE THERAPIST

MAT 16122	TONI X TANG	MAT 16168	WANWISA EKKORNPOONG
MAT 16123	VIOLET I YESAIR	MAT 16169	JAROM D BUNDERSON
MAT 16124	JOSEPH E N BIRD	MAT 16170	AUTUMN ANDERSSON
MAT 16125	RACHEL G F HARRIS	MAT 16171	LERENE K YAMAMOTO
MAT 16127	SHIADANI M RESENDIZ REYNOSO	MAT 16172	ALYSSA M VELA
MAT 16128	JANIAN K THURMAN	MAT 16173	KELSEY LAINE TRYBUSHYN
MAT 16129	HANNAH R MILLER	MAT 16174	STEPHANIE MARIE SPENNY
MAT 16130	MARION I HASEGAWA	MAT 16175	DAVID P SLASKI
MAT 16131	JENNI K ROMERO	MAT 16176	ROBIN E SINGLETON
MAT 16132	MARTIN K HOLZGANG	MAT 16177	MARK ANTHONY PABLO
MAT 16133	KAITLYNN MINAKO FELIPE	MAT 16178	WILLIAM A OLSON
MAT 16134	YUI CARPENTER	MAT 16179	ALLEGRA M MILLER
MAT 16135	NORIKO PURDY	MAT 16180	PETRITA M LUBIN
MAT 16136	BRADLEY J ALLEN	MAT 16181	KAORI LISCO
MAT 16137	ERIK K SKUDLARICK	MAT 16182	ADELE LAFEVER
MAT 16139	SATHIT CHOKBANDIT	MAT 16183	REBECCA D HOYER
MAT 16140	BENJAMIN J PERREAULT	MAT 16184	NAMMONE S BALLARD
MAT 16141	RYUSEI TAKAHASHI	MAT 16185	JORGE M ARIAS
MAT 16142	FAITH LEYSON	MAT 16186	PAIGE C WILSON
MAT 16143	SUTCHAI R BOLTON	MAT 16187	HYUN JA AHN
MAT 16144	SARAH N FLOYD	MAT 16188	AYANO GUSHIKEN
MAT 16145	KAIPOLAUAE W C PALMA	MAT 16189	ELIZABETH A REDMAN
MAT 16146	YURIKO FUKUTOMI	MAT 16190	SOFIA B SCHEUERMAN
MAT 16147	LAURELL B C PASCUA	MAT 16191	ABIGAE TUBURAN
MAT 16148	SHANNON P M ESBER	MAT 16192	MICHELLE K TOKUJO
MAT 16149	NAOMI R OLSON	MAT 16193	JULIA A ALBATROSOV
MAT 16150	SHELDON E FRASER	MAT 16194	TRENT K H PARK
MAT 16151	JESSICA L BARNESE	MAT 16195	JANET A LACROIX
MAT 16152	JESSICA N POJAS	MAT 16196	RUTH A POFF
MAT 16153	SANDRA E CHAI	MAT 16197	CASHEL P VINCENT
MAT 16154	LORENE M K MCCURRY	MAT 16198	STEPHANIE S ACCALIA
MAT 16155	JASMINE L LEIALOHA	MAT 16199	MELIA J BUGEJA
MAT 16156	MICHELLE L DAMITIO	MAT 16200	PREECHAPOL JAIYEN
MAT 16157	GRACE MARIE S ISIDRO	MAT 16201	ZHOUYAO JIANG
MAT 16158	RAKSANA M KAYUMOVA	MAT 16202	ABRAHAM J SUPINO
MAT 16159	CHRISTINA D FINLEY	MAT 16203	CRISTINA M CARIVEAU
MAT 16160	RONA CARDUCE	MAT 16204	JAMIE L REID
MAT 16161	KANG J IM	MAT 16205	FRANK J CAPRIONI
MAT 16162	ZHU XIAN SHAO	MAT 16206	DANEKA M VASCONCELLOS
MAT 16163	SACHIKO SAFRAN	MAT 16207	JAYNELL T DELAPENA
MAT 16164	ELFRIEDE V NORDLOHNE	MAT 16208	KAREN M SATO
MAT 16165	MATTHEW R KELLEY	MAT 16209	ELISE C DUGUA
MAT 16166	DEREK J KAHALE	MAT 16210	KELTIE J CLEVINGER
MAT 16167	KIRSTEN HEISER	MAT 16211	MIE S MAU

BOARD OF MASSAGE THERAPY

RATIFICATION LIST

Wednesday, October 30, 2019

Page 2

MASSAGE THERAPIST (continued from previous page)

MAT 16212	ALEXA R HOOLEY	MAT 16229	MICHAEL BRIDAN
MAT 16213	TOSHA L CURRY-OBRIEN	MAT 16230	JAYME K KNAPP
MAT 16214	NATALIE J RIMBERT	MAT 16231	JAIME N SLUTZKY
MAT 16215	ISAIAH M SACRAMED	MAT 16232	MAIIE OILI GARCIA
MAT 16216	JONATHAN COBB	MAT 16233	MOLLY SUE BROOKE
MAT 16217	TOMOKO KIGASAWA	MAT 16234	NICOLE A FRY
MAT 16218	SHARON R YOUNG	MAT 16235	STEPHANIE M RODGERS
MAT 16219	SIRIYAPORN CALHOUN	MAT 16236	JAKE Y KANESHIRO
MAT 16220	LEANN L ALANI-HAYWARD	MAT 16237	JUSTIN TABIOS
MAT 16221	HOLLY M ASHCRAFT	MAT 16238	CHERYL K BERKOWITZ
MAT 16222	CHANTE SOMA	MAT 16239	CINDY YU YUAN
MAT 16223	ZU QIANG SHANG	MAT 16240	DANIELLE C HANSEN
MAT 16224	RISA MIYASHIRO	MAT 16241	BROOKE A WYLIE
MAT 16225	RACHEL LEE BURGESS	MAT 16242	GORDON W S WONG
MAT 16226	MAMI YAMAMOTO	MAT 16243	IOKEPA K KELIIHOLOKAI-AGUSTIN
MAT 16227	MIYUKI AJIRO	MAT 16244	KAILEY J WENNERSTEN
MAT 16228	ALIX K WHALEN	MAT 16245	BONNIE H RASMUSSEN

MASSAGE THERAPY ESTABLISHMENT

MAE 3537	THE MYOFASCIAL RELEASE MASSAGE SEMINARS LLC
MAE 3538	VASA THAI MASSAGE LLC
MAE 3539	BRENNA M MOORE
MAE 3540	BERNADETTE E GRIEBENOW
MAE 3541	LISA PA
MAE 3542	KATIE ANNE TRAVERSO-PARADISO
MAE 3543	LAURA Y COVEY
MAE 3544	MICHELLE L WONG
MAE 3545	HEALING WITH HEART LLC
MAE 3546	CAROLINA L MEDINA
MAE 3547	MOUNTAIN MASSAGE LIMITED LIABILITY COMPANY
MAE 3548	KALANI HONUA INC
MAE 3549	ION WELLNESS LLC
MAE 3550	SAMANTHA KAUFFMAN-SIDOTTI
MAE 3551	MANA WELLNESS MASSAGE THERAPY & HOLISTIC HEALTH LLC
MAE 3552	SHI'S ENTERPRISE LLC
MAE 3553	ZEN FOOT MASSAGE SAUNA LLC
MAE 3554	MASSAGE THERAPY & WELLNESS OF HAWAII LLC
MAE 3555	M'S MASSAGE LLC
MAE 3556	KAMA'AINA SHIATSU & SPORTS MASSAGE LLC
MAE 3557	KE NANI KINO LLC
MAE 3558	HAWAII HOT STONE SPA LLC
MAE 3559	BODY EVOLVE HI LLC
MAE 3560	NICOLE M BERINOBIS
MAE 3561	MIRAGE THAI MASSAGE LLC

MASSAGE THERAPY WORKSHOP

Jill I. Silva, MAE 3535

Instructor: Jill Silva, MAT 3937
Initial Course: October 1, 2019 – December 31, 2019
67 Keokea Loop
Hilo, Hawaii 96720
Phone: (808) 937-1828

Hoola Malamalama, MAE 3262

Instructors: Rachel Solis, MAT 13960
Richard Harrison, MAT 13165
Initial Course: September 29, 2019 – January 20, 2020
1345 S. Beretania Street #101
Honolulu, Hawaii 96814
Phone: (808) 683-9770

Restorative Massage Clinic LLC, MAE 3416

Instructor: Christopher Musslewhite, MAT 13028
Initial Course: September 21, 2019 – November 9, 2019
25 Waianuenue Avenue
Hilo, Hawaii 96720
Phone: (808) 315-7488

Healing Journey LLC, MAE 3488

Instructors: Misty Miyashiro, MAT 8351
Rochelle Featheran, MAT 3097
Initial Course: October 12, 2019 – March 23, 2020
45-270 William Henry Road, Suites 205 & 206
Kaneohe, Hawaii 96744
Phone: (808) 236-1529

Ion Wellness LLC, MAE 3549

Instructor: Lenora Carras, MAT 13303
Initial Course: November 11, 2019 – January 10, 2020
91-902 Fort Weaver Road, Suite P204
Ewa Beach, Hawaii 96706-2261
Phone: (808) 228-9830

Peak Performance Athletics LLC, MAE 3376

Instructors: Steven Lee, MAT 14572
Nathan Nakasone, MAT 8927
Initial Course: January 31, 2020 – March 21, 2020
514 Analu Street
Honolulu, Hawaii 96817
Phone: (808) 371-3359

Eugene Geno Ortiz, MAE 1587

Instructor: Eugene Ortiz, MAT 1117
Initial Course: September 3, 2019 – November 7, 2019
19-3989 Laukapu Street
Volcano, Hawaii 96785
Phone: (808) 960-9567

Medical Massage LLC, MAE 3129

Instructors: Tina Walters, MAT 11747
Elizabeth Cross, MAT 14420
Nancy Kahalewai, MAT 697
Initial Course: September 14, 2019 – November 30, 2019
75-5759 Kuakini Highway, Suite 103A
Kailua-Kona, Hawaii 96740
Phone: (808) 327-9791

Vive Institute LLC, MAE 3308

Instructor: Cheriess Maree, MAT 6644
Initial Course: September 16, 2019 – November 11, 2019
224 Kamehameha Avenue #104
Hilo, Hawaii 96720
Phone: (808) 969-7676

Fernando Torres Suarez, MAE 2679

Instructor: Fernando Torres Suarez, MAT 7613
Initial Course: November 1, 2019 – June 30, 2020
1287 S. King Street, Suite 201
Honolulu, Hawaii 96814
Phone: (808) 693-5803

Moana Enterprise Inc., MAE 3284

Instructor: David Chuck, MAT 3117
Initial Course: October 15, 2019 – January 25, 2020
1714 Kapiolani Blvd.
Honolulu, Hawaii 96814
Phone: (808) 799-5800