

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

**MINUTES OF MEETING**

Date: Thursday, December 17, 2020

Time: 9:30 a.m.

Place: Virtual Videoconference Meeting – Zoom Webinar

Present: Olivia Nagashima, Massage Therapist, Chairperson  
Jodie Hagerman, Public Member, Vice Chairperson  
Stephanie Bath, Massage Therapist  
Risé Doi, Executive Officer (“EO”)  
Christopher Leong, Deputy Attorney General (“DAG”)  
Kellie Teraoka, Secretary  
Kawehi Mau, Secretary  
Erin Emerson, Secretary (training)  
Micah Cadalzo, Secretary (training)  
Lei Ana Green, Executive Officer (technical support)

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”).

A brief video regarding the virtual board meeting, including meeting procedures and helpful information regarding how members of the public can participate using Zoom, was played.

1. Call to Order, Public Notice, Quorum: There being a quorum present, Chair Nagashima called the meeting to order at 9:33 a.m. She conducted a roll call of Board members and staff.

Chair Nagashima, Ms. Bath, Vice Chair Hagerman, EO Doi, and DAG Leong confirmed that they were present. She noted that today, Ms. Green, will be assisting the Board with technical support for the virtual meeting. Ms. Mau, Ms. Teraoka, Ms. Emerson, and Ms. Cadalzo introduced themselves as secretaries for PVL.

2. Approval of Minutes of the Chair Nagashima asked if there were any comments or concerns regarding the Board minutes of the October 28, 2020 meeting.

October 28,  
2020 Meeting:

Ms. Hagerman requested the following correction to the minutes.  
(bracketed material to be deleted, underlined material to be added):

On page 5, under Executive Officer's Report:

- b. Update on Title 16, Chapter 84, Hawaii Administrative Rules;  
[sanitization] sanitation rules for massage therapists and  
massage establishments

On page 1, Chair Nagashima requested to add the last name of  
guest, Arlene Estrella.

Chair Nagashima asked if there were any other comments or  
concerns regarding the Board minutes of the October 28, 2020  
meeting. There were none.

There being no further discussion or amendments to the minutes,  
upon a motion by Ms. Bath, seconded by Vice Chair Hagerman, it  
was voted on and unanimously carried to approve the minutes of  
the October 28, 2020 meeting as amended.

The Board decided to move out of order to discuss the revisions to  
the October 28, 2020 Executive Session minutes during Executive  
Session.

3. Applications:

Chair Nagashima asked if any members of the public would like to  
provide oral testimony on this agenda item. There were none.

Executive  
Session:

At 9:41 a.m., it was moved by Ms. Bath, seconded by  
Vice Chair Hagerman, it was 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".

At 10:35 a.m., it was moved by Ms. Bath, seconded by Vice Chair  
Hagerman, it was voted on and unanimously carried to move out of  
Executive Session.

Chair Nagashima conducted a roll call of board members and staff.

Chair Nagashima, Ms. Bath, Vice Chair Hagerman, EO Doi, and  
DAG Leong confirmed that they were present.

a. Ratifications

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

b. Applications

1) Emily Andry

Upon a motion by Chair Nagashima, seconded by Vice Chair Hagerman, it was voted on and unanimously carried to approve Ms. Andry's application to sit for the Hawaii Massage Therapy Examination.

2) Caroline Collins

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

3) Larissa Figley

Upon a motion by Chair Nagashima, seconded by Ms. Bath, it was voted on and unanimously carried to approve Ms. Figley's application to sit for the Hawaii Massage Therapy Examination, pending receipt of her Hawaii eCRIM report.

4) Kenneth Nakasone

Upon a motion by Chair Nagashima, seconded by Vice Chair Hagerman, it was voted on and unanimously carried to approve Mr. Nakasone's application to sit for the Hawaii Massage Therapy Examination.

5) Angela Guerra

Upon a motion by Chair Nagashima, seconded by Vice Chair Hagerman, it was voted on and unanimously carried to approve Ms. Guerra's application to sit for the Hawaii Massage Therapy Examination.

6) Takuro Ino

Upon a motion by Chair Nagashima, seconded by Ms. Bath, it was voted on and unanimously carried to defer Mr. Ino's application to sit for the Hawaii Massage Therapy Examination, pending additional information.

7) Satoko Sekiguchi

Upon a motion by Chair Nagashima, seconded by Vice Chair Hagerman, it was voted on and unanimously carried to defer Ms. Sekiguchi's application to sit for the Hawaii Massage Therapy Examination, pending additional information.

8) Anthony Booker

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

The Board moved back to agenda item 2: approval of the executive session minutes of the October 28, 2020 meeting.

2. Approval of Executive Session Minutes of the October 28, 2020 Meeting:

Chair Nagashima asked if there were any comments or concerns regarding the Executive Session minutes of the October 28, 2020 meeting. There were none.

Upon a motion by Chair Nagashima, seconded by Vice Chair Hagerman, it was voted on and unanimously carried to approve the Executive Session minutes of the October 28, 2020 meeting as distributed.

The Board moved back to its regular order of business.

4. Executive Officer's Report:

a. Update on Title 16, Chapter 84, Hawaii Administrative sanitation rules for massage therapists and massage therapy establishments.

Ms. Doi and DAG Leong reviewed the current draft and decided to strike through HAR 16-84-6b which states:

Applicant shall obtain sanitation clearance from the department of health and submit evidence of clearance to

the board.

Since the sanitation clearance is not under the Department of Health, this is no longer relevant. The revised draft was sent back to the Administrative Services Office (“ASO”) for formatting and review.

b. Office of Information Practices (“OIP”) legislative proposal: OIP plans to introduce a bill in the upcoming legislative session relating to Sunshine Law boards. The purposes of the bill are to increase public participation in meetings, to lower the costs of holding meetings, to protect public health and safety, to propose voluntary participation on the boards, and to avoid unnecessary and possibly burdensome travel by board members, staff, testifiers, observers, other participants, the general public, by allowing boards to use interactive conference technology to conduct virtual meetings under Sunshine Law.

Ms. Doi asked for the Board’s position on the proposal and noted that the Legislature will be in session by the next time the Board meets. Comments and concerns can be provided in the event a hearing is scheduled.

Ms. Bath stated that she likes that there are options for both in-person and virtual meetings.

Chair Nagashima questioned if this proposal would only address special situations, to which Ms. Doi confirmed that this option will be permitted going forward.

DAG Leong’s understanding is that this is a permanent amendment to the existing HRS chapter 92-3.5, Meetings by Interactive Conference Technology; Notice; Quorum, which has been an emergency use statute. However, this proposal will allow Boards to conduct virtual meetings on a permanent basis.

Ms. Bath questioned if there will be public places available where participants can attend meetings since they should be inclusive of those with poor internet connection. DAG Leong stated that he was unsure where the public could meet as most meetings are held virtually via Teams/Zoom. He suggested that it is a possibility to have audio/visual equipment available for those who want to log in for online participation. The equipment could be available for use in the normal locations where the Board meetings would have been held.

Ms. Doi stated that virtual meetings would save time and money on travel, would make it easier for the Board to make quorum, and make it easier to find members willing to serve on the Board as the time commitment and travel will be significantly reduced. However, additional staff coordination would impact DCCA staff.

Chair Nagashima stated that intent of bill is good, and she supports the proposal. Vice Chair Hagerman agreed that this will allow more neighbor island members to participate in meetings. The Board's consensus was that they will provide comments on the bill, if needed.

5. New Business: a. 2021 Board meeting schedule

Chair Nagashima proposed adding additional dates to the 2021 meeting schedule to allow time for the Board to discuss rule revisions, which have been pending for years.

Chair Nagashima recommended adding meeting dates in February, March, April, June, July, but if the Board completes the rule revisions sooner, then the additional meeting dates can be cancelled. Ms. Doi explained that the rules do not need to go before the Legislature in August. Ms. Doi will need to check staff's schedules and conference room availability and will send a follow-up email regarding this matter.

The Board discussed recruiting new Board members to serve on the Board. There are currently 2 vacancies. Chair Nagashima and Ms. Bath both had recommendations, however, it is up to the Governor's office to appoint new Board members.

6. Unfinished Business: a. Rule Revisions – Title 16, Chapter 84, Hawaii Administrative Rules: The Board will discuss revisions, including sanitation rules for massage therapists and massage therapy establishments (bracketed material to be deleted, underlined material to be added):

Chair Nagashima reviewed that the Board last left off on Subchapter 5, 16-XX-19. Ms. Bath suggested starting from page 1 and reviewing the document in its entirety to see if further revisions need to be made. Chair Nagashima agreed and stated that was her intention as well.

On page 2, **16-XX-2 Definitions:**

“Direct supervision” means the control, direction, and instruction of a massage therapist apprentice by the sponsoring massage therapist or of a student by an instructor. The sponsoring massage therapist or instructor shall be on premises and physically available at the massage therapy establishment or classroom where the massage therapy is being performed by the apprentice or student during the entire apprenticeship or student training period.

Ms. Bath had a question over the use of the word “control” and how it applies to the Department of Labor laws. She was concerned that the use of word “control” over an apprentice may require sponsors to become employers and may disallow some from sponsoring.

Chair Nagashima stated that this language refers to an educational setting and does not think the labor laws apply. DAG Leong will check if there are any conflicts.

Ms. Hagerman requested global changes to the words “board/Board,” “chapter/Chapter,” and “state/State,” which need to be consistent in formatting. Ms. Doi stated that ASO are responsible for checking those types of things and will catch it during their review process.

On page 3, **16-XX-2 Definitions:**

“Sexual act” means any type of solicited or unsolicited direct physical contact of a sexual nature at any time during the professional relationship including touching the genitals or anus, touching a female’s breasts without permission and therapeutic intent, sexual intercourse of any kind, any behavior or gesture that may be interpreted as inappropriate or sexual, and inappropriate comments about a person’s body.

Ms. Hagerman questioned if the first sentence should state, professional massage relationship.

Chair Nagashima explained that the intent for the “professional relationship” was to apply to all including sponsors/principles and apprentices as well as therapist and clients, and she wanted to leave it as is.

On page 3, **16-XX-2 Definitions:**

Vice Chair Hagerman suggested the following revision:

"Sponsoring massage therapist" or "sponsor" means a massage therapist who has held a current State of Hawaii massage therapy license for at least three (3) consecutive years, is affiliated with a licensed massage therapy establishment, and is registered with the Board as being the person responsible for the direct supervision of an apprentice.

The Board agreed to the aforementioned revision.

On page 4, **16-XX-3 Licenses and permits required:**

Chair Nagashima requested global changes adding or "MAE" after massage therapy establishment as indicated in the definitions.

The Board agreed to the aforementioned revision.

On page 4, **16-XX-3 Licenses and permits required:**

Vice Chair Hagerman suggested the following changes:

- (A) A current massage therapy license is required for:
- (1) Any person who engages in or attempts to engage in the occupation or practice of massage therapy for compensation. [in this state shall be required to have a current massage therapy license;]
  - [(2) Any person who engages in the practice of massage therapy, and presents himself or herself as a massage therapist, but who does not hold a current license shall be guilty of a misdemeanor pursuant to chapter 452, HRS;]
  - [(3) A person with a current and active massage therapist license may provide out-call services under the provisions of their massage therapy license and does not require any additional licensure. (\*Move to 16-XX-18A)]

The Board agreed to the aforementioned revisions.

On page 5, **16-XX-6 Applications for licenses or permits:**

Ms. Bath suggested a section (D) All applicants agree to abide by statutes and rules applying to licensure and violations will be taken seriously.

Chair Nagashima suggested to add that language under 16-XX-3 License and permits required, as it does not fit in this section.



Ms. Bath explained that when applicants are reviewing the application process and foundation for becoming a massage therapist, this language will hold applicants accountable for their intent and actions. There have been many past occurrences where applicants claim not to know that an establishment license is required or are unfamiliar with the Board's laws and rules. Chair Nagashima feels that it is the applicant's responsibility to know this information, otherwise they will be reprimanded.

Chair Nagashima stated similar language is currently listed on the application and also in HRS section 452-2 and does not feel it needs to be repeated. She explained that she also added language into the educational requirements, which state that any applicant in their training must know the Hawaii laws, rules, and legal requirements. Vice Chair Hagerman does not recommend adding that, "any violations will be taken seriously," into the rules. Chair Nagashima suggested that Ms. Bath should revise her suggested verbiage. Vice Chair Hagerman also suggested adding the language to the penalties section. The Board agreed to leave section as is.

On page 6, 16-XX-7 **Massage therapy examination and license application:**

(C) All applicants seeking a massage therapy license in this state shall take and pass a board-approved exam with a passing score of 75% or better. The board may contract with a testing agency to prepare, administer, and grade the examination. The examination shall be [designated] designed to test an applicant for the following knowledge of:

- (1) [Knowledge of] Anatomy, physiology, structural kinesiology;
- (2) [Knowledge of] The theory and demonstration of massage therapy; and
- (3) [Knowledge of] The laws and rules governing the practice of massage therapy in this state.

The Board agreed with the aforementioned revisions.

Chair Nagashima advised that she will revise the draft as discussed and for Board members to review up to subchapter 4 before the next meeting. Vice Chair Hagerman suggested not revising the draft until it is complete so that the Board members are all reviewing the same document to avoid confusion.

7. Next Meeting: Wednesday, January 27, 2021  
9:30 a.m.  
Virtual Videoconference Meeting – Zoom Webinar
8. Adjournment: With no further business to discuss, the meeting was adjourned at  
11:49 a.m.

Reviewed by:

/s/ Risé Doi

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Risé Doi  
Executive Officer

Taken by:

/s/ Kawehi Mau

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Kawehi Mau  
Secretary

01/08/21

[ ] Minutes approved as is.

[ X ] Minutes approved with changes; see minutes of March 11, 2021

# BOARD OF MASSAGE THERAPY

*ADDENDUM TO AGENDA  
Thursday, December 17, 2020*

## MASSAGE THERAPIST

		MY NGOC NGUYEN-	MAT	16518	NATALIA WILCOX
			MAT	16519	ANANYA YAMASAKI
MAT	16487	RIMORIN			
MAT	16488	MALLORY C L BADHAM			
MAT	16489	SHANTI M MENDOLA			
MAT	16490	SUMMER H TRAVIS			
MAT	16491	JULEE PORTNER			
MAT	16492	MAYUMI HASE			
MAT	16493	CHARLOTTE B JAMES			
MAT	16494	TAKAHIRO YAMADA			
MAT	16495	CELESTE M E DELAROS			
MAT	16496	MEGAN N SCHULTE			
MAT	16497	ERIN YAMAMOTO GOVE			
MAT	16498	LEESA L HUDMAN			
MAT	16499	KATHRYN WILLIAMS			
MAT	16500	JENNIFER LIGHTY			
MAT	16501	GUO Y MOTOSUE			
MAT	16502	ROCHELLE P AGUILAR			
MAT	16503	SARA J PETERSEN			
MAT	16504	SCOTT A ROMSTADT			
MAT	16505	NATALIA HERNANDEZ			
MAT	16506	LAURA B ELLSWORTH			
MAT	16507	JORDAN R PAXTON			
MAT	16508	AI FUJIWARA			
MAT	16509	RAVEN M K MOSS			
MAT	16510	STORM B MURPHY			
MAT	16511	COLE D LEHMAN			
MAT	16512	TAMMY R MOSER			
MAT	16513	ALISA L ZHANG			
MAT	16514	MINAKO INAMI			
MAT	16515	ASHLEY T STEWART			
MAT	16516	SAIDA KAMALITDINOVA			
MAT	16517	KAZUKI BIRO			

BOARD OF MASSAGE THERAPY

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MASSAGE THERAPY ESTABLISHMENT

		LINDON MASSAGE LIMITED LIABILITY
MAE	3633	COMPANY
MAE	3634	EMILY YORK LLC
MAE	3635	NORTH SHORE INTEGRATED MASSAGE LLC
MAE	3636	KHUN SA THAI MASSAGE LLC
MAE	3637	KAPOLEI MASSAGE INSTITUTE LLC
MAE	3638	CHIHARU TSUKIDATE ASHIATSU MAUI MASSAGE AND WELLNESS
MAE	3639	LLC
MAE	3640	AHH MASSAGE KAA NAPALI LLC
MAE	3641	HONOLULU SPA & WELLNESS LLC
MAE	3642	HALE OLA HEALTH AND WELLNESS LLC
MAE	3643	RYAN M K SMITH
MAE	3644	KEENAN LIMITED
MAE	3645	CARYN S MORITA

MASSAGE THERAPY WORKSHOP

<p><b>Golden Lotus Studio LLC, MAT 2659</b> Instructors: Janet Graves, MAT 2376, Isabelle Fisher, MAT 4520 Initial Course: November 15, 2020 – March 30, 2021 4-941A Kuhio Highway, Kapaa, HI 96754 Phone: (808) 823-9810</p>	<p><b>Knead Professional Massage, MAE-3148</b> Instructor: Hazelyn Stamm, MAT 13820 Initial Course: January 4, 2021 – June 30, 2022 94-916 Waipahu Street, Suite B Waipahu, HI 96797 Phone: (808) 391-8288</p>
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