

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

MINUTES OF MEETING

Date: October 28, 2022

Time: 1:00 p.m.

In-Person Meeting Location: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, HI 96813

Virtual: Virtual Videoconference Meeting – Zoom Webinar

Members Present: Olivia Nagashima, Massage Therapist, Chair
Amy Erece, Massage Therapist, Vice-Chair
Darci Frankel, Massage Therapist
Jayce Arakaki, Public Member

Staff Present: Risé Doi, Executive Officer (“EO”)
Christopher Leong, Deputy Attorney General (“DAG”)
Chiara Latini, Secretary
Johnny Li, Tech Support
Mia Hoang, Tech Support

Guests: None

Virtual Meeting Instructions: A short video regarding virtual meetings was played for attendees.

Agenda: The agenda for this meeting was posted on the State electronic calendar as required by HRS section 92-7(b).

Call to Order: In accordance with Act 220, SLH 2021, all Board members attending virtually confirmed that they were alone in their nonpublic location. After taking roll, a quorum was established, Chair Nagashima called the meeting to order at 1:03 p.m.

Executive Session: It was moved by Vice Chair Erece, seconded by Mr. Arakaki, and unanimously carried to enter into executive session at 1:11 p.m., in accordance with HRS §92-5(a)(1), to consider and evaluate personal information relating to individuals applying for professional

licenses cited in HRS §26-9 and, pursuant to HRS §92-5(a)(4), to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities.

At 3:08 p.m., it was moved by Vice Chair Erece, seconded by Ms. Frankel, and unanimously carried to move out of executive session.

Applications:

Chair Nagashima asked if anyone from the public would like to provide oral testimony on this agenda item.

There were none.

Ratification List (see attached list):

It was moved by Chair Nagashima, seconded by Vice Chair Erece, and unanimously carried to approve the attached list of individuals for licensure.

1) Stuart Sutton

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

2) Maria Margaritis

After due consideration of the information received, it was moved by Chair Nagashima, seconded by Vice Chair Erece, and unanimously carried to deny Ms. Margaritis' application pursuant to Hawaii Revised Statutes ("HRS") §436B-19 (2), (4), (5), (8), (9), (12), and (17); and HRS §452-24(a) (1), (3), and (8).

3) Stephanie Lisowski

Upon a motion by Chair Nagashima, seconded by Mr. Arakaki, it was voted on and unanimously carried to defer Ms. Lisowski's application to sit for the Hawaii Massage Therapy Examination, pending submittal of the following documents:

- A notarized affidavit attesting that she has exhausted all measures to obtain

course descriptions and completed the required hours of education and training

- Submittal of licensure from other states
- Continuing education courses completed from 2005 to the current year

4) Valerie Kerekes

Upon a motion by Chair Nagashima, seconded by Ms. Frankel, it was voted on and unanimously carried to deny Ms. Kerekes' exam waiver request and defer her application to sit for the Hawaii Massage Therapy Examination, pending submittal of the following documents:

- A notarized affidavit attesting completion of the required hours of education and training
- Continuing education courses completed from 2020 to the current year

5) Ryan Smith

Upon a motion by Chair Nagashima, seconded by Ms. Frankel, it was voted on and unanimously carried to approve Mr. Smith's exam waiver request.

6) Shay Smith

Upon a motion by Chair Nagashima, seconded by Ms. Frankel, it was voted on and unanimously carried to deny Ms. Smith's exam waiver request.

7) Kanani Duarte

Upon a motion by Chair Nagashima, seconded by Ms. Frankel, it was voted on and unanimously carried to deny Ms. Duarte's exam waiver request.

8) Amira Nystrom

Upon a motion by Chair Nagashima, seconded by Ms.

Frankel, it was voted on and unanimously carried to deny Ms. Nystrom's exam waiver request.

9) Apollo School of Healing Arts

Upon a motion by Chair Nagashima, seconded by Ms. Frankel, it was voted on and unanimously carried to approve Apollo School of Healing Arts' application for a massage school curriculum letter for the Hawaii State Department of Education.

10) Yevgeniy Apleyev

Upon a motion by Chair Nagashima, seconded by Ms. Frankel, it was voted on and unanimously carried to defer Mr. Ampleyev's application to sit for the Hawaii Massage Therapy Examination, pending submittal of 10 hours of practical massage training.

Executive Officer's Report:

Ms. Doi announced that PSI will be the new exam provider. Examination dates for next year have not been established. Applicants have been advised to look for the dates on the Board's website.

Chair Nagashima asked if the new exam will be administered electronically or manually and whether the new testing provider would be able to increase the frequency of examination dates offered.

Ms. Doi replied that she would address those questions with the exam provider.

Unfinished
Business:

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

Ms. Doi recommended the removal of §16-84-27 (b) and (d). The language currently states as follows:

(b) The examination shall be conducted within the State four times a year as determined by the board.

(d) The deadline for submitting the application for examination shall be forty-five days prior to the date of the examination.

Vice Chair Erece asked if a minimum number of exam dates could be added to the Hawaii Administrative Rules.

DAG Leong suggested avoiding using a specific number which does not allow for flexibility and cited the current statute.

Chair Nagashima suggested revising (b) to read that the examination should be conducted as determined by the Board.

DAG Leong recommended removing (b) altogether to allow the contracted professional testing service to administer the exam with more flexibility.

Chair Nagashima thanked DAG Leong for the clarification and was in accord with removing (b) and (d).

Mr. Arakaki agreed.

Vice Chair Erece was in accord so long as the new testing provider does not offer the examination fewer than four times a year.

Chair Nagashima asked if the Executive Officer will be the one to determine the testing dates.

Ms. Doi confirmed that the dates are established by the provider.

Ms. Doi asked the board about §16-84-27(a):

An applicant for a license to practice massage shall complete an apprenticeship program as outlined in section 16-84-23 or the course of study as a massage student outlined in section 16-84-48 and pass a written clinical competency examination in the English language.

Ms. Doi asked the Board members if they would like to keep the exam in English, as there have been inquiries as to the possibility of offering the exam in a different language.

Chair Nagashima asked if it would be considered discriminatory to offer the exam only in English.

Mr. Arakaki affirmed that there are other license types that are offered in different language.

DAG Leong will look into the matter and confirmed that other Boards allow for translators.

Ms. Doi recommended the approval of the following revision to HAR §16-84-3:

If requesting an exam waiver after forfeiture of the license, the applicant shall provide proof of licensure in another jurisdiction or continuing education courses completed since the expiration of the license.

Upon a motion by Vice Chair Erece, seconded by Chair Nagashima, it was voted on and unanimously carried to approve the revision of the draft.

Next Meeting: To be determined

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 3:46 p.m.

Taken by:

/s/ Chiara Latini

Chiara Latini
Secretary

Reviewed by:

/s/ Risé Doi

Risé Doi
Executive Officer

01/19/2023

[X] Minutes approved as is.

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

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