

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

MINUTES OF MEETING

Date: November 13, 2024

Time: 9:43 a.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 Meeting
<https://dcca-hawaii-gov.zoom.us/j/85642353498?pwd=jky4vUPLYWka4CfahDMQyMjf9XbASR.1>

Recording Link: https://www.youtube.com/watch?v=UbE_VkJ9g9Y

Members Present: Olivia Nagashima, Massage Therapist, Chair
Jayce Arakaki, Public Member, Vice Chair
Shanon Skoog, Public Member
Sean St. Louis, Massage Therapist

Members Excused: Darci Frankel, Massage Therapist

Staff Present: Chelsea Fukunaga, Executive Officer (“EO Fukunaga”)
Randy Ho, Executive Officer (“EO Ho”)
Candace Ito, Supervising Executive Officer (“SEO”)
Christopher Leong, Deputy Attorney General (“DAG”)
Johnny Li, Tech Support
Marc Yoshimura, Secretary

Guest(s): Gwen Deluze-Coria
James Blair
Salina Kincaid
Nestor Ruiz
Mail Lin Petrine – FSMTB
Rochelle Araki

Virtual Meeting Instructions: A short video regarding virtual meetings was played to explain procedures for the virtual meeting and how members of the public can participate and interact with the Board during the meeting.

The Chair provided information on internet and phone access for today’s virtual meeting and announced that today’s meeting was

being recorded and that the recording will be posted on the Board's web page.

Agenda: The agenda for this meeting was posted on the State electronic calendar and filed with the Office of the Lieutenant Governor as required by §92-7(b), Hawaii Revised Statutes ("HRS").

Call to Order: Chair Nagashima took roll call of the Board members. Those members attending virtually confirmed that they were present and alone.

There being a quorum, Chair Nagashima called the meeting to order at 9:43 a.m.

Approval of Minutes:

Approval of the Minutes of the September 17, 2024 meeting

Chair Nagashima asked if there was any public testimony. There was none.

Chair Nagashima asked if there was any Board discussion.

Chair Nagashima noted the following correction:

Page 2: Under "Recess", it should read: "The Board moved out of recess at [4:42 p.m.] 1:33 p.m."

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to approve the open session minutes of the September 17, 2024 meeting.

Approval of the September 17, 2024 meeting executive session minutes was deferred to later in the meeting.

Applications:

Upon a motion by Chair Nagashima, seconded by Ms. Skoog, it was voted upon and unanimously carried to enter executive session at 9:52 a.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 10:00 a.m., Jayce Arakaki joined the meeting in Executive Session

At 10:05 a.m., James Blair joined the Zoom Breakout Room.

At 10:13 a.m., James Blair left the Zoom Breakout Room.

At 10:17 a.m., Salina Kincaid joined the Zoom Breakout Room.

At 10:20 a.m., Salina Kincaid left the Zoom Breakout Room.

At 10:51 a.m., upon a motion by Chair Nagashima, seconded by Ms. Skoog, it was voted upon and unanimously carried to move out of executive session.

Approval of
Minutes:

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to accept the September 17, 2024 executive session minutes with a noted revision.

Applications:

Ratifications

Chair Nagashima asked if there was any public testimony. There was none.

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to approve the attached ratifications list.

Massage Apprentice Applications

Jonathan Luna

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to approve Jonathan Luna's application.

Massage Therapist Applications

James Blair

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to approved James Blair's application for exam.

Salina Kincaid

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to deny Salina Kincaid's request for exam waiver, and approve her application for exam.

Nestor Ruiz

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted upon and unanimously carried to defer Nestor Ruiz's application for more information.

Executive Officer's

Report: **Massage Therapy Examination Statistics**

EO Ho shared massage therapy examination statistics for September and October 2024.

Continuing Education Audit

EO Ho stated that pursuant to HRS §452-16(c), “The Board may conduct random audits of licensees to determine compliance with the continuing education requirements of subsection (b). The board shall provide written notice of an audit to a licensee randomly selected for audit. Within sixty days of notification, the licensee shall provide the board with documentation verifying compliance with the continuing education requirements established by subsection (b).”

Randomly audited licensees have been contacted in writing to their mailing address on file. Response is required by December 31, 2024 to provide documentation verifying completion of at least 12 hours of continuing education (“CE”) during the licensing biennium between July 1, 2022, and June 30, 2024.

Chair Nagashima noted that the Frequently Asked Questions (“FAQs”) guidance for the CE requirement was last updated in May 2024 to clarify that for the July 1, 2022 to June 30, 2024 licensing biennium, all of the 12 required CEs may be completed online, including the two (2) CE hours of cardiopulmonary resuscitation (“CPR”) requirement.

However, for subsequent licensing periods from July 1, 2024 onwards, the CPR CEs must be completed in-person. The other ten (10) CEs in any category that enhances the skills and knowledge of the massage therapist may continue to be completed online.

Ms. Skoog stated that she is aware that the CE audit requires significant staff time. She suggested that the Board might research using an online platform to assist with administrative oversight. She is aware that the Federation of State Massage Therapy Boards (“FSTMB”) may also utilize such services.

Hawaii State Ethics Commission

EO Ho reported that the Board of Massage Therapy was recognized in a memo dated October 23, 2024 from the Hawaii State Ethics Commission for 100 percent of board members completing the mandatory ethics training.

New Business: **Discussion of the November 13, 2024, Public Hearing for Proposed Amendments to Title 16, Chapter 84 Hawaii Administrative Rules (“HAR”) and Consideration of Adoption of Proposed Rules**

Chair Nagashima stated that the Board held a public hearing immediately preceding the current board meeting concerning proposed amendments to HAR §16-84.

Chair Nagashima reported that one written and one verbal testimony were submitted during the public hearing, and that the Board would take the testimonies into consideration for future rule amendments while they continue to work on the current amendments.

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted on and unanimously carried to approve the proposed amendments to Hawaii Administrative Rules §16-84 as presented at the public hearing.

Delegation to Executive Officer

EO Ho proposed to the Board to extend delegation to the executive officer(s) of the Board to approve applications with a prior conviction that meet the following criteria:

- One conviction;
- No felony conviction;
- Applicant has complied (nothing outstanding, e.g. probation, fine, etc.) with court sanctions, etc.;
- Conviction is not related to applicant's performance as a massage therapist, massage apprentice, or in connection to a massage establishment;
- Conviction not within five (5) years of the date application received (unless otherwise noted); and
- The proposed delegation would include the following convictions:
 - Traffic violations/tickets:
 - o Speeding
 - o Parking
 - o Driving without or with expired license
 - o Not wearing a seat belt
 - o Failing to stop at a stop sign
 - o Failure to yield right of way to vehicle
 - o Following too closely
 - o Violate restrictions on driver's license
 - o Negligent driving
 - o Running a red light
 - o Talking on cell phone while driving
 - o Driving in emergency lane
 - o Failing to stop for school bus
 - o Driving without insurance
 - o Making left turn at intersection
 - o Grass parking in public park
 - o No bicycle or moped tax decal
 - o Bicycle racing

- Parking in a tow zone
- Delinquent vehicle tax
- Unlawful entry without park permit
- Minor in possession of alcohol
- Curfew violations
- Shoplifting
- Trespassing
- Reckless/wet driving
- Negligent driving
- Possession of open container while driving
- Obstruction of highway
- Disorderly conduct
- Possession of drug paraphernalia
- Embezzlement (only if over 10 years ago)
- Dog/cat at large, unlicensed animal, unlawful animal attack
- Telephone harassment
- Theft (only if over 10 years ago)
- Criminal damage to property/injury to real property
- Criminal contempt of court
- DUI/DWI/OVI
- Driving with a 0.08 higher blood alcohol
- DUI-property damage
- Operating a motorboat while intoxicated
- Failure to appear in answer to citations
- Drinking in public/drunken in public

EO Fukunaga clarified that the list provided to the Board is a suggested list and the Board can modify and approve as they deem appropriate. She stated that delegations will assist in the expedient processing of applications that do not require Board review and discussion if the convictions are unrelated to the profession.

Vice Chair Arakaki asked for clarification whether the delegation is regarding applications with “YES” answers to question #7 on the application form, “Have you ever been convicted of a crime in any jurisdiction that has not been annulled or expunged?”

The DAG confirmed that this is related to question #7 on the application form and stated that the Board can choose which, if any, of the proposed list of convictions they would want to delegate to the executive officer based on the conditions stated by EO Ho.

The SEO stated that delegation to the executive officer is a common practice amongst the boards. She stated that sometimes boards will want to look closer at cases involving embezzlement, but that it is ultimately up to the Board as to what they are comfortable delegating.

The DAG stated that even if a conviction is from over 10 years ago, if it is related to the practice of massage therapy, including business practices, it can still be considered by the Board. Any conviction

related to the practice of massage therapy, massage apprenticeship, or massage establishment can be considered by the Board and these applications would still come before the Board for discussion and vote.

Chair Nagashima generally referenced several past applications with prior convictions and questioned whether similar applications would come before the Board.

The DAG confirmed that anything related to the profession or not otherwise listed on the approved delegation list would still have to come before the Board for discussion.

Upon a motion by Chair Nagashima, seconded by Mr. St. Louis, it was voted on and unanimously carried to delegate to the executive officer(s) of the Board the ability to approve applications with certain convictions and under certain conditions, both as listed in the preceding paragraphs.

Legislative Liaison(s)

Chair Nagashima stated that the purpose of appointing legislative liaison(s) is to assist the executive officer in drafting testimony, testifying on, researching, etc. legislative matters that are proposed during the legislative session.

The DAG stated that in addition, the legislative liaison(s) assist the executive officer in clarifying Board positions in-between Board meetings, since bill hearings and other updates typically occur in between the Board meetings.

Upon a motion by Vice Chair Arakaki, seconded by Ms. Skoog, it was voted on and unanimously carried to nominate Chair Nagashima and Mr. St. Louis as legislative liaisons for the 2025 legislative session.

Federation of State Massage Therapy Boards (“FSMTB”) Meeting Summary from Shanon Skoog

Ms. Skoog reported that she represented Hawaii from October 4 to 5, 2024 at the FSTMB meeting. Based on the content of the FSMTB meeting, Ms. Skoog recommended the Board consider revisions to Hawaii’s education standards and noted that several states have increased their minimum education hours to 625 hours.

Ms. Skoog reported that a best practice adopted by other states was the adoption of services such as CE broker to streamline the CE review process. Additionally, states such as Oregon have partnered with law enforcement to identify illicit business practices and counter human trafficking. Ms. Skoog stated that one reason Hawaii may not see as many instances of illicit business practices is because the

Board requires applicants pass a State exam as a requirement for licensure. FSTMB plans to offer members a toolkit to assist with regulation soon.

Ms. Skoog concluded by recommending that the Board make the most out of its free trial membership with FSMTB by utilizing all the resources the organization provides members as the Board continues to examine regulatory best practices for Hawaii.

Chair Nagashima asked if the issue of a massage compact was discussed at the meeting.

Ms. Skoog stated that there was a session regarding massage compacts. She shared with FSMTB meeting attendees that there is a strong cultural aspect to massage in Hawaii, in addition to considering the high number of small local businesses that provide massage therapy services. The Board must weigh these factors and more when considering proposals for a massage compact.

Chair Nagashima asked if Ms. Skoog is aware of which states are members of FSMTB.

Ms. Skoog replied that while she doesn't know the exact number or specific states, all US jurisdictions that regulate the practice of massage therapy are members of FSMTB.

All the Board members received a summary of the resources provided at the October 2024 FSMTB meeting.

Ongoing
Business:

Future New Rule Revisions – Title 16, Chapter 84, HAR

Chair Nagashima stated that the Board will continue ongoing discussion of possible new HAR amendments. Any rules revisions would be introduced through a new rules package separate from the one currently in motion that was presented for public hearing on November 13, 2024.

Next Meeting:

Date: January 14, 2024
Time: 9:00 a.m.
Location: Virtual Videoconference Meeting – Zoom Webinar
& In-Person – Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Adjournment:

There being no further business, Chair Nagashima adjourned the meeting at 11:35 a.m.

Taken by:

/s/ Marc Yoshimura

Marc Yoshimura
Secretary

Reviewed by:

/s/ Sheena Choy

Sheena Choy
Executive Officer

12/31/2024

Minutes approved as is.

Minutes approved with changes; see minutes of:

BOARD OF MASSAGE THERAPY

ADDENDUM TO AGENDA

November 13, 2024

MASSAGE THERAPIST

		MAT-18010	CELINA D PARK
MAT-17973	MONICA J HAYNES	MAT-18011	LUIS A ECHEVARRIA
MAT-17974	NICOLE M COSTA	MAT-18012	BRISE J LIVELY
MAT-17978	KAILIANU HOLI	MAT-18014	MARTINA R SEGOVIA
MAT-17979	XIUMEI CHI BIVENS	MAT-18015	WANDA D'ONOFRIO
MAT-17980	KRYSTAL R GAULEY	MAT-18016	ISLAH LATIFAH MUHAMMAD-TATE
MAT-17984	TAYLOR MICHELLE LAWRENCE	MAT-18018	LAUREL C LABISTRE
MAT-17986	NICOLE M MARIE GOLDSCHMIDT	MAT-18019	SHEREE LASETT WORMLEY
MAT-17990	ANGELIA R BENSEN	MAT-18020	LAURA MARIE WIRTZ
MAT-17991	ASHLYNE M C BENIAMINA	MAT-18021	KAYLA M ACASIO
MAT-17992	MUKKARIN PUNTUYAKORN	MAT-18022	ANGELA R LEOPOLD
MAT-17995	JADNEY BRYCE PAZ	MAT-18023	ANDREA F SANTIAGO
MAT-17996	ANDREA L TURNER	MAT-18025	RACHEL DULAY
MAT-17997	CAYLEE MAYUMI TAKAFUJI	MAT-18026	OLIVIA E KOTTER
MAT-17998	YUMIKA KOMATA	MAT-18027	KRISTEN A HALE
MAT-17999	MARY K CHO		
MAT-18000	KALINA R JASPER		
MAT-18001	SHANETTE K Y KANUHA		
MAT-18002	ASHLEY L NELSON		
MAT-18003	MALIEALAKAI CULP		
MAT-18004	YVETTE SITKOWSKI		
MAT-18005	BRADLEY M WATHEN		
MAT-18007	MAIKO ICHIHARA		
MAT-18008	YUKO UCHIDA		
MAT-18009	HYE-LIN CASTILLO		

BOARD OF MASSAGE THERAPY

ADDENDUM TO AGENDA

November 13, 2024

MASSAGE ESTABLISHMENT

MAE- HEAVENLY HANDS MASSAGE
17975 LLC
MAE- HONOLULU BEAUTY CLINIC
17976 LLC
MAE- PREMKAMAL SPAS LLC
17983
MAE- LOLA BEAUTY ALLURE LLC
17946
MAE- ELEOS MASSAGE THERAPY
17994 LLC
MAE- HILO THAI MASSAGE
17926
MAE- LOVEABLE CREATION INC
17937
MAE- GOLDEN LOTUS STUDIO
17981 KAUAI LLC
MAE- NORTH SHORE BAY TRS LLC
17942
MAE- BLUE HAWAII MASSAGE LLC
17943
MAE- MAUI MOJO WELLNESS LLC
17982
MAE- HANAPEPE BODY ATELIER
17953 LLC
MAE- BEAUTIE CULTURE
17985
MAE- INK AND BEAUTY LLC
17988
MAE- JADE FLOWER WELLNESS
17989 LLC
MAE- ROLL LOOSE BODYWORK LLC
17977
MAE- DEA BEAUTY INC.
17987
MAE- GOLDEN MESSAGE SPA LLC
17993
MAE- GOLDEN FUTURE LLC
18006

MASSAGE THERAPY WORKSHOP

***Golden Lotus Studio Kauai LLC,
MAE-17981***
Instructor: Jeffery S. Leiendecker, MAT-
15836;
Teri Alison Eliades MAT-15460
Initial Course: Nov. 4, 2024 – Dec. 27,
2024
Location: 4-941 Kuhio Hwy Ste A
Kapa'a, HI 96746
Phone: (808) 855-5473

Kekaimalino LLC, MAE-2461
Instructor: Mariko Sato, MAT-11268;
Adele Lafever, MAT-16182
Initial Course: Oct. 28, 2024 – Dec. 23,
2024
Location: 116 Kamehameha Ave.
Hilo, HI 96720
Phone: (808) 937-9621

***Michelle S Soto dba Aloha Moon
Massage,
MAE-3268***
Instructor: Michelle S Soto, MAT-8110
Initial Course: Nov. 10, 2024 – Dec. 28,
2024
Location: 4-1191 Kuhio Hwy #101
Kapaa, HI 96746
Phone: (808) 652-1993