

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

MINUTES OF MEETING

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").

- Date: Tuesday, March 12, 2013
- Time: 9:00 a.m.
- Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813
- Present: Olivia Nagashima, Massage Therapist, Chair Pro Tem
Laura Chock, Public Member
George Davis, Jr., Massage Therapist
Rodney J. Tam, Deputy Attorney General ("DAG")
Kenyatta Nichols, Executive Officer ("EO")
Jennifer Fong, Secretary
- Excused: Wendee Wilson, Public Member, Chair
Rhonda Scott, Massage Therapist, Vice Chair
- 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").
1. Call to Order: There being a quorum present, Chair Pro Tem Nagashima called the meeting to order at 9:10 a.m.
 2. Additions/Revisions to Agenda: None.
 3. Approval of Board Meeting and Executive Session Minutes of the January 31, 2013 Meeting: Upon a motion by Ms. Chock, seconded by Mr. Davis, it was voted on and unanimously carried to approve both the board and executive session minutes of the January 31, 2013 Board meeting.

4. Applications: a. Ratifications

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

b. Applications

Executive
Session:

At 9:12 a.m., it was moved by Mr. Davis, seconded by Ms. Chock, and unanimously carried to enter into executive session to consider and evaluate personal information relating to individuals applying for licensure in accordance with Section 92-5(a)(1), HRS, and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

Guests were excused from the meeting room.

At 9:18 a.m., it was moved by Chair Pro Tem Nagashima, seconded by Ms. Chock, and unanimously carried to move out of executive session.

Exam & License – Massage Therapist

- Hannah Ashley

After discussion, it was moved by Mr. Davis, seconded by Ms. Chock, and unanimously carried to approve Ms. Ashley's application for massage therapist exam and license.

- Brook Mabry

After discussion, it was moved by Ms. Chock, seconded by Mr. Davis, and unanimously carried to approve Ms. Mabry's application for massage therapist exam and license.

Reinstatement Application – Suspended License

- Marcus Brown

After discussion, it was moved by Mr. Davis, seconded by Ms. Chock, and unanimously carried to approve Mr. Brown's reinstatement application – suspended license.

5. Chapter 91, HRS
Adjudicatory

Matters: None.

6. New Business: a. Department of Health – Sanitation certificates for massage establishments

EO Nichols reported that the Board recently received a letter from the Department of Health's Sanitation Branch stating that effective April 1, 2013, they will no longer be conducting sanitation inspections of massage establishments and therefore, will no longer be issuing the sanitation clearances.

After some discussion, it was the consensus of the Board to direct DAG Tam and EO Nichols to amend the massage establishment application. Substantive changes include:

- amending the attestation to include §11-11-4, Hawaii Administrative Rules ("HAR");
- removal of the sanitation clearance requirement;
- requiring all applicants provide the following information:
 - a. A letter signed by the Principal Massage Therapist AND officer, director, partner or member, of the entity, as applicable, that describes the massage therapy activity that will be performed. Include the days and times of operation.
 - b. A copy of the written agreement with the owner, manager or rental agent of the venue citing to their knowledge and authorization for the massage therapy activity. Be sure that the name of the massage therapy establishment is cited in the agreement.
 - c. A drawing or sketch of the venue showing the surrounding area and the stall/booth that the applicant will occupy. The sketch shall show where the restrooms are located. Sketch shall be on non-lined letter sized paper of 8 1/2" x 11".

7. Old Business: a. Rule Revisions – Title 16, Chapter 84, Hawaii Administrative Rules

By consensus, the Board deferred discussion on the rule revisions to HAR Chapter 84.

8. Next Meeting: Wednesday, April 24, 2013
 9:00 a.m.
 Queen Liliuokalani Conference Room
 King Kalakaua Building
 335 Merchant Street, 1st Floor
 Honolulu, Hawaii 96813

9. Adjournment: With no further business to discuss, Chair Pro Tem Nagashima adjourned the meeting at 9:33 a.m.

Taken by:

/s/ Jennifer Fong

Jennifer Fong
Secretary

Reviewed by:

/s/ Kenyatta Nichols

Mr. Kenyatta Nichols
Executive Officer

3/25/13

[] Minutes approved as is.

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