

These minutes have not been approved by the Board

MINUTES OF THE MEETING
BOARD OF MASSAGE THERAPY
April 19, 2024

1. CALL MEETING TO ORDER AND ROLL CALL

The meeting of the Board of Massage Therapy was called to order by Steven Carper, Chair, at 9:00 a.m. in the State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 3.25.2024 and revision 3.26.2024.

The following members answered roll call:

Members Present (4):

Steven Carper, Chair
Holly Doring, Member
Michele Helaney, Secretary
Elizabeth Bailey, Member

Members Absent (0):

Others Present (5):

TJ O'Neill, Assistant Attorney General
Abigail Nissen, Assistant Attorney General
Carrie Oldehoeft, DHHS Health Licensing Coordinator
Mark Meyerson, Carla Cue- Investigator
Public

A quorum was present and the meeting convened.

9:01 am Klassen-investigations entered room

9:06 am Hampton, DHHS Attorney entered room

2. ADOPTION OF AGENDA

MOTION: Helaney moved, seconded by Doring, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Doring, Helaney, Bailey (4). Voting nay: None (0). Absent: None (0). Abstained: (0) Motion carried.

3. APPROVAL OF MINUTES

MOTION: Helaney moved, seconded by Carper, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Helaney, Doring (3). Voting nay: None (0). Absent: None (0). Abstained: Bailey (1) Motion carried.

5. CLOSED SESSION Investigative Reports and Other Confidential Information

MOTION: Doring moved, seconded by Helaney, to enter into closed session at 9:09 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. A voice vote was taken. Voting aye: Carper, Doring, Helaney, Bailey (4). Voting nay: None (0). Absent: None (0). Abstained: (0) Motion carried

Public phone line closed

9:09 am Public exited room

10:08 am Meyerson exited room

Members agreed to return to open session at 10:08 a.m. and WebEx opened

10:08 am board break

10:12 am Board returned from break to open session

6. OPEN SESSION Review, Recommendations, and Report Out
(Applications, Mail Ballot Voting Results, and Reinstatements)

7. UPDATES AND REPORTS

- a. Legislation: LB 78 effective January 2025, LB 280 Compac has not moved
- b. Nebraska Chapter of the American Massage Therapy Association (NE-AMTA)
<http://www.amtane.org>

Public Becky Olson, 402.310.7583, 1235 SW Kelsey Circle Lincoln, NE (NE-AMTA)
The annual conference was last week
President: Kim Adams Johnson, Secretary Jamie Hunt.
An overview of the convention was given
They will not be hosting any training classes this year.

10:15am public exited call

- c. Federation of State Massage Therapy Boards (FSMTB) <https://www.fsmtb.org>
Carper updated on IMpac (Compact), Nevada is only state that has passed, Alabaman is waiting on signatures there needs to be 7 states to start Impact.
- d. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non-Disciplinary Information, and School Report (attached to agenda)

8. No public comments

9. ADJOURN

Mentors for new members: Doring-Carper and Bailey-Helaney.

The next meeting is scheduled for June 14.and will be set as an in person meeting. There was no further business and Carper declared the meeting of the Board of Massage Therapy adjourned at 10:29 a.m.

Submitted by Michele Helaney, Secretary
Board of Massage Therapy

Minutes drafted by Carrie Oldehoeft, Health Licensing Coordinator

Item 4B

2023 FSMTB Annual Meeting Report

Date September 28-30, 2023, in San Diego, CA

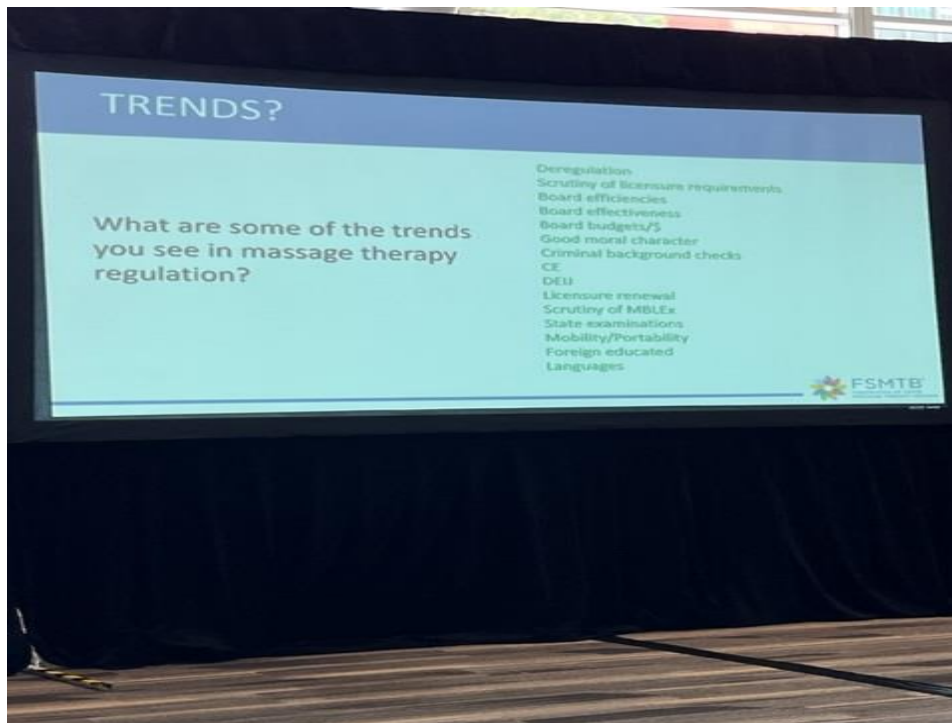
Friday September 29th:

- Officer reports
- Membership Forum
 - Many states are facing some form of deregulation. Alabama was just notified by their Sunset Committee that their board will be eliminated as of 10/30/2024.
 - Establishment license movement
 - TX & GA schools (World of Beauty and Footy Rooty)
- Human Trafficking in Illicit Massage – Chris Muller- Tabanera, Chief Strategy Officer, The Network.
 - Looked at the victim workers.
 - 30–60-year-old women from China, South Korea, Thailand, and Vietnam.
 - Promised jobs in the US.
 - Need to create Inoperable Environment
 - Success Strategies – Landlord letters
Inform. Educate. Motivate
 - Organization – Franchise model
 - The Network can provide a list of suspected IMB.
<https://www.thenetworkteam.org>
 - Doesn't work arresting women. Need to arrest buyers.
- It Takes Everyone: A Multidisciplinary Approach to IMI – Imran Ali and Aimee Schroeder, Eckberg Lammers. Law enforcement training & Consulting.
 - Evidence based prosecution.
 - Labor crimes
 - MN – Felony with 2nd charge for the buyer
 - Types of Illicit Massage Business.
 - Local – local ties – real estate, bank accounts. Family/children locally
 - Domestic – Few local ties. Family in CA or NY
 - International – no ties to community. Family international. Connection to NY/CA.
 - Several IMB have connection to CA or NY addresses.
 - One address is 4170 Main Street Suite B3531 Flushing NY
 - NE has 8 LMTs from Flushing and one that matches this address.
 - Estimated that each state has at least 8 IMB.

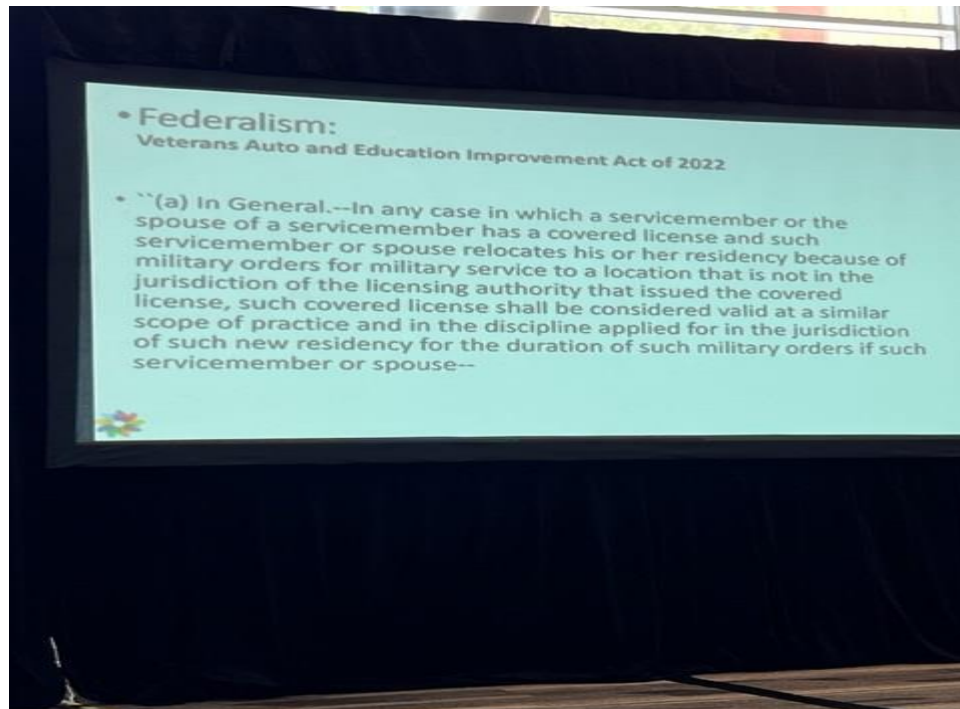
Saturday September 30th:

- Election of new Board members
 - Karen Frazier, KY and Liz Barnard, NV

- MBLEx
 - Changed to Palm in Palm out protect the integrity of the exam.
 - 46 jurisdictions require the MBLEx.
 - July 2022-June 2023 17,400 MBLEx candidates tested with a 72% first-time pass rate.
 - FSMTB has partnered with The Network to coauthor an article examining massage licensing fraud in education.
- IMpact
 - Nevada is the only state to approve it.
 - Missouri may be the 2nd.
 - Many states are not interested.
 - Need 7 states to start.
- Regulatory Cases and Trends



- Does our Practice Act say our board has exclusive authority to define scope?



- Discussed if the Federal Government can force this on a State.
- Illicit Massage Industry
 - Massage Therapy Licensing Database (MTLD) – Comprehensive, national databank of Licensed massage therapists that facilitates information sharing between state massage regulatory boards and agencies.
 - National Practitioner Data Bank - a web-based repository of reports containing information on medical malpractice payments and certain adverse actions related to health care practitioners, providers, and suppliers.

