



NOTICE OF MEETING and AGENDA BOARD OF MASSAGE THERAPY

This meeting will be held in-person. The public is welcome to attend any Open Session discussion in the Lower Level, Goldenrod Room. This meeting will also be available to the public to participate by WEBEX using this link:

<https://sonvideo.webex.com/sonvideo/j.php?MTID=m61c53dbffb879a1a6f4fc41e57177a0f>

or call in information is 1-408-418-9388 using meeting number of 2494 608 0516

AGENDA	Date Posted: 05.17.2023
<p><u>Date and Time:</u> Friday June 2, 2023 9:00 a.m.</p> <p><u>Location:</u> State Office Building 301 Centennial Mall South (14th and M Street) Lower Level, Goldenrod Room Lincoln, Nebraska</p> <p><u>For Information Contact:</u> Carrie Oldehoft 402-471-2117 or dhhs.licensure2117@nebraska.gov</p>	<ol style="list-style-type: none"> 1. Call Meeting to Order and Roll Call <u>Announcement:</u> There is a current copy of the Open Meetings Act on the table with staff and available on the website listed below 2. Adoption of Agenda 3. Approval of Minutes (4.7.2023) 4. Updates and Reports <ol style="list-style-type: none"> a. 2023 Legislation <ul style="list-style-type: none"> • LB 78: Redefine the definition of massage therapy (hearing 2.2.2023) https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49963 • LB 280: Adopt the Interstate Massage Compact – IMpact (hearing 2.2.2023) https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50572 IMpact https://compacts.csg.org/compact-updates/massage-therapy/ b. Nebraska Chapter of the American Massage Therapy Association (NE-AMTA) http://www.amtane.org c. Federation of State Massage Therapy Boards (FSMTB) https://www.fsmtb.org d. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non-Disciplinary Information, and School Report (attached to agenda) 5. CLOSED SESSION (approx 10:00 am): Investigative Reports/Other Confidential Information <u>Purpose:</u> To hear discussions of investigative and confidential nature, and for the prevention of needless injury to the reputation of the individuals 6. OPEN SESSION (approx 11:00 am): Review, Recommendations, and Report Out (Applications, Mail Ballot Voting Results, and Reinstatements) 7. Adjourn

Nebraska Open Meetings Act: 84-1407 through 84-1414 <https://ago.nebraska.gov/open-meetings>

<p>All items known at the time of distribution of this agenda are listed. A current agenda is available at the Department of Health and Human Services, Division of Public Health, Licensure Unit and at the following website: http://dhhs.ne.gov/Licensure/Pages/Agendas-and-Minutes.aspx NOTICE: If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Licensure Unit at (402) 471-2117 (voice), or for persons with hearing impairments, please call the Nebraska Relay System at 711 (TDD), prior to the meeting date. Advance notice of 7 days is needed when requesting an interpreter.</p>	<p>2023 Meeting Dates:</p> <ul style="list-style-type: none"> 2.10.2023 4.7.2023 6.2.2023 8.11.2023 10.20.2023 12.15.2023
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Massage Therapy Board Agenda – continued
 June 2, 2023

Active Licenses:

		SUMMARY COUNT
Profession	License Statuses: License Types	Active
Massage Therapy	EO 20-27 Prov Massage Therapist	
	Massage Therapist	1,487
	Massage Therapy Establishment	619
	Massage Therapy School	8
	Massage-Preliminary Conviction Review	2
	Mobile Massage Therapy CC Establishment	4
	Out-of-State Massage Therapy Training	
	Temporary Massage Therapist	1
	Grand Total	2,121

Examinations:

EXAMINATION STATISTICS SUMMARY REPORT			
Profession: Massage Therapy		Run Date: 05/17/2023	
Date Range: 01/01/2023 to 5/17/2023		Page No: Page 1 of 1	
Exam Battery	Exam Name	Result Status	Number of Candidates per Result Status
Jurisprudence -	Jurisprudence - Reciprocity	Pass	2
FSMTB Exam	MBLEx	Pass	10
	MBLEx	Fail	1

Disciplinary and Non-Disciplinary Actions:

DIVISION OF PUBLIC HEALTH, LICENSURE UNIT COMPLIANCE LISTING REPORT						
Profession: Massage Therapy					Run Date: 05/17/2023	
Action Start Date Range: 01/01/2023 to 05/17/2023					Page No: Page 1 of 1	
Licensee Name	License No	License Type	License Status	Disciplinary Action	Action Start	Action End
Beachler, Carrie Ann	2958	Massage Therapist	Active	Nondisciplinary Assurance of Compliance	02/27/2023	
Frederick, Krista	01	EO 20-27 Prov Massag	Revocation	Revocation	02/25/2023	
Henry, Alexandra Helen		Massage Therapist	Denied	Other	03/06/2023	04/05/2023

Renewals: No Report

These minutes have not been approved by the Board

MINUTES OF THE MEETING
BOARD OF MASSAGE THERAPY
April 7, 2023

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 9:01 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 3.27.2023

The following members answered roll call:

Members Present (3):

Steven Carper, Chair
Kristine Roberts, Member
Michele Helaney, Secretary

Members Absent (1):

Mallory Carstens, Vice-Chair

Others Present (5):

Matt Gelvin, Program Manager, Licensure Unit (on web-x)
TJ O'Neill, Assistant Attorney General
Teresa Hampton, DHHS Attorney (on web-x)
Ann Harrison, Complaint Monitor, Licensure Unit (on web-x)

Public Individual

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

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

3. APPROVAL OF MINUTES

MOTION: Helaney moved, seconded by Roberts, to approve the minutes. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

4. UPDATES AND REPORTS

- a. 2023 Legislation
- LB 78: Redefine the definition of massage therapy (hearing 2.2.2023)
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49963LB 280: Adopt the Interstate

Gelvin reported that LB78 motions have been filed, no additional updates

- LB 20Massage Compact – IMpact (hearing 2.2.2023)

Massage Therapy Board Agenda – continued
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The intent of LB280 is to allow eligible massage therapists to practice in all states that join the compact. It eliminates barriers to practice and to client care along with ensuring public protection. It enhances our state's ability to protect public safety by creating a data system of information about licensees including license status, investigative information and adverse actions.

https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50572 Mpact

<https://compacts.csg.org/compact-updates/massage-therapy/>

Gelvin updated the bill is still in committee

- b. Nebraska Chapter of the American Massage Therapy Association (NE-AMTA) <http://www.amtane.org>

Kim (public representing NE-AMTA) reported that LB78 has about 20 amendments and is bogging down in the system. LB280 Senator Blood not happy with NE-AMTA and bill may stay in committee

Carper reported that Senator Blood reached out to the school.

Carper reached out to the Federation for input

9:07 am Shaneka and Sund, DHHS legal entered web-x

Kim reported that there are 612 members as of March. They will no longer be working with the Lincoln Marathon.

They will be having a live in person cadaver class in Kearney in July,

It was questions if CPR, First Aid will count as CEU's, Oldehoeft will follow up at the May meeting.

9:13 am Emily, DHHS legal entered (web-x)

- c. Federation of State Massage Therapy Boards (FSMTB) <https://www.fsmtb.org>
[Oldehoeft handout the boards membership packets](#)

Carper reports that the National data bank—anyone needing access has to have authority. Impact uses Matilda data bank; Nebraska doesn't report to Matilda we do report to the National Data Bank. Nebraska does a primary source verification with the state if an applicant is applying via reciprocity.

- d. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non-Disciplinary Information, and School Report (attached to agenda)

9:18am Klassen, Cue- investigations entered the room

5. CLOSED SESSION Investigative Reports and Other Confidential Information

MOTION: Roberts moved, seconded by Helaney, to enter into closed session at 9:19 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 roll call vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried. Carper repeated the motion and purpose.

Public phone line closed

9:31 am Klassen and Cue exited room

Members agreed to return to open session at 9:43 a.m. and public phone line opened

Massage Therapy Board Agenda – continued
June 2, 2023

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

Candice Backer-Reinstatement- Massage Therapist -

MOTION: Roberts moved, seconded by Helaney, to recommend deferring to next meeting for more information. A voice vote was taken. Voting aye: Carper, Helaney, Roberts (3). Voting nay: None (0). Absent: Carstens (1). Abstained: (0) Motion carried.

Mail ballot report:

Ann Penas-Issue
Country Touch Massage-Issue
Alicia Sifuentez-massage therapist—issue

8. ADJOURN

The next meeting is scheduled for June 2, 2023 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 9:46 a.m.

Submitted by Michele Helaney, Secretary
Board of Massage Therapy

Minutes drafted by Carrie Oldehoeft, Health Licensing Coordinator