

Board of Massage Meeting Minutes

June 14, 2024

1.Call Meeting to Order and Roll Call

Members Present:

Steven Carper, Chairperson
Holly Doring, Vice Chair
Elizabeth Bailey, Public Member

Staff Present:

Sean Loving, Program Manager
Claire Covert-ByBee, Program Manager
Kim Hitzel, Licensure Board Coordinator
T.J. O'Neill, Assistant Attorney General
Abby Hoy-Nissen, Assistant Attorney General
Mark Myerson, Investigations
Anna Harrison, Compliance Monitor (via Webex)
Lindsay Braddock, DHHS Administrator (via Webex)
Teresa Hampton, DHHS Legal Attorney
Vincent Schiffiano, Assistant Attorney General Intern

Members Absent:

Michele Heleney, Secretary

Members of the Public Addressing the Board

Briana Cudley, Nebraska Chapter – American Massage Therapy Association
402-690-8434

Steven Carper, Chairperson, called the meeting of the Board of Massage to order at 9:03 AM on June 14, 2024, in the Morrill Conference Room at the Nebraska State Office Building located at 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 website at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on May 30, 2024.

Carper announced that this is an open meeting, and the Open Meetings Act is posted.

2.Introduction of New Board Member

Introductions were made for the new board member Elizabeth Bailey and for all in attendance. Claire Covert-ByBee informed the board that she will be taking over as Program Director for Massage Therapy as it has been reassigned to the Rehabilitation and Community Services Unit in the Department. That change will begin July 1, 2024.

3.Adoption of Agenda

Motion: Moved by Doring, seconded by Bailey to adopt the agenda. Voting aye, Doring, Bailey, and Carper. Voting Nay, none. Motion carried.

4.Approval of Meeting Minutes

Motion: Doring moved seconded by Bailey to approve the meeting meetings from the April 19, 2024. Voting aye, Doring, Bailey, and Carper. Voting nay, none. Motion Carried.

5.Closed Session

Motion: Doring moved, seconded by Bailey to move into closed session at 9:08 am to hear discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye, Carper, Doring, and Bailey. Voting nay, none. Motion carried.

6.Open Session

Returned to Open Session at 10:07 am. A 10-minute break was taken before returning to the Board meeting business.

Review, Recommendations, and report out.

No actions to report at this meeting.

7. Updates and Reports

A. Report from Sean Loving on LB 78. That bill will go into effect January 2025. That may require regulation changes. LB 78 defines Massage Therapy as Health Care Service. He also stated the Compact bill did not pass.

Covert-Bybee informed the Board that LB 16 passed in 2024. This bill will change some of the Department's ability to disqualify an initial application based on prior convictions. It also provides another method for reciprocity for initial applications. The department will keep the Board informed as these changes go into effect.

B. Briana Cudley from the Nebraska Chapter of the American Massage Therapy Association (NE-AMTA) updated the Board on the following. The NE-AMTA is aware of the Governor's plan to tax Massage Therapy as a personal service and is against this

provision. The Association is not advocating for Nebraska to join the Compact and is aware of the challenges of this Compact.

NE-AMTE would like to request the Board update and recommit the letter to the Governor expressing Massage Therapy is Healthcare.

C. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non-Disciplinary Information, and school reports are attached to the agenda for informational purposes.

8.Public Comment

Topic for the next Board Meeting to discuss letter of support to Governor Pillen to not approve a bill to tax Massage Therapy. The next meeting is set for August 2, 2024.

Meeting adjourned 10:41 am

DRAFT