



2024 ANNUAL MEETING MINUTES

Washington, DC October 4-5, 2024

Friday, October 4, 2024

Call to Order

The 2024 Annual Meeting of the Federation of State Massage Therapy Boards was called to order at 8:35 am ET by Craig Knowles, President of the Board of Directors.

Knowles reviewed safety and meeting logistical matters and the electronic voting tool.

Roll Call

Patrick Samuelson		Alabama Massage Therapy Licensing Board
Angela Reiter		Arizona State Board of Massage Therapy
Mark Dixon		California Massage Therapy Council
Brian Henry		Delaware Division of Professional Regulation
Johanna Brooks		District of Columbia Board of Massage Therapy
Dotti Groover-Skipper		Florida Board of Massage Therapy
Dandy Nichols		Georgia Board of Massage Therapy
Shannon Skoog		Hawaii Department of Commerce and Consumer Affairs
Joanna Robertson		Idaho Board of Massage Therapy
Sandy Saldano		Illinois State Licensing Board for Massage Therapy
Jessica O'Brien		Iowa Board of Massage Therapy
Jessica Brown		Kentucky Board of Licensure for Massage Therapy
Kathie Lea Love		Louisiana Board of Massage Therapy
Stephen Conti		Maryland State Board of Massage Therapy Examiners
Pallas Hutchison		Massachusetts Board of Registration of Massage Therapy
Terrance Bonner		Mississippi State Board of Massage Therapy
Brandy Mouser		Missouri Board of Therapeutic Massage
Jennifer Roth		Montana Department of Labor & Industry Board of Massage Therapy
Steve Carper		Nebraska State Board of Massage Therapy
Rebecca Dorangricchia		Nevada State Board of Massage Therapy
Ashley Czechowicz		New Hampshire Office of Professional Licensure and Certification
Nicole Davis		New Jersey Board of Massage and Bodywork Therapy
Linda Toomey		New York State Board for Massage Therapists

Amy Swink		North Carolina Board of Massage and Bodywork Therapy
Carrie Anderson		North Dakota Board of Massage Therapy
Jason Shawver		Ohio State Medical Board
Angela Davis		Oklahoma State Board of Cosmetology, Advisory Board on Massage Therapy
Beckett Rowan		Oregon State Board of Massage Therapists
Jennifer Keth		Pennsylvania State Board of Massage Therapy
Elizabeth Rios		Puerto Rico Massage Therapy Board
William Downing		Rhode Island State Board of Licensed Massage Therapists
Jan Shaw		South Carolina Massage/Bodywork Panel
Fallon Helm		South Dakota Board of Massage Therapy
Tonya Wilkins		Tennessee Massage Licensure Board
Courtney Arbour		Texas Department of Licensing & Regulation
Lisa Martin		Utah Board of Massage Therapy
Candis Stoll		Virginia Board of Nursing
Chimere Figaire-Correa		Washington Board of Massage Therapy
Jaime Ehmer		Wisconsin Massage Therapy & Bodywork Therapy Affiliated Credentialing Board
Linda Lyter		West Virginia Massage Therapy Licensure Board

Total present: 40

Knowles declared a quorum established and stated that 21 affirmative votes are required for a majority vote; 27 affirmative votes for a two-thirds vote to pass bylaw amendments. Confirmed by legal counsel.

Motion to approve the agenda

Made by Jan Shaw (SC)

Second by Linda Lyter (WV)

Motion passed unanimously.

Motion to adopt the rules of debate

Made by Fallon Helm (SD)

Second by Chimere Figaire-Correa (WA)

Motion passed unanimously.

Welcome remarks by Johanna Brooks, Chair of the District of Columbia Board of Massage Therapy.

Opening Keynote

Knowles introduced Corey Ciocchetti, Bill Daniels Professor of Business Ethics and Legal Studies at the University of Denver.

Corey Ciocchetti's presentation encouraged attendees to seek an authentic life and to live with integrity. He told personal anecdotes to illustrate how to live a life with integrity and that one needs to believe that being a good person matters. He noted that everyone wants three things in life: peace and contentment in your heart; a small group of really good friends; and desire to be a good person. He answered questions from the audience and made himself available for a book signing.

President's Report

Knowles presented a summary of FSMTB activities and an overview of the regulatory landscape over the past year. He expressed gratitude for his nine years of experience with the FSMTB and his twelve years of service on the Georgia Board of Massage Therapy. He expressed thanks to his fellow members of the board of directors, staff, the many volunteers, and most importantly, the member boards, especially those who participated in the strategic planning process. He noted the REACH course on sexual misconduct, the convening of the Education Task Force, developments with the MBLEx® (3 answer choices), the Establishment Task Force Toolkit, external relationships that have been forged, and FSMTB's anti-human trafficking efforts. He noted the most important lesson he learned is that asking for help is not a sign of weakness—true progress requires teamwork and the strength of FSMTB is our collective ability to come together and advance regulation on a foundation of service – to the profession, the public, and one another.

Nominating Committee Report: Presentation of Candidates for Election

Knowles introduced Charlene Russell, LMT and Chair of the 2024 FSMTB Nominating Committee.

Russell introduced and thanked the members of the committee: Sharon Oliver (MD), Jan Shaw (SC), and David Cox (MD and Immediate Past President of FSMTB).

Russell noted that there were five positions for the Board of Directors: three positions for a 3-year term and two positions for a 1-year term.

Board of Directors

Position 1 (3-year term):

- Victoria Drago (FL)
- Caroline Fox Guerin (TX)

Position 2 (3-year term):

- Paul Andrews (MA)
- Robert Ruark (OR)

Position 3 (3-year term):

- Nicole Davis (NJ)
- Chimere Figaire-Correa (WA)

Position 4 (1-year term)

- The three candidates not elected for Positions 1, 2, or 3

Position 5 (1-year term)

- The two candidates not elected for Position 4

Russell then introduced the candidates for the three positions on the 2025 Nominating Committee and noted that she recused herself from slating as she is a candidate for the Nominating Committee.

2025 Nominating Committee (1-year terms)

Position 1:

- Sharon Oliver (MD)
- Jan Shaw (SC)

Position 2:

- Foad Araiinejad (AL)
- Charlene Russell (MS)

Position 3:

- The two candidates not elected to Positions 1 and 2

Russell stated that the resumes and videos of all candidates can be accessed on the FSMTB website. Elections will be held the following morning.

Policy Committee Report: Presentation of Resolutions and Bylaw Amendments

Knowles introduced Paul Andrews, LMT, and Chair of the Massachusetts Board of Registration of Massage Therapy and Chair of the 2024 FSMTB Policy Committee.

Andrews first introduced and thanked the members of the 2024 FSMTB Policy Committee: Chimere Figaire-Correa (WA), Elizabeth Kirk (NC), Linda Lyter (WV), and Kay Warren (NC). He also noted special thanks for the support of the liaison to the Board of Directors, Victoria Drago (FL), Mai Lin Petrine, FSMTB staff and Dale Atkinson, FSMTB General Counsel for support and guidance.

Andrews then read into the record the proposed Resolutions and Bylaw Amendments, along with the Policy Committee's and Board of Directors' Pass/Do Not Pass recommendations. Andrews noted that some of the proposals have since been withdrawn, after discussion with the Board of Directors. Andrews invited questions and feedback from the membership regarding the withdrawn proposals.

Resolution 2024-1 Education and Regulatory Advocacy Activities

*Resolution 2024-2 Creation of District Representative Program **Withdrawn***

Bylaw Amendment 2024-1 Article VI, Section 3. Conduct of Business

*Bylaw Amendment 2024-2 Article VIII, Section 1(D) Nominating Committee **Withdrawn***

*Bylaw Amendment 2024-3 Article VIII, Section 2(A) Nominating Committee **Withdrawn***

Bylaw Amendment 2024-4 Article XI, Section 3. Effective Date

The three proposals moving forward will be discussed, debated, and voted on the next day.

Knowles facilitated a discussion on the withdrawn proposals seeking input and questions from the membership. Knowles explained that Resolution 2024-2 that created district representatives needs further development due to a number of unresolved questions and concerns. Members noted concerns about an extra "layer" between the members and FSMTB and commented on the already favorable responsiveness of FSMTB staff.

Knowles introduced Resolution 2024-3: Education Requirements for MBLEx Eligibility that was distributed to the Delegates via email with a hard copy provided to each Delegate. This is based on the work ad recommendation from the Education Task Force.

Membership Forum

Knowles introduced Robert Ruark, Executive Director of the Oregon Board of Massage Therapy and FSMTB Board Director, who will facilitate the member forum.

Topics of discussion included scope of practice changes, aiding and abetting unlicensed practice of massage therapy, education hours increases and Department of Education rulemaking, municipal ordinances (and lawsuits challenging them as unconstitutional), anti-human trafficking efforts (licenses with photos displayed, designated establishment manager, window tinting and obstructions, clothing requirements, landlord engagement), massage therapy as a "health care" profession, provisional licenses, and whether there is an increase in unethical behavior and sexual misconduct by licensees.

Members noted the support that they had received from the staff government relations team with respect to research, presentation, and testimony during the past year.

Board Meeting Do's and Don'ts

Knowles introduced Dale Atkinson, FSMTB General Counsel, and facilitator of the session on board meetings. Atkinson introduced the panelists: Ajay Gohil, Esq., Legal Counsel for the District of Columbia Board of Massage Therapy; Lori Lindley, Esq. Assistant Attorney General for the State of Oregon Department of Justice (retired); and Gloria Lindsey, Executive Director of the Missouri Board of Therapeutic Massage.

Atkinson facilitated discussion of scenarios and situations relating to agenda development, issues relating to hybrid versus in-person meetings, school outreach; recording of the meeting; meeting minutes; streaming of meetings, role of the board chair, role of the executive director, role of the staff, conflict of interest (perceived and actual); recusal, abstention; rule of necessity; executive session; sharing of meeting materials; and email etiquette.

Changing Landscape of Regulation

Knowles introduced FSMTB staff members Ashley Hernandez, Government Relations Manager, and Enrique Morales, Service Support Specialist, to explore the trends shaping massage therapy regulation. A primary topic was the increases in required minimum hours of education due to the Department of Education rulemaking (which has been enjoined pending outcome of litigation), deregulation efforts in Alabama, Alaska, and Arizona, the Department of Veterans Affairs National Standard of Practice, and the Interstate Massage Compact (IMpact).

The meeting was recessed for the day at 4:18 pm ET.

Saturday, October 5, 2024

Knowles called the meeting to order at 8:30 am ET.

Roll Call

Patrick Samuelson		Alabama Massage Therapy Licensing Board
Angela Reiter		Arizona State Board of Massage Therapy
Mark Dixon		California Massage Therapy Council
Brian Henry		Delaware Division of Professional Regulation
Johanna Brooks		District of Columbia Board of Massage Therapy
Dotti Groover-Skipper		Florida Board of Massage Therapy
Dandy Nichols		Georgia Board of Massage Therapy
Shannon Skoog		Hawaii Department of Commerce and Consumer Affairs
Joanna Robertson		Idaho Board of Massage Therapy
Sandy Saldano		Illinois State Licensing Board for Massage Therapy
Jessica O'Brien		Iowa Board of Massage Therapy

Jessica Brown		Kentucky Board of Licensure for Massage Therapy
Kathie Lea Love		Louisiana Board of Massage Therapy
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Amy Swink		North Carolina Board of Massage and Bodywork Therapy
Jason Shawver		Ohio State Medical Board
Angela Davis		Oklahoma State Board of Cosmetology, Advisory Board on Massage Therapy
Beckett Rowan		Oregon State Board of Massage Therapists
Jennifer Keth		Pennsylvania State Board of Massage Therapy
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Tonya Wilkins		Tennessee Massage Licensure Board
Courtney Arbour		Texas Department of Licensing & Regulation
Lisa Martin		Utah Board of Massage Therapy
Candis Stoll		Virginia Board of Nursing
Chimere Figaie-Correa		Washington Board of Massage Therapy
Jaime Ehmer		Wisconsin Massage Therapy & Bodywork Therapy Affiliated Credentialing Board
Linda Lyter		West Virginia Massage Therapy Licensure Board

Total Present: 39

[North Dakota not present]

Knowles confirmed a quorum and stated that 20 affirmative votes are required for a majority (motions and resolutions) and 26 affirmative votes are required for a two-thirds to pass bylaw amendments. Legal counsel confirmed.

Treasurer's Report

Knowles introduced Elisabeth Barnard, LMT and Executive Director of the Nevada State Board of Massage Therapy and FSMTB Treasurer.

Barnard introduced the 2024 Finance Committee and thanked Dr. Persinger for her ongoing financial oversight and support.

Elizabeth Kirk (NC)

Linda Lyter (WV)

Barnard reported for FY 2023-24, FSMTB's total liabilities and net assets were \$20,783,050. Income was \$7,412,335 with expenses of \$5,098,350 for a net income of \$2,317,985. Barnard noted that the primary source of income is examination fees and that investments performed well during the fiscal year with a gain of \$1,630,222. The annual independent financial audit will be conducted immediately following the Annual Meeting. Barnard expressed appreciation for the 3,780 volunteer hours contributed with a value of \$126,592 and thanked the volunteers for their contributions that help keep the organization strong and expenses down.

Education Task Force Report

Knowles introduced Caroline Fox Guerin, Board of Directors liaison to the Education Task Force, to report on the convening and updates from the Task Force and their initial July 2024 meeting. The Task Force focused on three major areas: (1) the current state of massage therapy education (lack of national standards and consensus regarding hours, curriculum components, transcript requirements, and online education); (2) fraud and licensure integrity; and (3) the need for a refresh of the Entry Level Education Analysis Project (ELAP) standard.

Fox Guerin then discussed the origin of Resolution 2024-3 to rescind last year's Resolution (2023-1) with respect to educational eligibility for the MBLEx. Last year's Resolution 2023-1 revised the Massage Education Policy to require completion of the education program and submission of a transcript to FSMTB to take the MBLEx. The Task Force recommended that the 2023 resolution be rescinded because it requires further study before implementation due to several factors including the potential delay on entering the workforce, financial impact on students, inequity between various program lengths, and schools losing track of students.

Elections

Knowles introduced the tellers for the elections:

Ajay Gohil (DC)

Kirby Clark Ellis (AR)

Adrienne Price (GA)

Knowles referenced that paper ballots would be utilized for the elections.

Board of Directors:

Position 1 (3-year term):

- Victoria Drago (FL)
- Caroline Fox Guerin (TX)

Position 2 (3-year term):

- Paul Andrews (MA)
- Robert Ruark (OR)

Position 3 (3-year term):

- Nicole Davis (NJ)
- Chimere Figaie-Correa (WA)

Caroline Fox Guerin, Robert Ruark, and Chimere Figaie-Correa were elected for the three positions with 3-year terms.

Position 4 (1-year term)

- Victoria Drago (FL)
- Paul Andrews (MA)
- Nicole Davis (NJ)

Runoff between Paul Andrews and Nicole Davis for Position 4.
Paul Andrews was elected to Position 4 (1-year term).

Position 5 (1-year term)

- Victoria Drago (FL)
- Nicole Davis (NJ)

Nicole Davis was elected to Position 5 (1-year term).

Nominating Committee:

Position 1:

- Sharon Oliver (MD)
- Jan Shaw (SC)

Position 2:

- Foad Araiinejad (AL)
- Charlene Russell (MS)

Jan Shaw and Charlene Russell were elected to the 2025 Nominating Committee.

Position 3:

- Sharon Oliver (MD)
- Foad Araiinejad (AL)

Foad Araiinejad was elected to the 2025 Nominating Committee.

Volunteer Recognition

During the vote-counting, Knowles invited Dr. Persinger to assist him in recognizing those Board of Director members who had completed their terms: Foad Araiinejad, Victoria Drago, and Caroline Fox Guerin.

Dr. Persinger invited Sandy Anderson, LMT, and former member of the FSMTB Board of Directors to present Knowles with recognition for his leadership and service to FSMTB.

Debate and Voting on Resolutions and Bylaw Amendments

Resolution 2024-1

Title: Education and Regulatory Advocacy Activities

Debate and discussion occurred. Resolution 2024-1 PASSED unanimously

Resolution 2024-3

Title: Education Requirements for MBLEx Eligibility

Motion to adopt Resolution 2024-3

Made by Knowles

Second by William Downing (RI).

Clarification questions from Amy Swink (NC). Debate and discussion occurred.

Resolution 2024-3 PASSED.

Bylaw Amendment 2024-1

Title: Article VI, Section 3. Conduct of Business

Debate and discussion occurred. Bylaw Amendment 2024-1 PASSED unanimously.

Bylaw Amendment 2024-4

Title: Article XI, Section 3. Effective Date

Debate and discussion occurred. Bylaw Amendment 2024-4 PASSED unanimously.

You're Not the Boss of Your Brain: Implicit Bias, Why It Matters and How to Interrupt It

Knowles introduced Cal Cates, Executive Director at Healwell, and Kerry Jordan Operations Director at Healwell, to lead a session that explored the neurobiology behind implicit bias, how to spot bias, and some ideas about how to interrupt it.

Cates and Jordan distinguished between unconscious bias and implicit bias, emphasizing that bias is a perfectly normal, functioning human brain and that our job is to learn how to bring it to consciousness. They noted how it is critical for regulators to identify implicit bias – whether with disciplinary cases or rulemaking. How can you as a regulator bring diversity into the conversation?

Tools to Combat Human Trafficking

Knowles introduced Adrienne Price, Executive Director of the Georgia State Board of Massage Therapy and Chair of the Establishment Task Force. Price introduced and thanked members of the Establishment Task Force:

Ed Bolden-Greer (Tennessee)
Karen Armstrong (Michigan)
Mike James (Alabama)
Rick McElroy (California)
Jeff Van Laanen (Oregon)
Charlene Russell (Mississippi)
Sandy Anderson (Nevada)
Elisabeth Barnard (NV) served as the Board of Directors Liaison.

Price then provided an overview of the Task Force's work and the process to develop the Toolkit. Members of the Task Force provided a high level overview of the different components: The model statutory language, the model establishment application, inspection checklist, citation form, and the landlord engagement letter. Price introduced Dotti Groover Skipper, Founder/CEO of HeartDance Foundation and a public member of the Florida Board of Massage Therapy. Groover Skipper provided a snapshot of her decades of anti-human trafficking experience and encouraged regulators to be mindful of the cultural issues at play with trafficking victims and survivors

Innovations in Assessment

Knowles introduced Dr. Ryan O'Leary from PDRI by Pearson, FSMTB's testing partner. O'Leary presented on the pressure or pushback on the use of standardized exams, whether for licensure, employment, or college entrance assessment. He discussed four themes: exams are valuable; exams have predictive power; exams can reduce bias and increase accessibility; and as innovation changes exams, these principles become more important. He noted the pendulum is shifting back to valuing exams, particularly in light of society's questioning the value of a college education, i.e., moving from "degree and pedigree" to "will and skill." Exams can help assess the "will and skill." O'Leary discussed the need for increased accessibility in exams – whether that be testing accommodations, remote testing, alternative languages, and/or meeting candidates' communication preferences. Finally, O'Leary touched upon the impact of AI and large language models and the potential benefits of using generative AI to create exam items, but also the potential challenges as expanding ways to cheat.

Legal Trends and Top Cases

Knowles re-introduced Dale Atkinson, FSMTB General Counsel. Atkinson introduced Ajay Gohil and Lori Lindley, who presented legal issues massage boards may face including parallel criminal and administrative proceedings and strategies to utilize, the role of the board investigator, sharing confidential information with law enforcement for criminal proceedings, reliance on evidence from the criminal proceeding, and invalidation of the licensing exam results and board action/inaction. The Bajakian chiropractor case from New Jersey (criminal sexual misconduct) was presented and a discussion of the objective factors to consider with respect to reinstatement after revocation was also discussed. Finally, a variety of recent cases were presented relating to voluntary surrender, reciprocal discipline, rescission of an educational degree and effect on a license, reapplication after denial and time/frequency limitations, and the overruling of *Chevron* deference were shared.

Closing Remarks from President Knowles

Knowles thanked everyone for their attendance and participation. Knowles reminded everyone to save the date for the 2025 Annual Meeting in Kansas City on October 5-7, 2025. Knowles also invited interested individuals to attend the organizational meeting of the 2025 Board of Directors immediately following adjournment, to elect the officers.

Motion to adjourn the meeting
Made by Linda Lyter (WV)
Second by Mark Dixon (CA)
Motion passed unanimously.

The 2024 Annual Meeting of the Delegate Assembly of the Federation of State Massage Therapy Boards was adjourned at 4:18 pm ET by a voice vote.