



2024 Recommendations from the Policy Committee

Resolutions:

Resolution 2024-1

Title: Education and Regulatory Advocacy Activities

Member Board/Committee Proposing Resolution: Board of Directors

Policy Committee Recommendation: Pass

Resolution 2024-2 **WITHDRAWN**

Title: Creation of District Representative Program

Member Board/Committee Proposing Amendment: Policy Committee

Policy Committee Recommendation: Pass

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Bylaw Amendments:

Bylaw Amendment 2024-1

Title: Proposed Amendment to Article VI, Section 3. Conduct of Business

Member Board/Committee Proposing Amendment: Policy Committee

Policy Committee Recommendation: Pass

Bylaw Amendment 2024-2 **WITHDRAWN**

Title: Proposed Amendment to Article VIII, Section 1 (D) Nominating Committee

Member Board/Committee Proposing Amendment: Policy Committee

Policy Committee Recommendation: Pass

Bylaw Amendment 2024-3 **WITHDRAWN**

Title: Proposed Amendment to Article VIII, Section 2 (A) Nominating Committee

Member Board/Committee Proposing Amendment: Policy Committee

Policy Committee Recommendation: Pass

Bylaw Amendment 2024-4

Title: Proposed Amendment to Article XI, Section 3. Effective Date

Member Board/Committee Proposing Amendment: Policy Committee

Policy Committee Recommendation: Pass



Resolution 2024-1

Title of Resolution: **FSMTB Education and Regulatory Advocacy Activities**

Member Board/Committee Proposing Resolution: **Board of Directors**

Policy Committee Recommendation: **PASS**

WHEREAS, the Federation of State Massage Therapy Boards (FSMTB) is a non-profit, membership organization that provides programs and services to its Member Boards that lessen burdens on state government, and

WHEREAS, FSMTB's mission is to support its Member Boards in their work to ensure that the practice of massage therapy is provided to the public safely and competently, and

WHEREAS, the Member Boards of FSMTB are those government boards or agencies that are legislatively created and delegated with the authority to regulate the massage therapy profession in the interest of public protection, and

WHEREAS, FSMTB is recognized as exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code, and

WHEREAS, government regulation of the professions is under legislative and political scrutiny exploring the benefits and barriers to licensure and regulation, including the licensure and regulation of massage therapists, and

WHEREAS, this legislative and political scrutiny explores not only regulation of the professions, but also the governance structures of government regulation, and

WHEREAS, FSMTB, as a membership organization, harnesses the collective wisdom of the massage therapy regulatory community and is a valuable resource in gathering and disseminating relevant regulatory information, and

WHEREAS, the Member Boards and the massage therapy regulatory community can benefit from reliable and accurate information about the profession of massage therapy, the respective roles of licensure, regulation, legislators, massage therapy boards, and the FSMTB.

THEREFORE BE IT RESOLVED, that the FSMTB develop, budget, and implement an advocacy program intended to provide massage therapy regulatory education and regulatory information and perspectives to FSMTB Member Boards, legislators, the academic community, and other relevant massage therapy communities.

THEREFORE BE IT FURTHER RESOLVED, that this advocacy program be consistent with the mission and tax status of FSMTB.

THEREFORE BE IT FURTHER RESOLVED, that the FSMTB periodically report its efforts and progress of this program to the Member Boards through electronic communications and at the FSMTB Annual Meetings.

FISCAL IMPACT: To be determined based on the parameters of the advocacy program but not to exceed the total amount of lobbying expenditures permitted by FSMTB's non-profit and tax-exempt status.

EFFECTIVE DATE: Upon adoption



Resolution 2024-2

Title of Resolution: **Creation of District Representative Program**

Member Board/Committee Proposing Resolution: **Policy Committee**

WHEREAS, the mission of the Federation is to support its member boards in their work to ensure that the practice of massage therapy is provided to the public safely and competently (Bylaws, Article II);

WHEREAS, part of this mission is to facilitate communication among member boards and provide a forum for the exchange of information and experience (Bylaws, Article II);

WHEREAS, the pace of change within the field of professional regulation and the regulation of massage therapy is increasing and enhanced communication among the members and between the membership and the Federation on a more frequent basis is necessary;

WHEREAS, micro-communication between geographically contiguous jurisdictions would advance cooperation and collaboration to promote standardization of licensing requirements to facilitate professional mobility, licensing uniformity, and promote efficiency and effectiveness;

WHEREAS, more intentional and targeted development of volunteers to participate in the governance of the Federation would enhance the legitimacy and credibility of the Federation governance;

WHEREAS, implementation of districts or regions is one mechanism to facilitate communication to the Board of Directors and FSMTB staff of the successes and challenges of the member boards;

WHEREAS, other similarly situated national organizations of regulatory boards have district or regional representation that has been effective at cultivating state participation in communication, membership engagement, and improving the governance of the organization.

THEREFORE, BE IT RESOLVED that the Board of Directors, in collaboration with the Policy Committee and FSMTB Staff, create seven (7) Districts, each with a Representative, with specific roles and responsibilities, eligibility and election/appointment criteria, and other procedures and processes to be developed. Proposed Districts with a map, subject to adjustment by the Board of Directors, are set forth in Exhibit A.

THEREFORE, BE IT FURTHER RESOLVED that District Representatives may be invited to attend the Annual Meeting of the Delegate Assembly with such attendance being funded by the FSMTB in a similar manner as the voting Delegates; and may be invited to attend Board of Director meetings in an

advisory capacity to facilitate enhanced communication between the Board of Directors and the District and among the jurisdictions within the District.

IMPLEMENTATION PLAN:

The launch of the District Representative Program shall be communicated to the membership by no later than January 1, 2025, and be developed and implemented by no later July 1, 2025, with a status report to be provided to the membership at the 2025 Annual Meeting of the Delegate Assembly. The Program will be evaluated for either revision, continuation, or termination, after three (3) years of operation.

FISCAL IMPACT: The Fiscal Impact of this Resolution includes FSMTB staff resources to support the development and implementation of the District Representative Program and funding the attendance of the seven (7) District Representatives to attend the Annual Meeting of the Delegate Assembly.

Funding the seven (7) District Representatives to attend the Annual Meeting of the Delegate Assembly is estimated to be \$20,000 for the first year, with subsequent years to be determined.

EFFECTIVE DATE: Upon adoption

Exhibit A

Proposed FSMTB Districts (7)

District 1

Alaska
California
Hawaii
Idaho
Montana
Oregon
Washington
Wyoming

District 2

Indiana
Kentucky
Michigan
North Carolina
Ohio
South Carolina
Tennessee
West Virginia

District 3

Connecticut
Maine
Massachusetts
New Hampshire
New York
Rhode Island
Vermont

District 4

Arizona
Colorado
Kansas
Nevada
New Mexico
Oklahoma
Texas
Utah
Guam

District 5

Alabama
Arkansas
Florida
Georgia
Louisiana
Mississippi

District 6

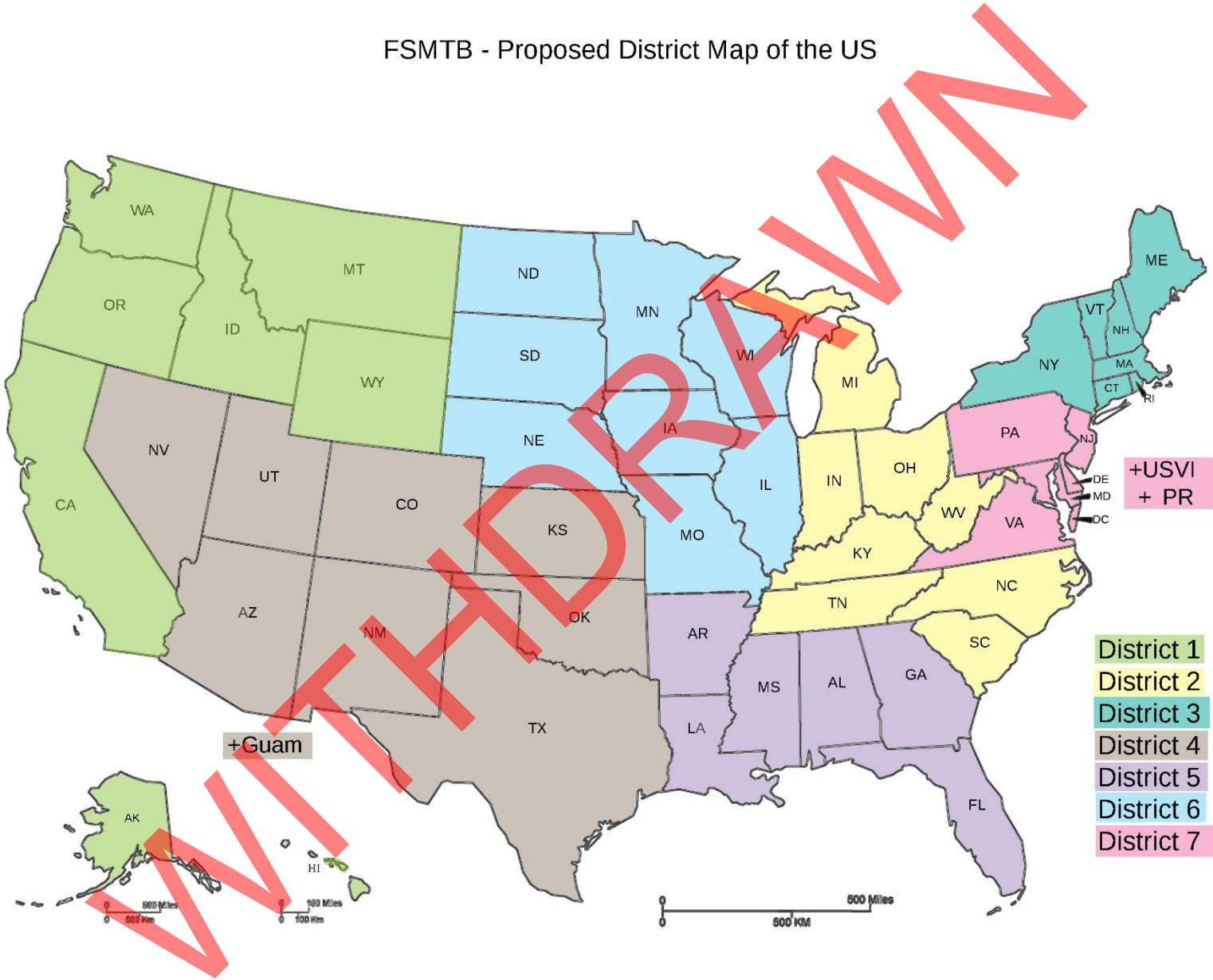
Illinois
Iowa
Minnesota
Missouri
Nebraska
North Dakota
South Dakota
Wisconsin

District 7

Delaware
District of Columbia
Maryland
New Jersey
Pennsylvania
Puerto Rico
Virginia
US Virgin Islands

BOLD – not a regulated state

FSMTB - Proposed District Map of the US





Proposed Bylaw Amendment 2024-1

Title: Proposed Amendment to Article VI, Section 3. Conduct of Business

Member Board Proposing Amendment: Policy Committee

Reasoning for Proposed Amendment: Technical change from telephonic to virtual meetings

Proposed Amendment:

Section 3. Conduct of Business.

A. A majority of the Board of Directors shall constitute a quorum for official business.

B. Requirements:

1. The Board of Directors shall meet at least two times per year; one of these meetings shall be in conjunction with the Annual Meeting of the Delegate Assembly.
2. Notice of face-to-face meetings of the Board of Directors shall ~~be~~ conveyed in writing to each Board of Directors member at least 60 days prior to the meeting date.
3. Notice of ~~telephonic~~-**virtual** meetings of the Board of Directors shall be conveyed in writing at least 10 days prior to the meeting date.
4. The meeting notice requirements of this Section may be waived by the unanimous consent of the Board of Directors members.

Proposed Bylaw Amendment 2024-2

Title: Proposed Amendment to Article VIII, Section 1(D). Nominating Committee

Member Board Proposing Amendment: Policy Committee

Reasoning for Proposed Amendment: Increases the timeframe from 45 to 120 days prior to the Annual Meeting by which nominations for candidates should be submitted to the Nominating Committee. The proposal also adds a requirement that the slate of eligible candidates be presented to the membership at least 60 days prior to the Annual Meeting. This would allow member boards additional time prior to the Annual Meeting to meet and confer about the candidates and provide input and direction to their Delegate. Some member boards do not meet frequently enough to have the opportunity to discuss the candidates and provide direction as to how they wish their Delegate to vote.

Proposed Amendment:

D. Nominating Committee

The Nominating Committee shall seek nominations from Member Boards and associate members and shall present a slate of eligible candidates to the Member Boards for each open seat position for election at least 60 days prior to the Annual Meeting. Persons seeking Nominations for open positions must be submitted to the nomination or wishing to suggest nominees must contact the Nominating Committee at least 120 45 days prior to the Annual Meeting to submit a volunteer application and other information the Committee may request. Nominations will not be accepted from the floor during the Annual Meeting. No name shall be placed into nomination without the consent of the nominee.

Proposed Bylaw Amendment 2024-3

Title: Proposed Amendment to Article VIII, Section 2. Nominating Committee

Member Board Proposing Amendment: Policy Committee

Reasoning for Proposed Amendment: Changes the Nominating Committee terms from one (1) year to two (2) years and creates staggered terms to allow for continuation and experience that promotes consistency in the process. Currently, the composition of the committee changes each year and members often do not have the benefit of experience of the prior year's members. The proposed amendment also clarifies attendance at the Annual Meeting at which they are nominated cannot serve as the "one prior" to nomination. There is also a technical change from "Delegate Assembly" to "Annual Meeting" for consistent terminology.

Proposed Amendment:

Section 2. Nominating Committee.

A. There shall be three (3) members on the Nominating Committee. All members shall be elected at the Annual Meeting of the Federation by a majority of votes from nominations submitted by the Nominating Committee. A candidate for the Nominating Committee must be a Delegate or Alternate Delegate, a previous member of the Board of Directors, a previous member of the Nominating Committee, a current member of a Member Board or the chief administrative officer of a Member Board. The elected members of the Nominating Committee shall have attended at least one (1) ~~Delegate Assembly~~ Annual Meeting meeting prior to ~~nomination~~ the meeting at which they are nominated. All members shall serve a two-year term with two (2) members being elected in odd-numbered years and one (1) member being elected in even-numbered years. ~~All members shall serve a one-year term.~~



Proposed Bylaw Amendment 2024-4

Title: Proposed Amendment to Article XI, Section 3. Effective Date

Member Board Proposing Amendment: Policy Committee

Reasoning for Proposed Amendment: Changing the effective date of amendments to bylaws from “upon adoption” to the close of the Delegate Assembly at which they are adopted to prevent bylaw amendments from affecting the meeting already underway and ensure the organization does not create a situation where it becomes in violation of the bylaws simply by passage of an amendment. This improves the notice to membership for future changes to procedures and requirements that may be dictated by the bylaws.

Proposed Amendment:

Section 3. Effective date.

These Bylaws, and any other subsequent amendments thereto, shall become effective upon ~~their adoption~~ adjournment of the Annual Meeting at which they are adopted.