

**ND Board of Massage Therapy
November 18, 2022
Meeting Minutes
NDBMT Office, 2900 E. Broadway Ave., Bismarck, ND**

The meeting was called to order by President, Heidi Strain, at 9:30 AM. The Board met by remote means.

Present

President – Heidi Strain; Robert Benson; Brynn Burbach; Carrie Anderson; Shelle Hagen.

Others: Nikki Owings, Board Office; Annique Lockard, Legal Counsel.

Minutes

It was **moved and seconded** to accept the minutes from October 28, 2022 and November 9, 2022. (Hagen/Anderson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Treasurer's Report and Reimbursements

Money Market Account:

Opening balance = \$110,863.46

Interest deposit = \$8.50

Closing balance = \$110,871.96

Checking Account:

Opening balance = \$94,410.40

Expenses = \$11,638.59

Credit = \$0.00

Closing balance = \$84,617.51

Total reimbursements presented = \$1723.52.

It was **moved and seconded** to approve the treasurer's report, pay the reimbursements as presented. (Strain/Benson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Complaints

#2022-02-Bai - It was **moved and seconded** Burbach will visit the Asian Health Spa in Kirkwood Mall, Bismarck to verify whether or not Bai is employed there. (Strain/Burbach/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Fargo School of Massage Therapy

It was **moved and seconded** the Board office will send a follow-up e-mail to the school if their response is not received by the end of November.

(Strain/Hagen/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Unlicensed Practice Report on “Taylor”

It was **moved and seconded** to have legal counsel send a letter to Taylor notifying her it is illegal to practice without a valid license and a referral of the matter to the State’s Attorney for possible prosecution.

(Anderson/Benson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Question Regarding Student Clinical Hours from Heather Thorson

It was **moved and seconded** to have the Board office send a response to Thorson that the Board cannot give legal advice or advisory opinions; she should seek her own private legal counsel. (Hagen/Strain/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

(Hagen/Strain/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Correspondence from Rachelle Sian Regarding Statute

It was **moved and seconded** to have the Board office send a response that the Board’s Administrative Rules Committee will look at this issue in depth in the near future. (Strain/Benson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

(Strain/Benson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Proposed Legislation

The legislative bill has been filed with Legislative Council by Representative Hatlestad.

It was **moved and seconded** to appoint Anderson as legislative point person to testify at the hearings; the Board will review draft testimony at the December meeting. (Hagen/Benson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

(Hagen/Benson/unanimous) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y); Strain (y)]

Administrative Rules Committee Update

Review of Rules – The Committee is continuing to work on draft changes.

Scoring of Jurisprudence Exam – The Board will discuss draft language to the Administrative Rules requiring a passing score. The Board will also discuss the option of an on-line exam at the January meeting.

Update to Policy and Procedure Manual Regarding CHRI

Strain will draft changes to the CHRI Manual regarding requests for copies of the background check report from applicants.

Strain wishes to step down from the NAC position. The Board will appoint a new NAC at the next meeting.

{Strain absent}

Hands-on Continuing Education Hours

Update to Policy and Procedure Manual – The Board will look at amending the continuing education section to further define the

Administrative Rules regarding what is acceptable continuing education.

Update to Website – No discussion.

Transcript Review

Benson presented a question regarding the required supervision hours and if they may be completed on-line. Board discussion followed.

Inspections

The Board will work to complete the 2022 inspections by the end of the year.

Ratification of Licenses

It was **moved and seconded** to ratify the following licenses:

- A. Shannon Lackey-Lien #22214
- B. Mattie Amsden #22216
- C. Nicole Sullivan #22218
- D. Cassandra Carter #22220
- E. Stasia Thompson #22222
- F. Courtney Kucera #22224
- G. Katherine Kallis #22226
- H. Cassandra Simon #22228
- I. Sheyenne Freitag #22230
- J. Madison Kitsch #22232.

(Anderson/Hagen/carried) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y)] [Strain absent]

Motion to amend agenda - It was **moved and seconded** to amend the agenda to discuss items under Other at this time. (Anderson/Hagen/carried) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y)] [Strain absent]

Other

Request from Andrea Grigsby for Approval of Massage Therapy Apprenticeship – It was **moved and seconded** to have Board office send response that Board has no jurisdiction over apprenticeships at this time and direct her to the law and rules. (Benson/Hagen/carried) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y)] [Strain absent]

Executive Session to Consider CHRI per NDCC 44-04-19.2(1) and confidentiality per NDCC 12-60-24(1)(c)

Executive session not needed.

Discussion on Application for Initial Licensure for Yolanda Karas

It was **moved and seconded** to grant licensure. (Anderson/Hagen/carried) [Roll call: Anderson (y); Benson (y); Burbach (y); Hagen (y)] [Strain absent]

Next Meeting Date

Next meeting is December 16, 2022, 9:30 AM by virtual means.

Adjournment

The meeting was adjourned at 11:28 AM.

Chair

Date

Vice Chair

Date