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Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Amy Demboski
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 465.4081 

DATE: May 7, 2021

RE: Filed Permanent Regulations: Board of Massage Therapists

Board of Massage Therapists regulations re: licensure, continuing education, and massage therapy establishments (12 AAC 79.110; 12 AAC 79.210; 12 AAC 79.920 - 12 AAC 79.940)

Attorney General File:	2021200045
Regulation Filed:	5/7/2021
Effective Date:	6/6/2021
Print:	238, July 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF MASSAGE THERAPISTS


The attached four pages of regulations, dealing with licensure by credentials, continuing education requirements, application requirements, massage therapy establishments, and unregistered massage therapy establishment investigation, are hereby certified to be a correct copy of the regulation changes that the Board of Massage Therapists adopted at its March 15, 2021 teleconference meeting, under the authority of AS 08.01.065, AS 08.01.100, AS 08.61.020, AS 08.61.030, AS 08.61.040, AS 08.61.050, and AS 08.61.090, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Massage Therapists paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 3-15-21
Soldotna, Alaska



David Edwards-Smith, LMT, Chair
Board of Massage Therapists

April Simpson for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on May 7, 2021 at 11:57 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for 

Kevin Meyer, Lieutenant Governor

Effective: June 6, 2021

Register: 238, July 2021

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K-Meyer

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 79. Massage Therapists.

12 AAC 79.110 is amended by adding a new subsection to read:

Before approving an applicant for licensure by credentials, the board may

(c) ~~The board will, in its discretion, require additional documentation to substantiate the education claimed by the applicant prior to approving an applicant for licensure by credentials.~~

(Eff. 1/17/2016, Register 217; am 4/17/2019, Register 230; am 3/25/2020, Register 233; am

6 / 6 / 2021, Register 238)

Authority: AS 08.61.020 AS 08.61.040 AS 08.61.090
AS 08.61.030

12 AAC 79.210(a) is amended by adding a new paragraph to read:

(4) must document completion of a cardiopulmonary resuscitation course as required by 12 AAC 79.200(b)(4).

12 AAC 79.210(h) is amended to read:

(h) An applicant for renewal under (a) of this section may receive three [ONE] continuing education credits [CREDIT] for attending at least 75 [80] percent of a regularly scheduled board meeting once every biennial licensing period.

(Eff. 5/28/2016, Register 218; am 7/15/2016, Register 219; am 7/5/2017, Register 223; am 4/17/2019, Register 230; am 3/25/2020, Register 233; am 6 / 6 / 2021, Register 238)

Authority: AS 08.61.020 AS 08.61.030 AS 08.61.050

12 AAC 79.920(c) is amended to read:

(c) An applicant whose license application has been approved pending receipt of the license fee or additional requirements must submit the license fee or documentation

satisfactory to the board that the additional requirements have been met to the department within six months after being notified that the license application was approved. An applicant who does not submit the license fee or additional requirements required documentation to the department within six months after being notified that the license application was approved must reapply for licensure.

(Eff. 4/17/2019, Register 230; am 6 / 6 / 2021, Register 238)

Authority: AS 08.61.020

repeated and readopted

12 AAC 79.930 is ~~amended~~ to read:

12 AAC 79.930. Regulation of massage therapy establishments. (a) A massage therapy establishment, unless exempted under (b) of this section, must register with the board by submitting

(1) a completed application form provided by the department;

(2) a notarized, completed self-inspection report form provided by the department, including certification of compliance with the establishment standards of operation adopted by reference in 12 AAC 79.900; ~~[AND]~~

(3) the fee required under 12 AAC 02.396; and

(4) documentation of a current business license in this state.

(C.A.S. 43.70)

« boldface and underlining unnecessary »

(b) A massage therapy establishment is exempt from complying with (a) and (c) of this section if the majority owner of the massage therapy establishment business is a currently licensed

- (1) acupuncturist under AS 08.06;
- (2) chiropractor under AS 08.20;
- (3) naturopath under AS 08.45;
- (4) massage therapist under AS 08.61;

(5) physician, osteopath, mobile intensive care paramedic, or physician assistant under AS 08.64;

(6) direct-entry midwife under AS 08.65;

(7) advanced practice registered nurse under AS 08.68; or

(8) physical or occupational therapist under AS 08.84.

(c) The owner or manager of a massage therapy establishment shall notify the department in writing by submitting the items required under requirements of (a) of this section for a new registration not later than 30 ~~[BUSINESS]~~ days following any change in ownership ~~[OR PHYSICAL LOCATION]~~ of the massage therapy establishment.

(d) The owner or manager of a massage therapy establishment shall notify the department in writing not later than 30 days following a change in physical location by submitting

(1) a completed form provided by the department; and

(2) a completed self-inspection report form described under (a)(2) of this section. and

(3) the fee required under 12 AAC 02.396.

(e) A massage therapy establishment required to be registered under this section must renew the registration on or before September 30 of every odd-numbered year by submitting

(1) a complete registration renewal form; and

(2) the registration renewal fee required under 12 AAC 02.396.

(f) A massage therapy establishment owner must notify the department in writing not later than 15 days after the establishment ceases operations.

(g) The department will maintain a registry of all massage therapy establishments registered with the board.

to add fee and underlining unnecessary

(h) ~~(e)~~ In this section, "massage therapy establishment" means a fixed or mobile place of business that

(1) ~~is~~ is owned by a natural person, partnership, limited partnership, corporation, company, limited liability company, or other entity;

(2) engages in, conducts, or permits massage or massage therapy to be conducted for any form of compensation, or uses the word "massage" in any solicitation or advertisement.

(Eff. 3/25/2020, Register 233; am 6 / 6 / 2021, Register 238)

Authority: AS 08.01.100 AS 08.61.020

12 AAC 79 is amended by adding a new section to read:

the massage therapy establishment is
12 AAC 79.940. Unregistered massage therapy establishment investigation. Unless exempt from registration under 12 AAC 79.930(b), if an inspection or complaint of an unregistered massage therapy establishment results in an investigation, the unregistered massage therapy establishment owner shall pay the investigation fee required by 12 AAC 02.396 to the department for each investigation. (Eff. 6 / 6 / 2021, Register 238)

Authority: AS 08.01.065 AS 08.61.020

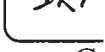
MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Date: May 6, 2021

File No.: 2021200045

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Tel. No.: 465-3600

From: Steven C. Weaver *SCW*
Senior Assistant Attorney General
Legislation and Regulations Section

Re: Board of Massage Therapists
regulations re: licensure, continuing
education, and massage therapy
establishments (12 AAC 79.110;
12 AAC 79.210; 12 AAC 79.920 -
12 AAC 79.940)

The Department of Law has reviewed the attached regulations of the Board of Massage Therapists against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Massage Therapists after the close of the public comment period. The regulations concern licensure of massage therapists, continuing education required of massage therapists, and--to provide additional clarification for massage therapy establishments regulated under AS 08.61.020(2), as amended under sec. 2, ch. 10, SLA 2018--requirements for biennial renewal of registrations, the change of an establishment's location, and the payment of fees for the investigation of an unregistered establishment.

The February 9, 2021 public notice and the March 15, 2021 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc: David Edwards-Smith, LMT, Chair
Board of Massage Therapists

Amy Demboski, Assistant Commissioner and Regulations Contact
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Harriet Dinegar-Milks, Senior Assistant Attorney General
Commercial, Fair Business, and Child Support Section

**NOTICE OF PROPOSED CHANGES RELATING TO LICENSE REQUIREMENTS,
CONTINUING EDUCATION, AND MASSAGE THERAPY ESTABLISHMENTS IN THE
REGULATIONS OF THE ALASKA BOARD OF MASSAGE THERAPISTS**

BRIEF DESCRIPTION: The Board of Massage Therapists proposes to update regulations relating to license and continuing education requirements, and massage therapy establishment renewal and change of location requirements.

The Board of Massage Therapists (Board) proposes to adopt regulation changes in Title 12, Chapter 79 of the Alaska Administrative Code including the following:

1. **12 AAC 79.110. Application for licensure by credentials**, is proposed to be amended by adding a new subsection to allow the board to require additional documentation to substantiate the education claimed by the applicant.
2. **12 AAC 79.210. Continuing education requirements**, is proposed to be amended by adding documentation of a cardiopulmonary resuscitation course to the continuing education requirements, and updating CE credits for attending board meeting once every biennial licensing period.
3. **12 AAC 79.920. Application form and verifications for licensure**, is proposed to be amended by adding that any additional documentation required after approval by the board but before issuance of a license, must be submitted within six months or the applicant must reapply for licensure.
4. **12 AAC 79.930. Regulation of massage therapy establishments**, is proposed to be amended to require renewal of a massage therapy establishment registration, and amend the requirements for the change of location of a massage therapy establishment.
5. **12 AAC 79.940. Unregistered massage therapy establishment investigation**, is a proposed new section requiring an unregistered massage therapy establishment to pay an investigation fee required by 12 AAC 02.396, if investigated.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/201345>, and using the comment link. **The comments must be received not later than 4:30 p.m. on March 12, 2021.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofMassageTherapists.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov not later than March 5, 2021 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/MAS-0121.pdf>.


After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.01.100; AS 08.61.020; AS 08.61.030; AS 08.61.040; AS 08.61.050; AS 08.61.090

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.01.100; AS 08.61.020; AS 08.61.030; AS 08.61.040; AS 08.61.050; AS 08.61.090

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.


DATE: 2/8/2021



Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. **Adopting agency:** Board of Massage Therapists – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Licensure by credentials, continuing education requirements, and massage therapy establishments.
3. **Citation of regulation:** 12 AAC 79.110, 12 AAC 79.210, 12 AAC 79.920, 12 AAC 79.930, and 12 AAC 79.940.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations; compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: \$300 massage therapy establishment biennial registration renewal fee; \$65 massage therapy establishment change of location fee.
Another state agency: None known.
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2021 or in subsequent years.
9. **The name of the contact person for the regulation:**
Cynthia Spencer, Licensing Supervisor
Alaska Board of Massage Therapists
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-6246
E-mail: cynthia.spencer@alaska.gov
10. **The origin of the proposed action:** Board of Massage Therapists.
11. **Date:** 2/18/2021 **Prepared by:** 
Jun Maiquis
Regulations Specialist

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 100493 ST OF AK/DEC/OCCU
Attention To: ATTN TO: JUN MAIQUIS
PO BOX 110806, JUNEAU, AK 99811

Order #: W0020500

Cost: \$552.82

RECEIVED
Juneau

APR 16 2021

CBPL

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

02/09/2021

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Subscribed and sworn to before me

this 11th day of February 2021.

Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

7/14/2024

NOTARY PUBLIC
JADA L. NOWLING
STATE OF ALASKA
MY COMMISSION EXPIRES July 14, 2024

NOTICE OF PROPOSED CHANGES RELATING TO LICENSE REQUIREMENTS, CONTINUING EDUCATION, AND MASSAGE THERAPY ESTABLISHMENTS IN THE REGULATIONS OF THE ALASKA BOARD OF MASSAGE THERAPISTS

The Board of Massage Therapists (Board) proposes to adopt regulation changes in Title 12, Chapter 79 of the Alaska Administrative Code including the following:

1. 12 AAC 79.110. Application for licensure by credentials, is proposed to be amended by adding a new subsection to allow the board to require additional documentation to substantiate the education claimed by the applicant.
2. 12 AAC 79.210. Continuing education requirements, is proposed to be amended by adding documentation of a cardiopulmonary resuscitation course to the continuing education requirements, and updating CE credits for attending board meeting once every biennial licensing period.
3. 12 AAC 79.920. Application form and verifications for licensure, is proposed to be amended by adding that any additional documentation required after approval by the board but before issuance of a license, must be submitted within six months or the applicant must reapply for licensure.
4. 12 AAC 79.930. Regulation of massage therapy establishments, is proposed to be amended to require renewal of a massage therapy establishment registration, and amend the requirements for the change of location of a massage therapy establishment.
5. 12 AAC 79.940. Unregistered massage therapy establishment investigation, is a proposed new section requiring an unregistered massage therapy establishment to pay an investigation fee required by 12 AAC 02.396, if investigated.

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You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComments@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofMassageTherapists.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

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After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected. Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.01.100; AS 08.61.020; AS 08.61.030; AS 08.61.040; AS 08.61.050; AS 08.61.090

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.01.100; AS 08.61.020; AS 08.61.030; AS 08.61.040; AS 08.61.050; AS 08.61.090

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 2/8/2021

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

Pub: February 9, 2021

**AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION**

I, Jun Maiquis, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 79.110, 12 AAC 79.210, 12 AAC 79.920, 12 AAC 79.930, and 12 AAC 79.940, dealing with licensure and continuing education requirements, massage therapy establishment renewal and location change, and unregistered massage therapy establishment investigation, has been given by being

1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the proposed regulation;
6. furnished electronically to incumbent State of Alaska legislators;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4), and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

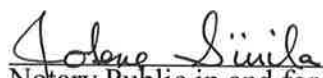
DATE: 4/2/21
Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 2 day of April, 2021.





Notary Public in and for the
State of Alaska
My commission expires: w/office

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jun Maiquis, Regulations Specialist for the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being duly sworn, state the following:

In compliance with AS 44.62.215, the Board of Massage Therapists has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Board of Massage Therapists regulations on dealing with licensure and continuing education requirements, massage therapy establishment renewal and location change, and unregistered massage therapy establishment investigation.

DATE:

4/2/21


Juneau, Alaska



Jun Maiquis, Regulations Specialist

SUBSCRIBED AND SWORN TO before me this 2 day of April, 2021.





Notary Public in and for the
State of Alaska
My commission expires: w/ office

AFFIDAVIT OF BOARD ACTION

I, Cynthia Spencer, Licensing Supervisor for the Board of Massage Therapists, being duly sworn, state the following:

The attached motion dealing with licensure and continuing education requirements, massage therapy establishment renewal and location change, and unregistered massage therapy establishment investigation was passed by the Board of Massage Therapists during its March 15, 2021 teleconference meeting.

There is no notary public or other official empowered to administer oaths available to notarize this document as a result of social distancing requirements implemented statewide.

I certify under penalty of perjury that the foregoing is true.

Date: 04/05/2021

Cynthia Spencer Digitally signed by Cynthia Spencer
Date: 2021.04.05 09:02:35 -08'00'

Cynthia Spencer, Licensing Supervisor

State of Alaska
Juneau

Chair David Edwards-Smith greeted the board and stated the purpose of this meeting was to adopt the public noticed regulations taking into consideration submitted public comments.

In a motion duly made by Julie Endle, to amend 12 AAC 79.930(e) by lowering the establishment registration renewal fee from \$300.00 to \$100.00

The board briefly discussed the establishment registration fee and submitted public comments.

Jill Motz stated that \$300.00 renewal fee every two years should not be a problem, as the renewal fee breaks down into \$150.00 per year. Ms. Endle stated that she still did not agree with the \$300.00 establishment renewal fee. Ms. Motz stated that the fee was the price of doing business.

The board briefly discussed fee options and Ms. Endle asked to amend her initial motion.

In a motion duly made by Julie Endle, to amend 12 AAC 79.930(e) by lowering the establishment registration renewal fee from \$300.00 to \$100.00 based on submitted public comments.

Hearing NO second to the motion; the motion failed to be carried.

Kristin Tri stated that the board had talked about this previously and stated that she feels a lot of people are confused about the difference between this establishment fee versus the license fee massage therapists pay.

The board briefly discussed fee and establishment registration confusion, who is required to register an establishment and who is not; and agreed to update the frequently asked question (FAQ) website with clearer information.

The board agreed that keeping the establishment registration was very important as it may assist human trafficking issues and also assists in legitimize the profession.

Ms. Motz stated she had limited time for this meeting and requested the board move on.

In a motion made by Jill Motz, seconded by Kristin Tri, and passed unanimously with a roll call vote, it was RESOLVED to ADOPT regulations 12 AAC 79.110, 79.210, 79.920, 79.930, 79.940 as written and taking into consideration submitted public comments.

Chair Edwards-Smith asked the board if they would like further discussion.

Ms. Endle stated that based on her review of submitted public comments she noticed that several individuals thought attending board meetings would become mandatory and they would receive a continuing education (CE) credit for their attendance. Chair Edwards-Smith agreed with Ms. Endle and stated that mandatory attendance was not a requirement; licensees may attend board meeting and could obtain CE for their attendance. Chair Edwards-Smith stated that he felt communicating with licensees was the best fix and that he will write a clear and concise FAQ that addresses attending board meetings and obtaining CE which would also be emailed to licensees.

Chair Edwards-Smith asked if the board would like any further discussion; hearing none, Chair Edwards-Smith requested a roll call vote.

Roll Call Vote

NAME	YES	NO	ABSTAIN	Not in attendance
David Edwards-Smith	X			
Julie Endle	X			
Jill Motz	X			
Kristin Tri	X			

THE MOTION PASSED BY A MAJORITY VOTE.

Agenda Item 5 Adjourn

Ms. Tri asked if Ms. Spencer could assist her with OnBoard issues. Ms. Spencer stated she would call Ms. Tri in a few minutes.

Hearing nothing further, Chair David Edwards-Smith adjourned the meeting and the record ended at 3:20 p.m.

Respectfully submitted:

Cynthia Spencer, Records & Licensing Supervisor

Approved:

David Edwards-Smith, Chairperson
Board of Massage Therapists

Date: _____