



ALABAMA BOARD OF MASSAGE THERAPY

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MINUTES Special-Called Board Meeting

October 15, 2021

The Alabama Board of Massage Therapy met on Friday, October 15, 2021 at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. The following Board members attended virtually: Ms. Stephanie Dobbins (Vice Chair), Mr. Darren Beams (member), Ms. Denise Dale (member), Ms. Stefanie Herfurth (member) and Ms. Mary Rogers (member) attended onsite. Board members absent were Mr. Foad Araiinejad (Board Chair) and Ms. Gina Lee (member). Others present onsite at the meeting were Mr. Keith Warren (Executive Director), Mr. Matt Bledsoe (Board Legal Counsel) and Ms. Renee' Reames (recording secretary). Others attending virtually were Mr. Mike James (Investigator) and Mr. Dennis Trammell (Investigator). Ms. Dobbins, Board Vice Chair, called the meeting to order at 10:02 a.m. Mr. Warren called Board roll and reported that a quorum was present to conduct Board business.

Public notice of this regularly scheduled meeting was submitted to the Secretary of State www.sos.alabama.gov in accordance with the requirements of the Alabama Open Meetings Act and published on the Board's web site at www.almtbd.alabama.gov

Vice Chair Dobbins presented a copy of the August 6, 2021 Board meeting minutes for the Board's approval. A copy of the minutes was provided to the Board members prior to the meeting for their review. Ms. Herfurth made a motion to approve the August minutes as presented. The motion was seconded by Ms. Dale and unanimously approved by the Board (minutes available for viewing in the Board's Official Book of Minutes).

Mr. Warren presented the Executive Director Report to include the financial activities for the period ending September 30, 2021. He reported on the Board's struggling financial situation and presented a detailed report of line-item expenditures (reports on file in the Board's Official Book of Minutes). He indicated that the Board's finances would be discussed later in the meeting when presenting proposed changes to the Board's statute. Mr. Warren reported on the current number of licensees, along with the 260 inspections conducted during FY 2021 year and on the number of complaints received. He reported that the Board's budget for FY 2022, that began October 1, 2021, was \$325,000.00.

Mr. Warren also reviewed the list of activities performed by the staff since the last Board meeting. He reported on the lifting of the COVID 19 State of Emergency effective October 31, 2021 and the requirements for in-person attendance by a quorum of the members at meetings. He also indicated that the licensee database had changed from iGov to another system and the conversion was underway. Mr. Warren reported on the Board's Facebook post making licensees aware of the reason for licensure background checks based on Alabama's Human Trafficking Act.

Ms. Dale made a motion to accept the Financial Report as presented. The motion was seconded by Ms. Rogers and unanimously approved by the Board.

Mr. Bledsoe, Board's Legal Counsel, reported that Consent Agreements had been issued on several complaint cases and he had no update on these cases to report at this time.

Mr. Warren recommended that the Board schedule a called-special meeting, in advance for the 2022 Legislative Session, to discuss proposed legislative changes to the Board's statute. The Board reviewed the Board's statute and agreed on the following recommendations:

- 34-43-3 Definitions – Examinations expanded to include the MBLEX exam.
- 34-43-5 Exemptions – no changes discussed.
- 34-43-6 Alabama Board of Massage Therapy – expand approval of licenses to include the Executive Director.
- 34-43-8 License requirements (etc.) – include online advertising platforms.

The Board discussed the restricted use of the word massage in advertising for exempted categories and unlicensed individuals.

- 34-43-9 Application for license (etc.) – repeal old language and conflicting exam language and add background check for consistency.
- 34-43-10 – massage therapist examination – replace with consistent examination language.
- 34-43-11 – Licensing of establishments - add no additional background check required if a licensed MT, and remove exemptions in this specific section.

The Board discussed implementing initial inspections before issuing an establishment license.

- 34-43-12 – Application forms – repeal old language.
- 34-43-14 – Fund – increase fees, noting that the fees had not been increased since 1997.
- 34-43-15 Complaints and penalties (etc.) – adding required education course specific to violation, etc.
- 34-43-20 – Massage therapy schools and instructors – increase qualification years, fees, continuing education hours and if any examination criteria to be added.

Ms. Dale made the motion for the Board to have a called-special meeting on November 19, 2021, at 10:00 a.m. at the Board's office to discuss proposed changes to the Board's statute. The motion was seconded by Ms. Rogers and unanimously approved by the Board.

Mr. Warren presented a list of 2022 Board meeting dates for the Board's approval. Ms. Dale made the motion to approve the following meeting dates: February 4, May 6, August 5 and October 14, 2022. The motion was seconded by Ms. Rogers and unanimously approved by the Board.

Mr. Warren reported that the annual election of Board officers was due. Ms. Herfurth nominated Ms. Dobbins as Board Chair. The nomination was seconded by Ms. Dale. There were no other nominations from the floor and Ms. Dobbins was unanimously elected as Board Chair.

Vice Chair Dobbins nominated Ms. Herfurth as Board Vice Chair. The nomination was seconded by Mr. Beams. There were no other nominations from the floor and Ms. Herfurth was unanimously elected as Board Vice Chair. Mr. Warren reported that Mr. Arajinejad had been elected to serve on the Federation of State Massage Therapy Boards.


Vice Chair Dobbins reminded the members that the next meeting of the Board was scheduled November 19, 2021 as a special/called meeting to discuss proposed legislation. She also reported that the next regularly scheduled meeting of the Board was February 4, 2022. Mr. Warren reported that these meetings would require a quorum of the members physically onsite at the Board's office.

There being no further business, Ms. Herfurth made the motion to adjourn the meeting. The motion was seconded by Ms. Dale and unanimously approved by the Board. Vice Chair Dobbins adjourned the meeting at 11:04 a.m.

Respectfully Submitted,



Stephanie Dobbins
Board Chair



Keith E. Warren
Executive Director

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