



CAMTC Board of Directors Meeting

September 6 & 7, 2017

Portofino Hotel and Marina
260 Portofino Way
Redondo Beach, CA. 90045
Meeting room: Newport

OPEN SESSION MINUTES

Directors Present: *Ron Bates, Allison Budlong, Mike Callagy, Mark Dixon, Shana Faber, Jeff Forman, Heather Forshey, Mike Marylander, Dixie Wall, Stephany Powell (arrived at 12:50)*

Directors Absent: *Minouche Kandel, Alejandro Diaz*

Staff: *Ahmos Netanel, CEO; Jon Walters, Operations Manager; Beverly May, Director of Governmental Affairs; Rick McElroy, Director of PSD; Joe Bob Smith, Director of ESD; Roberta Rolnick, Outreach Director*

General Counsel: *Jill England*
Special Counsel: *Alison Siegel*

Guests: *Patricia Gillett, Bernadette Murray, Laura Embleton, David Roth*

1. Call to Order

Chairman Dixon called the meeting to order at 10:30 am on September 6, 2017 and established a quorum.

2. Chair's comments

Chairman Dixon reminded the Board of the rules of debate.

3. Approval of Minutes from June 8, 2017

MOTION 09072017:1 Bates/Allison – Motion to approve the June 8, 2017 open session minutes with corrections. [Mark Dixon corrected the minutes regarding the award for Teacher of the Year given to Jeff Forman – awarded by AMTA-CA, not AMTA.]

8 Yes -1 Abstains MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -yes

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Mike Marylander-Abstain

Dixie Wall – yes

Mark Dixon - yes

4. Elections

Motion 09072017:2 - Bates/Callagy: Motion to nominate and elect the current officers (Slate: Mark Dixon Chair, Jeff Forman Vice Chair, Mike Marylander Treasurer, Allison Budlong, Secretary) to serve another year.

9-0 MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -yes

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Mike Marylander-yes

Dixie Wall – yes

Mark Dixon – yes

Public Comment: Bernadette Murray – asked that notices be edited to reflect longer time to process recertification.

5: Schools Advisory Committee Recommendations from June 7 meeting

Jeff Forman reported on the motions approved at that meeting that are being considered at this Board meeting.

Motion 09072017:3 Forman/Bates Motion to amend the Policies and Procedures for Approval of Schools to extend the re-approval period to four years after the initial two-year approval.

8 Yes, 1 Abstain MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -Abstain

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Mike Marylander-yes

Dixie Wall – yes

Mark Dixon –yes

Motion 09072017:4 Forman/no second - Motion for staff to explore the imposition of a re-application fee in proportion to revenue.

No second, motion failed.

Motion 09072017:5 Forman/Bates - Motion to amend the Policies and Procedures for Approval of Schools Section 2.D - change to “Within 180 days”.

8 Yes, 1 Abstain MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -Abstain

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Mike Marylander-yes

Dixie Wall – yes

Mark Dixon –yes

Motion 09072017:6 Forman/Bates - Motion to amend Policies and Procedures for Approval of Schools regarding notifying schools when an application is “deemed to be complete”.

Discussion focused on weighing desire of schools to know when to expect a response versus feasibility of updating the “application complete” date because new information may open an investigation, or new staff might be hired at the school and we require information as a result, or processing of the application makes the need for additional information evident. Motion withdrawn by Jeff Forman – will wait to see how it works when ESD comes online.

Motion 09072017:7 Bates/Wall - Motion to remove item 5.C Student/Graduate EligibilityList from Policies and Procedures for Approval of Schools in light of FSMTB’s new policy on eligibility to sit for the exam.

8 Yes, 1 Abstain MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -Abstain

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Mike Marylander-yes

Dixie Wall – yes

Mark Dixon –yes

Recess for lunch 12:01

Stephany Powell arrived at 12:50

Motion 09062017:8 Forman/Bates - Motion to amend the date of the last section of Section 5.I of Policies and Procedures to 2018 from 2015. This section pertains to passage rate on exam. Motion withdrawn by Jeff Forman.

A discussion ensued regarding the Schools Advisory Committee recommendation regarding fee structures, installment payments and other fees itemized based on usage.

Jeff Forman asked to table this item for later agenda item.

Summary of Schools Advisory Committee meeting 9/5/2017

Jeff Forman provided a summary of the Schools Advisory Committee meeting that took place on September 5, 2017. All but one committee member was present. He clarified that action on the items discussed in the committee might be taken at the next Board meeting, but this is mostly for staff guidance. Approximately 38 schools will need to apply in January and the Committee would like schools to have the new application at least two months prior to prepare (8 months in advance of due date).

Joe Bob Smith discussed the regular communication with schools that will now occur with the help of Outreach Director Roberta Rolnick. Jeff Forman stated that the schools have asked that

Section 1E regarding the 6 months' timeline to submit an application for re-approval be included in the upcoming communication.

Motion 09062017:9 Forman/ Callagy - Motion to amend Section 4G(a) of the Policies and Procedures for Approval of Schools regarding Advertising from "related to the massage program" to "related to massage programs submitted for approval".

9 Yes, 1 Abstain MOTION PASSES

Ron Bates – yes

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Mike Marylander-yes

Stephany Powell - yes

Dixie Wall – yes

Mark Dixon –yes

6. Proposed amendments to Policies and Procedures for Approval of Schools

Joe Bob Smith and Ahmos Netanel reviewed the proposed amendments to the Policies and Procedures for Approval of Schools. A lengthy discussion of fees followed.

Motion 09062017:10 - Forshey/Bates - Motion to strike a portion of section 4.A.a. of the Policies and Procedures for Approval of Schools regarding the waiver of application fees for public colleges or universities of the California state higher education system, and then capitalize "Employees" in the next sentence.

7 Yes, 1 no, 2 abstain MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -Abstain

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-no

Heather Forshey-yes

Mike Marylander-yes

Stephany Powell- yes

Dixie Wall – yes

Mark Dixon –Abstain

Ahmos Netanel discussed whether to continue the Schools Advisory Committee and for how long. He reported that a meeting is already scheduled for November, and that he plans to budget for twice yearly meetings, with other meetings added if needed. He will continue to schedule them the day prior to the Board meetings.

09062017:11 Bates/Callagy - Motion to approve the additional proposed amendments to the Policies and Procedures for Approval of Schools not already acted upon.

8 Yes, 2 abstain MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -Abstain

Mike Callagy -yes

Shana Faber-yes

Jeff Forman- Abstain

Heather Forshey-yes

Mike Marylander-yes

Stephany Powell -Yes

Dixie Wall – yes

Mark Dixon – Yes

7. The Board went into Closed Session with CAMTC Legal Counsel Pursuant to California Government Code section 11126(e) regarding pending litigation at 2:23 pm and returned to open session at 3:45 pm

Open Session resumed at 3:50 pm. Michael Marylander did not return.

8. Resolution page 39 of Board Packet, Document 8 – item requested by American Massage Council.

Motion 09062017:11 Wall/Bates - Motion to approve the Resolution as presented in the Board Packet for this meeting (Document 8 in the packet) regarding the definition of a “health care provider” in the California Code of Civil Procedure.

9 Yes, MOTION PASSES

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -yes

Mike Callagy -yes

Shana Faber-yes

Jeff Forman- yes

Heather Forshey-yes

Mike Marylander- not present

Stephany Powell -Yes

Dixie Wall – yes

Mark Dixon – Yes

9. Legislator of the Year Award

Motion 09062017:12 Callagy/Bates - Motion to approve presentation of Legislator of the Year award to Senator Jerry Hill

9-0 Yes Motion Passes

ROLL CALL VOTE:

Ron Bates - yes

Allison Budlong -yes

Mike Callagy -yes

Shana Faber-yes

Jeff Forman- yes

Heather Forshey-yes

Stephany Powell -Yes

Dixie Wall – yes

Mark Dixon – Yes

10. CEO report:

Ahmos Netanel provided updates on SB 314 and SB 315, both authored by Senator Janet Nyugen. SB 314, pertaining to CAMTC recognition of transcripts from certain schools, passed the Assembly Business and Professions Committee. SB315, pertaining to foreign education, has been approved by the Governor.

Mr. Netanel presented the 2017 first and second quarter Disciplinary Performance Metrics and noted that the average number of days to complete discipline against a certificate holder was reduced by almost half.

Mr. Netanel introduced the new Operations Manager, Jon Walters, and announced the new Accounting Manager, Denise King. He also announced that a new Paralegal/Legal Secretary has been hired for the legal department, and that PSD's senior paralegal is now working directly with AMG on PSD issues.

Mr. Netanel reported that the average turnaround time for new applications without background or educational issues has been reduced to 61 days and we continue to work on achieving a 30 day turnaround. Fewer callers with problems are contacting our call center, and a new phone system allows callers to receive a call back without losing their place in the queue.

Mr. Netanel presented the new organizational structure at AMG.

Mr. Netanel reported on an ongoing staff project to explore best practices in other organizations that may be relevant to CAMTC's operations.

Mr. Netanel reported that we have renegotiated our agreement with the database vendor to include some enhancements that will result in an improved system.

Mr. Netanel discussed financial matters, including cash balances, changes being considered to the revenue recognition model, and the status of the audit report.

Mr. Netanel introduced the new Outreach Director and the planned booth at the national convention of the American Massage Therapy Association in Pasadena.

Mr. Netanel summarized news articles that our PR team has been tracking.

11. Public Comments Regarding Issues Not on this Agenda/Suggested Items for Future Meetings

The Board opened the floor for public comments.

12. Report from the Director of Governmental Affairs and Special Projects

Beverly May summarized a number of the newly passed local ordinances regulating massage therapy, and pointed out some of the more burdensome provisions in some of them.

Ms. May reported on her ongoing interactions with local officials, from meetings and calls to discuss proposed ordinances, to providing details to local officials regarding disciplinary actions taken against individuals who apply for business licenses.

Ms. May reported on her involvement with Human Trafficking taskforces, and reported that she has been invited again to speak at the annual conference of the SF Collaborative Against Human Trafficking.

Ms. May provided an update on H.R. 1023, a federal bill regarding complaints of sexual assault by massage therapists.

Ms. May reported that the database project is still in production but is making continued progress.

13. Report from the Treasurer

Due to the changes being considered to the revenue recognition model, there was no Treasurer's Report.

14. Report from the Director of Professional Standards Division

Mr. McElroy reported on the continuing trainings to law enforcement. In 2017, CAMTC has provided training to 303 officers from 101 agencies throughout the state. Mr. McElroy is now working with the California Code Enforcement Officers (CACEO) who have been organizing trainings for their members.

Mr. McElroy reported on improved relations with cities, including Simi Valley and SF, whose new Chief, like Rick, worked with LAPD.

15. Report from the Director of Educational Standards Division

Joe Bob Smith reported that there are now 88 schools with CAMTC-approved programs (91 campuses including satellites). Mr. Smith stated that there are currently four active applications.

Mr. Smith announced that there is now a map on the CAMTC website of active approved schools, along with the list of schools, to help students locate approved programs.

Mr. Smith announced plans for regular communications to schools.

Mr. Smith summarized the new policy of FSMTB regarding eligibility to sit for the MBLEx.

16. Report from the Director of Outreach

Roberta Rolnick provided an overview of her role in supporting CAMTC's strategic goals and objectives. Ms. Rolnick intends to work with all senior staff as well as AMG to develop communication with all stakeholders.

Ms. Rolnick is now reviewing and updating the website, handling e-blasts to stakeholders, and overseeing responses to consumer complaint surveys. Ms. Rolnick also oversees graphic design projects.

Ms. Rolnick coordinated all aspects of CAMTC's presence at the AMTA National Convention in Pasadena.

Chairman Dixon recessed the meeting at 5:30 pm on September 6 and announced that the meeting would continue the next day on September 7 at 8:30am.

September 7, 2017

The Chair reconvened the meeting at 8:32 am on September 7.

Directors Present: *Ron Bates, Allison Budlong, Mike Callagy, Mark Dixon, Shana Faber, Jeff Forman, Heather Forshey, Dixie Wall, Stephany Powell*

Directors Absent: *Minouche Kandel, Al Diaz, Mike Marylander*

Staff: *Ahmos Netanel, Beverly May, Rick McElroy, Joe Bob Smith, Roberta Rolnick*

Counsel: *Jill England, Alison Siegel*

Guests: *Patricia Gillette, Bernadette Murray, Laura Embleton*

17. Strategic Priorities

Mr. Netanel explained that the Board needs to determine strategic priorities and then he will base proposed budget on priorities. Mr. Netanel discussed the approach taken by Apple, which is for staff to present all their ideas, then throw out all but the top 3.

Proposed:

1. Preparation for Sunset review in 2018-19. This was withdrawn after it was pointed out that the Sunset preparation does not begin until 2019.
2. ESL report
3. Local Government

Jeff Forman proposed waiting for the proposed budget. Ahmos clarified that instead we build the budget based on priorities. Jeff then said that he then feels continuing to build closer relationships with schools is important.

A lengthy discussion regarding priorities ensued in which each Board member, staff member, and attorney was asked for their input. Members of the public also gave input regarding priorities.

After everyone gave their input, the following motion was proposed and passed.

Motion 09062017:13 Callagy/Forman - Motion to adopt the following as CAMTC's Strategic Priorities for 2018:

1. Study of ESL speakers
2. Local government
3. Working with CA Chiefs/public safety
4. School outreach
5. Customer service
6. Data analytics

8-0, 2 not present MOTION PASSES

Ron Bates - yes

Allison Budlong – not present for this vote

Mike Callagy -yes

Shana Faber-yes

Jeff Forman-yes

Heather Forshey-yes

Michael Marylander – absent at this point

Stephany Powell- yes

Dixie Wall – yes

Mark Dixon – yes

The Board opened the floor for public comments.

Chairman Dixon adjourned the meeting at 10:33am on September 7, 2017.

Minutes Approved: November 2, 2017

Allison Budlong, Secretary