



## **CAMTC Board of Directors Meeting**

### **MINUTES – OPEN SESSION**

**June 14, 2022**

**Via Zoom**

Directors Present: *Ron Bates, Mike Callagy, Mark Dixon, Heather Forshey, Jeff Forman, Sara Frazier, John Lambert, Michael Marylander, Bernadette Murray, Stephany Powell, Sean Thuilliez*

Directors Absent: *Shana Faber*

Staff Present: *Ahmos Netanel, CEO; Jon Walters, Director of Operations; Beverly May, Director of Governmental Affairs, Human Trafficking and IT; Joe Bob Smith, Director of Educational Standards Division; Rick McElroy, Director of Law and Code Enforcement Relations; Sharla Maxey, Legal Secretary/Paralegal*

General Counsel: *Jill England*

Special Counsel: *Alison Siegel*

#### **1. Call to Order, roll call and establish quorum**

Chairperson Jeff Forman called the meeting to order at 3:04 p.m. and established a quorum.

Jon Walters went over the Zoom call rules.

#### **2. Chair's Comments**

- Welcome/Introductions
- Rules of Debate

**3. Approval of minutes from April 12, 2022 meeting.**

**MOTION 06142022:1 Bates/Forshey - Motion to approve open session minutes from the April 12, 2022 Board meeting as presented.**

**MOTION PASSES**

**ROLL CALL VOTE: Yes 7; No 0; Abstain 2**

Ron Bates - Yes

Mike Callagy – did not vote

Mark Dixon – Abstain

Heather Forshey - Yes

Sara Frazier - Yes

John Lambert - Yes

Michael Marylander - Yes

Bernadette Murray – Yes

Stephany Powell – did not vote

Sean Thuilliez - Abstain

Jeff Forman – Yes

**4. AB 2687**

Mr. Netanel referred to his report, specifically the comments regarding AB 2687 included in the first section of the report in the Board Packet. The Bill is scheduled to be heard by the Senate Business and Professions Committee and Economic Development on Monday, June 27, 2022. Other than that, everything that we know is included in the report in the Board Packet and we are looking forward to moving this Bill forward.

*Mike Callagy joined the meeting at this point.*

## 5. Name Change Fee

Mr. Netanel reported there is a short memo in the Board Packet regarding the name change fee. All the fees are established by the Board. Staff feels because of efficiencies we were able to implement when an individual applies for recertification and since we already issue a new Certificate and ID card, we recommend reducing the fee from \$45.00 to \$10.00. Therefore, we are recommending to the Board to reduce the name change fee from \$45.00 to \$10.00 when in conjunction with a recertification application.

Mr. Netanel noted that the fees CAMTC charges are established by the Board in order to cover the cost of providing service. There is additional work involved in the changing of a name of an individual which is why it is still reasonable to have a fee of \$10.00. Mr. Walters added that we need to collect, review and store documents that show the name change and handle the communications with the applicant and that is where a fee is still justified.

**MOTION 06142022:2 Bates/Dixon – Motion to Approve reducing the Name Change Fee from \$45.00 to \$10.00 when changed in conjunction with a recertification application.**

**MOTION PASSES**

**ROLL CALL VOTE: Yes 10; No 0; Abstain 0**

Ron Bates - Yes

Mike Callagy – Yes

Mark Dixon – Yes

Heather Forshey - Yes

Sara Frazier - Yes

John Lambert - Yes

Michael Marylander - Yes

Bernadette Murray – Yes

Stephany Powell – did not vote

Sean Thuilliez - Yes

Jeff Forman – Yes

## **6. Post disciplinary information about Certificate Holders and CAMTC Approved Schools**

Ms. Murray reported as provided in the Board Packet, there are some factors we should consider. It has been awhile since we have reviewed our policy regarding posting information about disciplinary action which have been imposed on certificate holders. It may be time to have the discussion, especially with the upcoming new website update. What we have right now, in terms of what is posted, is very minimal information and those are intermingled for certificate holders with active or expired certifications. We do not post any information regarding applicants who have applied for certification, but have been denied. On the other hand, when it comes to school approvals, we have a separate section in which we separate out schools which are closed, etc. However, we do not currently post corrective actions of schools on the website.

Mr. Forman requested that Mr. Netanel and Ms. Siegel provide comments on this item prior to Ms. Murray proposing a motion regarding this item.

Mr. Netanel commented that he and Ms. Murray had several discussions and agree that this is an important issue. This is something that deserves discussion by the Board. Mr. Netanel believes the motion Ms. Murray is contemplating has to do with, not necessarily asking the Board to make any policy decision today, but to introduce the concept and create a framework in which we can dive into a more detailed discussion.

Ms. Siegel had nothing further to add.

Mr. Bates would like a staff report on this issue provided to the Board before the next Board meeting.

Two members of the public made comments raising questions about this issue prior to Ms. Murray stating her motion.

**MOTION 06142022:3 Murray/Bates - Motion to direct staff to research and report back to the Board at the next Board meeting (currently scheduled for September 14, 2022) with recommendations which include legal and technical considerations as to potential amendments to the policy on public posting of disciplinary actions imposed upon CAMTC Applicants, Certificate Holders and CAMTC Approved Schools.**

***Friendly amendment offered by Ms. Siegel to include “denials” and disciplinary actions.....***

**MOTION 06142022:3 as revised - Murray/Bates - Motion to direct staff to research and report back to the Board at the next Board meeting (currently scheduled for September 14, 2022) with recommendations which include legal and technical considerations as to potential amendments to the policy on public posting of denials and disciplinary actions imposed upon CAMTC Applicants, Certificate Holders and CAMTC Approved Schools.**

**MOTION PASSES**

**ROLL CALL VOTE: Yes 10; No 0; Abstain 0**

Ron Bates - Yes

Mike Callagy – Yes

Mark Dixon – Yes

Heather Forshey - Yes

Sara Frazier - Yes

John Lambert - Yes

Michael Marylander - Yes

Bernadette Murray – Yes

Stephany Powell – did not vote

Sean Thuilliez - Yes

Jeff Forman – Yes

*Stephany Powell joined the meeting at this point.*

**7. Public comments regarding issues not on this agenda**

No public comments.

**8. Chief Executive Officer's Report**

Mr. Netanel reported, as mentioned earlier, the only update was the date the Sunset Bill is scheduled to be heard. Other than that, the report speaks for itself and will answer any questions the Board may have.

Mr. Bates requested an update on all the good work which is being done with the city of San Diego regarding their ordinance and enforcement of CAMTC law. Mr. Netanel responded that we have a long-standing relationship with the city of San Diego which Beverly May established several years ago. They reached out to CAMTC to receive input for revising their ordinance. Recently we signed an MOU with the county of San Diego, which includes the city of San Diego. It includes an MOU with the District Attorney of the county of San Diego and we have already had several meetings with District Attorney Summer Stephan. We had a kickoff meeting with District Attorney Stephan, her staff and our staff regarding dealing with various issues and challenges the county and cities

within the county are having. We are also engaging with several police departments within the county. There will be more to report in the future. The five-year MOU is a great step in the right direction.

## **9. Treasurer's Report**

Mr. Marylander reported CAMTC is in good financial shape. The most important item to look at in the report is that the number of certificate holders remains relatively steady at 50,000. New applications are similar to last year, not quite at the 2019 and 2020 levels. The number of individuals renewing is still in the normal spectrum, but for the first three months of this year is on the lower side. Overall, everything is positive.

Mr. Bates questioned, from an operational point of view, how are the businesses Mr. Marylander interacts with doing in terms of having labor available to them to provide the services. Mr. Netanel responded he has had ongoing communications with Mr. Marylander and what he is hearing from him and other people in the industry is that there is a shortage of talent which is a real challenge for businesses to meet the demand for massage therapy. Mr. Bates questioned if the talent shortage is impacting schools, carrying over to school registrations as he has noticed school applicants have dropped a little as well. Mr. Netanel confirmed in speaking with the schools, they are still dealing with a lot of challenges. Everyone is still recovering and we are not out of the woods yet. As far as certificate holders, even though CAMTC certification is voluntary, certificate holders deem it to be really valuable; whether they are practicing or not, they are making it a priority to hang on to it. There is no way for us to tell how many of them are actually practicing or not.

## **10. Director of Governmental Affairs, Human Trafficking's Report**

Ms. May reported that there continues to be a lot of work helping cities and counties with their ordinances. We have received a lot of referrals after the Law and Code Enforcement trainings. There are a number of cities with very old ordinances; one recently reviewed as old as 1979. The city managers are ready to move forward with city ordinances. Samples of other city ordinances are used to assist with adopting new ordinances.

## **11. Director of Operation's Report**

Mr. Walters referred to his report in the Board Packet. Mr. Bates wondered whether AMG staff will be back in the office, or whether some or all will continue to work remotely. Mr. Walters responded AMG will keep one-third of the staff on site. Part of the criteria for who works remotely is based on production and work flow. The rest of the staff come into the office for training and experience. Technology has evolved, so there is not much of a concern regarding work production.

Mr. Walters further added that part of the criteria for selecting who works offsite is based on their performance over the last two years and whether they are able to self-manage and take care of business. The rest of the staff come into the office, not necessarily because they need it, but for training, collaboration, getting up to speed developing that experience they need to eventually transition to a different position. There are some staff that frankly work better when they do not

have the distractions of the office, which is a small handful. In looking at the Board's assigned goals, Mr. Walters sees no concerns relative to the employees who continue to work remotely.

## **12. Director of Educational Standards Division's Report**

Mr. Smith referred to his report. Most schools are still hurting a bit, we have lost several schools, the pandemic took a toll on them. We are seeing the use of hybrid education of both in-person and distance learning which is benefitting a lot of schools. They are trying to figure it out and adapt right now, because they are able to enroll a large number through distance learning, but what are they going to do when they have to get a large number of them into in-person learning; they are trying to get that balance right now. We have also seen a lot of the fraudulent schools targeting "English as a second language" learners. Now many of the approved, legitimate schools are trying to figure out how to teach to that group of students as well. A handful of schools are doing better; they jumped on the technology and advertising for the distance learning and have picked that up. Then of course, we had the schools that closed during the pandemic. We are seeing a turnaround, but just like before the pandemic, schools do not have enough students to meet what the workforce is demanding. Schools, even before the pandemic, would love more students and the employers are hounding them for more students. No one would complain if more students showed up at the door.

Mr. Forman asked what insights Mr. Smith has about other states' experience/rules for distance learning. Mr. Smith responded that every state is approaching it differently; some still have not embraced any distance learning, some are doing more. CAMTC currently accepts up to 190 hours of distance learning; some states accept as high as 250 hours of distance learning. The concern with distance learning is that a lot of the students multitask while attending an online class. It is an issue they are addressing. We are actually doing quite well as we require schools provide us with their calendar of classes as well as login information in advance so we may drop into any virtual class that any of the CAMTC approved schools are having. We are doing much better at it than many of the other states as we do more site visits overall than most states.

Mr. Bates questioned if we have given any thought how we are going to evaluate the distance learning compared to attending in person and do we need to increase or decrease the hours to make sure we are continuing to turn out good massage professions. Mr. Smith responded there is no guarantee of a person coming out of an approved school is going to be a great or even good massage therapist – that hasn't changed; they are going to meet the minimum requirements which have both been set by the law and CAMTC. We also monitor their curriculum which should not have changed much, even if their instructional delivery changed, they should be sticking to the same curriculum they had, they are just offering it online and with that, there are a few differences in how you teach online regarding power points and how you present and engage with the students. We are trying to monitor that and make sure they are doing the same.

## **13. Director of Law and Code Enforcement Relations' Report**

Mr. McElroy referred to his report in the Board Packet. The POST certified trainings are starting to take off now. The Trainings Coordinator sent out 621 invitations last month and 54 people registered for the class which makes it three times larger than the month before. It is gaining popularity to the point where the CCPOA is having a conference in South Lake Tahoe in September and they only present POST certified trainings there and half of the conference members are police and half are code enforcement. Our program fits right into their program.

Mr. McElroy further reported we are working extensively with San Diego county. Ms. May and Mr. McElroy went to San Diego and did a POST certified training for them. Ms. May presented all of the aspects of massage ordinances to them. Ms. May and Mr. McElroy work together every day of the week on all the different ordinances with cities and counties to improve their ordinances to make the cities and counties safer from human trafficking.

#### **14. Outreach Director's Report**

Roberta Rolnick's report will be given at the next board meeting.

#### **15. Items/suggestions from Board Members for future meeting agendas**

Mr. Netanel confirmed the plan that Board Members will arrive the evening before the next scheduled Board meeting.

#### **16. Adjourn**

Chairperson Forman adjourned the meeting at 4:03 p.m.

Minutes Approved: August 30, 2022

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Shana Faber, Secretary