



**CAMTC Board of Directors Meeting**

**MINUTES – OPEN SESSION**

**May 4, 2023**

**Hilton San Francisco Airport Bayfront  
600 Airport Boulevard  
Burlingame, CA 94010**

Directors Present: *Mike Callagy, Mark Dixon, Shana Faber, Heather Forshey, Jeff Forman, John Lambert, Bernadette Murray*

Directors Absent: *Sara Frazier, Michael Marylander, Stephanie Powell, Sean Thulliez*

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

Special Counsel: *Alison Siegel*

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

Chairperson Jeff Forman called the meeting to order at 9:06 a.m. and established a quorum.

**2. Chair's Comments**

- Welcome/Introductions
- Rules of Debate

**3. Approval of minutes from November 29, 2022 meeting.**

**MOTION 05042023:1 Forman/Dixon – Motion to approve open session minutes from the November 29, 2022 Board meeting as presented.**

Ms. Murray stated that she would like to add a correction to the 11/29/22 minutes before approving. She requested that the following paragraph be added on page 10, Item 15, in the Treasurer’s Report:

“Ms. Murray asked for an explanation as to the reported third quarter operating deficit and the greater projected year-end total operating deficit, the annual 2022 budget approved by the Board had projected net revenue. Mr. Netanel explained two factors led to the operating deficit now projected. First, the independent auditors required as a forgiven PPP loan be recognized as revenue for fiscal year 2021 rather than in 2022. Second, increases in salaries and benefits were implemented in September 2022 at the behest of the Chairman, Dr. Forman, who was concerned about staff retention and with the concurring approval of the Treasurer, Mr. Marylander. Ms. Murray stated her objection to the increases being implemented without prior notice to and approval by the Board as a whole.”

***PROPOSED AMENDMENT TO MOTION 05042023:1 Murray/Lambert - Motion to add Bernadette Murray’s proposed paragraph to the Treasurer’s report in the open session minutes from the November 29, 2022 Board meeting.***

Ms. Siegel suggested that since Ms. England was not present at this meeting to assess such a change to the Minutes, approval of the November 2022 Minutes should be tabled to the next scheduled Board meeting.

**SUBSTITUTE MOTION 05042023:2 Forshey/Murray - Motion to defer approval of the November 29, 2022 open session Minutes until the next Board meeting.**

**SUBSTITUTE MOTION PASSES**

**ROLL CALL VOTE: Yes 5; No 0; Abstain 2**

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Abstain

Heather Forshey – Yes

John Lambert - Abstain

Bernadette Murray – Yes

Jeff Forman – Yes

#### **4. Proposed Late Fee Reduction**

Mr. Forman referred to the report included in the Board Packet. The proposed late fee reduction will help massage therapists pay less when applying late for their recertification. This is a positive step to assist massage therapists getting back into employment.

After a discussion among Board members regarding the pros and cons of this proposal, and one public comment, the following motion was approved.

**MOTION 05042023:3 Callagy/Forman – Motion to approve policy to reduce late fees as proposed: 1 to 10 Days After Expiration - \$25; 11 to 29 Days After Expiration - \$55 and 30 Days or More After Expiration - \$120. This late fee structure will be implemented in a time and manner to be determined by the CEO.**

**MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes

Jeff Forman – Yes

#### **5. Proposed Extension of Late Recertification Deadline**

Mr. Forman referred to the report in the Board Packet. The proposed extension of the late recertification deadline would extend indefinitely the time an expired Certificate Holder could apply for recertification, so long as they are in good standing and previously possessed a CMP or CMT

Certificate. With this change they will not have to take and complete a course of education. It gives them an opportunity to reenter the profession.

Board members discussed the pros and possible cons of this proposal.

Ms. Siegel confirmed that if approved, individuals taking advantage of this proposal would be paying the \$300.00 for recertification and also the additional \$120.00 late fee.

**MOTION 05042023:4 Dixon/Forman - Motion to approve proposed policy to extend indefinitely the time an expired Certificate Holder can apply for recertification, as long as they are in good standing and previously possessed a CMP or CMT Certificate. This policy will be implemented in a time and manner to be determined by the CEO.**

**MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes

Jeff Forman – Yes

## **6. CAMTC's Enhancement to Interstate Mobility of Active-Duty Military Personnel and Military Spouses**

Mr. Forman referred to the report in the Board Packet. This proposed policy is to assist active duty military personnel and their spouses by putting eligible individuals at the front of the application processing line for CAMTC certification.

While currently applications are processed quickly for everyone (generally just 5-7 days), there may be periods of time in the future when processing times are slower, so the new policy would assist military personnel and their spouses during those times.

**MOTION 05042023:5 Forman/Forshey - Motion to approve and implement expedited application processing for active duty military members and their spouses. This new protocol will be implemented in the time and manner as determined by the CEO.**

***Friendly Amendment offered by Mr. Lambert to include National Guardsmen on active deployment and their spouses.***

**MOTION 05042023:5 as amended - Lambert/Forman - Motion to approve and implement expedited application processing for active duty military members, national guardsmen on active deployment, and their spouses. This new protocol will be implemented in the time and manner as determined by the CEO.**

**AMENDED MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes

Jeff Forman – Yes

## **7. Ron Bates Student Scholarship**

Tabled until the next Board meeting.

## **8. FSMTB Annual Meeting**

**MOTION 05042023:6 Callagy/Dixon - Motion to Nominate Chairperson Jeff Forman as Delegate to the FSMTB 2023 Annual Meeting. If Chairperson Jeff Forman is unable to attend, Ahmos Netanel, CEO, will attend in his place.**

**MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert -Yes

Bernadette Murray – Yes

Jeff Forman – Yes

Mr. Forman summarized the Proposed FSMTB Bylaw Amendments and Resolutions included in the Board Packet. The language actually submitted may be different because we will be required to use FSMTB templates and follow their procedures.

**MOTION 05042023:7 Dixon/Forshey - Motion to grant authority to the CAMTC Chair and CEO to propose amendments to the FSMTB Bylaws on behalf of CAMTC as outlined in the Board Packet, with the understanding that the proposals shall be similar to the proposed amendments outlined in the Board Packet.**

**MOTION PASSES**

**ROLL CALL VOTE: Yes 6; No 1; Abstain 0**

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – No

Jeff Forman – Yes

## **9. Board Member Recruitment and Selection Process**

Ms. Murray referred to the report in the Board Packet. Ms. Murray would like this to be a brainstorming session and discussion of ideas to look at recruiting since all of the Board member terms expire on September 15, 2023. This might be a good time to discuss if we wanted to make any changes to the procedures and so forth. Ms. Murray proposed a Motion to suspend the rules of debate.

**MOTION 05042023:8 Murray/Callagy - Motion to suspend the rules of debate.**

**MOTION PASSES**

**ROLL CALL VOTE: Yes 4; No 3; Abstain 0**

Mike Callagy - Yes

Mark Dixon – No

Shanna Faber - No

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes

Jeff Forman – No

Ms. Siegel provided the legal requirements. CAMTC's law specifies how Board members are appointed. Of the 13 total Board members, 10 are appointed by various entities designated in the law, and 3 are appointed by the 10 entity-appointed Board members at a Board meeting after their term begins. The language in the law specifically contemplates that an entity may choose not to exercise its right to appoint. All the appointing entities will receive letters ahead of September 15 notifying them of their right to appoint and requesting an appointment. However, it is up to the appointing entities to decide who they want to appoint and whether they want to appoint at all.

After further comments and discussion among Board members, the Board decided that this item will be further discussed when the CEO is present.

**MOTION 05042023:9 Murray/Dixon – Motion to return to order.**

**MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes

Jeff Forman – Yes

## **10. Succession Planning**

**MOTION 05042023:10 Forshey/Callagy – Motion to discuss this item without a motion.**

**MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes



Jeff Forman – Yes

Ms. Murray referred to the report in the Board Packet. She brings this proposal forward as an emergency succession plan. In an emergency situation, if for some reason the CEO is incapacitated and unable to fulfill his or her duties, there should be a written plan in place to specify who would speak to the media, liaison with staff, answer emails, etc. until such time the CEO is able to resume duties or a new CEO has been selected to fulfill the position. This written plan would be available in both electronic and written copy to all Board members.

Ms. Siegel noted that an emergency plan and a succession plan are two different things. In terms of an emergency plan, CAMTC's Bylaws already specify that the Chair steps into the CEO's shoes if something were to happen to the CEO. In terms of a succession plan, since this is a topic that will take a lot of thought, it is recommended that staff develop a proposed plan and bring it back to the Board at a future meeting for the Board to review.

**MOTION 05042023:11 Murray/Lambert - Motion to have the Board select the members of the Executive Committee in the order of precedence as specified in the Bylaws to be designated survivors and to direct the CEO to create an emergency succession plan and distribute physical and electronic copies to the designated survivors with all deliberate speed.**

***Friendly Amendment offered by Ms. Murray and Ms. Siegel for a Motion to Approve staff to prepare a proposed succession plan and bring it back to the Board at a future meeting for Board review.***

**MOTION 05042023:11 as amended: Murray/Lambert - Motion to direct staff to prepare a proposed succession plan and bring it back to the Board at a future meeting for Board review.**

**AMENDED MOTION PASSES**

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

Mike Callagy - Yes

Mark Dixon – Yes

Shanna Faber - Yes

Heather Forshey – Yes

John Lambert - Yes

Bernadette Murray – Yes

## **11. Director of Educational Standards Division’s Report**

Mr. Smith referred to his report in the Board packet. In addition to items mentioned in the report, Mr. Smith attended the FSMTB Summit in Denver, Colorado. It is a great way to network and speak with other states. Last year’s focus of the entire Summit was fraudulent education and human trafficking as well. This year it was focused on investigations. There was one session dedicated to education. Unfortunately, after five minutes, Mr. Smith was pulled out of the discussion and was informed he could not be a part of the discussion. The reason given at the time was that the session was for “Executive Directors” only.

Mr. Smith provided an update regarding the out-of-country education. As of January 1, 2023, the new law went into effect which allows CAMTC to accept out-of-country education. At the same time, the Board’s new Policies and Procedures which were adopted went into effect which allowed for us to accept the out-of-country education. When implementing new policies and procedures, it can take a while. It has been well received as for the policy itself. As for the implementation, the schools, in order to offer the 50-hour supplemental out-of-country program must first have that program approved by BPPE or their accreditor. BPPE initially indicated they had a backlog which is expected to take a few months. We are still waiting for the first schools to come back with that approval, then we can move forward.

## **12. Public Comments Regarding Issues on this Agenda**

There was one public comment regarding disciplinary actions.

## **13. Chief Executive Officer’s Report**

Mr. Forman referred to the Report in the Board Packet on Mr. Netanel’s behalf. Mr. Forman and various staff members provided comments related to the Report.

Mr. Forman further reported regarding sexual misconduct by clients. Last year we identified massage therapy professionals being subjected to sexual harassment committed by clients as a top priority. Essentially, the massage therapy professionals are becoming victims when it comes to sexual harassment and staff is working in conjunction with the FSMTB and various experts to develop and provide resources for massage professionals who are part of the public and need protections.

Mr. Forman further reported regarding the Assessment Examination-National Convening meeting will be held in Santa Monica in June to discuss the examination. CAMTC will invite all the schools in the state as well as all the stakeholders to discuss the examination. It is important we get this issue out in the open.

#### **14. Treasurer's Report**

The Treasurer's Report was included in the Board Packet.

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

Ms. May referred to her report in the Board Packet. As far as Local Government, we have a long history of working with cities and counties, even before CAMTC was formed. When asked for help with local ordinances, Ms. May makes suggestions that incorporate best practices used by other jurisdictions.

Ms. May further reported on the events attended and California Legislation as well as other state legislation which is included in the Board Packet.

#### **16. Director of Operations' Report**

Mr. Walters referred to his report in the Board Packet. Board members complimented Mr. Walters on his good work.

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

Mr. McElroy referred to his report in the Board Packet. Mr. McElroy reported on various events attended by he and Ms. May.

Mr. McElroy further reported that our training for police officers has been POST certified for the past two years.

Mr. McElroy further reported that he, Ms. May and Elaine Ketell, Senior Management Analyst, Sunnyvale Department of Public Safety, created a new program "Operation Get Smart". This is a program to where we teach a two-hour training module to civilians who work the finance department who are the ones who meet human traffickers face-to-face when they come in to the city offices.

Mr. McElroy further reported on his attendance at the FSMTB conference in Charlotte, North Carolina, as well as the additional conferences mentioned in the Board Packet.

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

Ms. Rolnick referred to the outreach report which was consolidated and included in the CEO's report in the Board packet.

**19. Items/suggestions from Board members for future meeting agendas**

None.

**20. Adjourn**

Chairperson Forman adjourned the meeting at 11:23 a.m.

Minutes Approved: December 14, 2023

---

Shana Faber, Secretary