

615SOUTH DAKOTA BOARD OF MASSAGE THERAPY MEETING MINUTES

Wednesday, January 17, 2024
1601 N Harrison Ave Suite 6 Pierre SD
And Zoom Meeting

1. Call to Order

President Fallon Helm called the meeting to order at 1:00 pm CDT. Members of the public could join the meeting via tele-conferencing or Zoom Meeting.

President Fallon Helm read the roll and a quorum was established.

Members Present: Fallon Helm – via Zoom Meeting
Kallyn Reinert – via Zoom Meeting
Al Trace – via Zoom Meeting

Members Absent: N/A

Others Present: Kate Boyd, Executive Secretary – via Zoom Meeting
Steve Blair Staff Legal Counsel – via Zoom Meeting
Tamara Lee, DOH Attorney – via Zoom Meeting
Mariah Pokorny, DOH Liaison – via Zoom Meeting

Guests Present: Shayla Nyberg-Sutton, Heather Herrick, Sharolyn Sombke, Andrea Gorter, Candace Briscoe, Bridget Myers, Angela Gleason, Ralph Weidemann, Kaylynn Overacker, Branden Williams, Rhanda Heller, Olawa Rae-Bruhjell, Joni Napton, Bobbi Buchholz, Michael Deal, all via Zoom Meeting, and Bob Mercer present at the Board office.

2. Open Forum

Three members of the public spoke during open forum. Shayla Nyberg-Sutton from the South Dakota School of Massage Therapy suggested that the board provide clarity on the subject of students being paid. Ms Nyberg-Sutton also raised the question of how to validate massage therapy education, especially for those who were licensed in other countries. Olawa Rae-Bruhjell also asked for clarification on students being paid. Massage Therapist Rhanda Heller Stated that she wants the board to succeed and she looks forward to better communication from the board. Ms Heller agreed with Ms Nyberg-Sutton in asking the board to deal with whether or not massage therapy students can be paid.

3. Approval of Agenda

Massage Therapy Board Legal Counsel Steve Blair asked the Board to amend the agenda to remove Agenda Item 8 and place it on the agenda for the next meeting. He asked the Board to then go into Executive Session.

At 1:15 pm, a motion was made by Kallyn Reinert, seconded by Al Trace, to approve the amended agenda removing Item 8, and to go into Executive Session pursuant to SDCL 1-25-2(3) after approval of the agenda. **MOTION PASSED.** Roll Call Vote (Helm yea; Reinert yea; Trace yea) Executive Session began at 1:18 pm and ended at 1:35 pm.

The open meeting resumed after the Executive Session ended. The Board set an additional meeting for Wednesday, February 21, 2024 at 9:00 am via Zoom/Zoom and asked that agenda

items 6, 7, and 8 be placed on the agenda, as well as the open forum subject related to whether or not massage therapy students can be paid. The regular quarterly meeting after February 21, 2024 has previously been set for March 20, 2024.

4. Approval of November 17, 2023 Draft Meeting Minutes

Kallyn Reinert noted that her name is spelled incorrectly in two places on page one of the meeting minutes. A motion was made by Kallyn Reinert, seconded by Al Trace, to correct the spelling of Reinert's name and to approve the November 15, 2023 meeting minutes as amended. **MOTION PASSED.** Roll Call Vote (Helm yea; Reinert yea; Trace yea)

5. Executive Secretary Report and Updates

New Executive Secretary Kate Boyd introduced herself and provided background on her previous experience with South Dakota occupational licensing boards – SD Cosmetology Commission and SD Board of Barber Examiners.

She confirmed that board member Lorin Pankratz had resigned, effective November 28, 2023. The Board now has two vacancies, one of them for a lay member and the other for a licensed massage therapist. Board appointments are made by the Governor, not the Massage Therapy Board or the Department of Health.

Ms Boyd stated that she had a preliminary phone call with representatives from CE Broker, a clearinghouse for licensees to register their continuing education for ease in the board accessing this information at the time of renewal. There is no charge to the board for CE Broker services. The conversation will continue in March.

The financial report for the month ending December 31, 2023, showed the available budget for the remainder of FY 2024 of \$58,639 and cash center balance of \$53,789 (reserve funds).

6. & 7. Applications for Approval/Denial of Licenses T10854 and T10867

At 1:50 pm, Kallyn Reinert made a motion, seconded by Al Trace, to go into Executive Session to discuss agenda item 6. License T10854 and agenda item 7. License T10867 pursuant to SDCL 1-25-2(3) and 1-27-1.5(5). **MOTION PASSED.** Roll Call Vote (Helm yea; Reinert yea; Trace yea)

Shortly after beginning the Executive Session, quorum was lost, as one member lost their electronic link to the meeting.

The Board exited Executive Session at 1:55 pm. Due to the lack of a quorum, President Fallon Helm adjourned the meeting at 1:58 pm CST.

Respectfully submitted,

Executive Secretary Kate Boyd and Secretary Al Trace