

# SOUTH DAKOTA BOARD OF MASSAGE THERAPY HEARING MINUTES

Wednesday, February 11, 2026

Via Microsoft Teams

## 1. Call to Order

President Fallon Helm called the meeting to order at 9:15 am CST. Members of the public could join the meeting via Microsoft Teams or tele-conferencing.

## 2. Roll Call & Introduction of New Board Member

Leslie Nuckles was introduced as a new licensee member of the board, replacing Al Trace who resigned last Fall. Beverly Katz was introduced as Interim Legal Counsel, replacing Megan Borchert.

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

**Members Present:** Fallon Helm – via Teams Meeting  
Ashley Kesterson – via Teams Meeting  
Leslie Nuckles, via Teams Meeting  
Mariah Pokorny, via Teams Meeting  
Thor Thonvold – via Teams Meeting

**Others Present:** Kate Boyd, Executive Secretary – via Teams Meeting  
Beverly Katz, Staff Legal Counsel – via Teams Meeting  
Kaitlin Sherer, SD Department of Health – via Teams Meeting

**Guests Present:** Elise Baine, Angela Taylor, Olivia Johnson, Olawa Rae-Bruhjell, Jennifer Mata, Rhanda Heller, Nina Wells, Bridget Myers, Darci Davis, Emily Burke, Brittney Rausch, Erika Bier, Kallyn Reinert

## 3. Approval of Agenda

Executive Secretary Kate Boyd pointed out that agenda item 11, shows the next meeting date as April 19, 2026. It should read April 29, 2026. Thor Thonvold made a motion, seconded by Les Nuckles, to approve the agenda as amended. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea; Thonvold yea)

## 4. Open Forum

Rhanda Heller spoke during open form on the following subjects: carry-over items from last meeting; budget, and status of proposed legislation from 2025.

## 5. Approval of Draft Meeting Minutes (November 19, 2025)

Kate Boyd pointed out one correction to the meeting minutes. Page four, the fourth motion approving applications, should show Application T110AB instead of T11043. Mariah Pokorny made a motion, seconded by Thor Thonvold, to approve the November 19, 2025 meeting

minutes as amended. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea; Thonvold yea)

## **6. Executive Secretary Report**

Executive Secretary Kate Boyd reported the following:

**a. Financial Report for the Month Ending January 31, 2026** – The available funds for the remainder of the fiscal year are \$44,480.18, and the cash center balance is \$16,680.20. She is a private contractor. As such, expenses related to salary and benefits are for other individuals from the Department of Health who support the board.

**b. 2026 Massage Therapy Legislative Bill** – The draft massage therapy legislation developed by the board during 2025 was not approved to be introduced.

**c. Dismissal of Complaint 2025-003** – Complaint 2025-003 was investigated by the violations committee and the committee voted to dismiss the complaint. Per state law, the board must be notified within thirty days of the dismissal or at the next board meeting, whichever is first. Board members received notification at the time the complaint was dismissed. It is shown here to have a formal record of the dismissal.

**7. Continuing Education** – The meeting packets included information on the current continuing education policy.

Executive Secretary Boyd asked the board to clarify if new applicants who have completed continuing education in another jurisdiction during the current two-year continuing education need to complete continuing education dated after this licensure in South Dakota to renew that first year. The consensus was that if the continuing education occurred during the current continuing education cycle, the new licensee does not need to complete further continuing education that first renewal year.

Individuals seeking to reactivate their license must complete eight hours of approved continuing education completed in the two years preceding their reactivation application as part of the reactivation process. Do those seeking reactivation still need to complete required continuing education to renew that first year. The consensus was that an applicant who completed continuing education to reactivate still needs to complete the required continuing education that first year.

The Board reviewed the current policy

## **8. Approval of South Dakota Massage Therapy Schools – Should we seek an administrative rule change.**

The Board's proposed legislation for 2026 included a provision for approval of massage therapy schools. The feedback we received was that the Board can pursue this through an administrative rule change. Presently, the approved schools are listed in administrative rule. There is no pathway for a new school to be approved. Our former legal counsel forwarded to the Executive Secretary a document she had previously prepared for an administrative rule change

to address: (1) removing the names of approved schools in administrative rule, and (2) pathway for a school to become a recognized facility in South Dakota.

#### **10. Appointment of Board Member as Education Committee**

We do not accept a transcript or Verification of Education form directly from an applicant. When an applicant from out-of-state received their massage therapy education at a school no longer in business, it often is difficult to obtain a Verification of Education form. The transcript must be received from a state agency in that state or from an education verification clearinghouse. The Executive Secretary requests that a Board member be appointed as the Education Committee to review the transcript in those cases. The Education Committee would not be approving applications. The Education Committee would be reviewing the transcript and determining if the applicant meets South Dakota education requirements. This will not affect the frequency with which an application is submitted to the Board for approval. Board member Les Nuckles was appointed as the Education Committee.

#### **11. Next Meeting Date – April 29, 2026**

Carry-over items to the next meeting include, (1) exploring an administrative rule change to remove the list of in-state schools from the administrative rules and to create a pathway for approval of new schools; (2) consideration of updated legal questions on applications; and, (3) legal counsel education of board member on applicants with criminal backgrounds.

#### **13. Adjourn**

Mariah Pokorny made a motion, seconded by Les Nuckles to adjourn. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea; Thonvold yea)

The meeting was adjourned at 10:42 am.

Respectfully submitted,

Executive Secretary Kate Boyd and Secretary Mariah Pokorny