

SOUTH DAKOTA BOARD OF MASSAGE THERAPY MEETING MINUTES

Wednesday, April 29, 2026

Via Microsoft Teams

1. Call to Order

President Fallon Helm called the meeting to order at 9:02 am CST. Members of the public could join the meeting via Microsoft Teams or tele-conferencing.

2. Roll Call

Executive Secretary Kate Boyd 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

Guests Present: Elise Baine, Olawa Rae-Bruhjell, Jennifer Mata, Rhanda Heller, Bridget Myers, Rebecca Hermann

3. Approval of Agenda

Mariah Pokorny made a motion, seconded by Les Nuckles, to approve the meeting agenda.

MOTION PASSED. Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea; Thonvold yea)

4. Open Forum

Olawa Rae-Bruhjell, Rebecca Hermann, and Rhanda Heller addressed the board during open forum. Most of the remarks were about the draft administrative rules regarding recognized facilities to education massage therapy students.

5. Approval of Draft Meeting Minutes (February 11, 2026)

Thor Thonvold made a motion, seconded by Mariah Pokorny, to approve the minutes of the February 11, 2026 meeting as presented. **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 March 31, 2026 – The available funds for the remainder of the fiscal year are \$42,409.14, and the cash center balance is \$8,213.47. This is

the time of the year when our cash reserves get depleted because almost all of the fees are collected during the months of August, September, and October when license renewals occur.

b. Report of FSMTB Executive Directors Summit (April 23-24, 2026) – Executive Secretary Kate Boyd reported on her attendance last week at the FSMTB Executive Summit. The meetings topics were all excellent and timely. Among the topics discussed were Public Engagement with Purpose, National Database Registry with FSMTB, possible new requirements for the MBLEX Exam, IMpact Update – multi-state licensure, Deregulation & Defending Regulation. The FSMTB meetings provide a great opportunity for networking with regulators from other states. The FSMTB annual conference will be in October, 2026.

c. Dismissal of Complaint 2026-001 – Complaint 2026-001 was investigated by the violations committee and the committee voted to dismiss the complaint on April 11, 2026 for lack of probable cause to support a determination that a violation occurred. Per state law, the board must be notified within thirty days of the dismissal or at the next board meeting, whichever is first. It is shown here to have a formal record of the dismissal.

7. Administrative Rules Changes – The board reviewed an early draft of proposed administrative rules to remove the list of names of approved facilities/schools from rule and to develop a rule that allows the board to approve recognized facilities. President Helm stated that this is early draft is merely a starting point in rule development. It was agreed that the proposed rule needs to be modified to allow certain qualified individuals, such as those who have degrees in medical fields, to teach anatomy and some other required curriculum. It was also agreed that the last sentence of ARSD 20:76:08:02, “The training that allows an applicant to take a national examination does not require the board to recognize the facility” should be removed. It is in current rule but is contrary to the requirement for licensing eligibility in South Dakota include education from a state-recognized or accredited facility. It was noted that those changes will be made and then request input from FSMTB on the language used by other states and in the model licensing act. Executive Secretary Boyd suggested that the board schedule a meeting in June to deal specifically with administrative rules.

Les Nuckles made a motion, seconded by Ashley Kesterson, to schedule a board for June 11, 2026 at 9:00 am to deal specifically with administrative rules. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea; Thonvold yea)

The public can contact the Board of Massage Therapy office with other suggestions or comments and also address the board during the open forum at the June 11, 2026 meeting. The board will need to agree on the final wording by the end of the July 29, 2026 meeting so that we can begin the formal rules review process.

8. Executive Session – pursuant to SDCL 1-25-2(3) Consulting with legal counsel

Ashley Kesterson made a motion, seconded by Les Nuckles, to go into Executive Session, pursuant to SDCL 1-25-2(3), to consult with legal counsel. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea; Thonvold yea)

Executive Session began at 10:04 am. The board ended Executive Session at 10:47 am and the public meeting resumed.

9. Next Meeting Dates – June 11, 2026 and July 29, 2026

The next board meeting date was set for June 11, 2026 to deal with administrative rules. The next regularly scheduled meeting date is July 29, 2026.

13. Adjourn

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

The meeting was adjourned at 10:52 am.

Respectfully submitted,

Executive Secretary Kate Boyd and Secretary Mariah Pokorny