

**MEETING AGENDA
SOUTH DAKOTA BOARD OF MASSAGE THERAPY**

Monday, July 20, 2026 -- 9:00 am CST

The meeting will be held via Microsoft Teams
Click here to join the meeting:

[Join Teams Meeting](#)

Or Call: 1-605-679-7263, ID 278 006 025#

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Open Forum

Public comment is an opportunity for individuals to address this body on any subject. Speakers should begin by stating their name and the city in which you reside. The purpose of this period is to allow the public to share concerns, offer suggestions, and provide information to the board. It is not a question-and-answer period.

No action may be taken on matters raised during the public comment period, and board members will not respond to any question posed. Each speaker is allotted up to three minutes. Personal attacks against board members, staff, individuals, or organizations are strictly prohibited. The Chair has the authority to enforce these rules, and failure to comply may result in forfeiture of the speaker's remaining time.

5. Approval of the Draft Meeting Minutes (April 29, 2026, June 11, 2026, June 17, 2026)
6. Executive Secretary Report
 - a. Financial Report for the Month Ending March 31, 2026
 - b. Status of Administrative Rules Changes
 - c. 2026 License Renewals
7. Warm Bamboo Massage – Ashley Kesterson
8. Executive Session
 - a. Disciplinary Action Case 2026-002 -- Executive Session SDCL 1-25-2(3) and 1-27-1.5(5)
 - b. Application – T11092 – Approval/Denial
(Executive Session SDCL 1-25-2(3) & ARSD 20:76:01:06)
 - c. Application – T11104 – Approval/Denial
(Executive Session SDCL 1-25-2(3) & ARSD 20:76:01:06)
 - d. Application – T11105 -- Approval/Denial
(Executive Session SDCL 1-25-2(3) & ARSD 20:76:01:06)
9. Next Meeting Date – October 28, 2026 – Proposed Agenda Items
10. Adjourn

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

SOUTH DAKOTA BOARD OF MASSAGE THERAPY MEETING MINUTES

Thursday, June 11, 2026

Via Microsoft Teams

1. Call to Order

President Fallon Helm called the meeting to order at 9:00 am CDT. 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 Teleconference
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 Thomas, Department of Health

Guests Present:

Elise Baine, Olawa Rae-Bruhjell, Shayla Nyberg-Sutton, Bridget Myers, Rhanda Heller, Rebecca Hermann, Regan Twamley, Peggy Sproat, Janis McDaniel, Kagan Maevers, Keith Albertson, Kevin DeWald, Emily Kiel, Melinda Krueger, Wayne Kayser, Doreen Kayser

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

Shayla Nyberg-Sutton, Bridget Myers, 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. Draft Administrative Rules

The main purpose of the meeting was to continue to review the draft administrative rules. The board made several changes to the draft that resulted from discussion and input from licensees. The latest draft of the rules will be available on the board's website under the June 17, 2026 meeting.

9. Next Meeting Dates – June 17, 2026 and July 20, 2026

The next board meeting date was set for June 17, 2026 to continue to draft administrative rules. The next regularly scheduled meeting date was moved from July 29 to July 20, 2026.

13. Adjourn

Thor Thonvold 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 10:45 am.

Respectfully submitted,

Executive Secretary Kate Boyd and Secretary Mariah Pokorny

SOUTH DAKOTA BOARD OF MASSAGE THERAPY MEETING MINUTES
Thursday, June 17, 2026
Via Microsoft Teams

1. Call to Order

President Fallon Helm called the meeting to order at 9:00 am CDT. 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 Teleconference
Mariah Pokorny, via Teams Meeting

Others Present: Kate Boyd, Executive Secretary – via Teams Meeting
Beverly Katz, Staff Legal Counsel – joined via Teams Meeting later in the meeting

Guests Present: Elise Baine, Mai Lin Petrine, Olawa Rae-Bruhjell, Bob Mercer

3. Approval of Agenda

President Fallon Helm suggested amending the agenda to allow input Mai Lin Petrine from the Federation of State Massage Therapy Boards (FSMTB) to interact with the board during the discussion of draft administrative rules. Les Nuckles made a motion, seconded by Ashley Kesterson, to approve the meeting agenda as amended. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea)

4. Open Forum

There were no public comments during open forum.

5. Draft Administrative Rules

The purpose of the meeting was to finalize the draft of the proposed administrative rules changes so that the board could approve and begin the formal administrative rules adoption process.

Mai Lin Petrine, an attorney with the Federation of State Massage Therapy Boards addressed the board. She stated the importance of removing the names of recognized facilities from the administrative rules. Naming schools in administrative rule is problematic from a legal standpoint and could lead to claims of discrimination and favoritism as well as potential antitrust concerns. It was further noted that if the names continue to be named in administrative rules, it requires the board to amend the rule to add or remove names of recognized facilities.

Ms Petrine further stated the necessity of developing a rule for other potential schools to seek recognized facility status.

The board made the following changes from the draft that the board preliminarily approved on June 11, 2026:

20:76:08:01. Recognized facilities. Removed the board's website address from the rule.

It was pointed out that if the Bureau of Information Technology or the Department of Health alter the website address, we would have to pursue an administrative rules change.

20:76:08:02. Facilities that may be recognized by the board. Under subsection (2), added the words "or by South Dakota Board of Massage Therapy."

The reason for adding in "or by the South Dakota Board of Massage Therapy" is due to the fact that the current presidential administration wants to eliminate the U.S. Department of Education. Adding in the South Dakota board will allow the board to accept the out-of-state facility accreditation prior to another administrative rules change.

20:76:08:02.01. Recognized facility application form. Added a subsection (3) to state: "other relevant information related to the operational procedures of the facility."

Subsection (3) stated that this new rule only required an in-state facility to submit their curriculum and list of instructors with their credentials. Adding in "other relevant" information allows the board to request other information on the application.

20:76:08:02.02. Instructors. Mai Lin Petrine of FSMTB suggested new wording to make it clearer that a licensed massage therapist is allowed to teach any of the 500 hours of mandated education and that individuals with other specific credentials may teach subject areas that are not directly related to massage therapy techniques if that individual possesses the required education or 2,000 hours of professional work experience in that area. The essence of the proposed rule did not change, merely the wording.

Following board discussion of the proposed rules, Mariah Pokorny made a motion, seconded by Ashley Kesterson, to approve the final draft of the proposed rules with the changes made during the meeting and to move forward with the formal rules adoption process. **MOTION PASSED.** Roll Call Vote (Helm yea; Kesterson yea; Nuckles yea; Pokorny yea)

6. Next Meeting Date – July 20, 2026

The next board meeting date was set for July 20, 2026. This will be the regular quarterly meeting of the board. It was noted that at some point in the future the board will need to schedule a public hearing on the proposed rules, but we are not yet able to determine when that will need to occur.

7. Adjourn

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

The meeting was adjourned at 9:52 am.

Respectfully submitted,

Executive Secretary Kate Boyd and Secretary Mariah Pokorny

BUDGET UNIT 09211

AVAILABLE FUNDS
AS OF: 06/30/2026
FY YEAR REMAINING: 0.0%
PAY DAYS REMAINING: 0

FINAL MONTHLY

PAGE 1,689

DATE 07/10/2026

BUDGET UNIT NAME BOARD OF MESSAGE THERAPY - INFO

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	129,102.00	0.00	0.00	0.00	77,682.02	51,419.98	6,126.04-
BUDGETED TOT	129,102.00	0.00	0.00	0.00	77,682.02	51,419.98	
ALL COMP TOT	129,102.00	0.00	0.00	0.00	77,682.02	51,419.98	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	4,707.00	0.00	0.00	0.00	3,154.00	1,553.00	33.0
5102 EMPLOYEE BENEFITS	2,433.00	0.00	0.00	0.00	241.23	2,191.77	90.1
5203 TRAVEL	3,371.00	0.00	0.00	0.00	0.00	3,371.00	100.0
5204 CONTRACTUAL SVCS	115,591.00	0.00	0.00	5,081.25	71,967.20	43,623.80	37.7
5205 SUPPLIES & MATRLS	2,700.00	0.00	0.00	644.59	2,319.59	380.41	14.1
5207 CAPITAL OUTLAY	300.00	0.00	0.00	0.00	0.00	300.00	100.0
TOTALS	129,102.00	0.00	0.00	5,725.84	77,682.02	51,419.98	39.8

BREAKOUT BY COMPANY:

COMPANY 6503-I PROFESSIONAL & LICENSING BOARDS

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101000 EMPLOYEE SALARIES	4,707.00	0.00	0.00	0.00	3,154.00	1,553.00	33.0
5102000 EMPLOYEE BENEFITS	2,433.00	0.00	0.00	0.00	241.23	2,191.77	90.1
5203000 TRAVEL	3,371.00	0.00	0.00	0.00	0.00	3,371.00	100.0
5204000 CONTRACTUAL SVCS	115,591.00	0.00	0.00	5,081.25	71,967.20	43,623.80	37.7
5205000 SUPPLIES & MATRLS	2,700.00	0.00	0.00	644.59	2,319.59	380.41	14.1
5207000 CAPITAL OUTLAY	300.00	0.00	0.00	0.00	0.00	300.00	100.0
PS SUBTOTALS	7,140.00	0.00	0.00	0.00	3,395.23	3,744.77	52.4
OE SUBTOTALS	121,962.00	0.00	0.00	5,725.84	74,286.79	47,675.21	39.1
COMPANY 6503-I TOT	129,102.00	0.00	0.00	5,725.84	77,682.02	51,419.98	39.8

BA1409R1

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 06/30/2026

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AGENCY: 09 HEALTH
BUDGET UNIT: 09211 BOARD OF MASSAGE THERAPY - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	092100061840	1140000	6,126.04	CR	BOARD OF MASSAGE THERAPY
COMPANY/SOURCE TOTAL 6503 618			6,126.04	CR *	
COMP/BUDG UNIT TOTAL 6503 09211			6,126.04	CR **	
BUDGET UNIT TOTAL 09211			6,126.04	CR ***	

AGENCY	09	HEALTH	BUDGET UNIT	09211	BOARD OF MASSAGE THERAPY - INFO	CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
COMPANY NO 6503											
COMPANY NAME PROFESSIONAL & LICENSING BOARDS											
	09211	10061840	6503	4293101	RENEWAL FEES					950.00-	59,305.00
	09211	10061840	6503	4293102	INACTIVE FEES					75.00	650.00
	09211	10061840	6503	4293103	TEMPORARY FEES					.00	1,125.00
	09211	10061840	6503	4293104	REACTIVATION FEE					65.00	780.00
	09211	10061840	6503	4293106	APPLICATION FEES					600.00	7,300.00
	09211	10061840	6503	4293990	LICENSING FEES					845.00	5,265.00
ACCT:	4293				BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)					635.00	74,425.00 *
ACCT:	42				LICENSES, PERMITS & FEES					635.00	74,425.00 **
09211	10061840	6503	4393001		SDBMT MISC FINE/PENALTIES					800.00	800.00
ACCT:	4393				PENALTIES (NON-GOVERNMENTAL)					800.00	800.00 *
ACCT:	43				FINES, FORFEITS & PENALTIES					800.00	800.00 **
09211	10061840	6503	4595001		MISC INCOME COPIES-LISTS					.00	600.00
ACCT:	4595									.00	600.00 *
ACCT:	45				CHARGES FOR SALES & SERVICES					.00	600.00 **
09211	10061840	6503	4920045		NONOPERATING REVENUES					.00	1,131.50
ACCT:	4920				NONOPERATING REVENUE					.00	1,131.50 *
ACCT:	49				OTHER REVENUE					.00	1,131.50 **
CNTR:	09211	10061840								1,435.00	76,956.50 ***
CNTR:	09211	10061								1,435.00	76,956.50 ****
CNTR:	09211	100								1,435.00	76,956.50 *****
COMP:	6503									1,435.00	76,956.50 *****
B UNIT:	09211									1,435.00	76,956.50 *****

STATE OF SOUTH DAKOTA
MONTHLY EXPENDITURE REPORT
FOR PERIOD ENDING: 06/30/2026AGENCY 09 HEALTH
BUDGET UNIT 09211 BOARD OF MASSAGE THERAPY - INFO

COMP	CENTER	ACCOUNT	DOCUMENT NUMBER	POSTING DATE	JV APPVL #, OR PAYMENT #	SHORT NAME	VENDOR NUMBER	VENDOR GROUP	AMOUNT	DR/ CR
COMPANY NO 6503										
COMPANY NAME PROFESSIONAL & LICENSING BOARDS										
6503	092110061840	52040900000000000000	0526CON260712	06/24/2026	026667314	KATEBOYDCO	12712931		4,166.63	DR
6503	092110061840	52040900000000000000	0526CON260712	06/24/2026	026667314	KATEBOYDCO	12712931		4,423.66	DR
	OBJSUB: 5204090								4,590.29	DR **
6503	092110061840	52041800000000000000	DP605084	06/17/2026					297.00	DR **
	OBJSUB: 5204180								297.00	DR **
6503	092110061840	52042070000000000000	PL605057	06/10/2026					163.78	DR **
	OBJSUB: 5204207								163.78	DR **
6503	092110061840	52045300000000000080	PCEX012045	06/30/2026					17.50	DR **
	OBJSUB: 5204530								17.50	DR **
6503	092110061840	52049600000000000000	D0960922	06/05/2026	F27262				12.68	DR
6503	092110061840	52049600000000000000	D0960922	06/05/2026	F27262				12.68	DR
6503	092110061840	52049600000000000000	D0960922	06/05/2026	F27262				12.68	CR
	OBJSUB: 5204960								12.68	CR
	OBJECT: 5204 CONTRACTUAL SERVICES								5,081.25	DR **
6503	092110061840	52050200000000000000	PCEX012049	06/30/2026					151.33	DR ***
	OBJSUB: 5205020								151.33	DR ***
6503	092110061840	52053100000000000000	CD605025	06/05/2026					449.30	DR **
	OBJSUB: 5205310								449.30	DR **
6503	092110061840	52053500000000000000	MS605040	06/17/2026					43.96	DR **
	OBJSUB: 5205350								43.96	DR **
	OBJECT: 5205 SUPPLIES & MATERIALS								644.59	DR ***
	GROUP: 52 OPERATING EXPENSES								5,725.84	DR ***
	COMP: 6503								5,725.84	DR *
	CNTR: 092110061840								5,725.84	DR *****
	CNTR: 092110061								5,725.84	DR *****
	CNTR: 0921100								5,725.84	DR *****
	B. UNIT: 09211								5,725.84	DR *****

