



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Board of Directors Meeting

# AGENDA

February 22, 2018

Hyatt Regency Los Angeles International Airport

Los Angeles, CA



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## **MISSION STATEMENT**

California Massage Therapy Council's mission is to protect the public by certifying massage professionals in California that meet the requirements in the law and approving massage programs that meet the minimum standards for training and curriculum.

# **California Massage Therapy Council**

## **Board Members**

Mark Dixon, Chairman, Appointed by American Massage Therapy Association, California Chapter

Jeff Forman, Vice Chair, Appointed by the Office of the Chancellor of the California Community Colleges

Michael Marylander, Treasurer, Appointed by Board

Allison Budlong, Secretary, Appointed by California Association of Private Postsecondary Schools

Ronald Bates, Appointed by League of California Cities

Michael Callagy, Appointed by Board

Shana Faber, Appointed by Board

Heather Forshey, Appointed by San Mateo County Department of Health

Stephany Powell, Appointed by Journey Out, Anti-Human Trafficking Organization

Alejandro Diaz, Appointed by California Police Chiefs Association

Dixie Wall, Appointed by American Massage Council





## **RULES OF DEBATE AND DISCUSSION**

1. Only one item, the item on the floor, is discussed at a time.
2. Only one person speaks at a time:
  - The person introducing the item;
  - The person speaking for or against the item;
  - Or the person asking or answering a question or raising a point of order.
3. Side conversations will be ruled out of order.
4. Directors debating a motion will have two minutes to speak, once on each motion, with three each from supporting and opposing sides, at which time the motion will go to a vote. The board may vote to extend time for debate.
5. When you want to speak, raise your hand and wait to be called on by the Chair.
6. A question is not an occasion to make an argument.

See accompanying Parliamentary Procedures At-A-Glance

## Parliamentary Procedures At-A-Glance

| <b>To Do This (1)</b>                                 | <b>You Say This</b>                       | <b>May You Interrupt Speaker?</b> | <b>Must You Be Seconded?</b> | <b>Is the Motion Debatable?</b> | <b>Is the Motion Amendable?</b> | <b>What Vote is Required?</b> |
|-------------------------------------------------------|-------------------------------------------|-----------------------------------|------------------------------|---------------------------------|---------------------------------|-------------------------------|
| Adjourn the meeting (before all business is complete) | “I move that we adjourn.”                 | May not interrupt speaker         | Must be seconded             | Not debatable                   | Not amendable                   | Majority vote                 |
| Recess the meeting                                    | “I move that we recess until...”          | May not interrupt speaker         | Must be seconded             | Not debatable                   | Amendable                       | Majority vote                 |
| Complain about noise, room temperature, etc.          | “Point of privilege”                      | May interrupt speaker             | No second needed             | Not debatable (2)               | Not amendable                   | None (3)                      |
| End debate                                            | “I move the previous question”            | May not interrupt speaker         | Must be seconded             | Not debatable                   | Not amendable                   | Majority vote                 |
| Amend a motion                                        | “I move that this motion be amended by..” | May not interrupt speaker         | Must be seconded             | Debatable                       | Amendable                       | Majority vote                 |
| Object to a procedure or to a personal affront        | “Point of Order”                          | May interrupt the speaker         | No second needed             | Not debatable                   | Not amendable                   | None (3)                      |
| Request information                                   | “Point of information”                    | If urgent, may interrupt speaker  | No second needed             | Not debatable                   | Not amendable                   | None                          |

Notes:

- These motions or points are listed in established order of precedence. When any one of them is pending, you may not introduce another that’s listed below it. But you may introduce another that’s listed above it.
- In this case, any resulting motion is debatable.
- Moderator decides.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

Sent and Posted: February 12, 2018

## NOTICE OF PUBLIC MEETING

Thursday, February 22, 2018 – 9:30 a.m.  
Hyatt Regency Los Angeles International Airport  
6225 West Century Blvd.  
Los Angeles, CA 90045  
Meeting Room: Core 2-3

## AGENDA

1. Call to order, roll call, and establish quorum
2. Chair's Comments
  - Welcome/Introductions
  - Rules of Debate
3. Approval of minutes from November 2, 2017
4. Board vote on waiving attendance requirement for Minouche Kandel
5. Consideration of reducing wait period for applicants denied for education only who did not request a hearing
6. Revisions to the Procedures for Denial of Certification or Discipline/Revocation
7. Revisions to the Policies and Procedures for Approval of Schools
8. Proposed change to cease accepting foreign education
9. Proposed redefinition of “continuing education”
10. Consideration of acceptance of education from individual applicants whose education was completed at schools on the “Application Received” list at the time of submission of the individual application for certification, but whose schools are later purged
11. Re-opening the limited recertification program
12. Closed session with CAMTC legal counsel pursuant to California Government Code Section 11126(e) – schools; lawsuits
13. 2018 strategic priorities - amendments and update

14. Discussion and approval of 2018 budget

15. Chief Executive Officer's Report

- 2017 review
- Operations
- Finance
- Outreach

16. Audit Committee update regarding new auditing firm

17. Treasurer's report

- Applications Received
- Financial Statements
- Conclusions
- Comments/Discussion on Financial Reports

18. Director of Governmental Affairs and Special Projects' report

- Local implementation and compliance
- Human Trafficking
- Legislation
- New Certification and Management System (CAMS)

19. Director of ESD's report

- School Statuses
- MBLEx Changes
- Ongoing Plans

20. Director of PSD's report

- Interaction with law enforcement agencies
- Training
- Media

21. Outreach Director's report

- Upcoming Events
- ESD Outreach
- PSD Outreach
- GA Outreach
- Survey Report

22. Thai Consulate / Thai Spa Association presentation regarding MBLEx Thai translation

23. Amendments to staff expense reimbursement policy

24. Public comments regarding issues not in this agenda/suggested agenda items for future meetings

25. Closed Session regarding the appointment, employment, evaluation of performance, or dismissal of an employee pursuant to California Government Code Section 11126(a)
26. Return to open session and announce action taken in closed session, if any, under item 25
27. Items/suggestions from Board members for future meeting agendas
28. Adjourn

*All agenda items are subject to discussion and possible action.* All interested parties are invited to attend the meeting. Time will be allowed for members of the public to make comments on each agenda item (up to 2 minutes). To make a request for more information, to submit comments to the Board, or to make a request regarding a disability-related modification or accommodations for the meeting, please contact Jon Walters at (916) 669-5336 or One Capitol Mall, Suite 800 Sacramento CA 95814 or via email at [info@camtc.org](mailto:info@camtc.org). Requests for disability-related modification or accommodation for the meeting should be made at least 48 hours prior to the meeting time. This notice and agenda is available on the Internet at <http://www.camtc.org>



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 [www.camtc.org](http://www.camtc.org)

November 9, 2017

## **VIA EMAIL ONLY**

Minouche Kandel  
Dept. on the Status of Women  
City & County of San Francisco  
25 Van Ness Ave., Suite 240  
San Francisco, CA 94102  
[minouche.kandel@sfgov.org](mailto:minouche.kandel@sfgov.org)

Dean Grafilo, Director  
Department of Consumer Affairs  
Consumer Information Division  
1625 North Market Blvd., Suite N 112  
Sacramento, CA 95834  
[dean.grafilo@dca.ca.gov](mailto:dean.grafilo@dca.ca.gov)

Re: Removal from the CAMTC Board of Directors

Dear Minouche:

Pursuant to Article V, Section 6(i) of the CAMTC bylaws, this is to notify you of your removal from the Board of Directors due to missing three consecutive Board meetings.

The Board may waive the removal of any director by majority vote. The Board's waiver of the automatic removal provision can be based on an excuse acceptable to the Board or any other justification deemed appropriate by the Board. If you wish to ask the Board for a waiver of your removal, please attend the next Board meeting which is currently scheduled for February 22, 2018.

If you are not planning to request a waiver, please let me know so that DCA has the opportunity to appoint a replacement on the Board.

Thank you for your cooperation in this matter.

Sincerely,

Ahmos Netanel, CEO

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0025  
(916) 319-2025  
FAX (916) 319-2125

DISTRICT OFFICE  
1313 N. MILPITAS BOULEVARD, SUITE 255  
MILPITAS, CA 95035  
(408) 262-2501  
FAX (408) 262-2512

Assembly  
California Legislature  
KANSEN CHU  
朱感生

CHAIR: ASSEMBLY COMMITTEE ON ARTS, ENTERTAINMENT,  
SPORTS, TOURISM, AND INTERNET MEDIA  
ASSEMBLYMEMBER, TWENTY-FIFTH DISTRICT



COMMITTEES  
INSURANCE  
TRANSPORTATION  
WATER, PARKS, AND WILDLIFE

SELECT COMMITTEES  
CHAIR: HATE CRIMES  
ASIA/CALIFORNIA TRADE AND  
INVESTMENT PROMOTION  
FOSTER CARE  
IMPROVING BAY AREA  
TRANSPORTATION SYSTEMS

APPOINTMENTS  
COMMISSION ON ECONOMIC  
DEVELOPMENT

October 24, 2017

Mark Dixon  
Chair, Board of Directors  
California Massage Therapy Council  
1 Capitol Mall #800  
Sacramento, CA 95814

**Re: Ms. Wei Liu's Application for Certification by the California Massage Therapy Council**

Dear Chair Dixon:

I am writing on behalf of my constituent, Ms. Wei Liu, regarding her application for certification as a massage professional by the California Massage Therapy Council (CAMTC).

Ms. Liu reached out to my office after learning her application was denied and she would have to wait two years to reapply for certification. After reviewing her situation, I respectfully ask that she be allowed to reapply for certification in 6 months due to a misunderstanding in the application process.

Ms. Liu attended the Healing Arts Institute's Tuina program in Milpitas to gain education and accreditation to start her career as a massage professional. She applied for certification by the CAMTC, but unfortunately was notified that her certification application would be denied. The letter sent in October of 2016 notified her that the CAMTC must deny her certification because a transcript alone was not sufficient proof of her education, and gave her steps to follow to provide further proof.

Unfortunately, Ms. Liu misunderstood the letter to mean that the school she attended was not accredited by the CAMTC and she must attend another school to receive her certification. This misunderstanding may have been due to a language barrier, as English is Ms. Liu's second language.



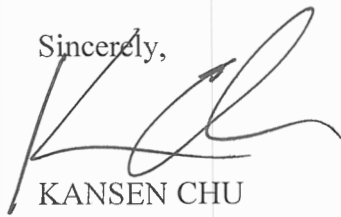
As a result of this misunderstanding, Ms. Liu did not respond to the letter to prove her previous education and instead enrolled in the Academy of Chinese Culture and Health Science in Oakland. After missing the deadline to prove her education and appeal hearing in February, denial of her certification had become final and she could not reapply for two years.

Unfortunately, for Ms. Liu this means she will lose the opportunity to use her education in massage therapy to make a living and provide for her family for those two years.

With this misunderstanding in mind, I respectfully request the CAMTC allows Ms. Liu to reapply in 6 months for certification, rather than wait two years.

Thank you very much for your consideration and please do not hesitate to contact me with any questions you may have about this request.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kansen Chu', written over the word 'Sincerely,'.

KANSEN CHU  
Assemblymember, District 25

Cc: Board of Directors Board Members





# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

February 13, 2018

TO: BOARD OF DIRECTORS CALIFORNIA MASSAGE THERAPY COUNCIL  
FROM: STAFF  
RE: REASONS FOR PROPOSED AMENDMENTS TO CAMTC'S  
PROCEDURES FOR DENIAL OF CERTIFICATION OR  
DISCIPLINE/REVOCATION

Per the Board motion on changes to policies, the following information is provided:

The language of the current policy and when the policy was adopted.

See attached Procedures for Denial of Certification or Discipline/Revocation (approved November 10, 2016) with proposed amendments in red.

A short description of why the policy should be changed.

The proposed changes are needed so that the Denial Procedures no longer contain information related to outdated versions of the School Approval Procedures, and address continuances to keep applicants and certificate holders better informed of the policy.

The language of related statutes that may have an impact on the decision.

None.

The fiscal impact the proposed change may have on CAMTC and certificate holders and applicants.

None.

Potential pro's and con's if the new policy is adopted.

Pros: Outdated language related to past versions of the Policies and Procedures for Approval of Schools is removed and the new language provides better clarity in relation to requests for continuances.

Cons: None.

The impact on current certificate holders and applicants.

No substantive change, just provides better clarity on current policy.

A suggested date for the change to be implemented.

February 22, 2018.



## PROCEDURES FOR DENIAL OF CERTIFICATION OR DISCIPLINE/REVOCATION

Pursuant to California Business and Professions Code sections 4600 et. seq., the California Massage Therapy Council (the "Council" or "CAMTC") hereby adopts the following procedures relative to the denial of certification or the discipline/revocation of a certificate issued pursuant to California Business and Professions Code sections 4600 et. seq. (hereinafter the "Law"):

1. Reasons for denial or discipline/revocation. Certification may be denied or revoked, or an existing certificate holder may be disciplined, for reasons reasonably related to protecting the public safety, including the following:
  - a. Failure to meet and/or maintain the criteria for certification listed in sections 4604, 4604.1, or 4604.2.
  - b. Failure to obtain a positive fitness determination after fingerprinting pursuant to section 4606.
  - c. Unprofessional conduct, including, but not limited to, any of the following:
    1. Engaging in sexually suggestive advertising related to massage services;
    2. Engaging in any form of sexual activity on the premises of a massage establishment where massage is provided for compensation, excluding a residence;
    3. Engaging in sexual activity while providing massage services for compensation;
    4. Practicing massage on a suspended CAMTC certificate or practicing outside of the conditions of a restricted CAMTC certificate;
    5. Providing massage of the genitals or anal region; or
    6. Providing massage of female breasts without the written consent of the person receiving the massage and a referral from a licensed California health care provider.
  - d. Procuring or attempting to procure a certificate by fraud misrepresentation, or mistake.
  - e. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of the Massage Therapy Act or any rule or bylaw adopted by the Council.

- f. Conviction of any felony, misdemeanor, infraction, or municipal code violation, or being held liable in an administrative or civil action for an act that is substantially related to the qualifications, functions, or duties of a certificate holder. A record of the conviction or other judgment or liability shall be conclusive evidence of the crime or liability.
- g. Impersonating an applicant or acting as a proxy for an applicant in any examination referred to in the Massage Therapy Act for the issuance of a certificate.
- h. Impersonating a certificate holder or permitting or allowing a non-certified person to use a certificate.
- i. Committing any fraudulent, dishonest, or corrupt act that is substantially related to the qualifications or duties of a certificate holder.
- j. Committing any act punishable as a sexually related crime or being required to register pursuant to the Sex Offender Registration Act (Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1 of the Penal Code), or being required to register as a sex offender in another state.
- k. Failure to fully disclose all information requested on the application.
- l. Denial of licensure, revocation, suspension, restriction, citation, or any other disciplinary action against an applicant or certificate holder by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision, order, judgment, or citation shall be conclusive evidence of these actions.
- m. Dressing, while engaged in the practice of massage for compensation, or while visible to clients in a massage establishment, in any of the following:
  - 1. Attire that is transparent, see-through, or substantially exposes the certificate holder's undergarments.
  - 2. Swim attire, if not providing a water-based massage modality approved by the Council.
  - 3. A manner that exposes the certificate holder's breasts, buttocks, or genitals.
  - 4. A manner that constitutes a violation of section 314 (indecent exposure) of the Penal Code.
  - 5. A manner that is otherwise deemed by the Council to constitute unprofessional attire based on the custom and practice of the profession in California.
- n. Failure to comply with Business and Professions Code section 4607, which provides that the Council may "discipline an owner or operator of a massage business or establishment who is certified pursuant to this chapter or is an applicant for certification pursuant to this chapter for the

conduct of all individuals providing massage for compensation on the business premises.”

o. Failure to meet the requirements in Business and Professions Code section 4608:

1. Failing to display an original CAMTC certificate wherever he or she provides massage for compensation.
2. Failing to have his or her CAMTC identification card in his or her possession while providing massage services for compensation.
3. Failing to provide his or her full name and certificate number upon the request of a member of the public, the Council, or a member of law enforcement or a local government agency that is responsible for regulating massage or massage establishments, at the location where he or she is providing massage services for compensation.
4. Failing to include the name under which he or she is certified and certificate number in any and all advertising of massage for compensation.
5. Failing to notify CAMTC within 30 days of any change in home address, address of massage establishment or other location where he or she provides massage for compensation (excluding those locations where massage is provided only on an out-call basis).
6. Failing to notify CAMTC of primary email address, if any, or failure to notify CAMTC within 30 days of a change in primary email address.

p. Engaging in an unfair business practice as defined in Business and Professions Code section 4611:

1. Holding oneself out or using the title of “certified massage therapist” or “certified massage practitioner” or any other term, such as “licensed,” “certified,” “CMT,” or “CMP” in any manner whatsoever that implies or suggests that the person is CAMTC certified when he or she does not currently hold an active and valid CAMTC certificate.
2. Falsely stating, or advertising, or putting out any sign or card or other device, or to falsely represent to the public through any print or electronic media, that he or she or any other individual is licensed, certified, or registered by a governmental agency as a massage therapist or practitioner.

2. Investigations. Section 4615 of the Business and Professions Code provides:

“(a) The council shall have the responsibility to determine whether the school from which an applicant has obtained the education required by this chapter meets the requirements of this chapter.

- (1) If the council has any reason to question whether or not the applicant received the education that is required by this chapter from the school or schools

that the applicant is claiming, the council shall investigate the facts to determine that the applicant received the required education prior to issuing a certificate.

(2) For purposes of this section and any other provision of this chapter that authorizes the council to receive factual information as a condition of taking any action, the council may conduct oral interviews of the applicant and others or conduct any investigation deemed necessary to establish that the information received is accurate and satisfies the criteria established by this chapter.”

If an applicant or certificate holder has been convicted of a felony, misdemeanor, infraction, or municipal code violation, whether expunged or not, CAMTC will conduct an investigation and review all convictions substantially related to the qualifications, functions or duties of a certified massage professional. Each application or certificate holder will be evaluated on a case-by-case basis. CAMTC will consider the factors identified in the Council's Criteria for Proof of Rehabilitation when making a certification or disciplinary determination. CAMTC will make the determination for approval or denial of certification or discipline of a certificate holder by evaluating the entire application, all supporting documentation, and all other evidence and information in its possession.

3. Actions relative to applicants for certification. The Council may:
  - a. Deny an application for certification based on the reasons listed in paragraph 1 above or on any other grounds which are deemed reasonably necessary to protect the public safety.
  - b. Issue an initial certificate on probation, with specific terms and conditions, including a period of suspension, based on the reasons listed in paragraph 1 above or on any other grounds that are deemed reasonably necessary to protect the public safety.
4. Actions relative to existing certificate holders. The Council may discipline a certificate holder by any, or a combination, of the following methods:
  - a. Placing the certificate holder on probation, which may include limitations or conditions on practice.
  - b. Suspending the certificate and the rights conferred by the Massage Therapy Act on a certificate holder for a period not to exceed one year.
  - c. Revoking the certificate.
  - d. Suspending or staying the disciplinary order, or portions of it, with or without conditions.
  - e. Taking other action as the Council, or a person appointed by the Council, deems proper, as authorized by the Massage Therapy Act or policies, procedures, rules, or bylaws adopted by the Board.
  - f. Notwithstanding any other law, if the Council receives notice that a certificate holder has been arrested and charges have been filed by the appropriate prosecuting agency against the certificate holder alleging a violation of subdivision (b) of section 647 of the Penal Code or any offense

described in section 1.j. above, the Council shall take all of the following actions:

1. Immediately suspend, on an interim basis, the certificate of that certificate holder.
2. Notify the certificate holder within 10 business days, at the address last filed with the Council, that the certificate has been suspended and the reasons for the suspension.
3. Notify by email or first-class mail any establishment or employer that the Council has in its records as employing the certificate holder, that the certificate has been suspended, within 10 business days.
4. Notify by email the clerk or other designated contact of the city, county, or city and county in which the certificate holder lives or works, pursuant to the Council's records, that the certificate has been suspended, within 10 business days.

Upon notice to the Council that the charges described above in this subparagraph f. have resulted in a conviction, the Council shall permanently revoke the suspended certificate. The Council shall provide notice to the certificate holder, at the address last filed with the Council, by a method providing delivering confirmation, within 10 business days that it has evidence of a valid record of conviction and that the certificate will be revoked unless the certificate holder provides evidence within 15 days from the date of the Council's mailing of the letter that the conviction is either invalid or that the information is otherwise erroneous. If a certificate is permanently revoked pursuant to this provision, the certificate holder shall not be allowed to re-apply for certification.

Upon notice that the charges described above in this subparagraph f. have resulted in an acquittal, have otherwise been dismissed prior to conviction, or the certificate holder has been convicted of an offense other than 647(b) or an offense described in section 1.j. above, the certificate shall be immediately reinstated and the certificate holder and any establishment or employer that received notice pursuant to these procedures shall be notified of the reinstatement within 10 business days.

- g. Notwithstanding any other law, if the Council determines that a certificate holder has committed an act punishable as a sexually related crime or a felony that is substantially related to the qualifications, functions, or duties of a certificate holder, the Council may immediately suspend the certificate of that certificate holder. A determination to immediately suspend a certificate pursuant to this subdivision shall be based on the preponderance of the evidence and the Council shall also consider any available credible mitigating evidence before making a decision. Written statements by any person shall not be considered by the Council when determining whether to immediately suspend a certificate unless made under penalty of perjury. If the Council suspends a certificate in

accordance with this subdivision, the Council shall take all of the following additional actions:

1. Notify the certificate holder, at the address last filed with the Council, within 10 business days by a method providing delivery confirmation, that the certificate has been suspended, the reason for the suspension, and that the certificate holder has the right to request a hearing pursuant to paragraph 3 below.
  2. Notify by electronic mail or any other means consistent with the notice requirements of this chapter, within 10 business days, any business or employer that the Council has in its records as employing or contracting with the certificate holder for massage services, and the California city or county that has jurisdiction over that establishment or employer, that the certificate has been suspended.
  3. A certificate holder whose certificate is suspended pursuant to this provision shall have the right to request, in writing, an oral hearing or consideration of a written statement to challenge the factual basis for the suspension. If the holder of the suspended certificate requests an oral hearing or consideration of a written statement on the suspension, the oral hearing or consideration of a written statement shall be held within 30 days after receipt of the request. A certificate holder whose certificate is suspended based on this provision shall be subject to revocation or other discipline in accordance with paragraph 1 of these Denial Procedures.
5. Procedure for denial, suspension, revocation, or discipline of a certificate. Any denial or disciplinary decision shall be decided upon and imposed in good faith and in a fair and reasonable manner. Denial and disciplinary decisions shall be based on a preponderance of the evidence. In determining the basis for denial or discipline and making a final decision that denial or discipline shall be imposed, the Council may consider all written documents or statements as evidence, but shall weigh the reliability of those documents or statements. A final decision to deny or impose discipline may be based solely on a written statement or declaration made under penalty of perjury and the individual providing the written statement or declaration made under penalty of perjury shall not be required to appear at an oral hearing or provide additional documents or information beyond the written statement or declaration made under penalty of perjury that was already provided.

All denials, suspensions, revocations, and other discipline required or allowed by the Massage Therapy Act and these Procedures shall be carried out by an employee of the Council known as the Division Director of the Professional Standards Division (hereinafter the "Division Director"). The Division Director shall be assisted by Council staff and such other employees as shall be determined necessary by the Division Director. The Division Director, along with any staff/employees under his/her supervision, shall be collectively known as the Professional Standards Division (the "PSD").

If Council staff determines that grounds appear to exist for denial of an application for certification or discipline of an existing certificate holder, staff shall forward the matter to



the Division Director, or a PSD employee designated by the Division Director to receive such information, and the procedures set forth below shall be followed (except in cases where the specific procedures in section 4.f. above apply):

- a. The PSD shall be responsible for reviewing and making determinations regarding individual proposed denials and discipline, ~~unless the Board acts in accordance with CAMTC's Procedures for Un-Approval of Schools, in which case the Board shall be responsible for making determinations regarding proposed denials.~~ The PSD shall ensure that the PSD employees making proposed denial and discipline decisions and the hearing officers making final denial and discipline decisions do not have a conflict of interest relative to the affected applicant or certificate holder subject to denial or discipline.
- b. If after reviewing the matter, the PSD, ~~or the Board when authorized by the Procedures for Un-Approval of Schools,~~ determines that action should be taken, the applicant or certificate holder shall be provided at least 15 days prior notice of the proposed denial or discipline and the reasons for the proposed denial or discipline. Notice shall be given by any method reasonably calculated to provide actual notice. Any notice given by mail must be given by first-class or certified mail sent to the last known address of the applicant or certificate holder shown on the Council's records.
- c. The applicant or certificate holder shall be given an opportunity to be heard, either orally or in writing, at least five (5) days before the effective date of the proposed denial or discipline. Applicants and certificate holders may request a continuance of their oral telephonic hearing or consideration of a written statement hearing date. Reasonable continuance requests for applicants may be provided at the sole discretion of CAMTC. Reasonable continuance requests for certificate holders may be provided at the sole discretion of CAMTC only if ALL of the following conditions are met: 1) the certificate holder's certificate is already, and will remain, suspended during the continuance; and 2) the new proposed effective date of revocation or discipline, if the continuance is granted, will occur during the time period that the certificate holder is certified. The hearing shall be held, or the written statement considered, by the Division Director (or his or her designee) and at least one other ~~PSD~~-employee (Hearing Officers), who together are authorized to determine whether the denial of certification or proposed discipline should occur. The decision of the Division Director/~~PSD~~/Hearing Officers shall be final.
- d. Notice of the PSD's final decision shall be given by any method reasonably calculated to provide actual notice. Any notice given by mail must be given by first-class or certified mail sent to the last known address of the applicant or certificate holder shown on the Council's records.
- e. Any action in superior court challenging a denial of certification or discipline of an existing certificate holder, including a claim alleging defective notice, shall be commenced within 90 days after the effective date of the certificate denial or certificate holder discipline. Certification issued by the Council is not a fundamental vested right and judicial review of denial and disciplinary decisions made by the Council shall be

conducted using the substantial evidence standard of review. If the action is successful, the court may order any relief, including reinstatement, that it finds equitable under the circumstances.

- f. An applicant or certificate holder who is denied certification or whose certificate is revoked pursuant to these procedures, except for permanent revocations as described in section 4.f. above, shall not be allowed to re-apply for certification until two years after the effective date of the certificate denial or certificate revocation.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

February 14, 2018

TO: BOARD OF DIRECTORS CALIFORNIA MASSAGE THERAPY COUNCIL  
FROM: JOE BOB SMITH, DIRECTOR, EDUCATIONAL STANDARDS DIVISION  
RE: REASONS FOR PROPOSED CHANGES TO POLICIES AND  
PROCEDURES FOR APPROVAL OF SCHOOLS

Per the Board motion on changes to policies, the following information is provided.

The language of the current policy and when the policy was adopted:

See attached current Policies and Procedures as revised September 6, 2017.

A short description of why the policy should be changed.

1. Add Section 2.C. (page 3). This section will help protect prospective and current students at schools that have applied for CAMTC program approval, but have not yet had a final decision made, by ensuring that students receive information necessary to make informed decisions regarding their education.
2. Add Section 5.B.a.(4) (page 11). Because schools with CAMTC approved programs may also have massage programs and courses that are not approved by CAMTC, this clarification will minimize confusion and help CAMTC staff process education for applications for certification more efficiently.
3. Section 5.B.a.(5) and (7) (page 11). Makes language more consistent with CAMTC requirements.
4. Section 5.B.a.(8) (page 11). Clarifies that signatures on transcripts from private postsecondary schools should be an actual signature. This will help prevent transcript fraud.

The language of related statutes that may have an impact on the decision:

None.

The fiscal impact the proposed changes may have on CAMTC and certificate holders and applicants:

Unknown. May help prevent students from spending money on education that cannot be used for CAMTC Certification. May create cost-saving efficiencies for staff.

Potential pros and cons if the new policy is adopted:

Pros – Helps students make informed choices when selecting a massage school. Creates processing efficiencies for CAMTC staff. Reduces the ability for transcript fraud.

Cons – None.

The impact on current certificate holders and applicants.

None.

A suggested date for the change to be implemented.

Effective immediately.



## **POLICIES AND PROCEDURES FOR APPROVAL OF SCHOOLS**

The California Massage Therapy Council ("CAMTC") hereby adopts the following policies and procedures for the approval of schools, pursuant to California Business and Professions Code sections 4600 et. seq. (hereinafter the "Law"). In accordance with the Law, CAMTC approved schools shall meet minimum standards for training and curriculum.

### **1. Eligibility for approval.**

In order to receive and maintain CAMTC school approval, a massage school, and any CAMTC approved satellite and branch locations, shall meet ALL of the following requirements:

- A. The school must offer at least one eligible program clearly identified as a professional massage program that grants students a certificate, diploma, or degree in massage. Other professional education programs that include massage as a component of their programs are not eligible.
- B. Massage program(s) provides an organized plan of study of massage and related subjects for a minimum of 500 supervised clock hours (or credit unit equivalent) containing, at minimum, 100 hours of instruction addressing subjects specified by the Law and CAMTC, including but not limited to: anatomy and physiology; contraindications; health and hygiene; and business and ethics. The massage program(s) shall also incorporate appropriate school assessment of student knowledge and skills. CAMTC does not accept online or distance learning hours, including but not limited to, externships, homework, and self-study or credits through challenge examinations, achievement tests, or experiential learning.
  - a. For programs qualifying at a college or university of the state higher education system, as defined in Section 100850 of the Education Code, units must be for academic credit and appear on an official college transcript. Certificates from non-credit adult education classes and programs are inapplicable. Community College degrees and certificates must be approved by the California Community Colleges Chancellor's Office.
- C. The school and/or massage program is not currently un-approved by CAMTC.

- D. The school and corresponding massage program(s) shall also meet at least one of the following requirements:
- a. Approved by the California Bureau for Private Postsecondary Education (BPPE).
  - b. Approved by the California Department of Consumer Affairs.
  - c. Accredited by the Accrediting Commission for Senior Colleges and Universities or the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges and that is one of the following:
    - (1) A public school.
    - (2) A school incorporated and lawfully operating as a nonprofit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, and that is not managed by any entity for profit.
    - (3) A for-profit school.
    - (4) A school that does not meet all of the criteria in subparagraph (2) that is incorporated and lawfully operating as a nonprofit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, that has been in continuous operation since April 15, 1997, and that is not managed by any entity for profit.
  - d. A college or university of the state higher education system, as defined in Section 100850 of the Education Code.
  - e. A school requiring equal or greater training than what is required pursuant to the Law and is recognized by the corresponding agency in another state or accredited by an agency recognized by the United States Department of Education.
- E. To prevent a possible lapse of CAMTC School Approval, CAMTC needs to receive an application for re-approval at least six months prior to the school's approval expiration date as stated in the letter of approval. While CAMTC may send a complimentary reminder, it is the school's responsibility to submit the application for re-approval on time.

## 2. Approval Process.

- A. Complete the application packet entirely and submit all requested documents.
- B. Pay the initial application fee of \$1,500 and any required background check fees. All fees are non-refundable. If approved, the initial application fee provides for 2 full years of CAMTC approval, so long as the school maintains the requirements for approval set forth herein and is not in violation of these Procedures. A school that has been continuously approved for the full 2-year initial approval period, with no disciplinary action taken against it by CAMTC and no break in the approval period, may apply for re-approval. The re-approval fee shall be \$3,000 and provides for 4 full years of CAMTC approval, so long as the school maintains the requirements for approval set forth herein and is not in

violation of these Procedures. Schools with a break in the approval period, or who have had disciplinary action taken against them by CAMTC, must apply and meet the requirements of a new applicant, including paying the initial application fee, which shall provide for 2 full years of CAMTC approval if approval is obtained.

C. From the date an application for school approval is received by CAMTC, through and until the date that a decision on the application becomes final and effective, the school shall distribute Notice (in a form determined by CAMTC) to all prospective students before they enroll in the program and to all students currently enrolled in the program regarding the implications of attending a school that is not yet approved by CAMTC.

G.D. Host a scheduled site visit from a CAMTC representative(s) who will verify information submitted in the application packet and compliance with requirements for approval set forth herein.

D.E. Within 180 days from the date an application is deemed complete by CAMTC, CAMTC will send a letter to the school notifying it of CAMTC's decision to approve the school, provisionally approve the school, propose to deny the school, propose to otherwise act against the school in accordance with these Procedures, or notify the school that corrective action is needed in accordance with the procedures set forth herein.

a. Provisional School Approval for New Schools and/or New Massage Programs. For new schools and new massage programs, CAMTC will follow the same application review process set forth in these procedures, except for those procedures applicable to the site visit. For schools seeking CAMTC provisional school approval, a minimum of two site visits will occur. The initial site visit will follow the guidelines of a regular site visit except for class observations, student interviews, and student file review. A follow-up site visit will be performed once students have started the program to complete these items. If granted, CAMTC provisional school approval is valid for only 180 days, unless otherwise extended by CAMTC in its sole discretion.

b. Request for Corrective Action. CAMTC, in its sole discretion, may determine that specific corrective action is needed. If CAMTC determines that corrective action is needed, it will send a letter to the school notifying it of the specific corrective action requested and specify a time period for the school to take the requested corrective action and provide proof to CAMTC that the requested corrective action has been taken. Once CAMTC has reviewed submitted proof that the school has taken the specific corrective action requested pursuant to this section and made a determination as to whether the action taken satisfies the request for corrective action, CAMTC will send a letter to the school notifying it of CAMTC's decision to approve the school, provisionally approve the school, propose to deny the school, or propose to otherwise act against the school in accordance with these Procedures or notify the school that additional corrective action is needed.

### 3. Important Dates.

A. July 1, 2016. As of this date, CAMTC will accept, for purposes of certifying individuals who received massage education in California, only those hours completed from CAMTC

approved programs offered at CAMTC approved schools unless otherwise allowed pursuant to these procedures.

- a. CAMTC will accept education for CAMTC certification purposes from schools closed on or before June 30, 2016, with either no lawful custodian of records or a lawful custodian of records that is not a CAMTC approved school as long as all of the following conditions are met:
  - 1) The education occurred at a time when the closed school was approved or accredited by at least one of the organizations listed in California Business and Professions Code section 4601;
  - 2) The closed school is or was not subject to any disciplinary actions or pending investigations by any approval or accrediting agencies, Law Enforcement Agencies (LEA), government agencies, CAMTC or other massage or school related entities;
  - 3) The applicant for CAMTC certification provides verifiable proof that the education received at the closed school meets minimum standards for training and curriculum and the statutory education requirements for certification; and
  - 4) The individual application for CAMTC CMT certification is received in the CAMTC office on or before December 31, 2018. Applicants whose applications are received after this date may still use education from closed schools described in this section 3.A.a. for CAMTC certification purposes as long as they either provide proof of current and continuous city and/or county permit(s) to provide massage for compensation or they pass a CAMTC education hearing (oral telephonic hearing or consideration of a written statement).
- b. CAMTC will accept education for CAMTC certification purposes from schools closed on or before June 30, 2016, that have a CAMTC approved school as their lawful custodian of records as long as all of the following conditions are met:
  - 1) The education occurred at a time when the closed school was approved or accredited by at least one of the organizations listed in California Business and Professions Code section 4601;
  - 2) The closed school is or was not subject to any disciplinary actions or pending investigations by any approval or accrediting agencies, Law Enforcement Agencies (LEA), government agencies, CAMTC or other massage or school related entities;
  - 3) The CAMTC approved school identified as lawful custodian of records remains approved by CAMTC; and
  - 4) The CAMTC approved school identified as lawful custodian of records adheres to the following requirements:
    - A. Submits transcripts from closed school(s) in accordance with these Procedures, noting either on the transcript or in an attached letter that the transcript is being submitted by the lawful custodian of records;
    - B. When education is completed at multiple schools, submits either 1) one transcript listing education from all schools clearly identifying when and at which school specific education was received, or 2) provides a separate transcript for each school identifying when and at which school specific education was received;



- C. Maintains detailed information including, but not limited to, attendance records, syllabi, instructor names, and course catalogs for the programs and curriculum from the closed school(s) as they are listed on transcripts for CAMTC review; and
  - D. Maintains detailed information on the purchase, merger, or other legal transaction that resulted in the CAMTC approved school becoming the lawful custodian of records for the closed school for CAMTC review.
- c. CAMTC approved schools that are closed or merged with a CAMTC approved school on or after July 1, 2016 and are in good standing with CAMTC at the time of closure or merger: Education will be accepted from the lawful custodian of records as long as the closed school is or was not subject to any disciplinary action or pending investigations by any approval or accrediting agencies, Law Enforcement Agencies (LEA), government agencies, CAMTC or other massage or school related entities.
  - d. CAMTC reserves the right to review and accept or deny all or part of any education submitted for individual CAMTC certification purposes from a closed, sold, or merged school described herein.
  - e. For schools that have been un-approved by CAMTC, and who had an effective un-approval date on or after April 2, 2016, a 90-day grace period from the date of the adoption of this provision (March 9, 2017), or from the effective date of un-approval, whichever is later, will be provided for acceptance of individual certification applications. During this 90-day grace period, the school's students who apply for certification, and all of those whose applications were previously held, will be required to provide additional proof of adequate education (beyond merely a transcript from the subject school) in order to prove their education. Students whose applications are received after the 90-day grace period has expired will be notified that, unless they have also supplied evidence of completion of required hours of massage education from one or more CAMTC approved schools, their applications are incomplete and that they have one year to complete their education and provide an acceptable transcript to CAMTC before their applications are purged.
- B. May 1, 2015. To ensure a site visit and the possibility of approval by July 1, 2016, a school shall apply by this date. Schools may apply for approval while working to fulfill all of the requirements set forth herein, but may not receive approval until all requirements are met. Schools applying after this date or schools sent a letter requesting corrective action, proposed for denial, or proposed to be otherwise acted against may not be approved by July 1, 2016.
  - C. All schools sent an official letter from CAMTC on or before July 1, 2016, notifying them that the school has been approved, will have an effective approval date starting on July 1, 2016. Approval shall be for a two year time period, unless the school is otherwise acted against in accordance with these Procedures. Schools that have received official written notice of approval from CAMTC may not verify or represent to others in any manner whatsoever that they are CAMTC approved until on or after January 1, 2016.

- D. Schools approved or provisionally approved after July 1, 2016, will have an effective date of approval starting on the date of approval or provisional approval.

#### 4. Application Packet.

A School Approval Code issued by CAMTC is for a single campus, including CAMTC approved satellite locations and specific owner(s), and may not be used for any other locations, schools, or owners. Therefore, for each campus or school, a separate application, fee, and requested materials shall be submitted in a three-ring binder in which the following shall be labeled, with its own divider, in this order and accompanied by electronic pdf format on a flash drive with matching organization:

##### A. Application

- a. The application shall be completed in its entirety, typed, signed, dated, and accompanied by the non-refundable application fee. Employees of public colleges or universities of the California state higher education system, as defined in section 100850 of the Education Code, may use campus ID number in lieu of social security number, campus ID as a form of government issued photographic identification, and may omit home address.

##### B. Approvals

- a. Documented proof of current approval or accreditation by an agency listed in Business and Professions Code section 4601(a). Schools with more than one approval or accreditation shall submit proof of all.
- b. Schools shall submit all site visit report(s), compliance inspection report(s), disciplinary actions and other related documents issued to the school by all respective agencies documented above, if any.
- c. Pursuant to Business and Professions Code section 4615(b), CAMTC, in its sole discretion, may adopt provisions for the acceptance of accreditation from a recognized accreditation body.

##### C. Management

- a. For private post-secondary schools:
  - (1) Organizational chart showing owners and all full and part-time employees, independent contractors, volunteers, and any other individuals who participate in massage program operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel.
  - (2) Ownership worksheet (included with application) and copy of a current valid government issued photographic identification for all owners of the school.

- (3) Administrator Qualification form (included with application) and copy of a current valid government issued photographic identification for all full and part-time employees, independent contractors, volunteers, and any other individuals who participate in massage department operations, including but not limited to department management, staff, advisory boards, and administrative personnel.
  - (4) Copy of property tax bill, lease agreement, local business license, and fictitious business name filing, if applicable, proving that the owner(s) either owns or leases the property where the school is located.
  - (5) For corporations, limited liability companies, or partnerships, copies of articles of incorporation, partnership agreements, contracts, and/or EIN certificate from the IRS showing proof of ownership.
- b. For public colleges or universities of the California state higher education system, as defined in section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education:
- (1) Organizational chart showing all full and part-time employees, independent contractors, volunteers, and any other individuals who participate in massage department operations, including but not limited to department management, staff, faculty members, advisory boards, and administrative personnel.

#### D. Transcripts

- a. Sample transcript and massage program addendum, if any, with no additional markings.
- b. Sample transcript and massage program addendum, if any, with highlights and descriptions for unique security measures.
- c. Signatures, printed names, and titles for all approved signers.
- d. Transcript checklist (included with application).
- e. Sample diploma (NOTE: Diplomas are not accepted in lieu of transcripts as proof of education).
- f. Sample envelope from the school in which transcripts will be mailed to CAMTC.

#### E. Enrollment Agreement

- a. Blank enrollment agreement and massage program addendum, if any.
- b. Enrollment agreement checklist (included with application).

#### F. Course Catalog

- a. Current course catalog and massage program addendum, if any.
- b. Course catalog checklist (included with application).

#### G. Curriculum

- a. Program hour requirement worksheet (included with application).
- b. Calendar for each massage program noting beginning and end dates and daily schedule of all classes.
- c. Syllabi detailing all massage courses.
- d. List of textbooks, educational materials, and classroom equipment used for massage program.
- e. Policies for creating, reviewing, and updating curriculum.

#### H. Faculty

- a. Massage program faculty list worksheet (included with application).
- b. Instructor Qualification forms (included with application) for all massage program faculty, including but not limited to visiting teachers, volunteers, and all those who will be teaching on a full or part-time or temporary basis.
- c. Policies and procedures for hiring, training, evaluating (including student and management evaluations of faculty), and disciplining faculty.
- d. Massage program staff and faculty meeting and/or training policy, minutes, and attendance records within the last 12 months.
- e. Student-teacher ratio policy and ratios for all current classes.

#### I. Facility

- a. Simple floor plan with approximate measurements and square footage.
- b. Clear, color pictures of the following:
  - (1) Exterior signage.
  - (2) Building exterior.
  - (3) All classrooms utilized for massage classes.
  - (4) All areas utilized for student massage clinic.

## J. Advertising

- a. Copies of online and print advertisements and marketing materials related to the massage programs submitted for approval.

## 5. Requirements for Approval.

Failure to meet and maintain minimum standards for training and curriculum, as determined by CAMTC in its sole discretion, is a basis for denial of an application for school approval or discipline of a school.

To achieve and maintain approval, schools shall fulfill the requirements of all other agencies through which they are approved or accredited pursuant to Business and Professions Code section 4601 and comply with all of the following provisions:

### A. Administration

- a. Continuously maintain all eligibility requirements for approval or accreditation by the organization(s) listed in Business and Professions Code section 4601 that the school is accredited or approved by, and for approval by CAMTC.
- b. Include CAMTC School Approval Code (once approved) in any and all massage program advertising and marketing materials, including but not limited to website, business cards, brochures, print advertisements, and online banners. The school may indicate that it is "CAMTC approved" or "approved by CAMTC," but may not state or imply that the school or its educational programs are endorsed or recommended by CAMTC, or that approval indicates the school exceeds minimum standards.
- c. Post any and all approvals and accreditations, including from CAMTC, on the school premises in an area easily visible to the public.
- d. Continuously maintain the exact same owner(s) and ownership structure matching CAMTC records, which shall match the records of all other agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601.
- e. Operate; advertise; issue certificates, diplomas, degrees, and/or transcripts; and conduct all other school business under the exact school name matching CAMTC records, which shall match the records of all other agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601.
- f. Teach all classes and conduct business only at CAMTC approved locations matching CAMTC records, which shall match the records of all other agencies that have approved or accredited the school pursuant to Business and Professions Code section

4601.

- (1) Occasional, site-specific classes, including but not limited to First Aid/CPR Certification, cadaver labs, sports massage events, health and professional expos, career fairs, and spa tours accounting for no more than 50 total hours and specifically provided for in the curriculum, complete with detailed learning objectives, assignments, and assessments, may be taught at an appropriate off-site location under direct supervision of a qualified instructor. Instructors must sign off on appropriate documentation attesting to the total number of acceptable clock hours completed by each student and students shall only receive credit for the actual clock hours for which they engaged in massage activities and activities related to massage. Under no circumstances shall students receive credit for travel time, idle, non-educational, or unsupervised activity. CAMTC reserves the right, in its sole discretion, to not accept off-campus hours.
- g. Changes of owner(s) and/or ownership structure, operating under a different school name, teaching and/or conducting business at a different or additional address, and/or changes in program name or content may only occur after the school first obtains an approval letter from the appropriate agencies that have approved or accredited the school pursuant to Business and Professions Code section 4601, submits the appropriate application for change to CAMTC, and CAMTC approves such application. (Please note that BPPE currently only requires approval for a change of location if the move is more than 10 miles from the original location; however, CAMTC requires approval for any change of location.)
- h. The school is responsible for the conduct of all owners, full and part-time employees, independent contractors, volunteers, and any other individuals who participate in school operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel. CAMTC may deny approval or take disciplinary action against a school if an owner, full or part-time employee, independent contractor, volunteer, or any other individual who participates in school operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel, engages in unprofessional conduct while engaged in school activities.
- i. The school must report to CAMTC, within 15 days of receiving notice, all legal actions, arrests, police reports, and complaints against professional conduct, involving the school; school personnel including owners, full and part-time employees, independent contractors, volunteers, and any other individuals who participate in school operations, including but not limited to management, staff, faculty members, advisory boards, and administrative personnel; and/or students or graduates engaged in school or massage related activities.

## B. Transcripts

- a. Transcripts and massage program addendums, if any, from private post-secondary schools shall, at minimum, contain the following information:

(1) School name, address, telephone number, website, and CAMTC School Approval Code (once approved), which shall exactly match information on file at CAMTC.

(2) Heading entitled "Official Transcript."

(3) Student's full legal name and date of birth.

(4) Name of CAMTC approved program attended by student.

(4)(5) Date student started CAMTC approved program and date student graduated completed CAMTC approved program or, for programs longer than 500 hours, completed CAMTC requirements, if applicable.

(5)(6) Breakdown of courses completed with total number of supervised clock hours attended and passing grades for each course. Courses shall match those listed in the provided syllabi and program hour requirement worksheet (included with application).

(6)(7) Total number of supervised clock hours attended-completed for CAMTC approved massage program.

(7)(8) At least one authorized, personally handwritten signature in ink with printed name, title, and date.

(8)(9) Official school seal affixed, embossed, or otherwise attached to transcript.

(9)(10) Sufficient security measures that uniquely identify the school's transcripts.

- b. Transcripts from public colleges or universities of the California state higher education system, as defined in Section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education shall meet or exceed standards as determined by governing laws and regulations.
- c. Only sealed transcripts sent directly from the school or an authorized transcript provider in an envelope matching the sample submitted to CAMTC will be considered for certification purposes.
- d. CAMTC staff shall clearly be able to discern whether a student has completed the required hours without having to interpret any information.
- e. Clearly identify or DO NOT include unsupervised clock hours.
- f. Clearly identify or DO NOT include courses or hours considered incomplete by the school.
- g. Pursuant to Business and Professions Code section 4604, CAMTC can only consider transfer hours from CAMTC approved schools. Transcripts shall clearly identify transfer hours, including but not limited to name, CAMTC School Approval Code, address, telephone, and website of other school(s); number of hours transferred; class

requirements met by transfer hours; reason(s) for transfer; and attached copy of transcript(s) from other school(s). Transfer hours may not make up more than 50% of the 500 hours required for certification.

- (1) CAMTC will consider up to 125 hours of equivalent anatomy and physiology, health and hygiene, and/or business completed at a college or university of the state higher education system, as defined in Section 100850 of the Education Code, as meeting the definition of a CAMTC approved school.
  - (2) CAMTC reserves the right, in its sole discretion, to not accept any or all transfer hours.
- h. Schools shall take necessary precautions to avoid the creation and/or reproduction of fraudulent transcripts. Fraudulent transcripts, whether from within or without the school, may lead to suspension or revocation of school approval, among other consequences.
  - i. Any changes in transcript format, authorized signers, and/or security features may only occur after the corresponding application for change has been submitted to and approved by CAMTC.
  - j. The school shall have clearly defined written policies that it follows for accurately and securely keeping and maintaining student files and transcript information, including but not limited to enrollment agreements, payment ledgers, attendance rosters, coursework, and grades.
  - k. Transcript information shall be securely kept permanently. If a school closes, it shall designate a custodian of records for that school and notify CAMTC of the name, address, email address, and telephone number of its designated custodian of records 30 days before the date of the school's closure.

#### C. Enrollment Agreement

- a. Enrollment agreements and massage program addendums, if any, from private post-secondary schools shall, at minimum, contain the following information:
  - (1) School name, address, additional addresses where classes will be held, telephone number, and website.
  - (2) Student's full legal name, date of birth, address, email, telephone number, and signature.
  - (3) Copy of a current valid government issued photographic identification.
  - (4) Title of massage program and total scheduled number of supervised hours received upon completion.



- (5) Program schedule with start date and scheduled completion date.
  - (6) All scheduled charges and fees including, as applicable: tuition, registration fee, equipment, lab supplies, textbooks, educational materials, uniforms, charges paid to an entity other than the school as required by the program, and any other charge or fee.
  - (7) Scheduled payment terms.
  - (8) Clearly visible disclosure statement: "Attendance and/or graduation from a California Massage Therapy Council approved school does not guarantee certification by CAMTC. Applicants for certification shall meet all requirements as listed in California Business and Professions Code sections 4600 et. seq."
  - (9) Statement directing students to CAMTC for unanswered questions and for filing a complaint: "A student or any member of the public with questions that have not been satisfactorily answered by the school or who would like to file a complaint about this school may contact the California Massage Therapy Council at: One Capitol Mall, Suite 800, Sacramento, CA 95814, [www.camtc.org](http://www.camtc.org), phone (916) 669-5336, or fax (916) 669-5337."
- b. Enrollment agreements from public colleges or universities of the California state higher education system, as defined in section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education shall meet or exceed standards as determined by governing laws and regulations.

#### D. Course Catalog

Course Catalogs and massage program addendums, if any, shall, at minimum, contain the following information:

- a. School name, address, additional addresses where classes will be held, telephone number, website, and CAMTC School Approval Code (once approved).
- b. Date printed/revised.
- c. Title of massage program(s) and total number of scheduled supervised hours received upon completion.
- d. Program prerequisites, including but not limited to admission requirements, previous training, and language comprehension skills.
- e. Completion and graduation requirements, including but not limited to clock hours to attend, assignments to complete, and assessments to pass.
- f. Transfer credit policy.

- g. Attendance and leave of absence policies, including but not limited to:
  - (1) Notice that applicants for CAMTC certification shall have attended 500 supervised hours total with 100 of those hours satisfying CAMTC specified subjects.
  - (2) For 500-hour programs, how students make up missed hours and, for programs longer than 500 hours, percentage of hours students can be absent and how they make up any additional hours.
  - (3) Length, terms, and allowances for leaves of absence.
- h. Hygiene, dress code, and draping policies.
- i. If the school admits foreign or ESL students, the catalog shall contain language proficiency information, including the level of English language proficiency required of students and the kind of documentation of proficiency that will be accepted; and whether English language services are provided and, if so, the nature of the service and its cost. The catalog shall also identify whether any instruction will occur in a language other than English and, if so, identify the other language(s) instruction will be provided in, the level of English proficiency required, and the kind of documentation of proficiency that will be accepted.
- j. Publication of CAMTC's Law related to unfair business practices as related to massage:
  - (1) Pursuant to California Business and Professions Code section 4611, It is an unfair business practice for a person to do any of the following:
    - (a) To hold himself or herself out or to use the title of "certified massage therapist" or "certified massage practitioner," or any other term, such as "licensed," "certified," "CMT," or "CMP," in any manner whatsoever that implies or suggests that the person is certified as a massage therapist or massage practitioner, unless that person currently holds an active and valid certificate issued by the California Massage Therapy Council.
    - (b) To falsely state or advertise or put out any sign or card or other device, or to falsely represent to the public through any print or electronic media, that he or she or any other individual is licensed, certified, or registered by a governmental agency as a massage therapist or massage practitioner.
- k. Clearly visible disclosure statement: "Attendance and/or graduation from a California Massage Therapy Council approved school does not guarantee certification by CAMTC. Applicants for certification shall meet all requirements as listed in California Business and Professions Code section 4600 et. seq."
- l. Statement directing students to CAMTC for unanswered questions and for filing a complaint: "A student or any member of the public with questions that have not been satisfactorily answered by the school or who would like to file a complaint about this school may contact the California Massage Therapy Council at One Capitol Mall, Suite

## E. Curriculum

All 500 hours of education must be provided under active and direct supervision of qualified instructors.

- a. Provide a minimum of at least 100 supervised clock hours (or credit unit equivalent) addressing the following subjects:
  - (1) A minimum of 64 hours of Anatomy & Physiology, including but not limited to orientation to the human body; integumentary, skeletal, fascial, muscular, nervous, cardiovascular, and other body systems; and kinesiology.
  - (2) A minimum of 13 hours of Contraindications, including but not limited to endangerment areas, contraindications, and medications and massage.
  - (3) A minimum of 5 hours of Health & Hygiene, including but not limited to understanding disease, therapist hygiene, infection control, and standard precautions.
  - (4) A minimum of 18 hours of Business & Ethics, including but not limited to obtaining and maintaining credentials, adhering to laws and regulations, ethical principles, standards of ethical practice, and compliance with the Law applicable to CAMTC certified massage professionals.
- b. Provide a minimum of 400 additional and appropriately weighted supervised clock hours in subjects substantially related to the massage profession, including but not limited to additional hours for topics required above, massage theory and principles, professional practices, therapeutic relationship, assessment and documentation, massage and bodywork application, palpation and movement, and career development. CAMTC reserves the right, in its sole discretion, to determine whether curriculum is substantially related to massage or not.
- c. Student clinic hours may count for no more than 75 of the required 500 supervised clock hours and shall demonstrate educational purpose by meeting the following conditions:
  - (1) Operate at all times under active and direct supervision of qualified instructors and on school premises.
  - (2) Maintain detailed lesson plans, learning objectives, policies and procedures, attendance records, and grade requirements.
  - (3) Include a client intake form for every client that, among other things, informs client that the practitioner is a student.

- (4) Include SOAP notes, or equivalent, completed by the student practitioner for every client.
  - (5) Provide for written client feedback.
  - (6) Maintain clinic attendance for each student detailing massages and other duties performed during clinic hours.
  - (7) Offer alternate, faculty-supervised learning experiences to students participating in clinic but who do not have a clinic client or specific clinic duties. Under no circumstances shall students receive credit for idle, non-educational, or unsupervised activity.
  - (8) Student clinic hours may include, but are not limited to, hands-on treatments of paying and non-paying public clients or other students; setting up, tearing down, and cleaning massage area; reviewing intake forms, interviewing clients, providing and receiving client feedback, and recording SOAP notes, or equivalent; greeting customers at reception, handling payments, answering and returning calls for appointments, interacting with appointment systems, placing confirmation calls, and managing client files; other duties reasonably befitting a professional massage therapist; and instruction related to these items. Students may not be required to clean school premises or work beyond normal procedures inclusive to treatment areas and immediate office space used during clinical sessions.
  - (9) Schools should carefully weigh and be prepared to support the purpose, duration, and effectiveness of student clinic hours in terms of educational value to the student. CAMTC reserves the right, in its sole discretion, to not accept clinic hours.
- d. Students may not be credited more than 40 hours of total education in any 7-day period, with no more than 10 hours in any one day.
- e. Maintain current syllabi, including but not limited to the following information for each course and/or subject:
- (1) Name of course or subject.
  - (2) Detailed description.
  - (3) Learning objectives.
  - (4) Prerequisites.
  - (5) Total number of hours.
  - (6) Instructional material(s) to be used.
  - (7) Required assessments and assignments for successful completion.

- f. Maintain current daily lesson plans for each course that support syllabi. Daily lesson plans should include, at minimum: educational objectives; instructor resources; required or suggested readings; required or suggested assignments; and assessments with assessment criteria, if any, for each class.
- g. Maintain policies for creating, reviewing, and updating curriculum.

## F. Faculty

- a. Qualified instructors are responsible for the delivery of all 500 supervised clock hours (or credit unit equivalent). CAMTC reserves the right in its sole discretion to determine whether an instructor is qualified or not. Requirements for qualified instructors include but are not limited to:
  - (1) Complete and submit the instructor qualification form, including supporting documents.
  - (2) Hold a current CAMTC certification, other allied health license with advanced training in soft tissue modalities, or possess documented higher education applicable to the specific subject(s) taught.
  - (3) Have at least 2 years of documented professional experience applicable to the specific subject(s) taught.
  - (4) Instruct only in those subjects in which qualified through documented education, certification, and professional experience, and not instruct techniques or procedures that require specialized training, licensure, or experience for which they are not qualified.
  - (5) Behave within principles of acceptable, ethical, and professional behavior, including but not limited to:
    - (a) Truthfully and completely administer, record, and represent duties, including but not limited to attendance records, curriculum delivery, and student assessments.
    - (b) Refrain from soliciting, encouraging, or consummating romantic, sexual, or otherwise inappropriate relationships with current students on or off school premises by written, electronic, verbal, or physical means.
    - (c) Refrain from possessing, consuming, furnishing, allowing, or working under the influence of alcohol or illegal or unauthorized drugs during professional activities, including but not limited to being on school premises or at school-sponsored events involving students.
    - (d) Refrain from financial transactions with students, including but not limited to payments, loans, advances, donations, contributions, deposits, or monetary gifts, except for lawful collection and transfer of funds as required by regular

school business.

- (e) Refrain from violating federal, state, and local laws and/or CAMTC rules and regulations, including but not limited to the reasons for denial or discipline/revocation as stated in CAMTC's Procedures for Denial of Certification or Discipline/Revocation.
- b. Maintain policies and procedures for hiring, training, evaluating (including student and management evaluations of faculty), and disciplining faculty.
- c. Maintain policies and procedures, minutes, and attendance records for regular massage program staff and faculty meetings and/or trainings.
- d. For private post-secondary schools, student-teacher ratios for practical (hands-on) classes may not exceed 25 total students to 1 teacher. For public colleges or universities of the California state higher education system, as defined in Section 100850 of the Education Code, and public schools accredited by an agency recognized by the United States Department of Education student-teacher ratios shall meet or exceed standards as determined by governing laws and regulations.

#### G. Facility

- a. Appropriate in size and design for the number of students.
- b. Sufficient reference materials and other resources to support educational objectives.
- c. Instructional aids and equipment consistent with the educational content, format, and teaching methodology of each course.

#### H. Student/Graduate Passage Rates on CAMTC Approved Exams

Beginning with graduate passage rates on CAMTC approved exams for calendar year 2015, an approved school's graduate passage rates on CAMTC approved exams shall equal or exceed the required passage rates for the previous calendar year or CAMTC may place the program on probationary status and/or may require the school to appear before CAMTC to present a plan for remediation.

- a. An approved program shall achieve a graduate passage rate on CAMTC approved exams that is not lower than 10 percentage points less than the national average passage rate for graduates of comparable degree programs who are first-time test takers on the CAMTC approved exams during a calendar year.
- b. If the program does not achieve the required passage rate for 2 consecutive calendar years or show significant improvement, CAMTC may revoke approval or take other disciplinary action against the school.

## I. Site Visits

- a. CAMTC reserves the right to visit any approved school or school applying for approval during stated business hours with or without notice at any time whatsoever and for any reason.

## 6. Reasons for Imposing Discipline, Denying, or Revoking Approval.

Schools may be denied approval or may have their school approval revoked, suspended, or otherwise acted against, including the imposition of probationary conditions, for any of the following reasons:

- a. Failing to meet or maintain the requirements for approval set forth herein or in CAMTC's Procedures for Un-Approval of Schools, which includes but is not limited to the following:
  - (1) Selling or offering to sell transcripts, or providing or offering to provide transcripts, without requiring attendance, or full attendance, at the school;
  - (2) Failure to require students to attend all of the classes listed on the transcript;
  - (3) Failure to require students to attend all of the hours listed on the transcript;
  - (4) Engaging in fraudulent practices, including but not limited to, the creation of false documents to aid or abet students seeking CAMTC certification, aiding or abetting students to use false documents and/or to present false testimony in CAMTC hearings, aiding or abetting students in engaging in fraudulent practices with respect to CAMTC hearings, making false claims, or otherwise engaging in fraudulent practices;
  - (5) Denial, suspension, revocation, or otherwise being acted against by the National Certification Board for Therapeutic Massage and Bodywork, including but not limited to, denial, suspension, or revocation of assigned school code;
  - (6) Failure to create, record, or maintain accurate records, including but not limited to student attendance records and student transcripts;
  - (7) Failure to identify transfer credit from other institutions (including name of other institution(s), hours transferred, and class requirements met by transfer credit) on transcripts;
  - (8) A finding by a local law enforcement agency, a state or local agency, or a private certifying, permitting, or accreditation agency related to massage, that a school has engaged in any of the conduct identified in this section 6;
- (9) Failure to meet the requirements for an approved school as defined in Business and Professions Code section 4601(a).b. Engaging in or has engaged in unprofessional business practices or an owner, faculty member, or other member of the school's staff

(including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) has engaged in or is engaging in unprofessional business practices;

- c. Procuring or attempting to procure school approval by fraud, misrepresentation, or mistake or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) has procured or attempted to procure school approval by fraud, misrepresentation, or mistake;
- d. Violating or attempting to violate or has violated, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, or has assisted in or abetted the violation of, or conspired to violate, any provision of the Massage Therapy Act or any rule, regulation, policy, or procedure adopted by CAMTC by the actions of the school or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer);
- e. Conviction of an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) of any felony, misdemeanor, infraction, or municipal code violation, or being held liable in an administrative or civil action for an act that is substantially related to the qualifications, functions, or duties of a CAMTC certificate holder or CAMTC approved school. A record of the conviction or other judgment or liability shall be conclusive evidence of the crime or liability;
- f. Committing any fraudulent, dishonest, or corrupt act that is substantially related to the qualifications, functions, or duties of a CAMTC certificate holder or CAMTC approved school or an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) commits or has committed any fraudulent, dishonest, or corrupt act that is substantially related to the qualifications, functions, or duties of a CAMTC certificate holder or CAMTC approved school;
- g. An owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) commits or has committed any act punishable as a sexually related crime or is or has been required to register pursuant to the Sex Offender Registration Act (Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1 of the Penal Code), or is or has been required to register as a sex offender in another state, or commits or has committed an act that is a violation of human trafficking laws or a violation of the education code or a violation of the Bureau of Private Postsecondary Education's rules, regulations, policies, or procedures;
- h. Failure to fully disclose all information requested on the application or provide information upon request to an individual working on behalf of CAMTC;
- i. Denial of licensure, permit or certificate, or revocation, suspension, restriction, citation, or any other disciplinary action against the school, an owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) by CAMTC, by a state or



territory of the United States, by a government agency, or by another California health care professional licensing board. A certified copy of the decision, order, judgment, or citation shall be conclusive evidence of these actions.

- j. An owner, faculty member, or other member of the school's staff (including but not limited to a visiting instructor, independent contractor, administrative staff, or volunteer) has owned, worked at, or been associated with a school that has been un-approved by CAMTC.
- k. Failure to update CAMTC and notify of any changes that might affect a school's eligibility for approval or result in disciplinary action against the school.

#### 7. Procedures for Imposing Discipline, Suspending, Denying, or Revoking CAMTC School Approval.

Any decision to impose discipline, deny approval, revoke approval, or otherwise act against a school that has applied for CAMTC approval or is a CAMTC approved school shall be decided upon and imposed in accordance with the procedures set forth herein. Denial, revocation, and disciplinary decisions against a school applying for CAMTC school approval or against a CAMTC approved school shall be based on a preponderance of the evidence. In determining the basis for action against a school applying for CAMTC school approval or a CAMTC approved school, the Council may consider all written documents or statements as evidence, but shall weigh the reliability of those documents or statements.

##### a. Actions Against Applicants for CAMTC School Approval and CAMTC Approved Schools.

1. All decisions to impose discipline, deny approval, revoke approval, or otherwise act against a school that has applied for CAMTC approval or is a CAMTC approved school shall be carried out by an employee of the Council known as the Division Director of the Educational Standards Division (hereinafter the "Division Director") or his/her designee and at least one other employee of CAMTC. The Division Director shall be assisted by Council staff and such other employees as shall be determined necessary by the Division Director. The Division Director (or his/her designee(s)), along with any staff/employees under his/her supervision, shall be collectively known as the Educational Standards Division (the "ESD").
2. If Council staff determines that grounds appear to exist to impose discipline, deny approval, revoke approval, or otherwise act against a school that has applied for CAMTC approval or is a CAMTC approved school, staff shall hold all students who have submitted transcripts from the school, forward the matter to the Division Director, or an ESD employee designated by the Division Director to receive such information, and the procedures set forth below shall be followed:
  - (a) The ESD shall be responsible for reviewing and making proposed determinations regarding denials, suspensions, revocations, and other discipline against a school that has applied for CAMTC approval or is a CAMTC approved school. All proposed decisions shall be made by a

minimum of two employees of the ESD. The ESD shall ensure that the ESD employees making proposed denial, revocation, suspension, and disciplinary decisions do not have a conflict of interest relative to the affected school.

- (b) If after reviewing the matter, the ESD determines that proposed action should be taken, the school shall be provided at least 15 days prior notice of the proposed action and the reasons therefore. Notice shall be given to the school by any method reasonably calculated to provide actual notice. Any notice given by mail must be given by first-class mail or mail with delivery confirmation sent to the last known address of the school shown in CAMTC's records.
- (c) Schools shall be given an opportunity to be heard, either orally by telephonic conference or in writing, at least five (5) days before the effective date of the proposed action against the school. Schools must request an oral telephonic conference or consideration of a written statement in writing (email is sufficient), and pay the appropriate hearing fee, a minimum of 21 days before the date scheduled for their matter to be considered in order for their request to be timely. Failure to request an oral hearing or consideration of a written statement and pay the required hearing fee in a timely manner shall result in the proposed action against the school becoming final and effective on the date noted in the letter, unless appealed as provided herein. Any documentary evidence to be considered by the Hearing Officers must be received by CAMTC a minimum of 21 days before the hearing/consideration date in order for it to be considered. The telephonic hearing shall be held, or the written statement considered, by a minimum of two Hearing Officers, who shall be employees of CAMTC, who together are authorized to determine whether the proposed action against the school should occur. The decision of the Hearing Officers shall be final unless appealed as provided herein. The fee for an oral telephone conference shall be \$900.00 and the fee for consideration of a written statement shall be \$700.00.

### Appeals

- (1) Requests to appeal a denial or disciplinary decision must be: made in writing (email is sufficient) by sending the request to the address or email address noted in the proposed denial or disciplinary letter; made within 30 days of the effective date of the denial or imposition of discipline; must identify in writing the basis for the appeal; must specify whether an oral presentation before the Board (not to exceed 20 minutes) is requested or whether written consideration of a written statement is requested; and must include all documents to be considered.
- (2) Appeals shall be considered by the CAMTC Board. Oral presentations before the Board may not exceed 20 minutes. No new factual evidence may be submitted during an appeal. During an appeal the Board is limited to reviewing the existing evidentiary record upon which the decision to deny or impose discipline was previously made and

to determining whether the decision was reasonable and supported by the evidence in the record.

(3) After considering a timely appeal, the Board shall either: uphold the decision previously made; impose lesser or more discipline; remand the matter back to ESD for further processing and consideration; or approve a school that has applied for CAMTC school approval or determine that the discipline not be imposed on a school that is a CAMTC approved school. The decision of the Board shall be final.

(d) Notice of a final decision shall be given by any method reasonably calculated to provide actual notice. Any notice given by mail must be given by first-class mail or mail with delivery confirmation sent to the last known address of the school shown in CAMTC's records.

(e) Any action in superior court challenging CAMTC's action against a school, including a claim alleging defective notice, shall be commenced within 90 days after the effective date of the imposition of the denial, suspension, revocation, or other discipline.

(f) A school whose application for CAMTC approval is denied or whose CAMTC school approval is revoked pursuant to these procedures for selling or offering to sell transcripts, failing to require students to attend all of the classes listed on the transcript, failure to require students to attend the school for all of the hours listed on the transcript, or engaging in fraudulent practices, shall not be allowed to re-apply for CAMTC school approval for a period of five years from the effective date of the denial or revocation. All other schools whose application for CAMTC approval is denied or whose CAMTC school approval is revoked shall not be allowed to re-apply for CAMTC school approval for a period of two years from the effective date of the denial or revocation.

b. Actions Against Schools That Have Not Applied for CAMTC School Approval or Are Not CAMTC Approved Schools.

1. Actions against schools that have not applied for CAMTC school approval or are not CAMTC approved schools shall proceed in accordance with CAMTC's Procedures for Un-Approval of Schools.

c. Procedures Related to Students.

1. CAMTC will hold all applications from students who apply to CAMTC for certification on or after July 1, 2016 with education from school(s) that have applied for CAMTC approval, but for whom a final decision has not been rendered as to school approval on or before June 30, 2016. If the school ultimately receives CAMTC school approval, the hold on the students' applications for certification will be lifted and the applications will be processed in accordance with CAMTC's standard procedures. If the school is ultimately denied CAMTC school approval, a 90-day grace period from the effective date

of denial will be provided for acceptance of individual certification applications. During this 90-day grace period, the school's students who apply for certification, and all of those whose applications were previously held, will be required to provide additional proof of adequate education (beyond merely a transcript from the subject school) in order to prove their education. Students whose applications are received after the 90-day grace period has expired will be notified that, unless they have also supplied evidence of completion of required hours of massage education from one or more CAMTC approved schools, their applications are incomplete and that they have one year to complete their education and provide an acceptable transcript to CAMTC before their applications are purged.

2. All individual applications for CAMTC certification submitted with transcripts from a school that CAMTC has proposed to discipline, and that cannot be otherwise certified, will be placed on hold until a final decision as to whether to discipline the school is made. If the decision is ultimately made not to discipline the school, the hold on the applications shall be lifted and the applications will be processed in accordance with CAMTC's standard procedures. If the school's CAMTC school approval is ultimately revoked, the applicants for certification will then be notified that they may not use education from that school for CAMTC certification purposes, and that they will have one year from the date of the notification to provide proof of education from a CAMTC approved school or schools.



## **Policies Regarding Massage Education Received Outside the United States**

**Education and training received outside of California must be at least substantially equivalent to the requirements applied to California school programs.**

### ***How will my non-California education be evaluated?***

One important aspect of educational program equivalence is whether the educational institution attended has been approved by the national, regional, or state authority with responsibility for vocational program approvals. Such status can readily be ascertained by CAMTC for each of the 50 U.S. states, U.S. territories, and the Canadian provinces of Ontario, British Columbia, Nova Scotia, and Newfoundland and Labrador. Officially sealed transcripts from duly locally approved educational institutions located within those jurisdictions shall be sufficient school material for CAMTC to evaluate.

**Applicants who are presenting massage education secured elsewhere will, in addition to satisfying transcript requirements described below, need to supply to CAMTC a letter of certification, certificate of approval, government website address, or other documentation acceptable to CAMTC from a governmental authority of the country or state in which the school is located stating that the school is/was duly licensed and approved.**

### ***Who is authorized to translate/evaluate my transcript?***

An applicant whose massage education occurred elsewhere outside the U.S. will need to arrange to have course hours on their transcript translated/evaluated by one of the following CAMTC approved evaluation/translation agencies. *NOTE: The costs associated with the evaluation/translation shall be incurred by applicant.* **Applicant must send sealed transcript from foreign massage school directly to one of the approved agencies below.**

International Education Research Foundation, Inc. (IERF)  
P.O. Box 3665  
Culver City, CA  
90231 Phone:  
310.258.9451  
Fax: 310.342.7086  
[www.ierf.org](http://www.ierf.org)

University Language Services (ULS)  
15 Maiden Lane, Suite 300  
New York, NY 10038  
Phone: 800.419.4601  
Fax: 888.754.8438  
[service@universitylanguage.com](mailto:service@universitylanguage.com)  
[www.universitylanguage.com](http://www.universitylanguage.com)

World Education Services  
West Coast Director, Todd Rutkin  
[trutkin@wes.org](mailto:trutkin@wes.org)  
[www.wes.org](http://www.wes.org)

***What education material do I need to submit with my CAMTC application?***

- (a) An accurate evaluation, by a CAMTC-approved evaluation/translation agency, of the applicant's education and practical training that demonstrates to the satisfaction of the CAMTC that the applicant's education and training are at least substantially equivalent to California requirements.
- (b) An accurate translation of the education documents into English by a CAMTC-approved evaluation/translation agency.
- (c) A notarized affidavit certifying that the translator is competent in both the language of the original document(s) and the English language and stating that the translation provided to CAMTC is a true and complete English translation of the original document.

*NOTE: Notwithstanding the general instructions indicating that the original transcript be sent to CAMTC, CAMTC will not return any documents. DO NOT send CAMTC your only copy of any important documents.*

**The CAMTC does not give the authority to any other agency to determine whether or not an individual has met CAMTC certification requirements. CAMTC does, however, rely on information from the third-party evaluating agency in determining the semester credit hours received.**



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

February 13, 2018

TO: BOARD OF DIRECTORS CALIFORNIA MASSAGE THERAPY COUNCIL  
FROM: JOE BOB SMITH, DIRECTOR, EDUCATIONAL STANDARDS DIVISION  
RE: REASONS FOR PROPOSED CHANGE TO CEASE ACCEPTING  
MASSAGE EDUCATION RECEIVED OUTSIDE THE UNITED STATES

Per the Board motion on changes to policies, the following information is provided.

The language of the current policy and when the policy was adopted:

See attached current policy. Original adoption date unverified, but amended November 2, 2017.

A short description of why the policy should be changed.

CAMTC legal counsel has determined that accepting education received outside the United States violates the Massage Therapy Act.

The language of related statutes that may have an impact on the decision:

§ 4604(a)(6) and § 4601(a)

The fiscal impact the proposed changes may have on CAMTC and certificate holders and applicants:

Unknown. Minimizes legal risk. May lose a small number of applicants who only apply with education received outside the United States and do not seek additional education from CAMTC approved schools. However, will save extensive staff time and resources researching education received outside the United States.

Potential pros and cons if the new policy is adopted:

Pros – Maintains CAMTC's compliance with the Massage Therapy Act. Frees up staff time and resources. Prevents applicants with education from outside United States from having a lower education threshold than applicants who have attended school in California.

Cons – Eliminates pathway for applicants who only have education received outside the United States.

The impact on current certificate holders and applicants.

Negligible.

A suggested date for the change to be implemented.

Effective immediately.





# CALIFORNIA MASSAGE THERAPY COUNCIL

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tel 916.669.5336 fax 916.669.5337 www.camtc.org

February 13, 2018

TO: BOARD OF DIRECTORS CALIFORNIA MASSAGE THERAPY COUNCIL  
FROM: JOE BOB SMITH, DIRECTOR, EDUCATIONAL STANDARDS DIVISION  
RE: PROPOSED CHANGE TO CEASE ACCEPTING MASSAGE  
EDUCATION RECEIVED OUTSIDE THE UNITED STATES

For the reasons detailed below, staff is recommending to the Board, that it **pass a motion to cease accepting education received outside the United State effective immediately.**

At the November 2, 2017, Board Meeting, the Board passed a motion accepting staff's recommended changes to the "Policies Regarding Massage Education Received Outside the United States."

Even with the changes, staff continues struggling to implement these policies. Accepting education received outside the United States proves to be wholly subjective, void of established criteria and lacking verification. In essence, applicants with education received outside the United States have a lower education threshold than applicants who have attended school in California.

Consulting with legal counsel on the matter, legal counsel provided a new and thorough review of the Massage Therapy Act, determining that CAMTC should not be accepting any education received outside the United States.

According to legal counsel, California Business and Professions Code § 4604(a)(6):

(6) The council may issue a certificate to an applicant who meets the qualifications of this chapter if he or she holds a current and valid registration, certification, or license from any other state whose licensure requirements meet or exceed those defined within this chapter. If an applicant has received education at a school that is not approved by the council, the council shall have the discretion to give credit for comparable academic work completed by an applicant in a program outside of California.

While this section provides CAMTC discretion in accepting education completed outside of California, it is bound by § 4601(a):

(a) “Approved school” or “approved massage school” means a school approved by the council that meets minimum standards for training and curriculum in massage and related subjects, that meets any of the following requirements, and that has not been otherwise unapproved by the council:

(1) Is approved by the Bureau for Private Postsecondary Education.

(2) Is approved by the Department of Consumer Affairs.

(3) Is an institution accredited by the Accrediting Commission for Senior Colleges and Universities or the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges and that is one of the following:

(A) A public institution.

(B) An institution incorporated and lawfully operating as a nonprofit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, and that is not managed by any entity for profit.

(C) A for-profit institution.

(D) An institution that does not meet all of the criteria in subparagraph (B) that is incorporated and lawfully operating as a nonprofit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, that has been in continuous operation since April 15, 1997, and that is not managed by any entity for profit.

(4) Is a college or university of the state higher education system, as defined in Section 100850 of the Education Code.

(5) Is a school requiring equal or greater training than what is required pursuant to this chapter and is recognized by the corresponding agency in another state or accredited by an agency recognized by the United States Department of Education.

Key here is the final sentence which defines an approved school outside California as being “recognized by the corresponding agency in another state or accredited by an agency recognized by the United States Department of Education.”

Education received outside the United States is not 1) recognized by the corresponding agency in another state, or 2) accredited by an agency recognized by the United States Department of Education. Therefore, CAMTC cannot accept education received outside the United States and comply with the Massage Therapy Act.

## 9. Proposed redefinition of “continuing education”

This item will not be discussed by the Board at the February 22, 2018 meeting and may be tabled until the May 31, 2018 meeting.

10. Consideration of acceptance of education from individual applicants whose education was completed at schools on the “Application Received” list at the time of submission of the individual application for certification, but whose schools are later purged

This item will not be discussed by the Board at the February 22, 2018 meeting and may be tabled until the May 31, 2018 meeting.

## 11. Re-opening the limited recertification program

This item will not be discussed by the Board at the February 22, 2018 meeting and may be tabled until the May 31, 2018 meeting.



## **2018 Strategic Priorities and Objectives**

### **Proposed amendments 2/22/2018**

#### **Goal 1: Public Safety**

- 1.1 Work with the California Police Chiefs Association ("CPCA") to devise a system that will deliver important information about CAMTC's protocols (such as the use declarations) to officers.
- 1.2 Submit a proposal to CPCA for a presentation and a booth in their annual convention in order to reach as many Police Chiefs as possibly to educate them on the Massager Therapy Act, what they can or cannot do and on how CAMTC can help them.
- 1.3 Invite all code compliance officers to CAMTC's law enforcement training.
- 1.4 Educate local government officials on the use of revocable registration as a tool to eradicate illicit establishments in their jurisdiction.

#### **Goal 2: Customer Service**

- 2.1 ~~Have at least 80% of incoming calls answered by a customer service representative in four rings or less.~~ Reduce the average wait time of calls to customer service to less than two minutes.
- 2.2 Have all ~~at least 90%~~ email enquiries to ~~customer service~~ responded to ~~within one~~ by the end of the following business day. In specific cases, the CEO will have the discretion to direct staff to respond in a different time frame or not to issue a response.

2.3 Achieve ~~an average~~ **a median** approval turnaround time of new applications without any background or educational issue **to be mailed in** 45 calendar days or less from the time a completed application is received.

2.4 Achieve ~~an average~~ **a median** approval turnaround time of recertification applications without any background or educational issue to **be mailed within 25** calendar days from the time a completed application is received. **This 25 days turnaround time will be only applicable to recertification applications received at least 30 days prior to expiration date.**

### **Goal 3: Non-English speakers-**

3.1 Provide a report to the Legislature on the findings of CAMTC's assessment of contact with non-English speakers on or before January 1, 2019.

### **Goal 4: Schools-**

4.1- Continue the School Advisory Committee

4.2 - Continue close relationship with schools by enhancing communication and the accessibility of relevant information.

4.3 – Actively seek feedback from schools

### **Goal 5: Local government-**

5.1 Encourage cities and counties to enact ordinances, which are congruent with the Massage Therapy Act.

5.2 Form a working group of Board members and staff that are familiar with local government challenges in order to provide, more effectively, the expertise needed to protect local communities.

### **Goal 6: Data Analytics –**

6.1 Develop a budget to pay for the subject matter expertise to extract and analyze CAMTC's data and present it in a concise and useful manner to better support's the organization's mission and the Board's strategic priorities.

# **CALIFORNIA MASSAGE THERAPY COUNCIL**

**(2/22/18)**

## **PROPOSED AMENDED BUDGET 2018**

**Presented by Jennifer Schwartzel, CPA**

As CAMTC's board takes a proactive part in the budget approval process to ensure that the final annual budget reflects the board's strategic priorities, the preliminary 2018 budget was approved at the November 2, 2017 board meeting. It was approved with the understanding that the 2017 actual results would be analyzed and evaluated, and then appropriate adjustments would be suggested at the February board meeting. The proposed amended budget takes into consideration all account balances through December 2017 and, more importantly, implements the board's 2018 strategic priorities. This approach has served the organization well and has played an important role in CAMTC's fiscal viability.

### **Overview**

The **\$6,121,640** total operating expenditures for 2018 will be offset with **\$4,017,148** from 2018 operating revenues and **\$2,104,492** of prior years' retained earnings. The cash reserve at the end of 2018 is projected to be **\$701,0773**, which is equal to only a month and a half of operating expenses. The preliminary budget approved in November projected a stronger cash position, with almost four months of annual operating expenses in reserves. It is generally recommended that CAMTC maintain a cash reserve of three to six months of operating expenses. The board may want to consider different options to replenish CAMTC's cash reserves, such as reevaluating its strategic priorities, cutting expenses, or modifying the fee structure.



## **Significant Changes**

### **Revenue**

**4100s Certification Fees — Individual** — preliminary budgeted fees were based on the expectation of a 90% recertification rate, however after some analysis, it is believed that an 80% recertification rate is more likely. The proposed amended budget reflects the reduction and the difference is approximately \$414,000.

### **Expenses**

In total, the proposed amended budget expenses, are higher \$487,000 than the approved preliminary budget. Below are the most significant accounts:

**Salaries — Field Investigators** — \$190,000 higher than the November budget largely due to instituting new staff for the Sexually Suggestive Advertising Unit (under PSD).

**Salaries — Legal In-House** — \$26,440 higher. An additional in-house attorney was hired ahead of the original predicted schedule.

**Salaries — Hearing Officers** — \$51,000 higher due to an increase in school hearings and hearings related to sexually suggestive advertising.

**Salaries — Data Analyst** — \$48,300 higher as a new part time position was created.

**Communications & Outreach** — \$85,000 increase due to a planned outreach initiative

**Office Furniture/Equipment** — The \$42,330 increase will be used to provide additional office equipment and furniture (computers, cubicles, etc.) to new and/or existing employees to help the functionality of the publication processing staff.

**Certification Materials/Print/Mail** — \$20,320 higher as a result of anticipated increasing costs related to certification mailing and printing.

**IT Manager** — \$60,000 higher. This is a new position, either a contractor or employee.

# CA Massage Therapy Council

## Profit & Loss Budget Overview

January through December 2018

|                                                     | 2017 Actual      | November<br>Approved<br>Budget | New<br>Proposed<br>Budget | Approved vs.<br>Amended<br>Variance |
|-----------------------------------------------------|------------------|--------------------------------|---------------------------|-------------------------------------|
|                                                     | Jan - Dec 17     | Jan - Dec 18                   | Jan - Dec 18              |                                     |
| <b>Income</b>                                       |                  |                                |                           |                                     |
| <b>4000 · REVENUE</b>                               |                  |                                |                           |                                     |
| <b>4100 · Certification Fees - Individual</b>       |                  |                                |                           |                                     |
| 4110 · New Certification Fees - CY                  | 409,911          | 449,213                        | 326,700                   | (122,513)                           |
| 4115 · New Certification Fees - PY                  | 996,714          | 42,809                         | 51,740                    | 8,931                               |
| 4120 · Recertification Fees - CY                    | 2,776,132        | 3,130,718                      | 2,814,130                 | (316,588)                           |
| 4125 · Recertification Fees - PY                    | 91,427           | 217,319                        | 276,530                   | 59,211                              |
| 4130 · Recertification Late Fees                    | 138,689          | 137,000                        | 94,000                    | (43,000)                            |
| 4135 · Limited Recertification Fees                 | 113,420          | -                              | -                         | -                                   |
| 4140 · Limited Recert Late Fees                     | 107,095          | -                              | -                         | -                                   |
| <b>Total 4100 · Certification Fees - Individual</b> | <b>4,633,388</b> | <b>3,977,059</b>               | <b>3,563,100</b>          | <b>(413,959)</b>                    |
| 4200 · Hearing Fees - Individuals                   | 28,515           | 24,000                         | 24,000                    | -                                   |
| <b>4300 · APPLICATION FEES - SCHOOLS</b>            |                  |                                |                           |                                     |
| 4310 · Application Fees - CY                        | 7,436            | 8,302                          | 8,302                     | -                                   |
| 4315 · New Application Fees - PY                    | -                | 1,283                          | 1,283                     | -                                   |
| 4320 · Reapplication Fees - CY                      | 27,345           | 200,993                        | 200,993                   | -                                   |
| 4325 · Reapplication Fees - PY                      | -                | 38,205                         | 38,205                    | -                                   |
| <b>Total 4300 · APPLICATION FEES - SCHOOLS</b>      | <b>34,781</b>    | <b>248,783</b>                 | <b>248,783</b>            | <b>-</b>                            |
| 4400 · Background Check Fees - School               | 2,378            | 16,605                         | 16,605                    | -                                   |
| 4500 · Hearing Fees - Schools                       | 8,790            | 10,800                         | 10,800                    | -                                   |
| 4910 · Interest & Other Income                      | 30,179           | 22,000                         | 22,000                    | -                                   |
| 4999 · Miscellaneous Fees                           | 135,933          | 130,000                        | 131,860                   | 1,860                               |
| <b>Total 4000 · REVENUE</b>                         | <b>4,873,964</b> | <b>4,429,247</b>               | <b>4,017,148</b>          | <b>(412,099)</b>                    |
| <b>Expense</b>                                      |                  |                                |                           |                                     |
| <b>5000 · Salaries</b>                              |                  |                                |                           |                                     |
| 5010 · Salaries - Outreach Director                 | 40,139           | 77,136                         | 76,140                    | (996)                               |
| 7210 · Salaries - Sr. Management                    | 351,388          | 365,892                        | 365,890                   | (2)                                 |
| 7303 · Salaries - Paralegals                        | 467,480          | 535,232                        | 481,430                   | (53,802)                            |
| 7304 · Salaries - Field Investigations              | 243,060          | 257,136                        | 446,900                   | 189,764                             |
| 7305 · Salaries - Legal In-House                    | 283,871          | 396,200                        | 422,640                   | 26,440                              |
| 7501 · Salaries - Management (EDS & PSD)            | 202,728          | 207,286                        | 207,410                   | 124                                 |
| 7504 · Salaries - School Inspection                 | 64,781           | 61,167                         | 68,060                    | 6,893                               |
| 7505 · Salaries - Hearing Officers                  | 7,189            | 36,595                         | 87,670                    | 51,075                              |
| 7506 · Salaries - Data Analysis                     | -                | -                              | 48,300                    | 48,300                              |
| <b>Total 5000 · Salaries</b>                        | <b>1,660,636</b> | <b>1,936,644</b>               | <b>2,204,440</b>          | <b>267,796</b>                      |
| 7510 · Employee Benefits                            | 172,338          | 187,239                        | 203,690                   | 16,451                              |
| 7405 · Payroll Taxes                                | 140,250          | 153,553                        | 144,460                   | (9,093)                             |
| 8210 · Communications & Outreach                    | 43,272           | 48,000                         | 133,270                   | 85,270                              |
| 8250 · Public Relations                             | 30,429           | 31,000                         | 40,430                    | 9,430                               |
| 7114 · Office Rental - Sacramento                   | 48,480           | -                              | -                         | -                                   |
| 7115 · Printing/Copying                             | 23,196           | 22,500                         | 23,890                    | 1,390                               |
| 7401 · Payroll Services                             | 8,331            | 8,300                          | 8,580                     | 280                                 |
| 7410 · Insurance - Workers' Comp                    | 7,512            | 13,860                         | 13,860                    | -                                   |

# CA Massage Therapy Council

## Profit & Loss Budget Overview

January through December 2018

|                                                       | 2017 Actual      | November<br>Approved<br>Budget | New<br>Proposed<br>Budget | Approved vs.<br>Amended<br>Variance |
|-------------------------------------------------------|------------------|--------------------------------|---------------------------|-------------------------------------|
|                                                       | Jan - Dec 17     | Jan - Dec 18                   | Jan - Dec 18              |                                     |
| 7520 · Supplies                                       | 15,649           | 11,836                         | 16,120                    | 4,284                               |
| 7520 · Staff Training                                 | 987              | 14,000                         | 9,000                     | (5,000)                             |
| 7113 · Office Furniture/Equipment                     | 2,272            | 13,000                         | 55,330                    | 42,330                              |
| 7521 · Cell Phones                                    | 28,635           | 27,800                         | 31,340                    | 3,540                               |
| 7120 · Telephone/Fax                                  | 5,363            | 10,739                         | 5,520                     | (5,219)                             |
| 7125 · Postage/Mailing                                | 25,846           | 26,708                         | 26,620                    | (88)                                |
| 7130 · Dues /Subscrip/Licenses                        | 28,887           | 15,300                         | 29,750                    | 14,450                              |
| 7135 · Insurance-D&O/E&O/GL                           | 53,374           | 59,000                         | 54,970                    | (4,030)                             |
| 7140 · Banking/Credit Card Fees                       | 70,821           | 69,000                         | 72,950                    | 3,950                               |
| 7523 · Travel                                         | 82,220           | 83,480                         | 84,690                    | 1,210                               |
| 7160 · On and Off-Site Storage                        | 30,037           | 30,150                         | 30,940                    | 790                                 |
| 7180 · Certification/Mat's/Print/Mail                 | 107,110          | 90,000                         | 110,320                   | 20,320                              |
| 7190 · Database Development                           | 140,069          | 203,000                        | 203,000                   | -                                   |
| 7191 · Database Maintenance                           | 32,498           | 32,120                         | 33,470                    | 1,350                               |
| 7191 · IT Manager                                     | -                | -                              | 60,000                    | 60,000                              |
| 7193 · Depreciation Expense                           | -                | 2,760                          | 2,760                     | -                                   |
| 7524 · Conference Calls                               | 9,018            | 8,640                          | 9,290                     | 650                                 |
| 7540 · School Background Checks                       | 5,490            | 16,605                         | 5,650                     | (10,955)                            |
| 8110 · Application Processing                         | 1,224,655        | 1,800,000                      | 1,783,000                 | (17,000)                            |
| 7532 · Legal Service - Denials/Litigation (EDS & PSD) | 405,038          | 473,905                        | 469,340                   | (4,565)                             |
| 8120 · Legal - General                                | 45,760           | 52,010                         | 53,030                    | 1,020                               |
| 7347 · Court Record Fees                              | 738              | 900                            | 760                       | (140)                               |
| 7348 · Proposed Denials Mail/Supplies                 | 2,923            | 2,000                          | 3,010                     | 1,010                               |
| 7527 · Committee Travel & Meetings                    | 10,355           | 10,500                         | 5,000                     | (5,500)                             |
| 6110 · Facility / Banquet                             | 45,104           | 33,400                         | 46,460                    | 13,060                              |
| 7538 · Committee Legal General                        | 3,400            | 7,044                          | 7,000                     | (44)                                |
| 7599 · Miscellaneous                                  | 2,950            | 4,720                          | 3,040                     | (1,680)                             |
| 8190 · Accounting/Tax/Audit                           | 35,590           | 35,000                         | 36,660                    | 1,660                               |
| 8190 · Miscellaneous Contingencies                    | 26,355           | 100,000                        | 100,000                   | -                                   |
| <b>Total Expense</b>                                  | <b>4,575,589</b> | <b>5,634,712</b>               | <b>6,121,640</b>          | <b>486,928</b>                      |
| <b>Net Income</b>                                     | <b>298,375</b>   | <b>(1,205,466)</b>             | <b>(2,104,492)</b>        | <b>(899,026)</b>                    |
| <br><b>Starting Cash</b>                              | <br>3,491,737    | <br>2,500,000                  | <br>3,173,327             |                                     |
| <b>Cash Received</b>                                  | 3,785,823        | 4,129,631                      | 3,649,390                 |                                     |
| <b>Cash Expended</b>                                  | 4,104,233        | 5,634,712                      | 6,121,640                 |                                     |
| <b>Ending Cash</b>                                    | <b>3,173,327</b> | <b>994,918</b>                 | <b>701,077</b>            |                                     |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Board & Committee**  
**January through December 2017**

|                                    | 2017 Actual      | November<br>Approved<br>Budget | Proposed<br>Amended<br>Budget | Approved<br>vs.<br>Amended<br>Budget |
|------------------------------------|------------------|--------------------------------|-------------------------------|--------------------------------------|
|                                    | Jan - Dec 17     | Jan - Dec 17                   | Jan - Dec 17                  | Variance                             |
| Expense                            |                  |                                |                               |                                      |
| 6110 · Travel                      | 35,841.34        | 28,000.00                      | 28,000.00                     | 0.00                                 |
| 6120 · Facility/Banquet            | 45,104.15        | 33,400.00                      | 46,460.00                     | 13,060.00                            |
| 6130 · Printing/Supplies/Postage   | 4,733.12         | 0.00                           | 0.00                          | 0.00                                 |
| 7999 · Miscellaneous               | 95.00            | 900.00                         | 900.00                        | 0.00                                 |
| 8999 · Miscellaneous Contingencies | -26,354.61       | 0.00                           | 0.00                          | 0.00                                 |
| <b>Total Expense</b>               | <b>59,419.00</b> | <b>62,300.00</b>               | <b>75,360.00</b>              | <b>13,060.00</b>                     |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Education Standards/Schools**  
**January through December 2017**

|                                                | 2017 Actual        | November<br>Approved<br>Budget | Proposed<br>Amended<br>Budget | Approved<br>vs. Amended<br>Budget |
|------------------------------------------------|--------------------|--------------------------------|-------------------------------|-----------------------------------|
|                                                | Jan - Dec 17       | Jan - Dec 17                   | Jan - Dec 17                  | Variance                          |
| <b>Income</b>                                  |                    |                                |                               |                                   |
| <b>4000 · REVENUE</b>                          |                    |                                |                               |                                   |
| <b>4300 · APPLICATION FEES - SCHOOLS</b>       |                    |                                |                               |                                   |
| 4310 · New Application Fees - CY               | 7,436.25           | 8,302.00                       | 8,302.00                      | 0.00                              |
| 4315 · New Application Fees - PY               | 0.00               | 1,283.00                       | 1,283.00                      | 0.00                              |
| 4320 · Reapplication Fees - CY                 | 27,345.00          | 200,993.00                     | 200,993.00                    | 0.00                              |
| 4330 · Reapplication Fees - PY                 | 0.00               | 38,205.00                      | 38,205.00                     | 0.00                              |
| <b>Total 4300 · APPLICATION FEES - SCHOOLS</b> | <b>34,781.25</b>   | <b>248,783.00</b>              | <b>248,783.00</b>             | <b>0.00</b>                       |
| 4400 · Background Check Fees - School          | 2,378.00           | 16,605.00                      | 16,605.00                     | 0.00                              |
| 4500 · Hearing Fees - Schools                  | 8,790.00           | 10,800.00                      | 10,800.00                     | 0.00                              |
| <b>Total Income</b>                            | <b>45,949.25</b>   | <b>276,188.00</b>              | <b>276,188.00</b>             | <b>0.00</b>                       |
| <b>Expense</b>                                 |                    |                                |                               |                                   |
| <b>5000 · Salaries</b>                         |                    |                                |                               |                                   |
| 5020 · Management                              | 97,344.57          | 98,224.00                      | 98,224.00                     | 0.00                              |
| 5040 · Field Investigations                    | 0.00               | 0.00                           | 116,820.00                    | 116,820.00                        |
| 5050 · School Inspectors                       | 64,781.08          | 61,167.00                      | 68,060.00                     | 6,893.00                          |
| 5060 · Hearing Officers                        | 7,188.90           | 36,595.00                      | 87,670.00                     | 51,075.00                         |
| <b>Total 5000 · Salaries</b>                   | <b>169,314.55</b>  | <b>195,986.00</b>              | <b>370,774.00</b>             | <b>174,788.00</b>                 |
| 5100 · Payroll Taxes                           | 3,048.97           | 16,368.00                      | 15,399.00                     | -969.00                           |
| 5200 · Benefits                                | 11,899.54          | 12,341.00                      | 13,425.00                     | 1,084.00                          |
| 5300 · Workers' Compensation Insurance         | 0.00               | 1,320.00                       | 1,320.00                      | 0.00                              |
| 5400 · Payroll Services                        | 194.90             | 820.00                         | 848.00                        | 28.00                             |
| 6110 · Travel                                  | 17,633.14          | 20,880.00                      | 21,589.00                     | 709.00                            |
| 6140 · Cell Phones/Land Lines                  | 2,262.78           | 4,140.00                       | 4,140.00                      | 0.00                              |
| 6170 · Office Supplies                         | 804.24             | 336.00                         | 457.00                        | 121.00                            |
| 6320 · Conference Calls                        | 585.58             | 240.00                         | 258.00                        | 18.00                             |
| 6380 · Committee Travel & Meetings             | 10,354.60          | 10,500.00                      | 5,000.00                      | -5,500.00                         |
| 6390 · Legal Service - Denials                 | 130,800.00         | 168,780.00                     | 151,565.00                    | -17,215.00                        |
| 6400 · Committee Legal General                 | 3,400.00           | 7,044.00                       | 7,000.00                      | -44.00                            |
| 6410 · School Background Checks                | 5,489.65           | 16,605.00                      | 5,650.00                      | -10,955.00                        |
| 6420 · Mailings                                | 171.64             | 1,008.00                       | 1,005.00                      | -3.00                             |
| 7999 · Miscellaneous                           | 0.00               | 120.00                         | 77.00                         | -43.00                            |
| <b>Total Expense</b>                           | <b>355,959.59</b>  | <b>456,488.00</b>              | <b>598,507.00</b>             | <b>142,019.00</b>                 |
| <b>Net Income</b>                              | <b>-310,010.34</b> | <b>-180,300.00</b>             | <b>-322,319.00</b>            | <b>-142,019.00</b>                |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Executive Staff**  
**January through December 2017**

|                                               | 2017 Actual  | November<br>Approved<br>Budget | Proposed<br>Amended<br>Budget | Approved<br>vs.<br>Amended<br>Budget |
|-----------------------------------------------|--------------|--------------------------------|-------------------------------|--------------------------------------|
|                                               | Jan - Dec 17 | Jan - Dec 17                   | Jan - Dec 17                  | Variance                             |
| <b>Expense</b>                                |              |                                |                               |                                      |
| <b>5000 · Salaries</b>                        |              |                                |                               |                                      |
| <b>5010 · Sr. Management</b>                  | 351,387.90   | 365,892.00                     | 365,890.00                    | -2.00                                |
| <b>Total 5000 · Salaries</b>                  | 351,387.90   | 365,892.00                     | 365,890.00                    | -2.00                                |
| <b>5100 · Payroll Taxes</b>                   | 6,320.16     | 30,520.00                      | 28,713.00                     | -1,807.00                            |
| <b>5200 · Benefits</b>                        | 80,329.01    | 83,665.00                      | 91,016.00                     | 7,351.00                             |
| <b>5300 · Workers' Compensation Insurance</b> | 0.00         | 2,880.00                       | 2,880.00                      | 0.00                                 |
| <b>5400 · Payroll Services</b>                | 404.00       | 1,700.00                       | 1,757.00                      | 57.00                                |
| <b>6110 · Travel</b>                          | 10,637.44    | 15,000.00                      | 15,217.00                     | 217.00                               |
| <b>6140 · Cell Phones/Land Lines</b>          | 5,026.92     | 6,889.00                       | 5,340.00                      | -1,549.00                            |
| <b>6170 · Office Supplies</b>                 | 1,832.88     | 1,300.00                       | 1,771.00                      | 471.00                               |
| <b>6180 · Office Furniture/Equipment</b>      | 0.00         | 600.00                         | 2,554.00                      | 1,954.00                             |
| <b>6190 · Rent</b>                            | 25,983.72    | 26,340.00                      | 26,765.00                     | 425.00                               |
| <b>Total Expense</b>                          | 481,922.03   | 534,786.00                     | 541,903.00                    | 7,117.00                             |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**General & Administrative**  
**January through December 2017**

|                                                     | 2017 Actual         | November<br>Approved<br>Budget | Proposed<br>Amended<br>Budget | Approved<br>vs.<br>Amended<br>Budget |
|-----------------------------------------------------|---------------------|--------------------------------|-------------------------------|--------------------------------------|
|                                                     | Jan - Dec 17        | Jan - Dec 17                   | Jan - Dec 17                  | Variance                             |
| <b>Income</b>                                       |                     |                                |                               |                                      |
| <b>4000 · REVENUE</b>                               |                     |                                |                               |                                      |
| <b>4100 · Certification Fees - Individual</b>       |                     |                                |                               |                                      |
| 4110 · New Certification Fees - CY                  | 409,911.45          | 449,213.00                     | 326,700.00                    | -122,513.00                          |
| 4115 · New Certification Fees - PY                  | 996,713.60          | 42,809.00                      | 51,740.00                     | 8,931.00                             |
| 4120 · Recertification Fees - CY                    | 2,776,131.50        | 3,130,718.00                   | 2,814,130.00                  | -316,588.00                          |
| 4125 · Recertification Fees - PY                    | 91,427.25           | 217,319.00                     | 276,530.00                    | 59,211.00                            |
| 4130 · Recertification Late Fees                    | 138,689.00          | 137,000.00                     | 94,000.00                     | -43,000.00                           |
| 4135 · Limited Recertification Fees                 | 113,420.00          | 0.00                           | 0.00                          | 0.00                                 |
| 4140 · Limited Recert Late Fees                     | 107,095.00          | 0.00                           | 0.00                          | 0.00                                 |
| <b>Total 4100 · Certification Fees - Individual</b> | <b>4,633,387.80</b> | <b>3,977,059.00</b>            | <b>3,563,100.00</b>           | <b>-413,959.00</b>                   |
| 4200 · Hearing Fees - Individuals                   | 18,950.00           | 24,000.00                      | 24,000.00                     | 0.00                                 |
| 4800 · Interest & Other Income                      | 30,179.46           | 22,000.00                      | 22,000.00                     | 0.00                                 |
| 4900 · Miscellaneous Fees                           | 135,932.67          | 130,000.00                     | 131,860.00                    | 1,860.00                             |
| <b>Total Income</b>                                 | <b>4,818,449.93</b> | <b>4,153,059.00</b>            | <b>3,740,960.00</b>           | <b>-412,099.00</b>                   |
| <b>Expense</b>                                      |                     |                                |                               |                                      |
| <b>5000 · Salaries</b>                              |                     |                                |                               |                                      |
| Data Analyst                                        | 0.00                | 0.00                           | 48,300.00                     | 48,300.00                            |
| <b>Total 5000 · Salaries</b>                        | <b>0.00</b>         | <b>0.00</b>                    | <b>48,300.00</b>              | <b>48,300.00</b>                     |
| 5100 · Payroll Taxes                                | 109,390.15          | 0.00                           | 0.00                          | 0.00                                 |
| 5300 · Workers' Compensation Insurance              | 7,511.75            | 0.00                           | 0.00                          | 0.00                                 |
| 5400 · Payroll Services                             | 6,358.84            | 0.00                           | 0.00                          | 0.00                                 |
| 6110 · Travel                                       | 5,375.63            | 4,600.00                       | 4,667.00                      | 67.00                                |
| 6170 · Office Supplies                              | 10,764.91           | 7,500.00                       | 10,215.00                     | 2,715.00                             |
| 6180 · Office Furniture/Equipment                   | 2,272.35            | 12,400.00                      | 52,776.00                     | 40,376.00                            |
| 6190 · Rent                                         | 48,480.00           | 0.00                           | 0.00                          | 0.00                                 |
| 6200 · Printing/Copying                             | 23,195.89           | 22,500.00                      | 23,890.00                     | 1,390.00                             |
| 6220 · Telephone/Fax                                | 5,363.05            | 5,650.00                       | 5,520.00                      | -130.00                              |
| 6230 · Postage/Mailing                              | 20,941.39           | 25,700.00                      | 25,615.00                     | -85.00                               |
| 6240 · Dues/Subscriptions/Licenses                  | 28,886.91           | 15,300.00                      | 29,750.00                     | 14,450.00                            |
| 6250 · Insurance-D&O/E&O/GL                         | 53,373.68           | 59,000.00                      | 54,970.00                     | -4,030.00                            |
| 6260 · Banking/Credit Card Fees                     | 70,821.13           | 69,000.00                      | 72,950.00                     | 3,950.00                             |
| 6270 · On-Site Storage                              | 3,629.34            | 3,810.00                       | 4,175.00                      | 365.00                               |
| 6280 · Off-Site Storage                             | 424.30              | 0.00                           | 0.00                          | 0.00                                 |
| 6290 · Certification/Mat's/Print/Mail               | 107,110.36          | 90,000.00                      | 110,320.00                    | 20,320.00                            |
| 6300 · Database Development                         | 140,068.75          | 203,000.00                     | 203,000.00                    | 0.00                                 |
| 6310 · Database Maintenance                         | 32,498.39           | 32,120.00                      | 33,470.00                     | 1,350.00                             |
| IT Manager                                          | 0.00                | 0.00                           | 60,000.00                     | 60,000.00                            |
| 6370 · Staff Training                               | 986.97              | 14,000.00                      | 9,000.00                      | -5,000.00                            |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**General & Administrative**  
**January through December 2017**

|                                        | <u>Jan - Dec 17</u>        | <u>Jan - Dec 17</u>        | <u>Jan - Dec 17</u>      | <u>Variance</u>           |
|----------------------------------------|----------------------------|----------------------------|--------------------------|---------------------------|
| 6430 · Application Processing          | 1,224,655.02               | 1,800,000.00               | 1,783,000.00             | -17,000.00                |
| 6440 · Legal General Counsel & Routine | 45,760.00                  | 52,010.00                  | 53,030.00                | 1,020.00                  |
| 6450 · Accounting/Tax/Audit            | 35,590.00                  | 35,000.00                  | 36,660.00                | 1,660.00                  |
| 7193 · Depreciation Expense            | 0.00                       | 2,760.00                   | 2,760.00                 | 0.00                      |
| 7999 · Miscellaneous                   | 2,152.82                   | 2,700.00                   | 1,063.00                 | -1,637.00                 |
| 8999 · Miscellaneous Contingencies     | 26,354.61                  | 100,000.00                 | 100,000.00               | 0.00                      |
| <b>Total Expense</b>                   | <u>2,011,966.24</u>        | <u>2,557,050.00</u>        | <u>2,773,431.00</u>      | <u>216,381.00</u>         |
| <b>Net Income</b>                      | <u><u>2,806,483.69</u></u> | <u><u>1,596,009.00</u></u> | <u><u>967,529.00</u></u> | <u><u>-628,480.00</u></u> |



**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Outreach & Marketing**  
**January through December 2017**

|                                              | 2017 Actual  | November<br>Approved<br>Budget | Proposed<br>Amended<br>Budget | Approved<br>vs.<br>Amended<br>Budget |
|----------------------------------------------|--------------|--------------------------------|-------------------------------|--------------------------------------|
|                                              | Jan - Dec 17 | Jan - Dec 17                   | Jan - Dec 17                  | Variance                             |
| <b>Expense</b>                               |              |                                |                               |                                      |
| <b>5000 · Salaries</b>                       |              |                                |                               |                                      |
| <b>5030 · Outreach Director</b>              | 40,138.66    | 77,136.00                      | 76,140.00                     | -996.00                              |
| <b>Total 5000 · Salaries</b>                 | 40,138.66    | 77,136.00                      | 76,140.00                     | -996.00                              |
| <b>5100 · Payroll Taxes</b>                  | 1,413.39     | 6,440.00                       | 6,058.00                      | -382.00                              |
| <b>5200 · Benefits</b>                       | 3,250.00     | 6,140.00                       | 6,679.00                      | 539.00                               |
| <b>5300 · Workers' Compensation Insuranc</b> | 0.00         | 660.00                         | 660.00                        | 0.00                                 |
| <b>5400 · Payroll Services</b>               | 90.34        | 380.00                         | 393.00                        | 13.00                                |
| <b>6140 · Cell Phones/Land Lines</b>         | 632.50       | 360.00                         | 360.00                        | 0.00                                 |
| <b>6150 · Public Relations</b>               | 30,428.85    | 31,000.00                      | 40,430.00                     | 9,430.00                             |
| <b>6160 · Communications &amp; Outreach</b>  | 43,272.33    | 48,000.00                      | 133,270.00                    | 85,270.00                            |
| <b>Total Expense</b>                         | 119,226.07   | 170,116.00                     | 263,990.00                    | 93,874.00                            |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Professional Standards Division**  
January through December 2017

|                                               | 2017 Actual         | November<br>Approved<br>Budget | Proposed<br>Amended<br>Budget | Approved<br>vs. Amended<br>Budget |
|-----------------------------------------------|---------------------|--------------------------------|-------------------------------|-----------------------------------|
|                                               | Jan - Dec 17        | Jan - Dec 17                   | Jan - Dec 17                  | Variance                          |
| <b>Expense</b>                                |                     |                                |                               |                                   |
| <b>5000 · Salaries</b>                        |                     |                                |                               |                                   |
| 5020 · Management                             | 105,383.41          | 109,062.00                     | 109,186.00                    | 124.00                            |
| 5040 · Field Investigations                   | 243,059.90          | 257,136.00                     | 330,080.00                    | 72,944.00                         |
| 5070 · Legal In-House                         | 283,870.98          | 396,200.00                     | 422,640.00                    | 26,440.00                         |
| 5080 · Paralegals                             | 467,480.09          | 535,232.00                     | 481,430.00                    | -53,802.00                        |
| <b>Total 5000 · Salaries</b>                  | <b>1,099,794.38</b> | <b>1,297,630.00</b>            | <b>1,343,336.00</b>           | <b>45,706.00</b>                  |
| <b>5100 · Payroll Taxes</b>                   | 20,077.58           | 100,225.00                     | 94,290.00                     | -5,935.00                         |
| <b>5200 · Benefits</b>                        | 76,859.07           | 85,093.00                      | 92,570.00                     | 7,477.00                          |
| <b>5300 · Workers' Compensation Insurance</b> | 0.00                | 9,000.00                       | 9,000.00                      | 0.00                              |
| <b>5400 · Payroll Services</b>                | 1,283.41            | 5,400.00                       | 5,582.00                      | 182.00                            |
| <b>6110 · Travel</b>                          | 12,732.85           | 15,000.00                      | 15,217.00                     | 217.00                            |
| <b>6140 · Cell Phones/Land Lines</b>          | 20,713.07           | 21,500.00                      | 21,500.00                     | 0.00                              |
| <b>6170 · Office Supplies</b>                 | 2,246.96            | 2,700.00                       | 3,677.00                      | 977.00                            |
| <b>6320 · Conference Calls</b>                | 8,432.35            | 8,400.00                       | 9,032.00                      | 632.00                            |
| <b>6340 · Legal Attorneys Denials/Litigat</b> | 274,238.00          | 305,124.00                     | 317,775.00                    | 12,651.00                         |
| <b>6350 · Court Record Fees</b>               | 738.10              | 900.00                         | 760.00                        | -140.00                           |
| <b>6360 · Proposed Denials Mail/Supplies</b>  | 2,923.49            | 2,000.00                       | 3,010.00                      | 1,010.00                          |
| <b>7999 · Miscellaneous</b>                   | 702.16              | 1,000.00                       | 1,000.00                      | 0.00                              |
| <b>Total Expense</b>                          | <b>1,520,741.42</b> | <b>1,853,972.00</b>            | <b>1,916,749.00</b>           | <b>62,777.00</b>                  |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Summary**  
January - December 2018

|                                              | Board & Committee | Education Standards/Schools | Executive Staff | General Administrative | Outreach/Marketing | Professional Standards Division | TOTAL        | November Approved Budget | Proposed Amended Budget | Approved vs. Amended Budget |
|----------------------------------------------|-------------------|-----------------------------|-----------------|------------------------|--------------------|---------------------------------|--------------|--------------------------|-------------------------|-----------------------------|
| <b>Income</b>                                |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 4000 · REVENUE                               |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 4100 · Certification Fees - Individual       |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 4110 · New Certification Fees - CY           | 0.00              | 0.00                        | 0.00            | 409,911.45             | 0.00               | 0.00                            | 409,911.45   | 449,213.00               | 326,700.00              | -122,513.00                 |
| 4115 · New Certification Fees - PY           | 0.00              | 0.00                        | 0.00            | 996,713.60             | 0.00               | 0.00                            | 996,713.60   | 42,809.00                | 51,740.00               | 8,931.00                    |
| 4120 · Recertification Fees - CY             | 0.00              | 0.00                        | 0.00            | 2,776,131.50           | 0.00               | 0.00                            | 2,776,131.50 | 3,130,718.00             | 2,814,130.00            | -316,588.00                 |
| 4125 · Recertification Fees - PY             | 0.00              | 0.00                        | 0.00            | 91,427.25              | 0.00               | 0.00                            | 91,427.25    | 217,319.00               | 276,530.00              | 59,211.00                   |
| 4130 · Recertification Late Fees             | 0.00              | 0.00                        | 0.00            | 138,689.00             | 0.00               | 0.00                            | 138,689.00   | 137,000.00               | 94,000.00               | -43,000.00                  |
| 4135 · Limited Recertification Fees          | 0.00              | 0.00                        | 0.00            | 113,420.00             | 0.00               | 0.00                            | 113,420.00   | 0.00                     | 0.00                    | 0.00                        |
| 4140 · Limited Recert Late Fees              | 0.00              | 0.00                        | 0.00            | 107,095.00             | 0.00               | 0.00                            | 107,095.00   | 0.00                     | 0.00                    | 0.00                        |
| Total 4100 · Certification Fees - Individual | 0.00              | 0.00                        | 0.00            | 4,633,387.80           | 0.00               | 0.00                            | 4,633,387.80 | 3,977,059.00             | 3,563,100.00            | -413,959.00                 |
| 4200 · Hearing Fees - Individuals            | 0.00              | 0.00                        | 0.00            | 28,515.00              | 0.00               | 0.00                            | 28,515.00    | 24,000.00                | 24,000.00               | 0.00                        |
| 4300 · APPLICATION FEES - SCHOOLS            |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 4310 · New Application Fees - CY             | 0.00              | 7,436.25                    | 0.00            | 0.00                   | 0.00               | 0.00                            | 7,436.25     | 8,302.00                 | 8,302.00                | 0.00                        |
| 4315 · New Application Fees - PY             | 0.00              | 27,345.00                   | 0.00            | 0.00                   | 0.00               | 0.00                            | 27,345.00    | 1,283.00                 | 1,283.00                | 0.00                        |
| 4320 · Reapplication Fees - CY               | 0.00              | 0.00                        | 0.00            | 0.00                   | 0.00               | 0.00                            | 0.00         | 200,993.00               | 200,993.00              | 0.00                        |
| 4330 · Reapplication Fees - PY               | 0.00              | 0.00                        | 0.00            | 0.00                   | 0.00               | 0.00                            | 0.00         | 38,205.00                | 38,205.00               | 0.00                        |
| Total 4300 · APPLICATION FEES - SCHOOLS      | 0.00              | 34,781.25                   | 0.00            | 0.00                   | 0.00               | 0.00                            | 34,781.25    | 248,783.00               | 248,783.00              | 0.00                        |
| 4400 · Background Check Fees - School        | 0.00              | 2,378.00                    | 0.00            | 0.00                   | 0.00               | 0.00                            | 2,378.00     | 16,605.00                | 16,605.00               | 0.00                        |
| 4500 · Hearing Fees - Schools                | 0.00              | 8,790.00                    | 0.00            | 0.00                   | 0.00               | 0.00                            | 8,790.00     | 10,800.00                | 10,800.00               | 0.00                        |
| 4800 · Interest & Other Income               | 0.00              | 0.00                        | 0.00            | 30,179.46              | 0.00               | 0.00                            | 30,179.46    | 22,000.00                | 22,000.00               | 0.00                        |
| 4900 · Miscellaneous Fees                    |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 4910 · Reprint                               | 0.00              | 0.00                        | 0.00            | 23,235.00              | 0.00               | 0.00                            | 23,235.00    | 0.00                     | 0.00                    | 0.00                        |
| 4915 · State Verification                    | 0.00              | 0.00                        | 0.00            | 2,475.00               | 0.00               | 0.00                            | 2,475.00     | 0.00                     | 0.00                    | 0.00                        |
| 4920 · Conversion Fee/Upgrade                | 0.00              | 0.00                        | 0.00            | 60.00                  | 0.00               | 0.00                            | 60.00        | 0.00                     | 0.00                    | 0.00                        |
| 4925 · Late Fee                              | 0.00              | 0.00                        | 0.00            | 846.00                 | 0.00               | 0.00                            | 846.00       | 0.00                     | 0.00                    | 0.00                        |
| 4935 · Return Check Fee                      | 0.00              | 0.00                        | 0.00            | 700.00                 | 0.00               | 0.00                            | 700.00       | 0.00                     | 0.00                    | 0.00                        |
| 4900 · Miscellaneous Fees - Other            | 0.00              | 0.00                        | 0.00            | 108,616.67             | 0.00               | 0.00                            | 108,616.67   | 130,000.00               | 131,860.00              | 1,860.00                    |
| Total 4900 · Miscellaneous Fees              | 0.00              | 0.00                        | 0.00            | 135,932.67             | 0.00               | 0.00                            | 135,932.67   | 130,000.00               | 131,860.00              | 1,860.00                    |
| Total 4000 · REVENUE                         | 0.00              | 45,949.25                   | 0.00            | 4,828,014.93           | 0.00               | 0.00                            | 4,873,964.18 | 4,429,247.00             | 4,017,148.00            | -412,099.00                 |
| Total Income                                 | 0.00              | 45,949.25                   | 0.00            | 4,828,014.93           | 0.00               | 0.00                            | 4,873,964.18 | 4,429,247.00             | 4,017,148.00            | -412,099.00                 |
| <b>Expense</b>                               |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 5000 · Salaries                              |                   |                             |                 |                        |                    |                                 |              |                          |                         |                             |
| 5010 · Sr. Management                        | 0.00              | 0.00                        | 351,387.90      | 0.00                   | 0.00               | 0.00                            | 351,387.90   | 365,892.00               | 365,890.00              | -2.00                       |
| 5020 · Management                            | 0.00              | 97,344.57                   | 0.00            | 0.00                   | 0.00               | 105,383.41                      | 202,727.98   | 207,286.00               | 207,410.00              | 124.00                      |
| 5030 · Outreach Director                     | 0.00              | 0.00                        | 0.00            | 0.00                   | 40,138.66          | 0.00                            | 40,138.66    | 77,136.00                | 76,140.00               | -996.00                     |
| 5040 · Field Investigations                  | 0.00              | 0.00                        | 0.00            | 0.00                   | 0.00               | 243,059.90                      | 243,059.90   | 257,136.00               | 446,900.00              | 189,764.00                  |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Summary**  
**January - December 2018**

|                                        |           |            |            |            |           |              |              |              |              |            |
|----------------------------------------|-----------|------------|------------|------------|-----------|--------------|--------------|--------------|--------------|------------|
| 5050 • School Inspectors               | 0.00      | 64,781.08  | 0.00       | 0.00       | 0.00      | 0.00         | 64,781.08    | 61,167.00    | 68,060.00    | 6,893.00   |
| 5060 • Hearing Officers                | 0.00      | 7,188.90   | 0.00       | 0.00       | 0.00      | 0.00         | 7,188.90     | 36,595.00    | 87,670.00    | 51,075.00  |
| 5070 • Legal In-House                  | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 283,870.98   | 283,870.98   | 396,200.00   | 422,640.00   | 26,440.00  |
| 5080 • Paralegals                      | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 467,480.09   | 467,480.09   | 535,232.00   | 481,430.00   | -53,802.00 |
| Data Analyst                           | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 0.00         | 0.00         | 0.00         | 48,300.00    | 48,300.00  |
| <b>Total 5000 • Salaries</b>           | 0.00      | 169,314.55 | 351,387.90 | 0.00       | 40,138.66 | 1,099,794.38 | 1,660,635.49 | 1,936,644.00 | 2,204,440.00 | 267,796.00 |
| 5100 • Payroll Taxes                   | 0.00      | 3,048.97   | 6,320.16   | 109,390.15 | 1,413.39  | 20,077.58    | 140,250.25   | 159,553.00   | 144,460.00   | -9,093.00  |
| 5200 • Benefits                        | 0.00      | 11,899.54  | 80,329.01  | 0.00       | 3,250.00  | 76,859.07    | 172,337.62   | 187,239.00   | 203,690.00   | 16,451.00  |
| 5300 • Workers' Compensation Insurance | 0.00      | 0.00       | 0.00       | 7,511.75   | 0.00      | 0.00         | 7,511.75     | 13,860.00    | 13,860.00    | 0.00       |
| 5400 • Payroll Services                | 0.00      | 194.90     | 404.00     | 6,358.84   | 90.34     | 1,283.41     | 8,331.49     | 8,300.00     | 8,580.00     | 280.00     |
| 6110 • Travel                          | 35,841.34 | 17,633.14  | 10,637.44  | 5,375.63   | 0.00      | 12,732.85    | 82,220.40    | 83,480.00    | 84,690.00    | 1,210.00   |
| 6120 • Facility/Banquet                | 45,104.15 | 0.00       | 0.00       | 0.00       | 0.00      | 0.00         | 45,104.15    | 33,400.00    | 46,460.00    | 13,060.00  |
| 6130 • Printing/Supplies/Postage       | 4,733.12  | 0.00       | 0.00       | 0.00       | 0.00      | 0.00         | 4,733.12     | 0.00         | 0.00         | 0.00       |
| 6140 • Cell Phones/Land Lines          | 0.00      | 2,262.78   | 5,026.92   | 0.00       | 632.50    | 20,713.07    | 28,635.27    | 32,889.00    | 31,340.00    | -1,549.00  |
| 6150 • Public Relations                | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 0.00         | 30,428.85    | 31,000.00    | 40,430.00    | 9,430.00   |
| 6160 • Communications & Outreach       | 0.00      | 0.00       | 0.00       | 0.00       | 43,272.33 | 0.00         | 43,272.33    | 48,000.00    | 133,270.00   | 85,270.00  |
| 6170 • Office Supplies                 | 0.00      | 804.24     | 1,832.88   | 10,764.91  | 0.00      | 2,246.96     | 15,648.99    | 11,836.00    | 16,120.00    | 4,284.00   |
| 6180 • Office Furniture/Equipment      | 0.00      | 0.00       | 0.00       | 2,272.35   | 0.00      | 0.00         | 2,272.35     | 13,000.00    | 55,330.00    | 42,330.00  |
| 6190 • Rent                            | 0.00      | 0.00       | 25,983.72  | 48,480.00  | 0.00      | 0.00         | 74,463.72    | 26,340.00    | 26,765.00    | 425.00     |
| 6200 • Printing/Copying                | 0.00      | 0.00       | 0.00       | 23,195.89  | 0.00      | 0.00         | 23,195.89    | 22,500.00    | 23,890.00    | 1,390.00   |
| 6220 • Telephone/Fax                   | 0.00      | 0.00       | 0.00       | 5,363.05   | 0.00      | 0.00         | 5,363.05     | 5,650.00     | 5,520.00     | -130.00    |
| 6230 • Postage/Mailing                 | 0.00      | 0.00       | 0.00       | 20,941.39  | 0.00      | 0.00         | 20,941.39    | 26,708.00    | 26,620.00    | -88.00     |
| 6240 • Dues/Subscriptions/Licenses     | 0.00      | 0.00       | 0.00       | 28,886.91  | 0.00      | 0.00         | 28,886.91    | 15,300.00    | 29,750.00    | 14,450.00  |
| 6250 • Insurance-D&OE&OIGL             | 0.00      | 0.00       | 0.00       | 53,373.68  | 0.00      | 0.00         | 53,373.68    | 59,000.00    | 54,970.00    | -4,030.00  |
| 6260 • Banking/Credit Card Fees        | 0.00      | 0.00       | 0.00       | 70,821.13  | 0.00      | 0.00         | 70,821.13    | 69,000.00    | 72,950.00    | 3,950.00   |
| 6270 • On-Site Storage                 | 0.00      | 0.00       | 0.00       | 3,629.34   | 0.00      | 0.00         | 3,629.34     | 3,810.00     | 4,175.00     | 365.00     |
| 6280 • Off-Site Storage                | 0.00      | 0.00       | 0.00       | 424.30     | 0.00      | 0.00         | 424.30       | 0.00         | 0.00         | 0.00       |
| 6290 • Certification/Mat's/Print/Mail  | 0.00      | 0.00       | 0.00       | 107,110.36 | 0.00      | 0.00         | 107,110.36   | 90,000.00    | 110,320.00   | 20,320.00  |
| 6300 • Database Development            | 0.00      | 0.00       | 0.00       | 140,068.75 | 0.00      | 0.00         | 140,068.75   | 203,000.00   | 203,000.00   | 0.00       |
| 6310 • Database Maintenance            | 0.00      | 0.00       | 0.00       | 32,498.39  | 0.00      | 0.00         | 32,498.39    | 32,120.00    | 33,470.00    | 1,350.00   |
| IT Manager                             | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 0.00         | 0.00         | 0.00         | 60,000.00    | 60,000.00  |
| 6320 • Conference Calls                | 0.00      | 585.58     | 0.00       | 0.00       | 0.00      | 8,432.35     | 9,017.93     | 8,640.00     | 9,290.00     | 650.00     |
| 6340 • Legal Attorneys Denials/Litigat | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 274,238.00   | 274,238.00   | 305,125.00   | 317,775.00   | 12,651.00  |
| 6350 • Court Record Fees               | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 738.10       | 738.10       | 900.00       | 760.00       | -140.00    |
| 6360 • Proposed Denials Mail/Supplies  | 0.00      | 0.00       | 0.00       | 0.00       | 0.00      | 2,923.49     | 2,923.49     | 2,000.00     | 3,010.00     | 1,010.00   |
| 6370 • Staff Training                  | 0.00      | 0.00       | 0.00       | 986.97     | 0.00      | 0.00         | 986.97       | 14,000.00    | 9,000.00     | -5,000.00  |
| 6380 • Committee Travel & Meetings     | 0.00      | 10,354.60  | 0.00       | 0.00       | 0.00      | 0.00         | 10,354.60    | 10,500.00    | 5,000.00     | -5,500.00  |
| 6390 • Legal Service - Denials         | 0.00      | 130,800.00 | 0.00       | 0.00       | 0.00      | 0.00         | 130,800.00   | 168,780.00   | 151,565.00   | -17,215.00 |
| 6400 • Committee Legal General         | 0.00      | 3,400.00   | 0.00       | 0.00       | 0.00      | 0.00         | 3,400.00     | 7,044.00     | 7,000.00     | -44.00     |
| 6410 • School Background Checks        | 0.00      | 5,489.65   | 0.00       | 0.00       | 0.00      | 0.00         | 5,489.65     | 16,605.00    | 5,650.00     | -10,955.00 |

**CA Massage Therapy Council**  
**Proposed Amended Budget by Department**  
**Summary**  
**January - December 2018**

|                                        |                   |                    |                    |                    |                      |                     |                      |                      |                    |
|----------------------------------------|-------------------|--------------------|--------------------|--------------------|----------------------|---------------------|----------------------|----------------------|--------------------|
| 6420 • Mailings                        | 0.00              | 171.64             | 0.00               | 0.00               | 0.00                 | 171.64              | 0.00                 | 0.00                 | 0.00               |
| 6430 • Application Processing          | 0.00              | 0.00               | 0.00               | 0.00               | 0.00                 | 1,224,655.02        | 1,800,000.00         | 1,783,000.00         | -17,000.00         |
| 6440 • Legal General Counsel & Routine | 0.00              | 0.00               | 0.00               | 0.00               | 0.00                 | 45,760.00           | 52,010.00            | 53,030.00            | 1,020.00           |
| 6450 • Accounting/Tax/Audit            | 0.00              | 0.00               | 0.00               | 0.00               | 0.00                 | 35,590.00           | 35,000.00            | 36,660.00            | 1,660.00           |
| 7193 • Depreciation                    | 0.00              | 0.00               | 0.00               | 0.00               | 0.00                 | 0.00                | 2,760.00             | 2,760.00             | 0.00               |
| 7999 • Miscellaneous                   | 95.00             | 0.00               | 0.00               | 0.00               | 702.16               | 2,949.98            | 4,720.00             | 3,040.00             | -1,680.00          |
| 8999 • Miscellaneous Contingencies     | -26,354.61        | 0.00               | 0.00               | 0.00               | 0.00                 | 0.00                | 100,000.00           | 100,000.00           | 0.00               |
| <b>Total Expense</b>                   | <b>59,419.00</b>  | <b>355,959.59</b>  | <b>481,922.03</b>  | <b>119,226.07</b>  | <b>1,520,741.42</b>  | <b>4,549,234.35</b> | <b>5,634,713.00</b>  | <b>6,121,640.00</b>  | <b>486,928.00</b>  |
| <b>Net Income</b>                      | <b>-59,419.00</b> | <b>-310,010.34</b> | <b>-481,922.03</b> | <b>-119,226.07</b> | <b>-1,520,741.42</b> | <b>324,729.83</b>   | <b>-1,205,466.00</b> | <b>-2,104,492.00</b> | <b>-899,027.00</b> |



# **CEO Report**

## **February 22, 2018**

### **2017 in Review**

2017 was the busiest year CAMTC has had since its inception. The Board adopted an ambitious set of initiatives and projects as part of CAMTC's strategic goals and objectives. Updates on the outcome of each objective are provided in [blue](#):

### **2017 Strategic Goals and Objectives**

**Approved 3/9/17**

#### **Goal 1: Public Protection**

Ensure that legislation and related rules are in line with CAMTC's goal of protecting the public.

- 1.1 Monitor legislative initiatives and take appropriate action to ensure that amendments are consistent, and not in conflict with Business and Professions Code section 4603 and CAMTC's mission.

[Senator Janet Nuygen introduced two bills impacting the Massage Therapy Act - SB 314 and SB 315.](#)

**SB 314 (certification, credit hours)** - This bill was first introduced on February 13, 2017 as *“An act to amend Section 7403 of the Business and Professions Code, relating to barbering and cosmetology”*. On March 17, 2017 a “gut and amend” was performed and the bill was relabeled as *“An act to amend Section-4604 of the Business and Professions Code, relating to-massage therapy”* and required CAMTC to:” ...accept any and all hours earned by an applicant for certification as a massage therapist if those hours were earned from a school that was not approved by the council prior to July 1, 2016”. The bill also required *“an applicant to apply for certification as a massage therapist within 5 years of completing those educational requirements”* (from Legislative Counsel’s Digest).

The proposed language relating to acceptance of education was in direct conflict with Business and Profession Code section 4603 and had the potential consequence of demolishing CAMTC’s school approval program. The requirement to impose a 5-year deadline on applicants was detrimental to massage students.

On April 11, 2017 CAMTC issued an “Oppose unless amended” letter and on April 17, 2017, we addressed the Senate Committee on Business, Professions and Economic Development. Senator Jerry Hill, the committee’s Chairman, postponed the vote to April 24, 2017 to allow for further improvements to the language.

On April 19, 2017 the bill was amended. The five-year deadline for students was removed. The new amendments stated that: *“... the council shall accept hours earned by an applicant for certification as a massage therapist if those hours were earned from a school that was unapproved by the council after July 1, 2016, if the school had never been unapproved by the council or had never had its approval to operate revoked by the Bureau for Private Postsecondary Education prior to July 1, 2016, or had never been deemed ineligible by the council for purposes of applicants providing proof of education to meet the requirements of subparagraph (A)”*.

This language provided to schools, which were unapproved by CAMTC after July 1, 2016, a special privilege: a de facto CAMTC approval in perpetuity without the need to apply or be vetted first. CAMTC had numerous concerns with this language and staff communicated those concerns to the Legislature and other stakeholders. On April 20, 2017 CAMTC produced another “Oppose unless amended” letter. There were numerous follow-up discussions and CAMTC proposed amendments, which the author accepted. I testified in front of the Committee on April 24, 2017 and the bill was passed to be sent to the Senate floor.

On April 26, 2017 CAMTC’s proposed amendments were incorporated into the bill to read: *(B) All of the 500 hours shall be from approved schools. Notwithstanding any other law, pursuant to its policies and procedures for approval of schools, the council shall accept hours earned by an applicant for certification as a massage therapist if those hours were completed before July 1, 2016, and were earned from a school that was unapproved by the council after July 1, 2016, based on the fact that the National Certification Board for Therapeutic Massage and Bodywork took denial or disciplinary action against the school. For purposes of this section, “unapproved” means that the council determined that it will not accept hours from a school toward certification.*

On April 28, 2017 CAMTC issued a letter of support and on May 1, 2017 the bill passed (35-0) the senate floor. On June 27, 2017, SB 314 was heard and passed in the Assembly Business and Professions Committee. I testified on behalf of CAMTC. On July 6, 2017, the author sent CAMTC proposed amendments that further narrowed the language. CAMTC was fine with the amendments and on August 24, 2017 the bill was amended as follows (see in *blue italics* from Legislative Counsel’s Digest):

“This bill would require the council, pursuant to its policies and procedures, to accept hours earned by an applicant for certification as a massage therapist if those hours were completed before July 1, 2016, and were earned from a school *providing education in the state that was unapproved, as defined, by the council after July 1, 2016, based solely on the fact that the National Certification Board for Therapeutic Massage and Bodywork took denial or disciplinary action against the school.*”



SB 314 was enacted into law effective January 1, 2018.

**SB 315 (material for non-English speakers)** - This bill was first introduced on February 13, 2017 as “*An act to amend Section 4050 of the Business and Professions Code, relating to pharmacy*”. On March 16, 2017 a “gut and amend” was performed and the bill was relabeled as “An act to amend Section-4602 of the Business and Professions Code, relating to-*healing arts*.” and stated that: “*The council shall assess its contact with non-English speakers. Based on this assessment, the council shall offer and make available all written and electronic materials provided to certificate holders and applicants in languages other than English that the council determines will be used by a substantial number of non-English speakers who are in contact with the council. This subdivision shall not apply to examinations. The council shall provide a report to the Legislature on the findings of its assessment of contact with non-English speakers on or before January 1, 2019.*”

CAMTC is a non-English speaker friendly organization. As of February 2017 CAMTC has been making the information on CAMTC's website available in 103 foreign languages. We believe that this new feature has been making it easier for massage professionals and the public to interact with CAMTC.

The original language of SB 315, if enacted, would have put CAMTC out of existence. The cost associated with a mandate to make available “**all**” written and electronic materials provided to certificate holders and applicants in languages other than English is astronomical. We are not aware of any governmental entity that makes available “**all**” materials in languages other than English.

On April 11, 2017 CAMTC issued an “Oppose unless amended” letter. CAMTC proposed, and the author accepted, the following amendments (in bold): “*The council shall assess its contact with non-English speakers. Based on this assessment the council shall offer and make available all **publicly available** written and electronic*

*materials provided to certificate holders and applicants in languages other than English that the council determines will be used by a substantial number of non-English speakers who are in contact with the council. This subdivision shall not apply to examinations, denial and disciplinary legal documents, and email communications.”*

On April 17, 2017, CAMTC addressed the Senate Committee on Business, Professions and Economic Development. The bill passed out of Committee (6-3). On April 28, 2017 CAMTC issued a Support letter and on May 1, 2017 and the bill was voted out of the Senate (36-0). On June 27, 2017, SB 315 passed in the Assembly Business and Professions Committee and on July 6, 2017 it passed on the Assembly floor.

SB 315 was enacted into law January 1, 2018.

Throughout the year, staff was fully engaged in ensuring that legislative changes are consistent with Business and Professions Code 4603 and CAMTC’s mission.

- 1.2 Take appropriate action to ensure that CAMTC’s approved exams eligibility requirements do not weaken CAMTC’s ability to protect the public.

### **Exam Eligibility**

The Board’s second strategic priority for 2017 was to “Take appropriate action to ensure that CAMTC’s approved exams eligibility requirements do not weaken CAMTC’s ability to protect the public”. On March 30, 2017, I attended the inaugural Executive Directors’ Summit of the Federation of State Massage Therapy Boards (FSMTB) in Kansas City Missouri (all travel expenses were covered by FSMTB). The main focus of the summit was exam fraud prevention and security .

FSMTB announced that effective July 1, 2017, candidates seeking access to the MBLEx will be required to substantiate either:

a. Enrollment in and having received education and training in all subject areas of the MBLEx Content Outline from an approved massage therapy education program; or

b. Graduation from an approved massage therapy education program.

Substantiation documentation must be submitted to FSMTB directly from the education program. An approved massage therapy education program is one that is approved or recognized by the state board or agency authorized to regulate massage therapy in the state in which the school is located.

In the event the massage therapy board/agency does not approve or recognize education programs, approval or recognition from the relevant state department of education or like agency, in the state in which the school is located, shall apply. In the event of a conflict between the state board/agency and department of education, the approval or recognition of the massage therapy board/agency shall prevail.

The new FSMTB rules mean that education from a BPPE approved school will not be accepted for the MBLEx eligibility unless the school is also approved by CAMTC. This clarification received an enthusiastic reception from all the delegates in attendance since many states are grappling with the problem fraudulent massage schools from California.

## **Goal 2: Schools**

Evaluate the accessibility of massage education in the state of California and review school-related policies.

2.1 By April 1, 2017, conduct a study to identify population areas where no massage education for the purpose of CAMTC certification is available.

The Board agreed to conduct a study to measure how accessible massage education really is and to examine CAMTC's potential role in mitigating the shortage of professional massage education, if such shortage actually exists. For the purpose of this study, we defined "accessible" as geographic areas with approved programs located within a one hour drive of the residence of a potential student. Specifically, we wanted to determine what is the percentage of California residents who live within a one-hour drive from an approved school. We retained the services of GbBIS, a division of Intelligent Direct Inc., a leading provider of geographic-based information solutions with many Fortune 500 clients and provided them with all the addresses of schools with CAMTC-approved programs. The analysis revealed that approximately 97% of California residents live at an accessible address to professional massage education.

2.2 By July 1, 2017, Examine CAMTC's potential role in mitigating the shortage of professional massage educational opportunities, if such exist.

It is my opinion that based on the data above, California has no shortage of professional massage educational opportunities and therefore no action needed

2.3 Establish and support a fully functioning schools advisory committee and conduct its first meeting by March 1, 2017.

2.4. The schools advisory committee shall evaluate CAMTC's school-related policies and submit its recommendations to the Board by September 1, 2017.

The school advisory committee has been established, held four productive meetings in 2017 and provided the Board numerous valuable recommendations, many of which were implemented by the Board.

2.5 Develop and implement an outreach plan by December 1, 2017, that informs prospective massage students about the ramifications of enrolling in massage programs which are not approved by CAMTC.

CAMTC developed and printed 10,000 brochures for prospective massage students (attached) which were mailed (cover letter attached) to all massage schools in California. CAMTC approved schools received packets of 50 brochures each and schools not approved by CAMTC received packets of 25 each. All schools were informed that they can receive additional brochures free of charge.

2.6 By October 1, 2017, develop and analyze data pertaining to correlation between individual schools and disciplinary actions against applicants and certificate holders.

Staff developed a comprehensive study regarding schools and individuals' disciplinary actions and provided an analysis to the Board in September 2017.

### **Goal 3: Accountability**

Hold CAMTC accountable to the public by ensuring that all stakeholders can review CAMTC's progress in meeting its public protection mission.

3.1 Regularly track quarterly disciplinary performance measures and make them easily available by prominently posting that data on the website every 90 days.

Staff produced and posted on CAMTC's website quarterly disciplinary performance measures. A report of all 2017 quarters is attached. To provide some context to these numbers, also included were four charts comparing DCA's and CAMTC performance measures.

### **Goal 4: Local Government**

Promote collaboration with cities and counties and evaluate the implementation of Business and Professions Code section 4603.1

4.1 Develop and offer education to local government officials, especially to city attorneys, about CAMTC's certification, school approval program, and the use of revocable registration.

CAMTC submitted a proposal to the League of California Cities to conduct an educational program as part of the city attorney's track at the Leagues annual conference (attached). The League will let us know by the end of March 2018 as to whether our proposal is accepted.

4.2 Continue with outreach initiatives to city and county managers and elected officials and law enforcement to offer support and encourage proactive improvements to local ordinances.

CAMTC mailed 3,399 letters (samples attached) to local government officials (mayors, city council members, county supervisors, city managers, county managers police chiefs and sheriffs). We received responses from more than 60 cities and counties that resulted in numerous meetings and enhanced collaboration between local government and CAMTC.

4.3 Continue to build a positive relationship with the League of California Cities and California State Association of Counties throughout 2017.

CAMTC's and the League's staff have been in communication throughout the year. Beverly May and I had a constructive meeting with Carolyn Coleman, Executive Director of the League and her staff in which we discussed several emerging massage related initiatives that are of interest to both organizations. I also approached Mat Case, the Executive Director of the California State Association of Counties, but so far no substantive communications have taken place.

4.4 Track how well cities comply with their legal responsibility to impose and enforce only reasonable and necessary fees and regulations on massage businesses throughout 2017.

Per the Legislature's request and recommendation, CAMTC surveyed its certificate holders on their experience with local governments' implementation of the Massage Therapy Act. Attached is a summary of the survey's results from 3,789 certificate holders.

We waited until December 2017 in order to allow cities and counties more time to adapt to the new law.

There are several questions that the Board may be especially interested in:

Q 2: **55%** of respondents stated that they are **sole providers**.

Q 8: *In your experience, has the city or county been imposing and enforcing only reasonable and necessary fees and regulations on massage businesses and certified massage professionals?* **45% yes, 25% no** (30% N/A).

Q 9: *In your experience, has the city or county been mindful of the need to protect legitimate massage business owners and professionals?* **42% yes, 27% no** (31% N/A)

Q 10: *Did the city or county require you to be fingerprinted or pass a background check in addition to the finger printing and background check when you applied for CAMTC Certification?* **47% yes, 22% no** (12% N/A)

The complete survey's results were shared with the League. Staff is currently analyzing the results as they apply to individual jurisdictions.

4.5 Submit a report to the Legislature by December 31, 2017, on how well local government keeps with the requirements of existing law to be mindful of the need to protect legitimate business owners and massage professionals, particularly sole providers.

The survey's results were submitted to the Legislature and will be discussed at an informational hearing of the Senate's Business, Professions and Economic Development Committee on March 12, 2018.

4.6 Institutionalize information about CAMTC by developing MOU's with cities and counties that documents CAMTC's and local governments' respective protocols, obligations and duties.

CAMTC initiated the development of the above-mentioned MOU with local government by inviting the League and San Mateo County to collaborate on formalizing protocols. Staff will continue to follow up and gauge the actual level of interest of all relevant stakeholders to collaborate on this initiative.

4.7 To initiate, in cooperation with law enforcement, the development of proactive protocol, budget and staff to discipline certificate holders that may be engaged in sexually suggestive advertising.

Sexually suggestive advertising plays a critical role in using massage as a subterfuge to prostitution and human trafficking. CAMTC already revoked and denied numerous certificate holders and applicants that were found to be engaged in sexually suggestive ads. In shifting from complaint-driven disciplinary actions to a proactive mode, staff embarked on developing specific protocols, budget and staff needed. From the get go, it was clear that cooperation of law enforcement is imperative for this initiative to be effective. To that end, I established the CAMTC/Law Enforcement Sexually Suggestive Advertising Task Force. The task force consists of the following individuals:

- Ahmos Netanel- CEO- CAMTC (Task Force Leader)



- Alison Siegel, Special Counsel, CAMTC
- Chief William Imboden- St. Helena (represents California Police Chiefs Association)
- John Vaneck- Human Trafficking Program Coordinator, San Mateo County Sheriff
- Captain Luis Torres- Bureau of Operations, San Leandro Police (represents California Police Chiefs Association)
- Mike Barragan- Investigators, Los Angeles Police Commission investigation Division
- Beverly May- Director, Governmental Affairs and Special Projects, CAMTC
- Rick McElroy- Director, Professional Standards Division, CAMTC
- Kellie Rodriguez- Assistant Chief Investigation and Enforcement, Professional Standards Division - CAMTC

The task force held a productive initial telephonic meeting and is expected to convene at least once a month.

The 2018 proposed budget includes the funding necessary for the establishment of a new Sexually Suggestive Advertising Unit under PSD. The new unit will implement a pilot program prior to rolling out a statewide effort. This project will include the following tasks:

1. Investigator to review ads and determine if a certificate holder placed them – New Advertising Investigator
2. Draft ad declarations – New Advertising Investigator
3. Create call list for PSD review – New PSD reviewer
4. PSD review (2 people) to determine whether law is violated - 1 current member and 1 new PSD reviewer
5. Take notes on PSD review meetings – New paralegal or maybe PSD reviewer
6. Draft memos to counsel – New PSD reviewer
7. Schedule hearings and communicate with individuals – New paralegal
8. Draft PDLs/PRLs – New staff attorney
9. Final and mail new PDLs/PRS - New paralegal

10. Upload documents for PSD review/ hearings – AMG staff person
11. Run hearings – New staff attorney
12. Take notes on hearings – New paralegal
13. Hearing officers (can probably use current ones but might want one more?)
14. Draft NODs – New staff attorney
15. Final and mail NODs - New paralegal

Predicted new staff needed:

1. 1 Advertising Investigator – full time – \$34 an hour x 40 hours = \$1,360 a week x 44 weeks = \$59,840.00
2. 1 PSD reviewer – full time – \$30 an hour x 40 hours = \$1,200 a week x 26 weeks = \$31,200.00
3. 1 Staff Attorney – full time – \$90,000 a year = for 6 months = \$45,000.00
4. 1 New Paralegal (part time?) – \$32 an hour x 40 hours = \$1,280 a week = \$33,280.00
5. Possibly 1 more hearing officer – \$24 an hour x 16 hours a week = \$384 a week x 26 weeks = \$9,984.00
6. AMG staff (maybe part time?) – Cost to be determined

## **Goal 5: Businesses**

Establish communication channels with business owners.

5.1 Develop a comprehensive statewide database which will enable CAMTC to establish an ongoing communication with owners of establishments where massage professionals practice.

As I stated to the Board in 2017, this is a massive multi-year undertaking. The high fragmentation in this space and the inconsistency of records on the local level makes the accumulation of accurate data especially challenging. Currently staff is testing this initiative with three zip codes, one in northern California and two in southern California. Once we conclude that data gathering protocols produce satisfactory results we will deploy this protocols to create a statewide list of places of business where massage is

offer to the public. This list is not intended to include sole providers in private practice but rather places of business in which multiple massage providers practice.

## **Goal 6: Certificate Holders**

Help certificate holders better understand what constitutes a violation of CAMTC's statute.

6.1 Develop easy to understand summaries regarding violations of CAMTC's statute and widely disseminate this information to certificate holders, applicants and schools.

An easy to understand one-page summary of violations of CAMTC's law was uploaded to CAMTC's website (attached) and 60,000 printed copies are in the process of being distributed to certificate holders and schools.

# **2018 Strategic Goals and Objectives**

## **Update**

As part of the Board's public safety goal for 2018, CAMTC has entered into strategic a partnership agreement with the California Police Chiefs Associations (CPCA). CAMTC is also the premier sponsor of CPCA's Annual Training Symposium (March 18-22, 2018). This new level of collaboration between CAMTC and CPCA is a true game changer and opens a multitude of opportunities to enhance public protection. I'll provide additional information on this new exciting development at the May 2018 Board meeting.

Jon Walters was promoted to CAMTC's Director of Operations. Under his leadership numerous application processing and customer service protocols have already been implemented. AMG and CAMTC are expected to enter into a new service agreement by February 28, 2018 that will further increase CAMTC's ability to meet the Board's customer service objectives.

In talking with several certificate holders who applied for recertification only few days prior to their expiration date, I was told that they never read the instructions in the reminder letters to apply at least 60 days prior to their expiration date. To address this issue we amended the format of the reminder letters (attached) and designed new envelopes with prominent notice on the front (attached).

## **Financials and accounting**

Year-end actual cash position was \$3,173,327, budgeted was \$1,972,143.

Actual net income for the year was \$324,729, budgeted deficit was -\$1,087,570.

The main contributor to CAMTC surpassing financial expectations - 25% more revenue than expected was created by the implementation of the new revenue recognition model. On the expense side, CAMTC spent 91% of what was budgeted.

RFP was sent to five new auditing firms. CAMTC received three proposals and the audit committee is scheduled to interview the three firms on February 28, 2018.

**The consequences of enrolling  
in a massage program that  
is not approved by the  
California Massage Therapy  
Council (CAMTC)**

One of the requirements in order to obtain CAMTC Certification as a massage therapist is to submit evidence of successful completion of the curricula in massage and related subjects totaling a minimum of 500 hours, all of which must be from CAMTC Approved Schools.

**CAMTC cannot accept or certify  
education from programs that  
are not approved by CAMTC.**



California Massage Therapy Council  
One Capitol Mall, Suite 800  
Sacramento, CA 95814

[www.camtc.org](http://www.camtc.org)

Phone (916) 669-5336  
Fax (916) 669-5337



**Are You Considering Enrolling  
In A Massage Program  
That Is Not Approved  
By CAMTC?**



California Massage Therapy Council's mission is to protect the public by certifying massage professionals in California that meet the requirements in the law and approving massage programs that meet the minimum standards for training and curriculum.

## CAMTC Certification

According to California State Law, CAMTC Certification is voluntary. However, many massage professionals choose to apply to become a Certified Massage Therapist for reasons that may include, but are not limited to the following:

- Only CAMTC is authorized by California State Law to provide the freedom to practice massage statewide without the need to obtain individual permits from each city and county in which they may work.
- Some California cities, counties, employers, and consumers require it.
- Only professionals with CAMTC Certification can legally call themselves a 'Certified Massage Therapist' and use 'CMT' after their name in the State of California.

### Find a list and map

... of all CAMTC Approved Massage School Programs by clicking on the 'Find a School' icon at:

<http://www.camtc.org/schools/>



## FAQs

**Q: Does attending a CAMTC Approved Program guarantee that I will become certified by CAMTC?**

**A:** No. In addition to CAMTC verifying that the school transcript is accurate and complete, all applicants must submit a completed application, pay the application fee, pass a CAMTC approved exam, and pass a background check.

**Q: If my program is longer than 500 hours, do I have to graduate before applying to CAMTC?**

**A:** Check your school's policy. You must complete a minimum 500 hours of massage education, including 100 hours of core requirements, from a CAMTC Approved Program in order to obtain CAMTC Certification. However, it is up to the school to define 'complete' and 'graduate.'

**Q: Can CAMTC require a CAMTC Approved School to release my transcripts?**

**A:** No. Schools may withhold transcripts for a variety of reasons including, but not

## FAQs (continued)

limited to, failure to attend all hours/classes, failure to pass any tests/exams, or failure to pay all fees. Check your school's policy.

**Q: Can I attend more than one Approved Program?**

**A:** Yes, as long as you complete a minimum of 500 hours, with a minimum of 100 hours in core subjects, from one or more CAMTC Approved Programs. Sealed transcripts directly mailed to CAMTC from each school must be submitted. CAMTC will evaluate all transcripts to ensure that the total education received reflects the well-rounded curriculum of a singular approved program.

**Q: What happens if my school's approval expires or is revoked?**

**A:** CAMTC Approved Programs meet the minimum requirements at the time of approval. However, CAMTC cannot control school actions that might jeopardize its approval. While CAMTC makes every effort to ensure that students from CAMTC Approved Programs receive credit for actual education received, students should report directly to CAMTC any behavior on the part of the school that seems questionable and unreported to CAMTC.

Send any questions or concerns regarding questionable school behaviors to [students@camtc.org](mailto:students@camtc.org).



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 [www.camtc.org](http://www.camtc.org)

December 2017

Dear Massage Program Administrator,

Enclosed, please find a packet of brochures entitled:

**Are You Considering Enrolling In A Massage Program  
That Is Not Approved By CAMTC?**

This brochure is designed to inform massage students about the consequences of enrolling in a massage program that is not approved by the California Massage Therapy Council (CAMTC).

It is imperative that all massage programs, CAMTC approved or not, provide a copy of this brochure to all inquiring and prospective massage students. Additionally, massage programs that do not currently have CAMTC approval should provide a copy of this brochure to all current massage students.

Please email [outreach@camtc.org](mailto:outreach@camtc.org) to request additional brochures, as needed. CAMTC will send the brochures free of charge.

Sincerely,

Joe Bob Smith  
Director, Educational Standards Division

Enclosed: CAMTC Brochures

PERFORMANCE METRICS – 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Quarters, 2017

PM1 – VOLUME

TOTAL NUMBER OF COMPLAINTS RECEIVED – ALL (actionable and non-actionable)

FIRST QUARTER 2017: 46 complaints received on average per month.

SECOND QUARTER 2017: 43 complaints received on average per month.

THIRD QUARTER 2017: 43 complaints received on average per month.

FOURTH QUARTER 2017: 44 complaints received on average per month.

PM1.1 – VOLUME – CERTIFICATE HOLDERS

TOTAL NUMBER OF COMPLAINTS RECEIVED AGAINST CERTIFICATE HOLDERS

FIRST QUARTER 2017: 28 complaints against certificate holders received on average per month.

SECOND QUARTER 2017: 30 complaints against certificate holders received on average per month.

THIRD QUARTER 2017: 26 complaints against certificate holders received on average per month.

FOURTH QUARTER 2017: 31 complaints against certificate holders received on average per month.

PM 1.2 – VOLUME – CERTIFICATE HOLDERS – COMPLAINTS FROM LAW ENFORCEMENT

Total number of complaints received against certificate holders from law enforcement agencies or government agencies with the responsibility to regulate massage. Does not include complaints against those who are not certified.

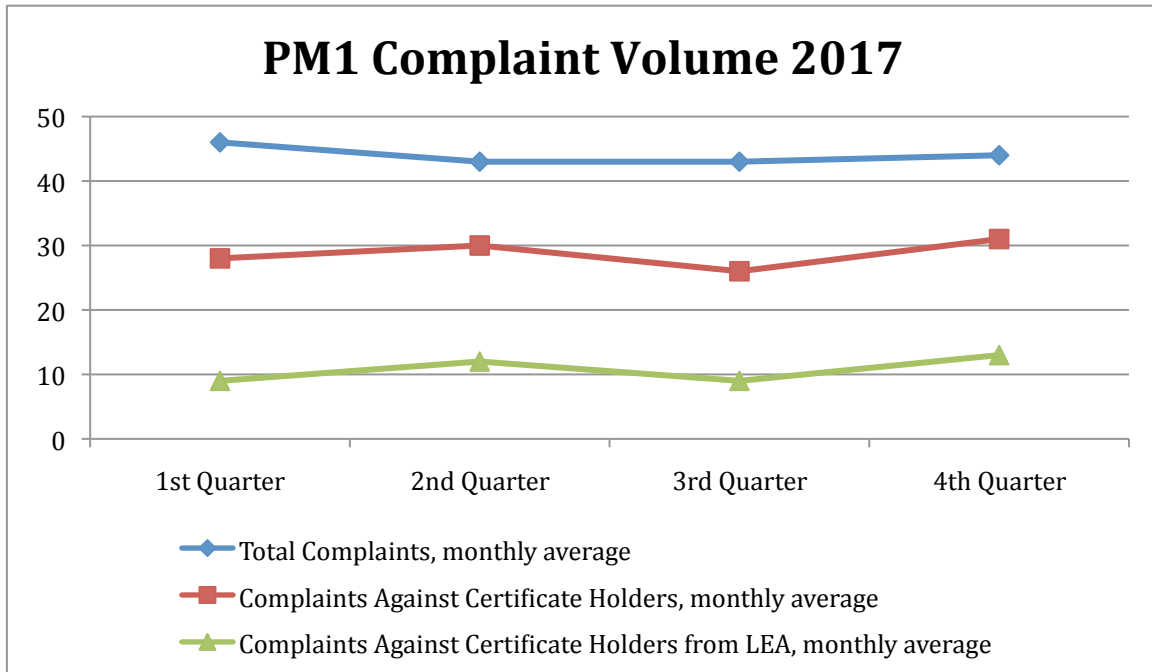
FIRST QUARTER 2017: 9 complaints from LEA received against certificate holders on average per month.

SECOND QUARTER 2017: 12 complaints from LEA received against certificate holders on average per month.

THIRD QUARTER 2017: 9 complaints from LEA received against certificate holders on average per month.



FOURTH QUARTER 2017: 13 complaints from LEA received against certificate holders on average per month.



PM2 – INTAKE – ALL COMPLAINTS

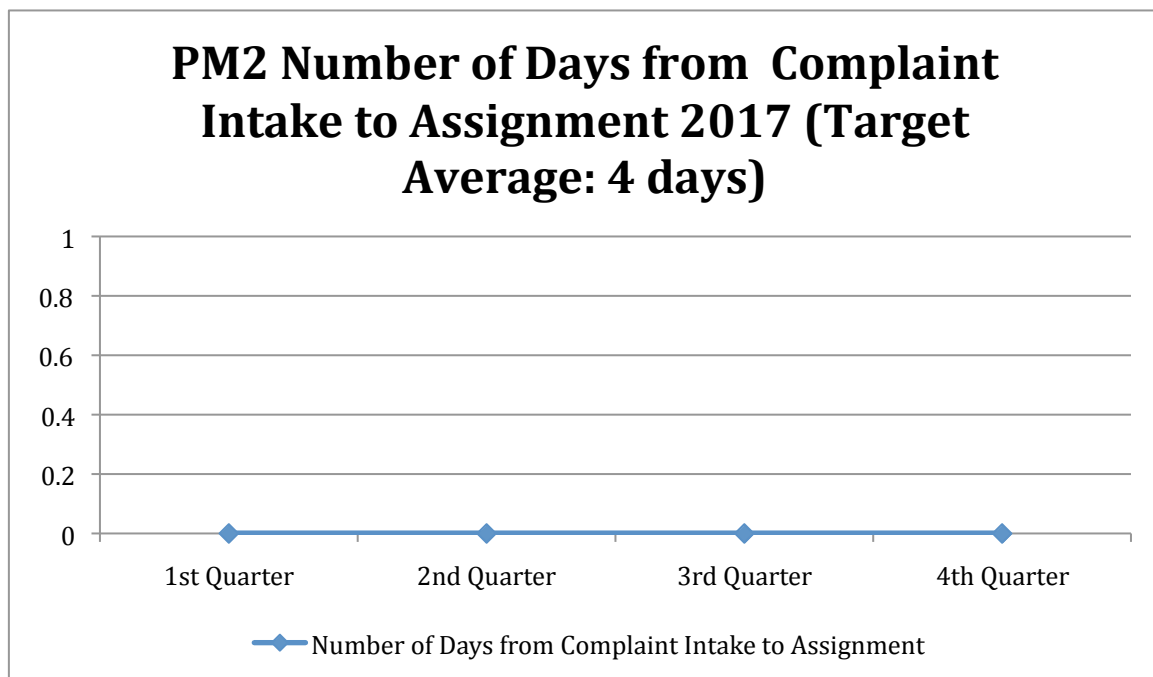
Number of days from when a complaint is received to when it is sent to an investigator. All complaints received are immediately forwarded to an investigator.

FIRST QUARTER 2017: 0 days to assignment

SECOND QUARTER 2017: 0 days to assignment

THIRD QUARTER 2017: 0 days to assignment

FOURTH QUARTER 2017: 0 days to assignment



### PM3 – INTAKE AND INVESTIGATION

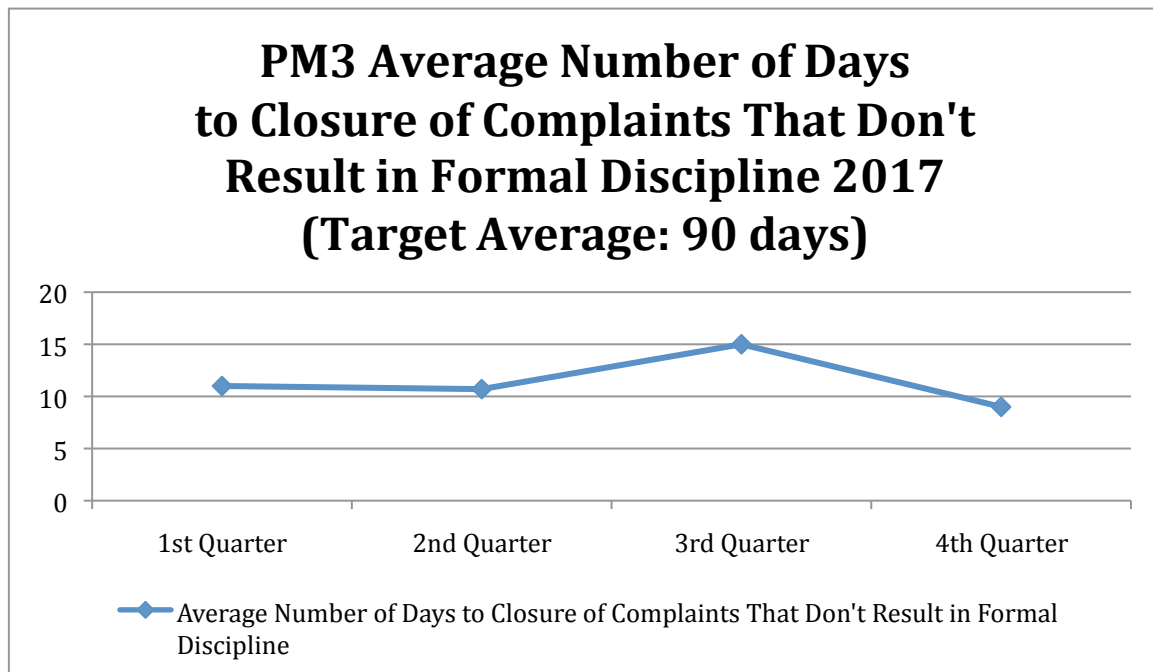
Average time in days from date complaint was received to date complaint was resolved/closure of the investigation process. This number includes ALL complaints, not just those against Certificate Holders, which are resolved prior to being referred to Legal for formal discipline. It does NOT include cases against certificate holders sent to Legal for formal discipline (proposed revocation, suspension, or imposition of probationary conditions).

FIRST QUARTER 2017: 11 days is the average number of days to closure.

SECOND QUARTER 2017: 10.7 days is the average number of days to closure.

THIRD QUARTER 2017: 15 days is the average number of days to closure.

FOURTH QUARTER 2017: 9 days is the average number of days to closure.



**PM4 – FORMAL DISCIPLINE AGAINST CERTIFICATE HOLDERS**

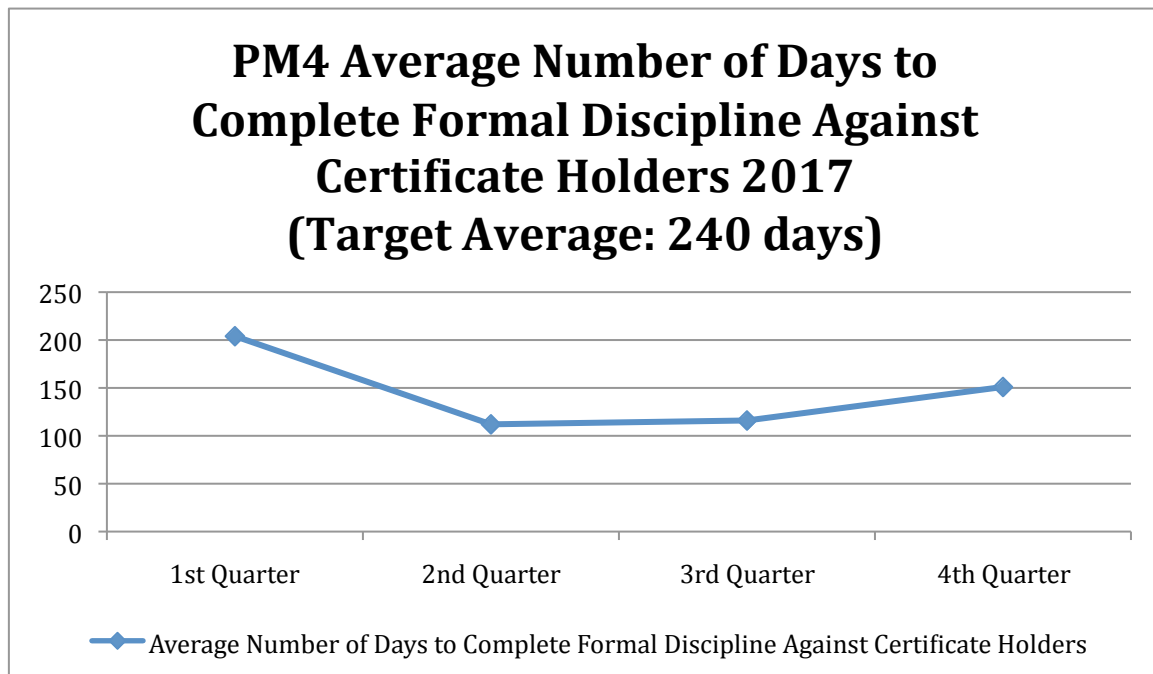
Average number of days to complete the entire disciplinary process against certificate holders for cases resulting in formal discipline by CAMTC. Formal discipline includes permanent revocation, revocation, suspension, and imposition of probationary conditions. Average number of days is calculated from date of intake to final date of disciplinary action.

FIRST QUARTER 2017: 204 days is the average number of days from intake to final date of formal discipline.

SECOND QUARTER 2017: 112 days is the average number of days from intake to final date of formal discipline.

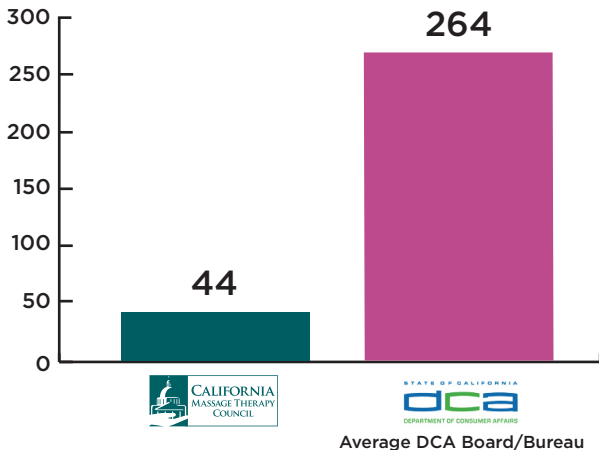
THIRD QUARTER 2017: 116 days is the average number of days from intake to final date of formal discipline.

FOURTH QUARTER of 2017: 151 days is the average number of days from intake to final date of formal discipline.



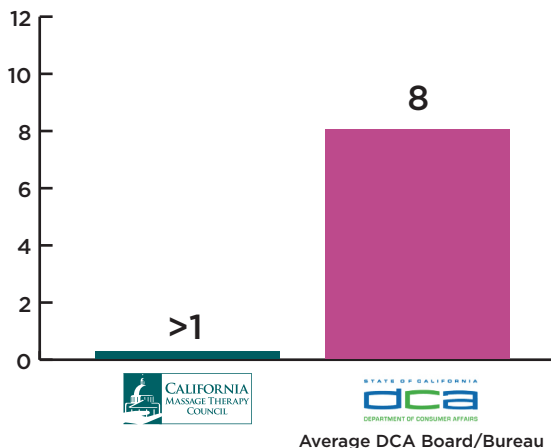
## Average Monthly Complaint Volume

LAST 4 QUARTERS REPORTED



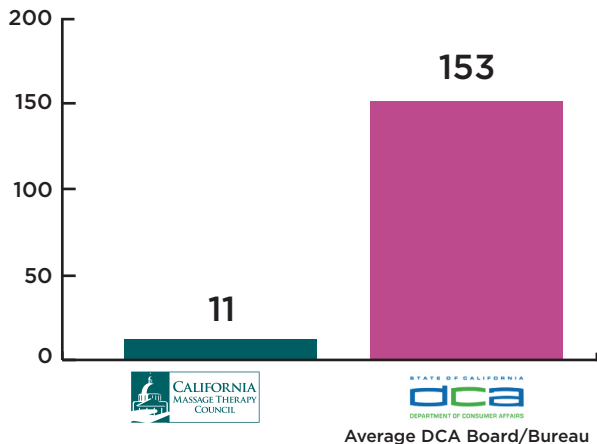
## Average Number of Days From Complaint Intake To Assignment

LAST 4 QUARTERS REPORTED



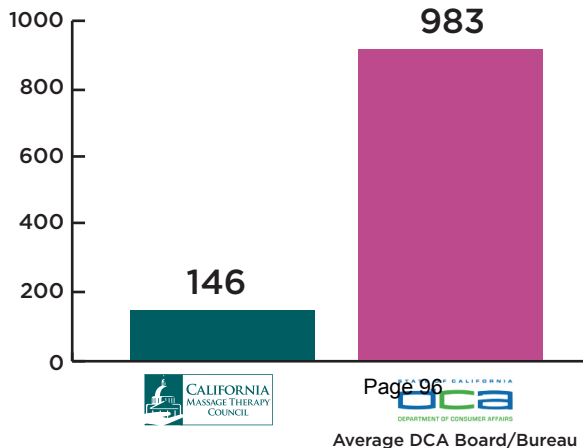
## Average Number of Days To Closure of Complaints That Don't Result in Formal Discipline

LAST 4 QUARTERS REPORTED



## Average Number of Days To Complete Formal Discipline Against Certificate Holders

LAST 4 QUARTERS REPORTED



From: education@cacities.org  
Subject: 2018 Annual Conference City Attorneys' Track Session Proposal  
Date: February 1, 2018 at 1:17 PM  
To: rrolnick@camtc.org

E



Thank you for your submission for the **2018 Annual Conference City Attorneys' track**. Below is a summary of your proposal. The program committee will review this and we will follow up with you once a decision has been made. We appreciate your time and effort to help make the conference a valuable experience for all who attend!

The decision of the City Attorneys' Department Officers will be sent to submitters in early May.

**Deadline - Saturday, March 31**

#### Submitter Information

##### \* Required Fields

\* **Submitter:** Roberta Rolnick

\* **Organization:** California Massage Therapy Council

\* **Phone:** (760) 650-6707      \* **Email:** rrolnick@camtc.org

#### Proposal

##### \* **Session Title** (Maximum of 10 words)

Massage — Eradicating Illicit Conduct Using Declarations and Revocable Registration

##### \* **Description** (Describe "what will the audience learn?" in less than 300 words)

Based on the Massage Therapy Act, cities that grapple with illicit conduct in massage establishments can now take advantage of two highly effective legal vehicles. Learn how local government attorneys and the California Massage Therapy Council (CAMTC) work effectively together to weed out the bad apples from the profession through the use of declarations, disciplinary actions by cities and counties, and denial or disciplinary action by CAMTC. Discover revocable registrations, what they are, and how they work to quickly and effectively eliminate illicit establishments.

#### Suggested Panelists

##### SPEAKER 1

**Name:** Alison Siegel

**Title:** Special Counsel, California Massage Therapy Council      **Organization:** California Massage Therapy Council

**Phone:** (916) 442-5024      **Email:** alison@asiegellaw.com

**Biography:**

Alison Siegel has been Special Counsel to the California Massage Therapy Council since 2010. Alison provides legal advice and guidance to CAMTC's professional standards and educational standards divisions. Alison's practice focuses on California certification and registration programs for professionals, administrative law, and writs. Alison earned her J.D. from Hastings College of the Law in San Francisco and began her practice primarily in civil litigation and administrative law.

**SPEAKER 2****Name:**

David Silberman

**Title:**

Assistant County Counsel,  
San Mateo County

**Organization:**

San Mateo County

**Phone:**

(650) 363-4749

**Email:**

dsilberman@smcgov.org

**Biography:**

David Silberman joined the County Counsel's Office in 2004 and serves as Chief Deputy County Counsel. He is assigned to: the Sheriff, NTF, OES, NCRIC, Office of Sustainability, serves as General Counsel to Peninsula Clean Energy and supervises the CPS, PG/PA and the Litigation Teams. It is in his role as attorney for the Sheriff that he has coordinated its illicit massage parlor enforcement program.

**SPEAKER 3****Name:****Title:****Organization:****Phone:****Email:****Biography:**



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

December 5, 2017

Eric Garcetti  
Mayor  
200 N. Spring St  
Los Angeles CA 90012

Re: Massage ordinance

Dear Mayor Eric Garcetti:

The California Massage Therapy Council's highest priority is to protect the public by certifying massage professionals in California that meet the requirements in the law and by approving massage education programs that meet minimum standards for training and curriculum.

To that end, we are reaching out to your city to offer support and encouragement for proactive improvements to your massage ordinance.

Please feel free to contact me directly at [mdixon@camtc.org](mailto:mdixon@camtc.org) or (916) 669-5305 if I can be of any help.

Respectfully,

Mark W. Dixon, CMT, BCTMB, Chairman





# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

December 5, 2017

Alan Tandy  
City Manager  
1600 Truxtun Ave.  
Bakersfield CA 93301

Re: Massage ordinance

Dear Alan Tandy,

The California Massage Therapy Council's highest priority is to protect the public by certifying massage professionals in California that meet the requirements in the law and by approving massage education programs that meet minimum standards for training and curriculum.

To that end, we are reaching out to your city to offer support and encouragement for proactive improvements to your massage ordinance.

Please feel free to contact me directly at [anetanel@camtc.org](mailto:anetanel@camtc.org) (310) 230-0052 if I can be of any help.

Respectfully,

Ahmos Netanel, CEO



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

# CAMTC Certificate Holder Survey Report 2017

## A Survey Summary Report

Requested by the

California State Legislature

About Local Governments'

Implementation of The California

Massage Therapy Act

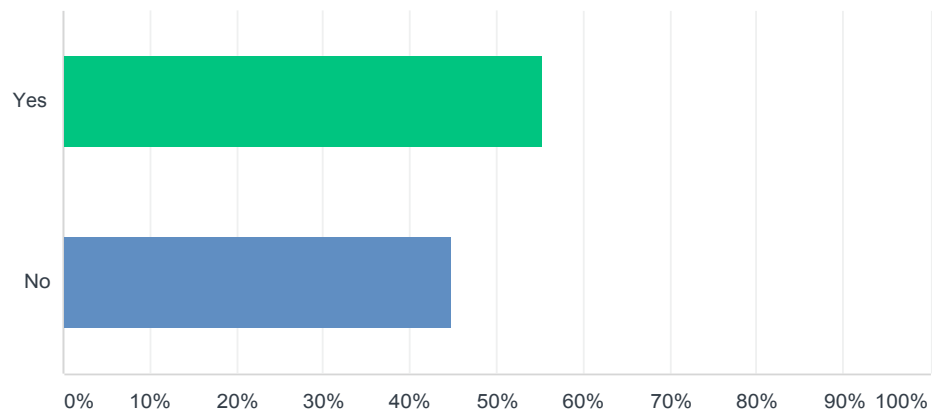
December 2017

Q1 Note: ALL of the following questions below refer to your experiences in 2017, and about the PRIMARY city or county in which you practice massage professionally. What is the name of the primary city or county in which you practice massage professionally?

Answered: 3,788   Skipped: -1

Q2 In the city or county you named in response to question #1, are you a sole provider with your own business?

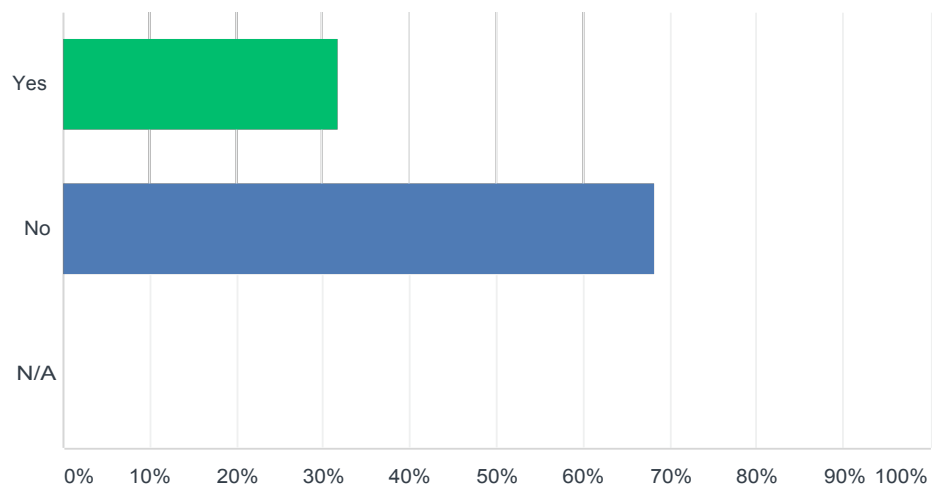
Answered: 3,788    Skipped: -1



| ANSWER CHOICES |        | RESPONSES |
|----------------|--------|-----------|
| Yes            | 55.15% | 2,089     |
| No             | 44.85% | 1,699     |
| TOTAL          |        | 3,788     |

Q3 Have you had any interaction regarding the practice of massage with the city or county in 2017?

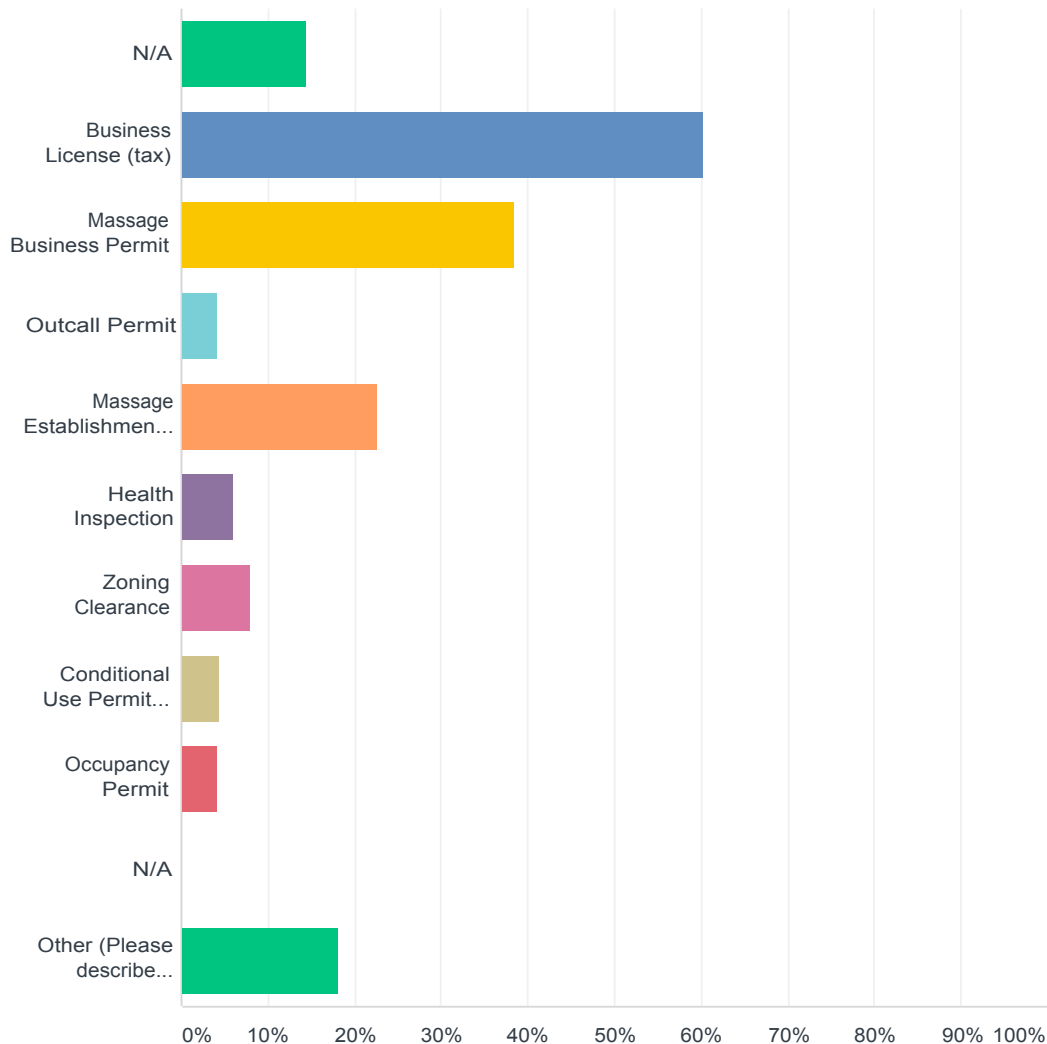
Answered: 3,788 Skipped: -1



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 31.71%    | 1,201 |
| No             |  | 68.29%    | 2,587 |
| N/A            |  | 0.00%     | 0     |
| TOTAL          |  |           | 3,788 |

## Q4 If you replied YES to #3, what was the nature of your contact? Check all that apply.

Answered: 1,018 Skipped: 2,769

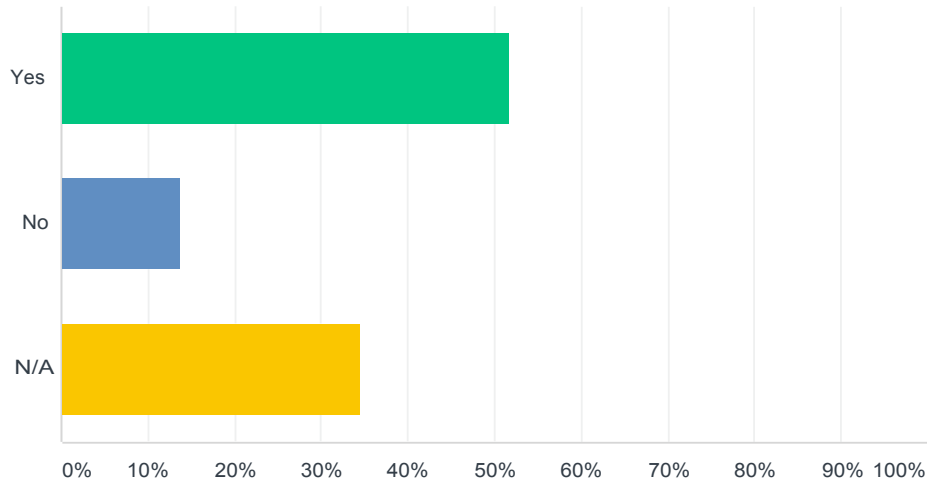


| ANSWER CHOICES               | RESPONSES |     |
|------------------------------|-----------|-----|
| N/A                          | 14.54%    | 148 |
| Business License (tax)       | 60.31%    | 614 |
| Massage Business Permit      | 38.41%    | 391 |
| Outcall Permit               | 4.22%     | 43  |
| Massage Establishment Permit | 22.50%    | 229 |
| Health Inspection            | 5.99%     | 61  |
| Zoning Clearance             | 7.86%     | 80  |
| Conditional Use Permit (CUP) | 4.42%     | 45  |
| Occupancy Permit             | 4.22%     | 43  |

|                                |        |     |
|--------------------------------|--------|-----|
| N/A                            | 0.00%  | 0   |
| Other (Please describe below.) | 18.17% | 185 |
| Total Respondents: 1,018       |        |     |

## Q5 If you replied YES to #3 and your contact person required a later reply, did the city or county reply to you in a timely and professional way?

Answered: 1,018 Skipped: 2,769

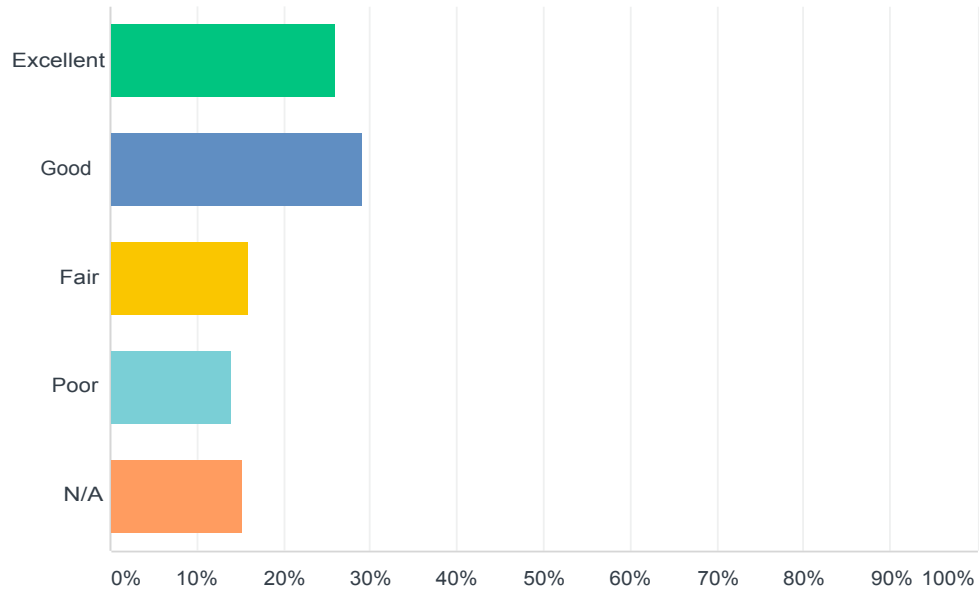


| ANSWER CHOICES | RESPONSES |       |
|----------------|-----------|-------|
| Yes            | 51.67%    | 526   |
| No             | 13.75%    | 140   |
| N/A            | 34.58%    | 352   |
| TOTAL          |           | 1,018 |



## Q6 If you replied YES to # 3, please rate your overall experience with the city or county.

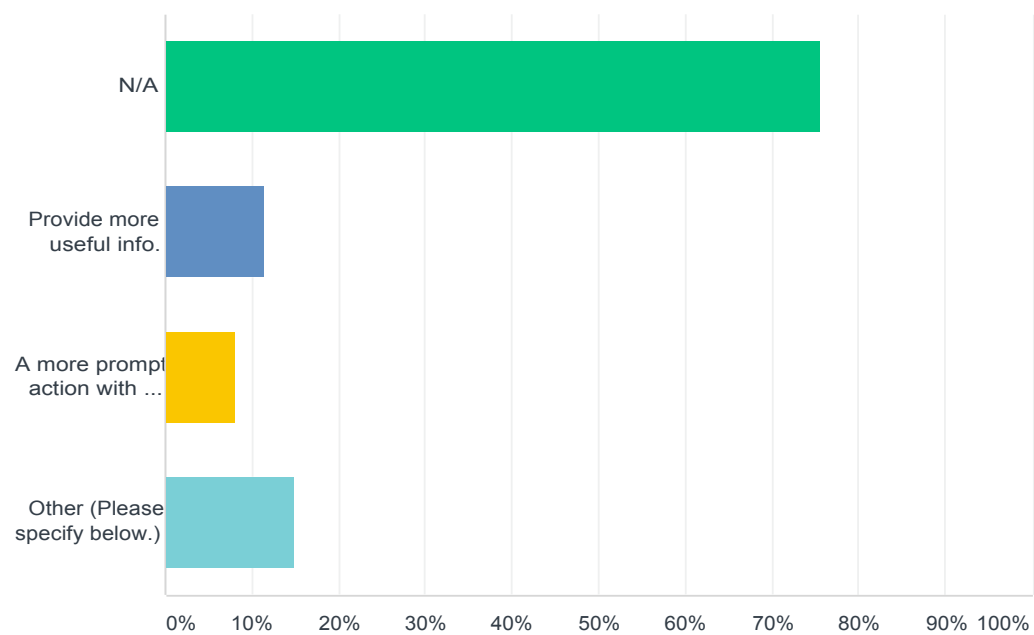
Answered: 1,018 Skipped: 2,769



| ANSWER CHOICES | RESPONSES |       |
|----------------|-----------|-------|
| Excellent      | 25.93%    | 264   |
| Good           | 28.98%    | 295   |
| Fair           | 15.82%    | 161   |
| Poor           | 14.05%    | 143   |
| N/A            | 15.23%    | 155   |
| TOTAL          |           | 1,018 |

Q7 If you were disappointed in your contact with the city or county, how could it be improved in the future? Check all that apply.

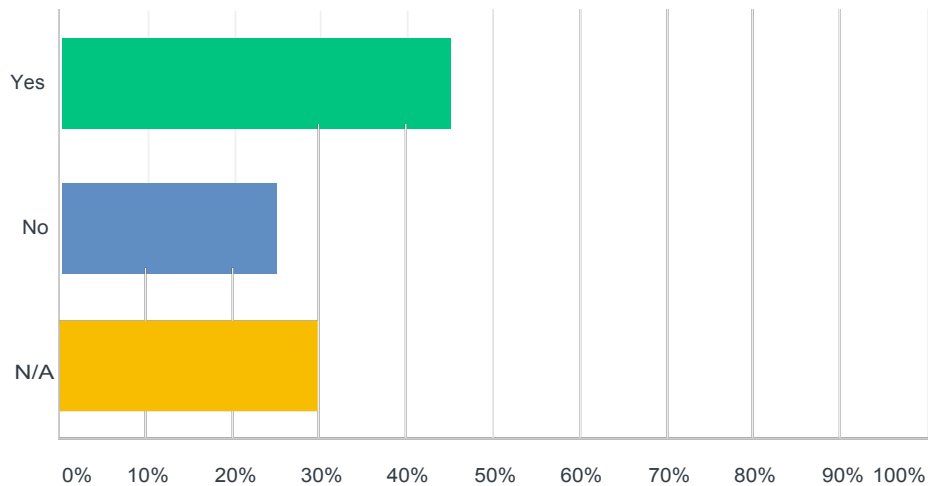
Answered: 3,431    Skipped: 356



| ANSWER CHOICES                       | RESPONSES |       |
|--------------------------------------|-----------|-------|
| N/A                                  | 75.43%    | 2,588 |
| Provide more useful info.            | 11.57%    | 397   |
| A more prompt action with my issues. | 8.25%     | 283   |
| Other (Please specify below.)        | 14.78%    | 507   |
| Total Respondents: 3,431             |           |       |

Q8 In your experience, has the city or county been imposing and enforcing only reasonable and necessary fees and regulations on massage businesses and certified massage professionals?

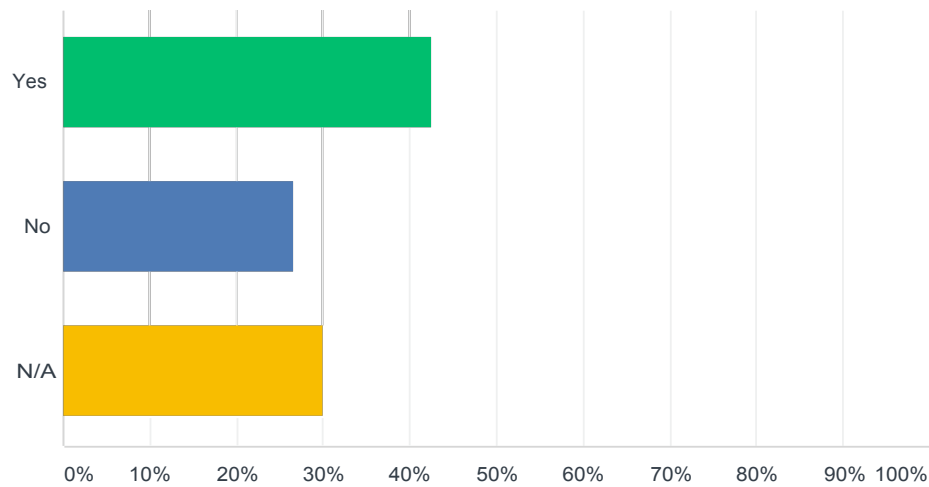
Answered: 3,044    Skipped: 743



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 45.01%    | 1,370 |
| No             |  | 24.93%    | 759   |
| N/A            |  | 30.06%    | 915   |
| TOTAL          |  |           | 3,044 |

## Q9 In your experience, has the city or county been mindful of the need to protect legitimate massage business owners and professionals?

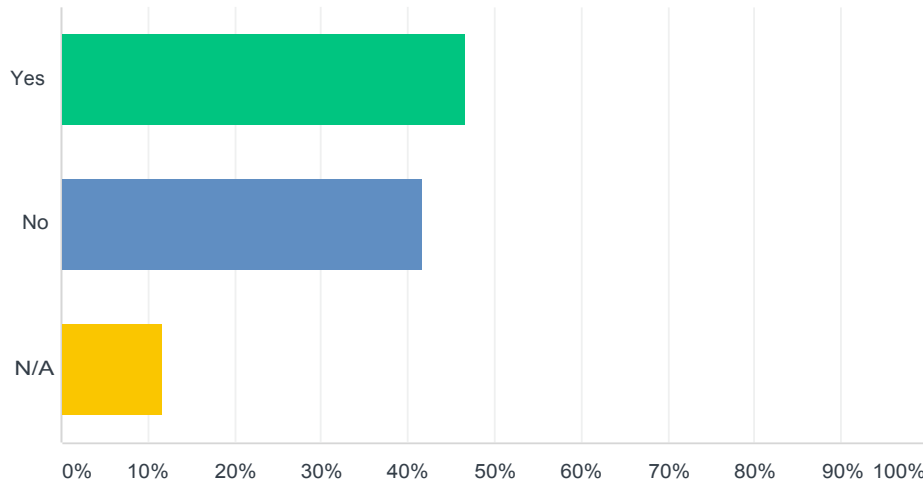
Answered: 3,044 Skipped: 743



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 42.41%    | 1,291 |
| No             |  | 26.58%    | 809   |
| N/A            |  | 31.01%    | 944   |
| TOTAL          |  |           | 3,044 |

# Q10 Did the city or county require you to be fingerprinted or pass a background check in addition to the finger printing and background check when you applied for CAMTC Certification?

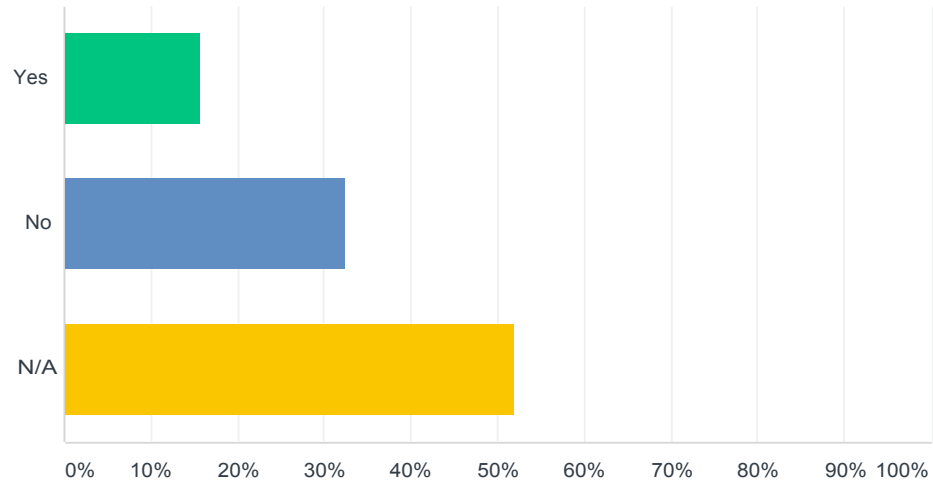
Answered: 3,044 Skipped: 743



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 46.65%    | 1,420 |
| No             |  | 41.56%    | 1,265 |
| N/A            |  | 11.79%    | 359   |
| TOTAL          |  |           | 3,044 |

Q11 Did the city or county required you to obtain a permit to provide mobile massage?

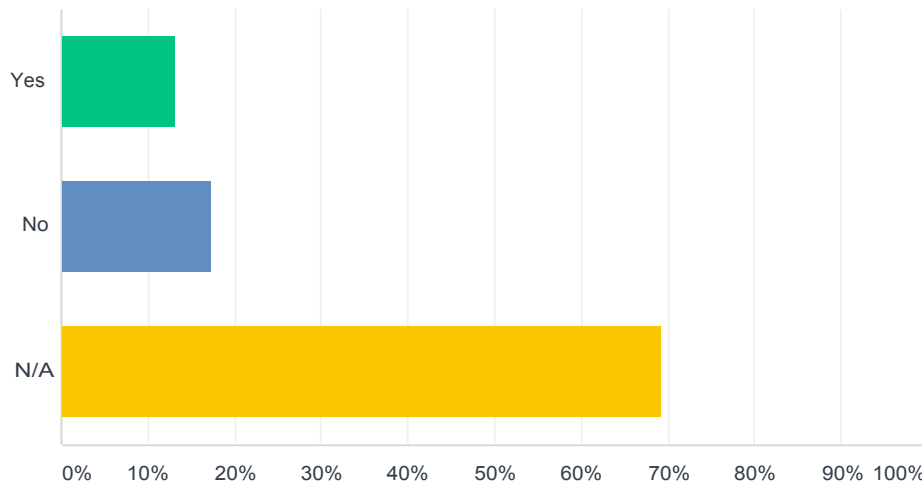
Answered: 3,044 Skipped: 743



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 15.67%    | 477   |
| No             |  | 32.36%    | 985   |
| N/A            |  | 51.97%    | 1,582 |
| TOTAL          |  |           | 3,044 |

**Q12 If you said YES to #11 above, did you need a massage establishment permit, or to work for a massage establishment in the city or county, in order to provide mobile massage?**

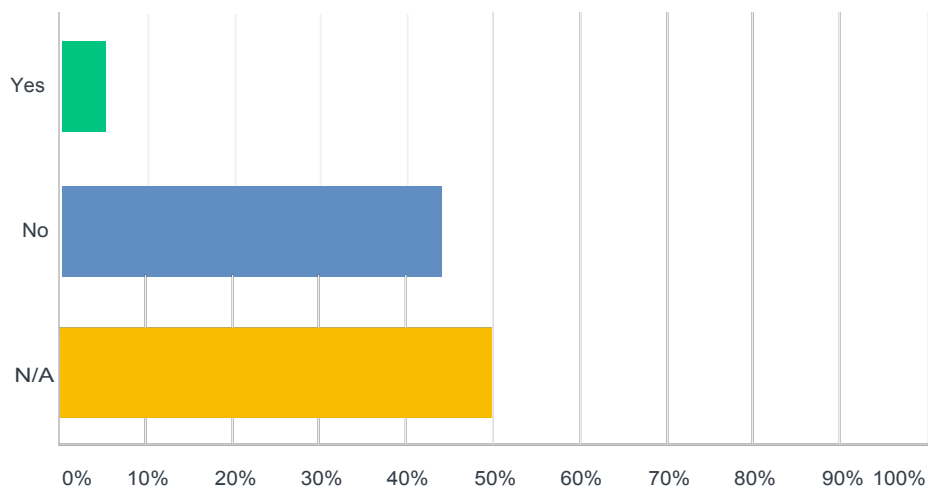
Answered: 3,044 Skipped: 743



| ANSWER CHOICES | RESPONSES |       |
|----------------|-----------|-------|
| Yes            | 13.27%    | 404   |
| No             | 17.38%    | 529   |
| N/A            | 69.35%    | 2,111 |
| TOTAL          |           | 3,044 |

# Q13 Did your city or county tell you that you could not provide mobile massage?

Answered: 3,044 Skipped: 743

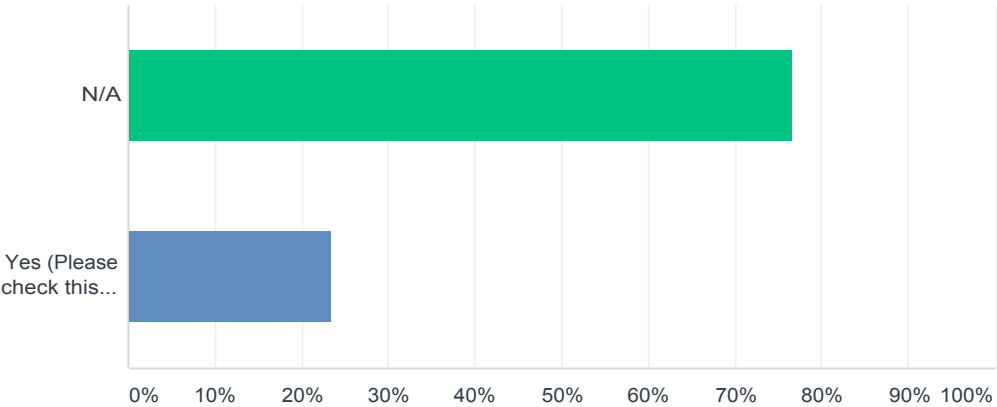


| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 5.26%     | 160   |
| No             |  | 43.89%    | 1,336 |
| N/A            |  | 50.85%    | 1,548 |
| TOTAL          |  |           | 3,044 |



Q14 If you were required to pay for a massage establishment permit, how much was that fee?

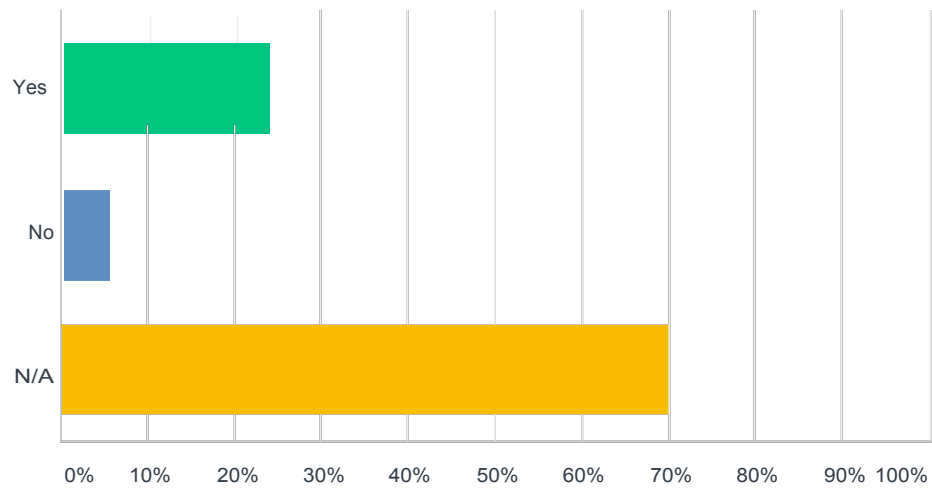
Answered: 2,833    Skipped: 954



| ANSWER CHOICES                                                | RESPONSES |       |
|---------------------------------------------------------------|-----------|-------|
| N/A                                                           | 76.60%    | 2,170 |
| Yes (Please check this circle and type the fee amount below.) | 23.40%    | 663   |
| TOTAL                                                         |           | 2,833 |

# Q15 Were you able to pay the above fee?

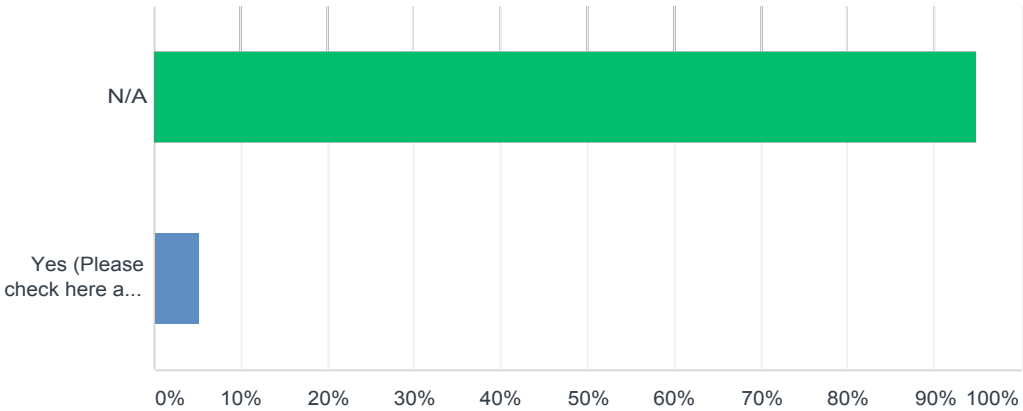
Answered: 2,833    Skipped: 954



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 23.76%    | 673   |
| No             |  | 5.40%     | 153   |
| N/A            |  | 70.84%    | 2,007 |
| TOTAL          |  |           | 2,833 |

Q16 If you were required to pay for a Conditional Use Permit (CUP), how much did the application process and fee cost?

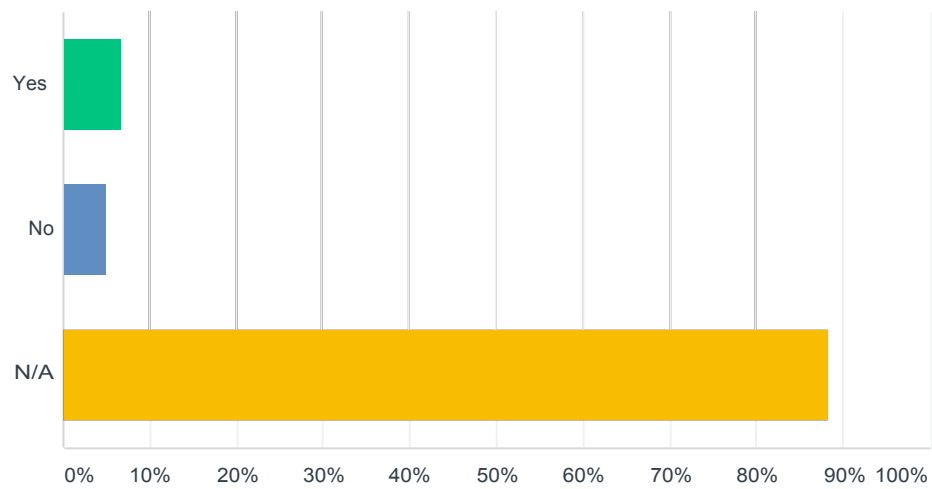
Answered: 2,833    Skipped: 954



| ANSWER CHOICES                                               | RESPONSES |       |
|--------------------------------------------------------------|-----------|-------|
| N/A                                                          | 94.81%    | 2,686 |
| Yes (Please check here and give the approximate cost below.) | 5.19%     | 147   |
| TOTAL                                                        |           | 2,833 |

Q17 Were you able to pay the above fee?

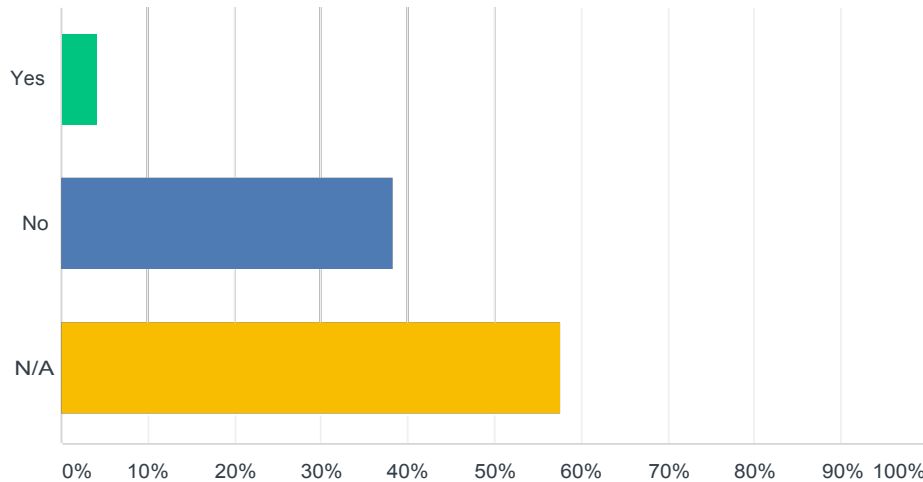
Answered: 2,833    Skipped: 954



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 6.67%     | 189   |
| No             |  | 4.98%     | 141   |
| N/A            |  | 88.35%    | 2,503 |
| TOTAL          |  |           | 2,833 |

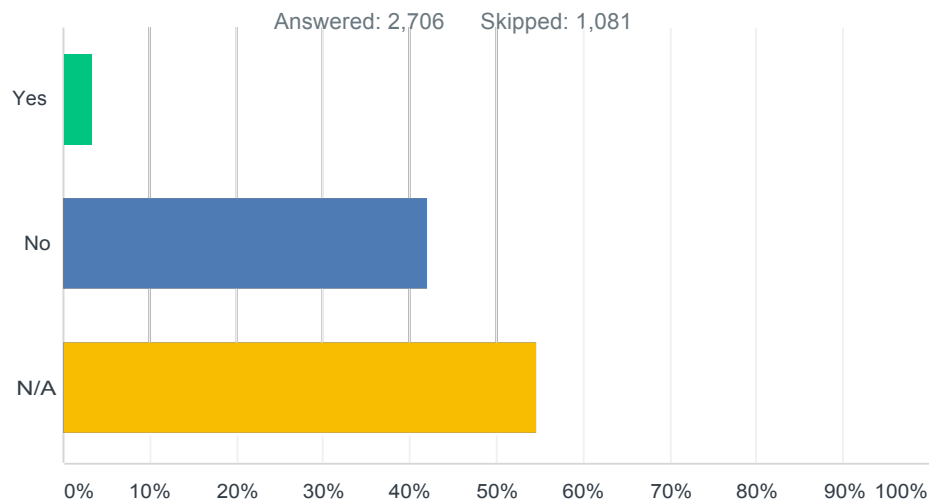
**Q18 Did the city or county require you to move or close your business due to distance restrictions, such as: Cannot be located within 500 or 1,000 feet of another massage business, school, church, child care, or residence?**

Answered: 2,833 Skipped: 954



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 4.27%     | 121   |
| No             |  | 38.19%    | 1,082 |
| N/A            |  | 57.54%    | 1,630 |
| TOTAL          |  |           | 2,833 |

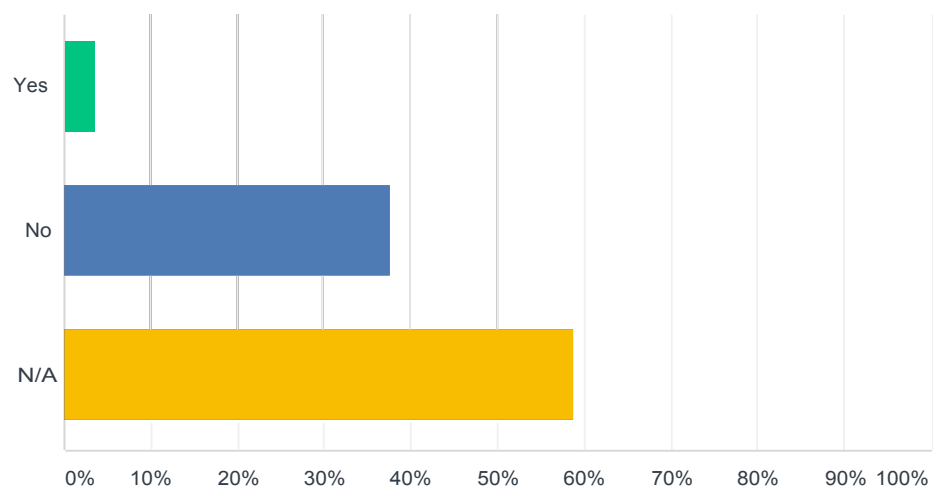
# Q19 Did the city or county require you to move or close your business due to the location no longer being zoned for massage therapy?



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 3.44%     | 93    |
| No             |  | 42.05%    | 1,138 |
| N/A            |  | 54.51%    | 1,475 |
| TOTAL          |  |           | 2,706 |

Q20 Did the city or county prevent you from moving your business due to other zoning restrictions?

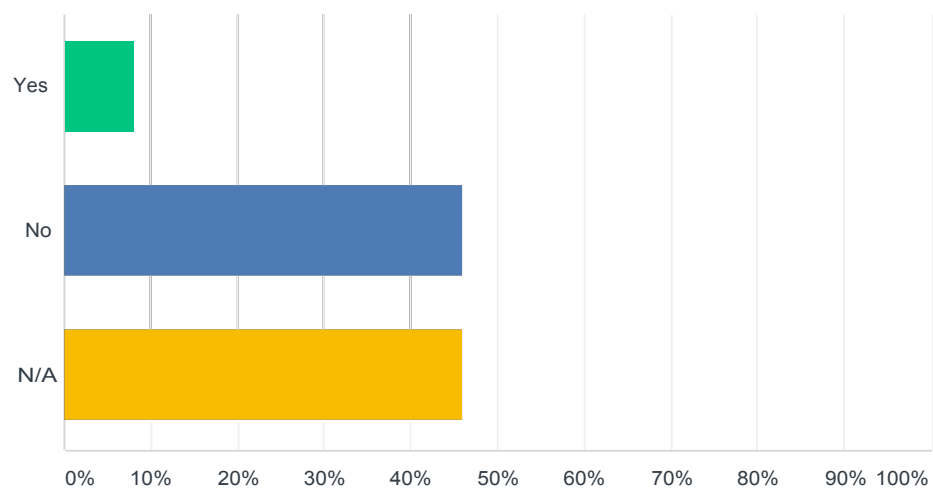
Answered: 2,706 Skipped: 1,081



| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 3.51%     | 95    |
| No             |  | 37.69%    | 1,020 |
| N/A            |  | 58.80%    | 1,591 |
| TOTAL          |  |           | 2,706 |

Q21 Did the city or county inform you that you are not allowed to provide massage at your or your clients' home or office?

Answered: 2,706 Skipped: 1,081

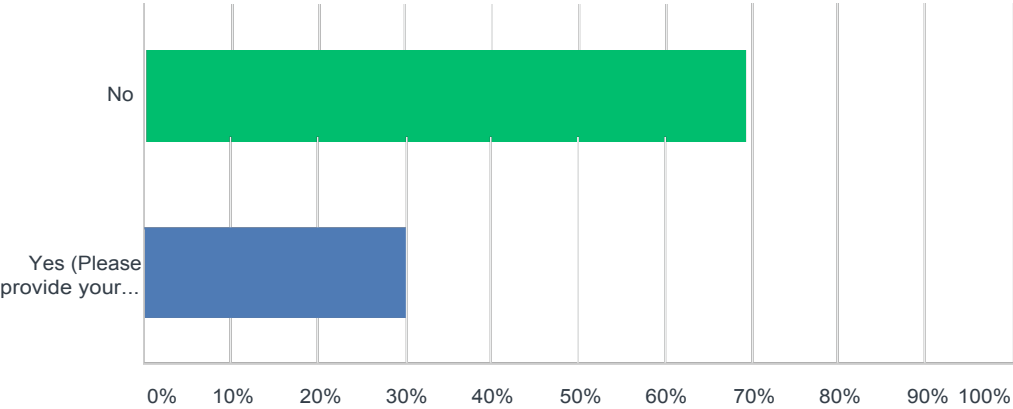


| ANSWER CHOICES |  | RESPONSES |       |
|----------------|--|-----------|-------|
| Yes            |  | 8.09%     | 219   |
| No             |  | 46.30%    | 1,253 |
| N/A            |  | 45.60%    | 1,234 |
| TOTAL          |  |           | 2,706 |



Q22 Is there anything else you'd like the Legislature and CAMTC to know about your experience with the city or county? If so, please provide a brief summary here:

Answered: 2,706 Skipped: 1,081



| ANSWER CHOICES                            | RESPONSES |       |
|-------------------------------------------|-----------|-------|
| No                                        | 69.14%    | 1,871 |
| Yes (Please provide your feedback below.) | 30.86%    | 835   |
| TOTAL                                     |           | 2,706 |



# **CAMTC CERTIFICATE HOLDERS AND APPLICANTS**

## **- UNDERSTAND VIOLATIONS OF CAMTC'S LAW -**

### **SUMMARY OF COMMON ACTIONS THAT VIOLATE CAMTC'S LAW**

This document is intended to provide a list of some common actions that violate CAMTC's law, but this is not, nor is it intended to be, a comprehensive list. For a comprehensive list of legal obligations and violations, please see Business and Professions Code sections 4600 et. seq., which can be found on CAMTC's website. Every case is evaluated on a case-by-case basis including the totality of the circumstances. The mere fact that conduct is not listed here does not mean that CAMTC can't take action on it. Likewise the fact that something is listed here doesn't mean that CAMTC is required to or will take action on it.

### **THE FOLLOWING CONDUCT VIOLATES THE MESSAGE THERAPY ACT**

- Touching or massaging a client's genitals or anus for any reason;
- Touching or massaging female breasts without first having both the client's agreeing in writing and a referral from a licensed California health care provider, like a Doctor or Nurse;
- Failing to properly drape a client so that genitals, anus, or female breasts are exposed;
- Prostitution related acts, such as agreeing to provide sex acts for money, obtaining people to engage in prostitution, receiving money for prostitution acts others are engaged in, or owning or managing a massage business where acts of prostitution occur.
- Lewd conduct such as exposing yourself to clients or touching yourself in front of a client.
- Posting sexually suggestive ads for massage services. This means ads that suggest sex, such as:
  - Ads with women in bikinis, lingerie, underwear, bent over, or with cleavage showing;
  - Words that suggest that sex acts will take place, like "Happy Ending."
- Engaging in sex acts on the premises of a massage business or while massaging someone for compensation. Even if both parties agree to engage in the sex act (for example a married couple), it is a violation of the law if it happens at a massage business or while providing a massage for money.
- Failing to properly supervise massage providers on the premises of a massage business.
- Convictions for acts that are substantially related to the qualifications, functions, or duties of a certificate holder. This includes infractions, municipal code violations, misdemeanors, and felonies for things like:
- Prostitution, sexual assault, multiple instances of petty theft, violent acts, and acts that happen at a massage business or while providing a massage (such as disturbing the peace)
- Being required to register as a sex offender in California or another state.
- Having your local permit or business license denied, revoked, suspended, fined, or acted against or getting an administrative or civil citation related to massage.
- Lying on your application or omitting all information requested on the application.
- Failing to update CAMTC and notify of things like new convictions, administrative or civil citations, arrests with charges filed for prostitution and other sexually related crimes, work or home address changes.
- Dressing inappropriately while visible to clients in a massage establishment. This means clothing that is transparent, see-through, or substantially exposes undergarments; or exposes breasts, buttocks, or genitals; or in swim attire if not providing a water based modality approved by CAMTC.
- Failing to include name and certificate number in ads for massage services.
- Failing to notify CAMTC and update address or email address within 30 days of a change.



## CALIFORNIA POLICE CHIEFS ASSOCIATION

*Serving as the voice of and resource of choice  
for California's municipal Police Chiefs.*

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# REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018: A BALLOT INITIATIVE TARGETING REPEAT CRIMINALS AND VIOLENT OFFENDERS

**CLICK TO FIND OUT HOW YOU CAN HELP!**

## Training Sessions

**Tuesday, March 20, 2018**

**8:00 am - 9:15 am**

**General Session: Jeff Wolf, Executive Coach, Speaker & International Bestselling Author**

Today, there's an unprecedented demand for highly effective leaders in Police Departments and the ability to develop effective leaders has become increasingly difficult. Police Departments are facing – or must face – the reality that effective leaders, at every level, can make or break them.

The presentation is geared to deliver the following benefits to attendees:

- Build and sharpen key leadership skills
- Improve interpersonal relations and teamwork
- Assist attendees in becoming a highly effective and dynamic leader, leading to increased employee engagement which translates to better policing and community relations

**9:30 am - 10:30 am**

**Law Enforcement Emerging Technologies**

Presenter(s): *CPCA Technology Committee*

### Quick Links

- [Annual Training Symposium](#)
- [WLLE Training Symposium](#)
- [Executive Leadership Institute](#)
- [CPCA Technology Summit](#)
- [Career Opportunities](#)
- [Legislative Day](#)
- [IACP Conference](#)
- [Strategic Partner Program](#)
- [Corporate Circle Program](#)

### Strategic Partners



**MOTOROLA  
SOLUTIONS**

Great Scott! Doc Brown predicted a lot of things that were supposed to happen in the future. Though some are a little outlandish, there things from the fictional movie (Back to the Future) that actually did come true. Who would have thought that 20 years in the future we would be using things like finger print technology, video chats and personal drones? So hop in your DeLorean and throw your Nike Mags on cause we're going to the future of law enforcement technology!

### Massage Establishments: Powerful Tools to Eradicate Illicit Conduct

Presenter(s): *Ahmos Netanel, California Massage Therapy Council and Rick McElroy, California Massage Therapy Council*

Police Chiefs who do not fully understand how revocable registration, officer's declaration and active collaboration with the California Massage Therapy Council can help them eradicate illicit conduct in massage establishments are missing out. When city managers, elected officials and local communities raise concerns about the proliferation of illicit massage establishments, responding with outdated protocols typically produces little results. Cities that implement a fresh and innovative approach to the fight against illicit activity in massage businesses have already seen noticeable changes. If your city has been grappling with the challenge of massage operations, attending this presentation can be the game changer you have been looking for.

### Below 100-Reducing Line-of-Duty-Police Deaths and Serious Injuries

Presenter(s): *Dale Stockton, Below 100 and Pete Dunbar, Chief (ret) Pleasant Hill PD*

A different conversation is taking place around the country regarding officer safety and it's being driven by Below 100, a commonsense training program that focuses on areas under an officer's control. Tragically, many officers have died as a result of falling into patterns of behavior facilitated by department culture. Below 100 has proven successful at changing attitudes and many agencies have realized significant reduction in injuries and costs related to preventable incidents. This session will provide an overview of recent trends in line-of-duty losses and actionable information on what can be done to prevent those losses. It will also provide attendees with information on training trainers to provide this training to any department.

## 10:45 am - 11:45 am

### Asset Forfeiture Reform Updates

Presenter(s): *Jennifer Bickford and Alice Dery, U.S. Department of Justice, Money Laundering and Asset Recovery Section*

Asset Forfeiture is a powerful tool that combats criminal organizations by taking the proceeds of crime to strengthen law enforcement partnerships. Learn about legislative updates and policy reforms to reinforce public trust in both the Asset Forfeiture and Equitable Sharing Programs.

### Legislative Update: Public Safety Initiative 2018

Presenter(s): *Jonathan Feldman, CPCA*

**Crafting your message in a crisis: How to effectively communicate in a natural disaster and be the voice of calm to your community.**

Presenter(s): *Laura Cole, Cole Pro Media and Sheriff Robert Giordano, Sonoma County Sheriff's Office*

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**Mayor Eric Garcetti**  
@MayorOfLA

In memory of the victims of the shooting in Parkland, Florida, we've ordered the flags in Los Angeles lowered to half-staff. We stand with survivors and their loved ones in the wake of this tragedy. Our schools should

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You never know when a natural disaster might strike, so are you prepared with a communication strategy when it does? Learn the best ways to get your information out to the public in a time of crisis and build trust with your community.

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# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

January 26, 2018

[REDACTED]  
[REDACTED],

This is a courtesy notice from the California Massage Therapy Council (CAMTC).

**WARNING: Your certificate expiration date is approaching. If you have no background issues, we must receive your complete application at least 60 days prior to your expiration date so that your recertification may be processed prior to your expiration date. If you do have background issues we recommend that you submit your application immediately.**

**Your expiration date is 5/5/2018.**

It is your responsibility to submit a complete application for recertification and ensure that it is received by CAMTC. Failure to submit a fully completed application for recertification that is received by CAMTC before the expiration date listed on your certificate will result in a late fee of up to \$90.

If you apply more than 6 months past expiration, you will be required to start the process all over again as a new applicant and you must meet all requirements in place at that time.

You may apply for recertification online at: <https://www.camtc.org/massage-professionals>

Online recertification can be a quick process that includes updating your contact information, answering a few brief questions, and paying the application fee of \$150.00.

If your application is approved after being received at least 60 days before expiration, and you have no background issues, a new certificate and ID card should be mailed to you at least 5 days before your expiration date.

Sincerely,

CAMTC Recertification Team



One Capitol Mall, Suite 800  
Sacramento, CA 95814



**CAMTC Bank Account Summary**  
**As of 12/31/2017**

|    | Bank                           | Type     | Term   | Maturity Date | Rate   | Interest Deposits to: | Value               | % of Portfolio | Valuation Date |
|----|--------------------------------|----------|--------|---------------|--------|-----------------------|---------------------|----------------|----------------|
| 1  | Umpqua Bank                    | Checking | NA     | NA            | 0.000% | NA                    | 636,977.49          | 20.1%          | 12/31/2017     |
| 2  | Preferred Bank                 | MM       | NA     | NA            | 0.400% | Self                  | 252,871.96          | 8.0%           | 12/31/2017     |
| 3  | California Bank & Trust        | MM       | NA     | NA            | 0.100% | Self                  | 250,330.15          | 7.9%           | 12/31/2017     |
| 4  | Synchrony                      | CD       | 12 Mos | 11/10/2018    | 1.487% | Self                  | 259,425.58          | 8.2%           | 12/31/2017     |
| 5  | CalFirst                       | CD       | 12 Mos | 10/2/2018     | 0.250% | Umpqua-Chk            | 250,000.00          | 7.9%           | 12/31/2017     |
| 6  | State Farm Bank                | CD       | 36 Mos | 11/26/2020    | 1.440% | Self                  | 261,748.56          | 8.3%           | 12/31/2017     |
| 7  | Centennial Bank/Giant Bank     | CD       | 36 Mos | 11/26/2020    | 1.550% | Umpqua-Chk            | 250,000.00          | 7.9%           | 12/31/2017     |
| 8  | EH National Bank               | CD       | 24 Mos | 12/5/2018     | 1.120% | 323-602-2000          | 255,320.12          | 8.1%           | 12/31/2017     |
| 9  | First Internet Bank of Indiana | CD       | 24 Mos | 12/8/2018     | 1.900% | Umpqua-Chk            | 250,059.60          | 7.9%           | 12/31/2017     |
| 10 | Tab Bank                       | CD       | 12 Mos | 11/12/2018    | 1.350% | Umpqua-ACH            | 250,000.00          | 7.9%           | 12/31/2017     |
| 11 | Golden State Bank              | CD       | 36 Mos | 6/21/2019     | 1.000% | Self                  | 253,726.08          | 8.0%           | 12/31/2017     |
|    |                                |          |        |               |        |                       | <u>3,170,459.54</u> |                |                |



## **Treasurer's Report through December 31, 2017**

### **Board Meeting: February 22, 2018**

#### **Applications Received and Re-Certifications Billed**

##### The Number of Certificate Holders

Two important overall measures of CMAT's performance are the total number of Active Certificate Holders and whether growth in that number is keeping pace with industry development.

Active Certificate Holder on December 31, 2017, at 51,038, is up 9% from the prior year. (Following a pattern observed in 2016, Active Certificate Holders was lower at the end of December than at the end of August.)

As encouraging as the year-over-year gain is, it might be noted that the level at the end of 2017 is not substantially different that it was at the ends of 2015 and 2014. The following table shows the number of certificate holders at various points in time beginning in 2012:

| <b>DATE</b>        | <b>NUMBER OF<br/>CERTIFICATE<br/>HOLDERS</b> |
|--------------------|----------------------------------------------|
| December 31, 2017  | 51,038                                       |
| December 31, 2016  | 46,801                                       |
| August 31, 2016    | 50,249                                       |
| December 31, 2015  | 51,499                                       |
| September 30, 2015 | 51,732                                       |
| December 31, 2014  | 49,997                                       |
| March 28, 2014     | 45,228                                       |
| December 2013      | 44,750                                       |
| April 27, 2013     | 38,825                                       |
| December 31, 2012  | 35,214                                       |
| June 9, 2012       | 31,595                                       |

##### New Applications and Re-Certifications

Two thousand three hundred thirty two (2,332) New Paid Applications were received during 2017 considerably below the 4,963 for the year 2016. The year-to-date average of 45 per week in 2017 is by far the lowest level to date.

Not only were New Applications down substantially from 2016, Recertifications Billed was below the very high levels in 2016.

For the year 2017, Recertifications accounted for 91% of the total activity, a not unexpected record high.

Upon initial examination, it appears inconsistent that Total Active Certificate Holders is greater at the end of 2017 than in 2016 while the numbers of both New Applications and Recertifications Billed are lower. However, this same pattern occurred when one compares 2015 to 2014 and 2013 to 2012. The explanation may be because of the two year certification schedule, which results in even-number years having greater activity.

| <b>Year</b> | <b>New Applications Received Per Week</b> | <b>Re-Certifications Billed Per Week</b> | <b>Total</b> | <b>Re-Certifications as a % of Total</b> |
|-------------|-------------------------------------------|------------------------------------------|--------------|------------------------------------------|
| 2017        | 45                                        | 444                                      | 489          | 91%                                      |
| 2016        | 95                                        | 512                                      | 615          | 83%                                      |
| 2015        | 80                                        | 409                                      | 489          | 84%                                      |
| 2014        | 244                                       | 451                                      | 696          | 65%                                      |
| 2013        | 219                                       | 248                                      | 467          | 53%                                      |
| 2012        | 207                                       | 296                                      | 503          | 59%                                      |
| 2011        | 264                                       | 54                                       | 318          | 17%                                      |
| 2010        | 259                                       | 0                                        | 259          | 0%                                       |

In 2017 the percent of Paid Recertifications that were billed was similar to the 82% in 2016 suggesting an ongoing retention level of just over 4-out-of-5 of those previously certified.

|  | <b>Renewals</b> | <b>Renewals</b> | <b>% Billed That</b> |
|--|-----------------|-----------------|----------------------|
|--|-----------------|-----------------|----------------------|

|             | <b>Billed</b> | <b>Paid</b>  | <b>Are Paid</b> |
|-------------|---------------|--------------|-----------------|
| <b>2017</b> | <b>23079</b>  | <b>18702</b> | <b>81%</b>      |
| 2016        | 26632         | 21844        | 82%             |
| 2015        | 21309         | 16136        | 76%             |
| 2014        | 23484         | 18618        | 79%             |
| 2013        | 12913         | 9871         | 76%             |
| 2012        | 15368         | 11687        | 76%             |

### Processing Time

Processing time continues to be an issue that warrants attention. In 2017, the average time for documents that were received until they are approved (assuming no background or education issues) is 90 days. This is substantially slower than the 55 days required in 2016.

### What It All Might Mean

Over time, the growth in Total Active Certificate Holders has been, at best, modest. Whether that pattern is acceptable depends on the extent to which the industry has grown. There is no universally agreed upon reference for such a measure; however, many sources suggest growth rates may be in excess of those achieved by CAMTC. If that is the case, CAMTC might consider some investigation to understand its lack of achieving industry growth rates.

## **Financial Statements**

### Statement of Functional Activities (Income Statement)

#### Overview – A Major Change in Reporting of Revenue

A major change in the recognition of revenue has been made for 2017. The new procedure is that 88% of all revenue for New Applications and Renewals will be recognized at the time of receipt. The balance, 12%, will be accounted for over the subsequent 24 months at 0.5% per month. This change applies not only to revenues received during 2017, but to revenues collected in previous years.

This differs with the past procedures in which:

- Revenue for New Applications has been recognized as follows: 37% of the \$150 initial application when the application is received, 39% when the certificate is issued and the balance, 24%, over 24 months

- Recertification revenue has been reported as follows: 46% when received, 42% when approved and the balance over 24 months.

As discussed in the previous report, the result of this change in accounting procedure is to substantially increase the revenue for 2017 over what it would have been under the previous revenue allocation. Going forward, this practice will tend to make revenues look stronger during periods of substantial certification and recertification activity and weaker during slower periods than would have been the case before.

Another factor, unrelated to the accounting change, also increased revenues for 2017. It is the late fees for those who recertified under the extension of the grandfather clause. Although these people were allowed to recertify with 250 hours, rather than 500, they had to pay late fees. Such fees amounted to approximately \$107,000. This revenue source is non-recurring and will not help future revenue.

Figures showing Actual revenues on the Statement of Functional Expenses reflect the new formula for recognizing revenue. However, CAMTC has not modified its Budgeted figures in accordance with the new revenue distribution procedure. As a result, the analysis of Revenue will not be based on the Budget. Further, because of the accounting change, comparisons with previous periods cannot be meaningfully made.

The change in handling of revenue does not affect the reported expenses; therefore the analysis of expenses will still compare the actual expenditures with the budgeted amounts.

Revenue for the calendar year 2017 exceeded expenses by \$324,730. This Net Income figure not only is the result of the new procedure for recognizing Revenue, it is because expenses were \$435,040 below budget. However, without the new change which caused an increase in revenue recognition there would have been a loss.

#### **SUMMARY OF FUNCTIONAL ACTIVITIES 2017**

|                |             |
|----------------|-------------|
| Total Revenue  | \$4,873,964 |
| Total Expenses | \$4,549,234 |
| Net Income     | \$324,730   |

The following sections discuss the Revenue figures without regard to the budget and the Expenses relative to budget.

### Revenue Detail

*Re-Certifications* – CY (Current Year) accounted for 57% of Total Revenue, with *New Certification Fees* – CY adding an additional 8%. These two amounts, which total over two-thirds of Revenue, would have been substantially smaller under the old accounting procedures. Past Year New Certification Fees, which make up 20% of Revenue, account for the majority of the balance.

The *Limited Recertification Fees*, which are composed of late fees paid by those who renewed under the grandfathered 250 hour provision, are a one-time source of funds and they accounted for 2% of Revenue.

| REVENUE 2017                   |             |            |
|--------------------------------|-------------|------------|
|                                | Amount      | % of Total |
| CERTIFICATION FEES             |             |            |
| New Certification Fees - CY    | \$409,911   | 8.41%      |
| New Certification Fees - PY    | \$996,714   | 20.45%     |
| Re-Certifications - CY         | \$2,776,132 | 56.96%     |
| Re-Certifications - PY         | \$91,427    | 1.88%      |
| Recertification Late Fees      | \$138,689   | 2.85%      |
| Limited Recert Late Fees       | \$113,420   | 2.33%      |
| · Limited Recertification Fees | \$107,095   | 2.20%      |
| Total · CERTIFICATION FEES     | \$4,633,388 | 95.06%     |
| Hearing Fees - Individuals     | \$28,515    | 0.59%      |
| School Certification Fees - CY | \$7,436     | 0.15%      |
| School Recertification Fees-CY | \$27,345    | 0.56%      |
| School Background Check Fees   | \$2,378     | 0.05%      |
| School Hearing Fees            | \$8,790     | 0.18%      |
| Interest and Other Income      | \$30,179    | 0.62%      |
| Miscellaneous Fees             | \$135,933   | 2.79%      |
| Total· REVENUE                 | \$4,873,964 | 100.00%    |

### Performance Relative to Budget by Major Expense Categories.

Expenses were 10%% below budget

Listed below are the major expense categories, in the order shown on the Statement of Functional Activities, compared to the budgeted amount.. In all categories, Actual was

below the Budgeted amounts except for Board & Committee where Actual and Budget were identical. In absolute dollar terms, Miscellaneous and Professional Standards were the lowest relative to the Budget (\$118,533 and \$108,672 below Budget, respectively) While Actual Miscellaneous was only 18% of the Budgeted amount, all the other items ranged between 86% and 98% of Budget.

Two categories, Professional Standards and Professional Services, together account for 62% of all expenses. No other item exceeded 12% of the total.

| <b>EXPENSES 2017<br/>Actual and Budget</b> |                    |                    |                                     |
|--------------------------------------------|--------------------|--------------------|-------------------------------------|
| <b>Item</b>                                | <b>Actual</b>      | <b>Budget</b>      | <b>% of<br/>Actual<br/>Expenses</b> |
| Board & Committee                          | \$59,419           | \$59,419           | 1%                                  |
| Outreach marketing                         | \$117,722          | \$135,500          | 3%                                  |
| General Administrative                     | \$555,359          | \$646,172          | 12%                                 |
| Executive Staff                            | \$475,198          | \$496,142          | 10%                                 |
| Professional Standards                     | \$1,499,380        | \$1,608,052        | 33%                                 |
| General Staffing                           | \$157,080          | \$179,292          | 3%                                  |
| Educational<br>Standards/Schools           | \$352,716          | \$382,551          | 8%                                  |
| Professional Services                      | \$1,306,005        | \$1,332,258        | 29%                                 |
| Miscellaneous                              | \$26,355           | \$144,888          | 1%                                  |
| <b>TOTAL</b>                               | <b>\$4,549,234</b> | <b>\$4,984,274</b> | <b>100%</b>                         |

### Statement of Financial Position (Balance Sheet)

#### Overview

As of December 31, 2017, CAMTC is in a healthy financial position. Equity is strong and liabilities (the majority of which are composed of deferred fees which will soon become revenue) are relatively low. As with other financial measures, because of the accounting change, the current Balance Sheet is not directly comparable with those in previous periods. However, in terms of the individual balance sheet elements:

- The asset position is strong. Assets, at \$3,428,089 are composed primarily (92%) of cash or cash equivalents

Liabilities are \$518,812, just 18% of the total of assets + liabilities. Further, the majority of the liabilities are composed of Application Fees, which are deferred income.

Equity is \$2,844,277.

## Conclusions

- Major challenges for CAMTC are to ensure that the number of certified therapists is high relative to the number of active therapists and that the growth in certified therapists keeps up with growth in the category.
- CAMTC is in a strong financial position. At the same time, it must be recognized that:
  - Much of the financial health is a result of the strong performance in 2016 (in large part due to extending the 250 hour grandfather clause). The number of New Applications and Recertifications in 2017 was not particularly high.
  - The new accounting procedure, which recognizes most of the income in the first year, means that years of weaker performance will not meaningfully benefit from revenue carried over from prior years. This puts more importance on getting both Recertification and New Applicants every year. Most of the expenses are fixed, rather than variable, so they will not decline very much if revenue declines.
  - In 2017, CAMTC is benefiting from the late payment fees generated by extending the grandfather clause. This one-time benefit cannot be relied on in the future.

Respectfully submitted by  
Michael Marylander,  
Treasurer  
February 12, 2018



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

**To: CAMTC Board of Directors**

**From: Beverly May, Director of Governmental Affairs and Special Projects**

**Report for Board Meeting February 22, 2018**

## **Local Government Issues;**

I was tasked with following up with any city or county staff who responded to the letters sent in late December to California jurisdictions. One letter was sent by CEO Ahmos Netanel to city and county managers, Police Chiefs and Sheriffs. From these twenty four responded with requests for information. Another letter was sent from Chairman Mark Dixon to all Mayors, city council members and county Supervisors. Of these sixteen requested follow-up. Several requested meetings, most of which have occurred already with two other scheduled for after the Board meeting. Worth noting is that many of these cities and counties are smaller jurisdictions that have had no contact with us previously. Some of the ordinances are decades old, with sections that are out of compliance with the state law and other sections that are long obsolete. Responding to each, whether by phone, email or in person, takes a fair amount of preparation on my part as I first review their current municipal or county codes, check to see if I have had prior contacts with the city or county and whether I have received complaints from local massage therapists. The local officials I have been in contact with have all been very appreciative of CAMTC's willingness to work with them as well as having access to the resources that we have. Often, the smaller towns in particular have little idea of what other local cities are doing and of best practices.

Later this month Rick McElroy and I will be meeting with the Bakersfield City Council to help them as they prepare to introduce a new ordinance. Although I haven't seen the current draft, the city intention was to allow long time massage therapists who do not qualify for certification to continue to work in the city without becoming certified. In other highlights, I believe that Burlingame, in San Mateo County, just approved waiving the \$200 fee to register for individuals (with \$100 annual renewal). This placed a burden on the individuals who often contract to provide services at multiple locations. Los Banos now requires certification but also exempts existing local practitioners who meet defined criteria. These are just a few of the multitude of new and amended ordinances in the past several months.

Since the last Board meeting I have had over twenty city and county staff and six state legislators staff contact me for various reasons. I met with the San Mateo Chief Deputy County



Counsel to discuss revocable registrations as they are implemented in this county. Ahmos Netanel and I also met with the Executive Director and one of the lobbyists for the California League of California Cities. We met with Jon Nam, Chief of Staff for Assembly member Kansen Chu. We also met with staff of the Senate Business and Professions Committee and discussed the upcoming hearing for the B&P committee to receive updates on various issues regarding the profession, including school approval and local government compliance with the law.

### **Sexual Assault Issues:**

**H.R. 1023** (2017-2018), a federal bill to require mandatory reporting of complaints of sexual assault by massage therapists has not moved since March 2017 and remains in the Subcommittee on Crime, Terrorism, Homeland Security and Investigations.

Proper protocol for addressing complaints of sexual assaults by massage therapists is one of the issues to be discussed at the March hearing before the Business and Professions Committee.

### **Human Trafficking:**

One of the meetings that I attend regularly is the Alameda County District Attorney's Office Heatwatch Labor Trafficking Taskforce. Guest speakers in January included Rochelle Keyhan and Alexa Schaeffer of Polaris Project in Washington. Rochelle is a former prosecutor who is Director of the Polaris Project Disruption Strategies team. Rochelle discussed the just released Polaris report on human trafficking in massage. Alexa spoke about labor trafficking issues. Rochelle had called me prior to the release of the report to get some input on a section of it. We plan to continue dialogue as they encourage cities and states to implement their recommendations. I applaud the time and work that they put into the 2018 Report on Human Trafficking in Illicit Massage Businesses (IMB) and their efforts to distinguish IMBs from the massage profession. I have concerns with some of their data, but their conclusions and proposals, while ambitious, are doable and impressive. The strength of the Polaris Report is in their research and recommendations for identifying true owners and regulating establishments.

The next day, Polaris hosted the screening of a movie about human trafficking in Korea, and although it was not massage related, they made clear that the indicators and methods of coercion used are similar. After the movie there was a panel discussion that included CAMTC Board member Minouche Kandel and another panelist from SF Department of Public Health, as well as the filmmaker.

I have been attending the SF General Trafficking and Adult Trafficking Taskforces of the Mayor's Office as well as meetings of the SF Collaborative Against Human Trafficking (SFCAHT). SF recently released their third Annual Human Trafficking Report.

I participated in the second annual Strategic Planning Retreat of the SF Mayor's Taskforce on Human Trafficking.

I just this week attended the first meeting of the newly formed San Mateo County Human Trafficking Taskforce (although the formal name is to be determined). The new county Human Trafficking Coordinator, John Vanek, comes with a great deal of experience and got the group of about 70 attendees, mostly law enforcement but including service providers and NGOs, off to an energetic start.

Although I have not been to recent meetings in Stanislaus, Fresno, LA or Sacramento counties I continue to track their activities.

I also participate in the Human Trafficking Taskforce of the American Massage Therapy Association.

State and federal definitions of Human Trafficking of adults require the use of force, fraud, or coercion to obtain some type of labor or commercial sex act. Polaris indicates a preference for an extremely broad definition of coercion and even fraud, but also addresses the challenges of establishing these elements of trafficking. The lines easily blur between abusive labor practices and labor trafficking, and between commercial sex when there are few or no alternatives available, and sex trafficking. Some anti-trafficking organizations are committed to abolishing the commercial sex industry. To this end, more focus is on reducing demand. Others focus on identifying the most egregious instances of labor and sex trafficking. In the world of massage, it remains extremely difficult to verify trafficking even when numerous indicators are present. The women often don't think they are trafficked or don't feel free to talk, or to leave their environment. I hope to see more progress in separating victims, as defined in law, from those with few other options. However, CAMTC has been charged with protecting the public, including weeding out those who may be providing sexual services under the guise of massage.

### **Certification and Management System (CAMS) Database:**

In the past months we instructed the vendor to focus on providing information for the Monthly Reports, in this case the year-end report for 2017 that includes data from inception of the certification program in 2009. Future monthly reports should soon be available directly through Queries and Reports in the system. It has taken a great deal of time to obtain a clear understanding of the definitions and sources for all data, how to account for the transition period from the old Aloha system to CAMS and how to validate the numbers being provided. We have finally agreed on sources of data and reconciled differences between various reports to understand which ones provide the actual information that we are seeking.

We have also engaged a part time employee to create queries to run directly from the data. In addition, he has allowed us to send notices of upcoming expirations using the most current data and address information for certificate holders, so that notices are being sent timely and to current addresses. This has saved staff a significant amount of time as well as making sure that certificate holders who have provided us with current emails and addresses are more likely to receive notices.

That accomplished, we are back into full swing finishing the system.

Our project manager and I have been having weekly conference calls with the vendor with frequent contact in-between as needed. We have been working closely with Jon and his staff on setting priorities. Previously, priorities were not set narrowly enough to keep the vendor as focused as we would like. We have found that working cooperatively with this vendor, setting specific directions and goals as well as jointly agreeing to timelines for deliverables, gets the best results. This way we are getting more frequent releases for testing. The project manager and I prioritize testing as soon as it is available for user testing. The vendor has added another tester to review items before being made available to us. As a result, most new features are passing in the test site with few rejections to be fixed and tested again. Once tested and signed off, they go into production and get tested again.

We are close to completion of what we call “the Back office” where applications get processed, including the remaining features of the Massage Professional Dashboards, the portal for applicants and certificate holders to apply, recertify and update information. The Local Government site is almost fully functional with all searches working. Some information will not be available until the Legal and Professional Standards Division (PSD) sections are complete. We have not begun testing these as we requested that the vendor not work on these items until the other sections of the system are complete, tested and bug free.

On a personal note, I live in Silicon Valley and have had a couple of recent consultations with IT industry-experienced professionals for perspective. In addition, my husband spent ten years with Oracle, the largest database company in the world. We recently discussed the problems we have encountered with a systems administrator for another company. Both explained how complicated databases are. This actually was a common response from everyone I contacted for referrals on the database vendors we considered. The IT Manager for the state of Colorado regulatory boards (DORA) told me that they change vendors every few years and always have limitations and problems. We have not heard how the Federation of State Massage Therapy Boards (FSMTB)'s new system is working as it is being implemented, but having been one of the original Subject Matter Experts (SMEs) in the early days of development, I believe that they abandoned and re-started the project at least two or three times, and were several years late in the first stage of going live. Likewise, the BreEZe Project, the California Department of Consumer Affairs (DCA) database, went from \$28M to \$98M and has serious issues with the reporting ability. The project was cancelled before all of the state Boards that were paying towards it had their databases created. This is not to excuse the delays and challenges we have faced in getting our system up and running. Even at this juncture, we recognize that we certainly would have done many things differently if we were starting over. However, having said all that, I genuinely believe that we have done many things right and look forward to a system that will serve us well for years to come.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814

tel 916.669.5336 fax 916.669.5337 www.camtc.org

To: CAMTC Board of Directors

From: Joe Bob Smith, Director of Educational Standards Division

For: Board Meeting – February 22, 2018

## School Statuses

We have approved 1 school since the previous meeting for a total of 90 schools with CAMTC approved programs (93 total campuses including satellites; 83 campuses currently operational). Three schools have been denied. One new school application received since the previous Board meeting.

## Re-Approval Update

The Application for Re-Approval went online the first week of December. As of February 13, 2018, 20 applications for re-approval had been received. The first 35 schools have approvals expiring June 30, 2018, with ongoing expirations after that. Re-approval will be for a period of four years. The quarterly school newsletter that comes out shortly after each Board meeting will remind schools to timely submit their application to prevent a lapse in approval.

## 2017 MBLEx Report

Since 2017 was the first full calendar year for CAMTC approved schools, this is the first year to report MBLEx passing rates\*.

| School Location        | Type       | Total # of Exams | # of Passed | Passing % |
|------------------------|------------|------------------|-------------|-----------|
| State                  | All        | 4241             | 2766        | 65.2%     |
|                        | First Time | 3449             | 2406        | 69.8%     |
|                        | Re-takes   | 792              | 360         | 45.5%     |
| National               | All        | 26692            | 17804       | 66.7%     |
|                        | First Time | 21505            | 15669       | 72.9%     |
|                        | Re-takes   | 5187             | 2135        | 41.2%     |
| CAMTC Approved Schools | All        | 2676             | 1708        | 63.8%     |
|                        | First Time | 2214             | 1525        | 68.9%     |
|                        | Re-takes   | 460              | 182         | 39.6%     |

As per our Procedures, CAMTC approved schools with a pass rate 10% or more below the national pass rate for first-time test takers will receive a warning. However, other factors must be considered when reviewing this data:

- Until July 1, 2017, FSMTB did not require proof of education, meaning that MBLEx applicants could list any school without verification. Thus, some schools may have had erroneous test takers attributed to them during the first half of the year.
- For many smaller schools, each test taker could equal several percentage points, which could adversely skew the numbers.

Now that test takers must prove which school they attended, schools have had three years to adapt to the MBLEx, and schools must be more accountable for test scores, we anticipate scores to rise in 2018.

The most recent pass rates reported by FSMTB appear on par with similar national licensing exams.

*\*Note: CAMTC does accept other exams, but the MBLEx is the most widely utilized.*

### **MBLEx Content Outline Changes**

In October of last year, I participated in a Federation of State Massage Therapy Boards workshop to review the 2017 Job Task Analysis Survey and recommend changes to the MBLEx content outline.

Not surprisingly, the most recent JTA did not change dramatically from the previous JTA 5 years ago, as the profession has remained relatively stable. However, there is a shift towards more public protection as demonstrated by the reorganization of topics below.

Content changes that will be implemented for all MBLEx administrations, effective July 1, 2018:

1. The section entitled Overview of Massage/Bodywork Modalities, History and Culture will no longer be a separate section.
  - a. Overview of Massage/Bodywork Modalities will be reassigned as a subcategory under the section entitled Benefits and Physiological Effects of Techniques that Manipulate Soft Tissue; and
  - b. History and Culture subcategories will no longer be tested.

The distribution of topics tested will be as follows:

- *Anatomy & Physiology* changes from 12% to 11%
- *Kinesiology* changes from 11% to 12%
- *Pathology, Contraindications, Areas of Caution, Special Population* changes from 13% to 14%
- *Benefits and Physiological Effects of Techniques that Manipulate Soft Tissue* changes from 14% to 15%
- Client Assessment Reassessment & Treatment Planning remains at 17%
- Ethics, Boundaries, Laws and Regulations changes from 15% to 16%
- Guidelines for Professional Practice changes from 13% to 15%

Having participated in the process of the JTA and after reviewing the new content outline, I believe the MBLEx should remain one of the CAMTC approved exams.

### **Brochure for Students**

In December 2017, CAMTC printed a brochure entitled “Are You Considering Enrolling In A Massage Program That Is Not Approved By CAMTC?” and mailed to all known and possible massage programs in California, whether they have applied for CAMTC approval or not, for distribution to current and prospective students.

CAMTC created this brochure to help educate students that their education from a program that is not CAMTC approved cannot be used toward CAMTC Certification until such time that the program is approved, if ever. While CAMTC has no authority over schools that have not applied for approval and cannot mandate that they distribute this brochure, this brochure is an attempt by CAMTC to reach vulnerable students before they unknowingly spend money and waste time on education that cannot be used towards CAMTC Certification.

### **Ongoing Plans**

ESD is scheduled to present to California massage schools at two free upcoming events:

Saturday, March 10    A2Z Health Expo – Van Nuys, CA

Friday, May 18        AMC Massage School Educator Day – Redondo Beach, CA

Most of the year, particularly the first three quarters, will see ESD occupied with re-approval applications for CAMTC approved schools.

Additionally, ESD will be working to purge pending schools that have closed or are no longer pursuing approval; help schools with incomplete applications finish the process; complete open investigations; monitor approved schools; and process applications for changes and new schools.



# CALIFORNIA MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 800 | Sacramento, CA 95814  
tel 916.669.5336 fax 916.669.5337 www.camtc.org

To: CAMTC Board of Directors  
From: Rick McElroy, Director of Professional Standards Division  
Re: Board Meeting – February 22, 2018

## **PSD Training for Law Enforcement**

PSD continues to expand its outreach to law enforcement by finishing off 2017 with 150 agency trainings to 443 officers. The cumulative total since we first started in 2014 has totaled 475 agencies and 1,400 officers. November marked the first LAPD training session that included over 30 officers and detectives from Commission Investigation Division (CID). This division is responsible for code enforcement for massage businesses. I was met with a warm reception and the training was well received. I stayed there for almost an hour answering questions. We set up a pilot program to run several months to validate CAMTC's effectiveness. I'm happy to report, it took us less than two months to revoke the first person they submitted to us and they are still submitting reports on a regular basis. PSD Assistant Chief of Investigations Kellie Rodriguez is the liaison for LAPD – She is also retired LAPD. We look forward to beginning to train the entire department in the near future.

## **PSD Training Day in Sacramento**

December 19, 2017, marked our 6<sup>th</sup> annual training day for PSD and our legal department. Alison Siegel provided the training where a review of CAMTC laws and Procedures were discussed as well as common issues both teams face during the year. It's good for the team members to meet and personally network with each other.

## **Upcoming Events for PSD**

- A2Z Expo by Ben Drillings March 10<sup>th</sup>, Airtel Plaza Hotel, Van Nuys, Ca. I will be presenting on behalf of CAMTC, "Top 10 ways to lose your CAMTC certification."
- CPCA Annual Training Symposium (Cal Chiefs) March 19-22, Long Beach Convention Center. Ahmos and I will share the podium and I will address the chiefs regarding the benefits of working with CAMTC. We will also be manning a booth with CAMTC staff discussing each chief's questions/concerns.

Also, in conjunction with CPCA and addressing one of CAMTC's strategic initiatives, we have formed a working group partnering with law enforcement to investigate sexually suggestive advertising.



## Outreach Director Report

To: CAMTC Board of Directors

From: Roberta Rolnick, Outreach Director

Re: Board Meeting – February 22, 2018

### ➤ Upcoming Events

- March 10, 2018 A2Z Health Expo
  - Three AMG staff members
  - Two CAMTC Speakers: Joe Bob Smith and Rick McElroy
  - Two eBlasts to CAMTC certificate holders and schools
- March 17-18, 2018 AMTA-CA Annual Education Conference
  - One AMG staff member
- March 18-22, 2018 CPCA Annual Training Symposium
  - CAMTC is a Premier Sponsor, including:
    - 20'x20' exhibit booth
    - Premium logo placements
    - One year Strategic Partner with CPCA
  - Five CAMTC leadership in booth to meet w/ Police Chiefs about local jurisdiction concerns (no AMG staff)
  - Two CAMTC Speakers: Ahmos Netanel and Rick McElroy
    - "Massage Establishments: Powerful Tools to Eradicate Illicit Conduct"

### ➤ ESD Outreach

- Co-created November 2017 CAMTC School Newsletter
- Co-created ESD brochures and mailed them to massage schools
- Co-created and sent eBlast for A2Z event
- Assisted with letters to schools regarding the massage program re-approval application and process

### ➤ PSD Outreach

- Updated Rick's PowerPoint presentation for police and code enforcement officers
- Updated Rick's bio to submit for presentations

### ➤ GA Outreach

- Assisted with letters to City Mayors and City Managers to offer support and encouragement for proactive improvements to their city's massage ordinance.
- CAMTC web updates



- Survey Report
  - CAMTC's survey to certificate holders about local governments' implementation of the California Massage Therapy Act
  - Survey report was created for Legislature



## KNOW YOUR SCHOOL ADVISORY COMMITTEE

CAMTC recognizes the importance of massage schools to the profession; and more specifically, to CAMTC itself and the certification process as a whole. For this reason, the CAMTC Board of Directors created a School Advisory Committee ("SAC").

SAC consists of 7 members representing massage programs of various types, sizes, and locations. This committee provides school perspective and knowledge on school-related issues.

Dr. Jeffrey Forman is the SAC Chair. The committee members are:

**DR. JEFFREY FORMAN** - CAMTC Vice Chair, Appointed by the California Community Colleges Chancellors Office; De Anza College - Instructor and Massage Program Coordinator- retired

**ALLISON BUDLONG** - CAMTC Board Secretary; California Association Private Postsecondary Schools; National Holistic Institute

**KEITH GRANT** - Independent Massage School Association of California

**SELENA LEE** - Chair/Treasurer, Independent Massage School Association of California; Owner, McKinnon Body Therapy Center

**KATIE MICKEY** - Owner/Director/Instructor, Santa Barbara Body Therapy Institute

**JAN NOBLE** - Owner/Director, Holistic Life Institute

**DEBORAH REUSS** - Dean of Holistic Health and Massage at Pacific College of Oriental Medicine

## COMING SOON



## CAMTC APPLICATION FOR MASSAGE SCHOOL RE-APPROVAL

Yes we've been getting the news out in various forms, in order to be sure that each and every CAMTC Approved Massage School receives this critical update about their re-approval process. Since the initial program approvals are for 2 years, the first schools that received approval will expire on June 30, 2018. **To prevent a possible lapse of CAMTC School Program Approval, we recommend schools apply for re-approval a minimum of 6 months prior to their school's approval expiration date.**

CAMTC sent an email reminder on November 3rd as a courtesy. However, whether a school receives a reminder from CAMTC or not, it is the school's responsibility to submit the application for re-approval on time. Starting now and going through most of next year, Educational Standards Division ("ESD") will be working with the majority of approved schools on their re-approval process.

The *CAMTC Application for Massage School Re-Approval* is expected to be available for you to download from CAMTC's website by the end of November 2017 at:

<https://www.camtc.org/schools/school-owneradministrator/>

When the application becomes available, you will need to click the "School Login" icon even though no login information is required at this time. ESD is working to simplify the re-approval process as much as reasonably possible for these approved schools.

Please prepare now. The application for massage school re-approval and the accompanying materials must be submitted in a three-ring binder labeled with dividers in the order as specified on the *Application Checklist*. Also a copy of the entire application and accompanying materials must be provided in electronic PDF format on a flash drive, which is labeled and organized to match the hard copy application.

Each application will need to be accompanied by the re-approval application fee of \$3,000 per campus (good for 4 years of approval, if re-approved). Additionally, you must submit the \$41 fee for each background check, which is required for each massage program staff and faculty persons who are not currently CAMTC certified. Please note that this fee must be provided even if a background check was performed with the previous school application.

Please also review the September 6, 2017 *Policies and Procedures for Approval of Schools* on CAMTC's website to ensure that your school remains in compliance. That PDF document is at:

<http://camtc.org/media/1395/schoolspolicies-and-procedures-for-approval-of-schools-final-9617clean.pdf>



## CAMTC's Booth “WE’RE HERE TO HELP”

The AMTA 2017 National Convention was in Pasadena, CA September 14 -16. The Educational Standards Division enjoyed meeting school owners, administrators, instructors, and students at CAMTC's booth, which was well attended. Questions were answered for numerous approved, pending and prospective schools.

Among school topics discussed were foreign education, starting a school, buying a school, timelines for schools on the pending list, qualifications for teaching massage in California, and receiving investigative information about school fraud.



**CAMTC booth with staff helping attendees.**

Students and massage professionals had questions about applications, recertification, types of education, transcripts, background issues, PSD status updates, and some attendees just wanted to check their status or to actually start the application process (online and paper) for CAMTC Certification.



**CAMTC's staff, leadership and board members... we're here to help!**



## SCHOOL ADVISORY COMMITTEE IN 2018

The CAMTC Board approved the Schools Advisory Committee to continue its valued input to the Board through at least 2018. In fact the Board approved the following 2018 Strategic Priorities and Objectives that relate to CAMTC approved schools and school programs as follows:

- Continue the Schools Advisory Committee
- Continue close relationship with schools by enhancing communication and the accessibility of relevant information.
- Actively seek feedback from schools

All CAMTC meetings are open to the public. Dates and locations are listed on CAMTC's website at

<https://www.camtc.org/information-about-camtc/>

and then click on the 'Meetings' icon. The next meetings are as follows:

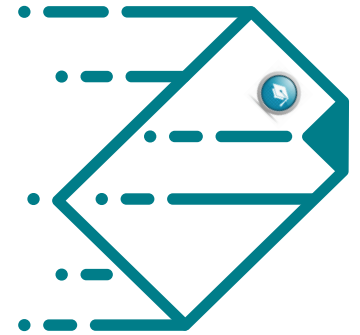
- CAMTC Board Meeting February 22, 2018 – Location TBD (likely Los Angeles)
- CAMTC Schools Advisory Committee May 30, 2018 – Location TBD
- CAMTC Board Meeting May 31, 2018 – Location TBD

Any schools that have suggestions for committee topics may direct their inquiries to the Schools Advisory Committee Chairman, Dr. Jeffrey Forman at:

[jforman@camtc.org](mailto:jforman@camtc.org)

Be sure to email your request at least 2 weeks prior to the meeting, in order for it to be considered as a possibility for the meeting's agenda.

## TIPS FOR FASTER CERTIFICATION APPLICATION PROCESSING



A frequent question from schools is about application processing times for their students. Applicants for CAMTC certification undergo extensive education and background checks once their applications are complete. However, applicants should keep in mind that their application is not complete just because they submitted their portions of the application. We must also receive an official transcript from their school, passing exam results, and background information from the Department of Justice (DOJ) and Federal Bureau of Investigations (FBI). For the background check, it can take several weeks for the results to arrive once the Live Scan is completed.

Many applications get held up due to missing or incorrect information. This causes a lot of back and forth communication between the applicant and our office, which can add weeks and sometimes months to the processing time. To help prevent these delays, CAMTC has put together a list of the most common application mistakes so that schools can better help their students get certified more quickly and efficiently.

**PLEASE SEE NEXT PAGE...**

**We'd appreciate your sending an email to CAMTC's Outreach Director Roberta Rolnick at [rrolnick@camtc.org](mailto:rrolnick@camtc.org) with the following info:**

- Please reply to let us know if your school received the CAMTC School Newsletter.
- If you have any other school staff that should receive the CAMTC School Newsletter, send the school name and email address to be added to our school contact list.

California Massage Therapy Council's mission is to protect the public by certifying massage professionals in California that meet the requirements in the law and approving massage programs that meet the minimum standards for training and curriculum.





# Tips for Faster CAMTC Application Processing

## FOR APPLICANTS:

- All questions answered, to the best of your ability (if the question does not apply, write “N/A” or “NONE”, rather than leave it blank).
- Use your legal name that is on your government issued ID. (If anything other than your legal name is provided and documents showing the name change is not, it will cause a delay.)
- Have all requirements met before submitting your application including, but not limited to:
  1. Live Scan
  2. 500-hours of education from a CAMTC approved massage program, including a minimum of 100 hours of core subjects (e.g., anatomy & physiology, contraindications, health & hygiene, and business & ethics)
  3. Exam passed and results electronically sent to CAMTC (and if you have not passed the exam, update CAMTC by email, mail, phone, or fax when you do pass)
- Provide any additional information needed, as applicable (e.g., non-expired government photo ID; non-expired EA/PR, if not a citizen; name change documents; explanation for any background questions where you answered ‘yes’; etc.).
- Passport photos must meet US government standards (professional quality photos only; refer to: <https://travel.state.gov/content/passports/en/passports/photos.html>).
- If you are submitting the application online and having difficulty uploading documents, email, fax, or mail the documents to CAMTC with your Member ID# on each document.

## FOR SCHOOLS:

### When Mailing Transcripts

- Transcripts must be signed by an approved signer from the school as previously registered with CAMTC.
- Double-check that student information on each transcript is accurate (e.g., legal name, date of birth, social security number, etc.).
- If a student has had a legal name change since completing the program, please identify the current legal name on that student’s transcript.
- Transcripts must be mailed directly from the school to CAMTC (students may not mail their own transcripts).

### Education

- Advise students that, if they attended more than one school, CAMTC will require an official transcript to be sent from each school. (If the school is closed, then students may send copies of the transcripts themselves; these will be evaluated on a case-by-case basis.)
- Advise students that CAMTC will only accept hours from CAMTC approved massage programs. If students take courses outside of the program (e.g., continuing education, advanced courses, courses in non-approved programs, etc.), they will not be applied toward the 500-hour requirement.



**Proposal on Translation of MBLEx Exam into Thai Language  
from the Nuad Thai and Spa Association of America (NTSAA)  
to CAMTC Board of Directors Meeting  
February 22, 2018**

**I. Background:**

Overview

The massage industry in California has been increasingly augmenting, as the desire to become a Massage Therapist coupled with the growing demand for massages have been present since the 1990's. In comparison to other jobs in the service sector, such as within restaurant industry, the salary earned from becoming a Massage Therapist is much preferred. As a result, an increasing number of people are entering the massage industry.

According to the 2010 United States Census, there are 67,707 Thai Americans living in California, and 237,629 Thai Americans living in the U.S. The number of Thai Americans in the U.S. has gone up 58.1% between 2000 and 2010. By using similar growth pattern, in 2018 there can be at least 380,000 Thai Americans residing in the U.S. And deducting from these numbers, it is estimated from Nuad Thai and Spa Association of America survey by internet(Google and Yelp.com) and phone call that in Los Angeles alone, there are around 600 massage businesses with at average 8 Massage Therapists working in each shop. Therefore, there can be at least 4,800 Thai massage therapists, with and without the CAMTC Certification. Given this number one can estimate a slightly lower number of massage therapists in San Francisco, not to mention small cities and towns across California.

Root Causes of the Problem

Before 2014, those who wanted to become a Massage Therapist in California can acquire a Massage City license by satisfying the requirements of no less than 500 hours spent at a massage school, passing more than 60% of the written exam (available in many languages including Thai), and passing more than 40% of the practice exam. However, after the new law has been passed in 2015, massage therapists in Los Angeles along with most cities in California are required to obtain their license from the California Massage Therapy Council (CAMTC), with the only option of taking the MBLEx written exam in English. This becomes the biggest hurdle to Thai Massage Therapists who have high massage skills but limited command of written English. By taking away their option to take the written exam in Thai, more than 70% of the Thai Massage Therapists are unable to pass the examination and their opportunity to obtain a license is dimmed.

However, this does not only deter them from continuing with their profession, but also even results in more people working illegally. The number of available Massage Therapists, with and without licenses, continues to rise. Thus, numerous spa and massage business owners complain about their lack of certified Massage Therapists. The intensity of this situation fuels the problems of human trafficking, prostitution and unfair labor practices.

### Actions

The Nuad Thai and Spa Association of America and The Royal Thai Consulate -General, Los Angeles, have jointly organized many programs and activities to enhance the necessary skills for Thai Massage Therapists, including:

1. A conference with Ms. Beverly May, Director of Governmental Affairs from CAMTC, Mr. Joe Bob Smith, Director of ESD, and Mr. Ahmos Netanel, CEO, with regard to acquiring the license (November 2016);
2. Two training programs and an online program through the Nuad Thai and Spa Association of America's website to help educate massage therapists about the MBLEx exam (February and June 2017);
3. An annual Thai and international massage training program for the past five years.

## **II. Proposals:**

1. Translate the standardized MBLEx written exam from English to Thai. OR
2. Make available specialized translators for help at some of the Pearson VUE Centers near Los Angeles. OR
3. Allow specialized translators from Pearson VUE Centers to help translate English exam into Thai on the day that there are Thais registered for the exam.
4. Exempt those who have had Massage City License before 2015 and graduated from CAMTC certified schools from taking MBLEx written exam. However, if they graduated from schools that were NOT certified by CAMTC or their schools were out of business, they would need to take an MBLEx oral exam / interview with the help of a specialized translator.\*

\*Details about cost sharing can be discussed among Nuad Thai and Spa Association of America, relevant Thai authorities, and CAMTC.

## **III. Benefits of MBLEx Exams' Translation into Thai Language:**

1. More safety and higher health standards will be accorded to the consumers as many more Thai Massage Therapists will fare a better chance of passing the MBLEx exam, obtain the license, and be able to work legally, while integrity and rigorous standard of the exam are maintained. Massage Therapists are still required to have the same knowledge, concepts and vocabularies without having to overcome the language barriers.

2. The increased amount of legal massage therapists would generate more tax revenue for the State of California and local government across California. A massage therapist typically earns \$4,000 or more per month (assuming they work 5-6 days/week).

3. Helping Thai Massage Therapists to pass the MBLEx exam and acquire the license will register more people into the system and support the State of California in keeping track and managing problems when issues arise between Massage Therapists and consumers.

4. Reduction of the problem of unfair labor practices due to uncertified Massage Therapists' difficulties in finding employment.

5. Better chance of passing the MBLEx exam will attract a higher number of uncertified Massage Therapists to educate themselves and qualify for the exam, thus lessen the incidents of prostitution and human trafficking.

6. The increased number of certified Massage Therapists would help satisfy the growing demands for massages. Increased competition would result in more options for qualified massage therapists for consumers.

KANITTA PEREIDA  
( Kanita Pereida )  
NTSAA President  
February 14, 2018

\*The Nuad Thai and Spa Association of America (NTSAA) was established in August 4, 2016 and registered a non-profit public benefit corporation approved in December 15, 2016, under the Revenue and Taxation code section ARTS-PB 501(c)(3) (Employer Identification Number 81-5091429)

CC: Laura Friedman  
Assemblymember, 43<sup>rd</sup> District



## 23. Amendments to staff expense reimbursement policy

This item will not be discussed by the Board at the February 22, 2018 meeting and may be tabled until the May 31, 2018 meeting.



California Massage Therapy Council  
One Capitol Mall, Suite 800  
Sacramento, CA 95814

[www.camtc.org](http://www.camtc.org)