



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

# Sunset Review Report 2013

Presented to the  
California Legislature  
Senate Committee  
on Business, Professions  
and Economic Development

November 1, 2013

# California Massage Therapy Council

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Additional copies of this report can be obtained from [www.camtc.org](http://www.camtc.org)

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# Introduction

- Internal Factors
- External Factors
- The Future

### ***Introduction***

The California Massage Therapy Council (hereafter “CAMTC”) occupies a unique position in the world of certifying bodies. CAMTC is not a State agency. CAMTC is a private nonprofit organization that issues voluntary certifications. With its unprecedented ability to compile and assess information from law enforcement agencies and local government agencies across the State, and broad authority to deny applicants and discipline certificate holders, CAMTC is ideally positioned to act quickly to protect the public and address the complex issues facing the industry in a cost effective way.

In order to effectively evaluate the performance of CAMTC, it is imperative to recognize that CAMTC cannot be measured with the same yardstick as existing state professional licensing boards, bureaus, other government agencies, nor as other private nonprofit corporations created for consumer protection. Both the organizational realities and the complex social and political environment in which CAMTC functions fundamentally set it apart.

### ***Internal factors***

CAMTC is a private nonprofit corporation with tax-exempt status created pursuant to SB 731. (Oropeza – 2008.) It was named and incorporated by the initiative of private individuals. Not being part of California State government, CAMTC has not used any taxpayer monies, State funds, or other public funding. CAMTC initially secured \$184,410 in loan commitments from five private sources, but since the management company agreed to defer most of its fees for a time, and the members of the first Board of Directors (hereafter “BOD”) agreed to defer their travel expense reimbursements until sufficient funds were available, only \$105,410 was actually used. On February 17,



2010, CAMTC repaid all of its outstanding loans, plus interest. It has been debt free ever since. Unlike professional licensing Boards, CAMTC does not rely on any state agency infrastructure, administrative, logistical, or technical support. CAMTC does not burden the Attorney General's office with its legal needs, but rather retains outside law firms and employs and manages full time legal staff.

CAMTC implements a voluntary title act, not a mandatory practice act. **The Legislature created a unique system that is enforceable, with real standards.** CAMTC's enabling legislation provides for a voluntary certification program for massage professionals, which limits the use of certain titles to individuals certified by CAMTC. CAMTC-certified professionals may provide massage services anywhere in the State without being required to obtain local massage/police permits. CAMTC-certified professionals are not subject to most local massage regulations unless such regulations are uniformly applied to other licensed individuals providing professional services. Since certification by CAMTC is voluntary, non-certified individuals are free to provide massage services in accordance with the local rules specific to their jurisdiction. Therefore, individuals who have not been vetted or approved by CAMTC can still provide massage services in California.

The voluntary nature of the certification places constant pressure on CAMTC to perform – including protecting the value of the certification for certificate holders, providing exceptional client service, and keeping fees affordable. In order to accomplish these goals, CAMTC must run a fiscally lean and efficient operation.

Executive staff is expected to work nontraditional hours. This is necessary in order to participate with other entities at their meetings and functions, most of which take place at night and on weekends. It is important that executive staff be available around the clock, and the urgency of local council hearings often means delaying or interrupting vacations and personal days. It is common for staff to travel to city council meetings, typically held in the evening, with notice of a day or less. Unable to offer the benefits packages available to State employees, CAMTC needed to develop alternative

incentives to attract and retain qualified staff. To keep costs down, all of CAMTC's employees are at-will and none of them have contracts, pensions, severance packages, or job security.

CAMTC's executive staff incorporated as part of its business plan a system of proactively communicating with consumers and service providers. In addition, CAMTC must engage in regular outreach efforts to California officials within all 482 cities and 58 counties, all law enforcement agencies in the State, massage schools, massage businesses, and spa operators.

To assure that CAMTC's policies appropriately reflect the needs of the consumer and vastly diverse stakeholders, CAMTC has 19 members on the BOD. While the BOD is relatively large, the adherence to well-structured meeting protocols and formal parliamentary rules of debate results in highly efficient and productive meetings. The meetings of the BOD are subject to the rules of the Bagley-Keene Open Meeting Act. (Government Code §11120, et. seq.)

## ***External Factors***

The perception of massage in California is still a generational issue. Those who were unfamiliar with the healthcare and relaxation benefits provided by professional massage initially viewed the massage industry as a threat. As a fledgling organization, and well before it had a chance to accumulate any revenue, CAMTC found itself in a struggle with some of the most politically powerful and well-financed entities in California (some with hundreds of millions of dollars in reserves). While all new organizations experience growing pains, the demise of CAMTC seemed imminent until the BOD intervened with an initiative that proved effective. More details on these challenges are found in Section One, *Initial Challenges*.

Based on an extrapolation of a 2012 national consumer survey, conducted by the American Massage Therapy Association, 7.1 million California residents (4.7 million

women and 2.3 million men) receive at least one massage a year, infusing \$2.4 billion annually into California's economy. In the same survey it was reported that the primary reason people received a massage was for medical or health reasons. Massage is a critical part of the personal healthcare of California's rapidly growing population.

Fortunately, the misperceptions regarding massage are being ameliorated by time and a more widespread acceptance of its benefits. As a field, massage in California is highly diverse, fragmented, and rapidly evolving. "Massage" covers a large practice area, with many different specialties falling under this broad term. Types of massage range from spa/relaxation to medical (conventional and alternative). There are hundreds of constantly growing approaches that include: Swedish Massage; Deep Tissue; Clinical/medical; Neuromuscular Therapy; Trigger Point Therapy; Therapeutic Touch; Myofascial Bodywork; Sports Massage; and Acupressure, to name just a few. In addition to general consumers, massage is practiced with special populations such as: pain; pregnancy; geriatric; athletic; chronic illness; obesity; trauma; physical challenges; spine; oncology; surgical; mental health; pediatric; abuse; hospice; infant; hospital; and others. Massage is practiced in many different settings that include: private offices; spas; homes; chiropractic offices; on-site/out-call; franchises; clinics; salons; fitness facilities; hospitals; and athletic team facilities.

The profile of massage providers in California is highly diverse as well. Minorities, especially Asians, represent a larger proportion than the general population. Ages of massage providers range from 18 to over 80. Eighty-five percent of providers are female. More than 95% of providers had at least one other occupation prior to entering the field. The educational background of providers (not including massage training) ranges from GED to doctorate. Work classifications vary and include sole practitioners, independent contractors, employers, and employees. Income ranges from less than \$4,000 to more than \$80,000 annually.<sup>1</sup>

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<sup>1</sup> This information is from the Job Task Analysis, conducted by the Federation of State Massage Therapy Boards from June 22, 2012 - August 7, 2012. There is no reason to believe that the numbers are any different in California.

The 272 schools with Bureau of Private Postsecondary Education (“BPPE”) approved massage programs, as well as the community colleges that offer massage programs in California, are as diverse as the rest of the industry. On one side of the spectrum there are small schools, founded long ago, that cater to a mix of avocational and vocational students. Some have one room and one instructor with a handful of students. Many of these schools have historically, and until recently, taught programs as short as 100 hours. These schools have recently increased their minimum programs to 250 hours, and are currently facing another adjustment to 500-hour programs. In the middle are the nationally accredited schools that offer federally guaranteed financial aid. This category of schools includes those with massage-only programs as well as those that are national chains of career colleges. At the other end of the spectrum are the seven or so community colleges that offer certificates as well as associate degrees in massage. While we will address the significant problems with fraudulent schools elsewhere in this document, there are also many schools that are considered to be substandard. Others teach in foreign languages only, and at least one teaches in English to non-English speaking students, requiring other students to translate as best they can.

The profile of massage businesses in California is diverse as well. Massage establishments range from large luxury spas operated by Fortune 500 multi-national publicly owned hospitality and leisure corporations to small privately owned professional offices. The marketplace has seen a major expansion of affordable massage centers either privately owned or as part of a national franchise system.

Even though CAMTC administers a statewide certification program, the 540 California local jurisdictions are intricately involved in the implementation of the law. CAMTC works closely on a daily basis with cities and counties and information related to applicants and certificate-holders flows continuously in both directions. In some cases one application may trigger contacts with over a dozen local jurisdictions. The lack of uniformity and consistent standards and protocols from one jurisdiction to another further complicates and, at times, impedes an effective vetting process.

Historically massage has been locally zoned as “adult entertainment” or as a “sexual encounter business,” which is an inappropriate restriction that does a great disservice to massage consumers. CAMTC is following its legislative mandate to bring a more reasonable and accurate perception to this discussion. By zoning massage as “adult entertainment,” cities force massage clients to seek healing and restorative services in unsafe outlying and industrial areas, adjacent to adult bookstores and nude dancing establishments. Many cities still have local ordinances that presume massage clients will be engaging in sexual intercourse with the massage providers. For example, Los Angeles requires that a poster be posted in public areas informing massage clients that it is illegal to have condoms on the premises. In San Francisco, the Health Department supports the distribution of complimentary condoms and safe sex information in massage businesses.

While a growing number of jurisdictions are highly cooperative with CAMTC, others are still struggling to fully adopt integrated protocols and ordinances that recognize CAMTC’s existence. CAMTC’s Director of Governmental Affairs, the legal team, and the investigators in CAMTC’s Professional Standards Division make themselves available and are often called on to assist local officials and law enforcement in addressing various massage related issues.

Communities around the world are reporting a surge of criminal elements using massage as a subterfuge for human trafficking and prostitution. In addition to working directly with local law enforcement agencies, CAMTC also communicates with law enforcement agencies in other states regarding individuals moving into California. CAMTC has also worked with federal agencies, including Immigration and Customs Enforcement (“ICE”) and the Department of Homeland Security (“DHS”). CAMTC initiated an undercover operation with the Department of Homeland Security in relation to sales of fraudulent massage diplomas. DHS has requested CAMTC’s assistance regarding international human trafficking rings in California. CAMTC is in the midst of a systematic outreach to all law enforcement agencies in California. CAMTC regularly offers specialized training to vice units and code enforcement units around the State.

## ***The Future***

While there is no doubt that CAMTC faces many challenges now and into the future, its current status as a private nonprofit entity with statewide statutory authority places it in the position where the legislature envisioned it to be, that is, addressing the complexities facing the industry. With the flexibility and cost effectiveness of private industry, CAMTC can quickly respond to problems in a way that government cannot. CAMTC's ability to gather and investigate information from multiple local jurisdictions when assessing the suitability of applicants for certification significantly reduces the chances that bad actors will slip through the cracks inherent in the local permitting structure that existed before CAMTC. For example, in the past, those who had local massage permits revoked or acted against were able to avoid the consequences of their actions by merely moving from jurisdiction to jurisdiction. This is especially true in today's world, where many cities and counties issue only administrative citations or take civil action instead of criminal action in relation to massage permits. Thus, an individual who had his or her local massage permit revoked or acted against might still have had no criminal record. The lack of a criminal record is not an issue for CAMTC. CAMTC gathers information from many local as well as State and out-of-state resources and has the authority to act on this information whether a criminal record exists or not. In its short history, CAMTC has made supporters out of adversaries and has advanced the profession by addressing industry-wide issues in a cohesive fashion. CAMTC recommends that its current structure as a nonprofit organization be maintained so that it can continue to nimbly address whatever challenges the future may hold.



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## Section 1

### Background and Description of CAMTC and the Massage Profession

- History and Function of CAMTC
- Makeup and Function of the Board of Directors (BOD)
- Major Changes Since Inception
- Legislation Affecting CAMTC Since Inception
- Regulatory Changes
- National Associations Activity

## Section 1 –

### Background and Description of CAMTC and the Massage Profession

#### *History and Function of CAMTC*

**Provide a short explanation of the history and function of CAMTC. Describe the occupations/professions that are certified and/or regulated by CAMTC (Practice Acts vs. Title Acts).**

CAMTC is a private California nonprofit corporation that implements a statewide voluntary certification program for massage professionals pursuant to Business and Professions Code sections 4600-4620. It is a Title Act. CAMTC is funded solely by the fees for applications, certifications, and other related services.

CAMTC's objective is to protect the health and safety of California consumers by promoting and enforcing laws and protocols that serve the public and certified massage professionals. In order to accomplish this objective, CAMTC performs the following functions:

- Vets applicants to insure that they meet the educational standards set forth in the law;
- Reviews and evaluates applicants' and certificate holders' criminal and other background issues based on DOJ reports, FBI reports, and input from local law enforcement agencies and other local agencies that regulate massage;
- Shares and receives information from law enforcement and other local officials regarding applicants, certificate holders, and schools;
- Investigates background issues for applicants and certificate holders, which include but are not limited to, notices of subsequent arrests, criminal convictions, and reports from local law enforcement or other massage regulatory agencies related to alleged unprofessional conduct, incompetence, fraud, or other illegal activities;
- Supports and cooperates with local law enforcement agencies by providing information and training to address the use of massage as a subterfuge to violate laws against prostitution, lewd conduct, and human trafficking;
- Supports legal and ethical standards for professional conduct by massage providers;



- Investigates and imposes disciplinary action for violations of CAMTC's statute and professional standards set by the BOD, including criminal convictions for sexually related crimes;
- Immediately suspends the certificates of certificate holders who have been arrested and charged with an act punishable as a sexually related crime;
- Reviews and investigates consumer complaints, including complaints of sexual assault;
- Investigates and un-approves schools that issue fraudulent transcripts or transcripts that do not accurately reflect the length and content of the training claimed by applicants;
- Assists cities and counties in applying, drafting, or amending ordinances and regulations to assure conformance with State law;
- Conducts various outreach activities to provide consumers, certificate holders, applicants, business owners, and schools with current information about CAMTC certification;
- Disseminates information regarding State law to non-certified massage professionals, local government officials and employees, State agencies, schools, other professions, businesses, massage therapy boards in other states, and the media;
- Annually develops a Strategic Plan to establish goals and objectives for CAMTC;
- Actively participates in the Federation of State Massage Therapy Boards;
- Intends to share and use information from the National Massage Licensing Database when it is complete (currently in beta-testing);
- Provides presentations at meetings and to associations of city staff and diverse stakeholder groups, including the California Municipal Revenue and Tax Association, city attorney groups, California Police Chiefs Association, city councils, and county Boards of Supervisors; and
- Participates in several regional human trafficking taskforces.

On Sept 27 2008, California became the 41st state to pass either a title or practice act pertaining to massage (effective January 1, 2009). Another three states have enacted state laws to regulate massage since that time.

California Business and Professions Code sections 4600-4620 authorized the creation and implementation of a voluntary statewide certification program which exempts certified individuals (who meet the requirements in the statute) from the requirement to obtain a local massage permit. Individuals who are certified by CAMTC may practice massage anywhere in the State of California without having to obtain a local permit. Those who are not CAMTC-certified must still comply with local permitting requirements. CAMTC certification provides maximum portability to its certificate holders, who are legally authorized to work anywhere in the State.

Business and Professions Code section 4606 makes it an unfair business practice for a person to use the term “certified massage practitioner” or “certified massage therapist” or any other term, such as “licensed,” “registered,” “CMP,” or “CMT,” that implies or suggests that the person is certified as a massage therapist or practitioner without being certified by CAMTC. The law also provides CAMTC the authority to deny applications and discipline certificate holders.

CAMTC’s statute provided for the program to be administered by a nonprofit organization that did not exist at the time. No provisions were made in the law for start-up funding, legal support, administrative support, or suggested infrastructure for the organization, other than mandating that the organization must be tax exempt under section 501(c)(3) of the Internal Revenue Code. The law also did not specify what entity would be tasked with forming the organization. Provisions for the creation and funding of the organization were left unstated in the law.

The California Chapter of the American Massage Therapy Association (AMTA-CA), sponsor of SB 731 (the bill that created CAMTC), and Associated Bodywork and Massage Professionals (ABMP), an association that played a significant role as a stakeholder and supporter of the bill, began meeting in October 2008, soon after the bill was signed, to create the “Massage Therapy Organization” identified in the law. The legislative advocates for these two associations provided the initial advisory support in order to form the organization that would later become CAMTC.

On January 29, 2009, the Articles of Incorporation were filed and endorsed by the California Secretary of State. (See Current Articles - Attachment 1.) On February 19, 2009, the first BOD meeting was held. (See Bylaws – Attachment 2.) At that meeting the BOD members were seated and the officers were elected unanimously. The BOD re-named the organization the “California Massage Therapy Council (CAMTC)” rather than “The Massage Organization” as it was referenced in SB 731. Paperwork was soon filed for 501(c)(3) tax-exempt status, which was ultimately obtained.

The BOD also decided to retain a management firm to process applications and handle inquiries. (See Flowchart for Application Processing – Attachment 3.) This was done with the goal of controlling costs and maintaining structure. CAMTC demanded both clarity and accountability. Interviews were conducted by the full BOD at the initial meeting and resulted in a decision to hire Advocacy and Management Group (AMG), based in Sacramento. AMG continues to provide administrative services and serves as CAMTC's corporate headquarters.

Since August of 2009, CAMTC has processed more than 80,000 new and recertification applications and oversees approximately 43,000 certified massage professionals. At this time, CAMTC does not certify or regulate massage businesses.

With an alacrity rarely seen in government, CAMTC got off to a fast start. Only eight months after incorporation, on September 15, 2009, the first certifications were issued. By that time, 5,030 applications had been received; a number that greatly exceeded all projections. CAMTC continued to receive an average of 1,935 new applications a month through 2009, for a total of 10,835 applications received in 2009. In the next three years the number of new applications received was as follows: 2010 -13,468 new applications; 2011 – 13,842 new applications; and 2012 – 10,792 new applications. In 2013 CAMTC has averaged 200 new applications a week, and is therefore projected to receive approximately 10,400 new applications by the end of the year. These numbers do not include applications for recertification.

CAMTC started recertifying applicants in September of 2011, when the first certificates expired. CAMTC certificates for practitioners (CMPs) and therapists (CMTs) are good for a period of two years. The recertification application numbers are as follows: 2011 – 2,403 applications for recertification received; 2012 – 10,962 applications for recertification received. In 2013 CAMTC expects the number of applications for recertification to be in excess of 7,000.

Along with an overwhelming number of applications that first year, there were also indications that a significant number of transcripts, sent directly from the schools, were fraudulent. This was consistent with the warnings CAMTC received from cities in relation to this matter.

While CAMTC worked diligently to become fully operational in record time, developed policies and procedures, trained staff, addressed unforeseen issues, investigated and addressed schools that showed signs of potential fraud, and implemented policies and procedures for denial of applications and discipline of certificate holders -- hundreds of applications moved slowly through the process.

The initial policies and procedures on denial of applicants, discipline of certificate holders, and schools have evolved and improved over time. Additionally, CAMTC has enacted greater controls through a combination of additional policy and clean-up legislation - AB 619 (Haldeman), SB 285 (Correa), and SB 1238 (Price). The American Massage Therapy Association, California Chapter, sponsored the first of these bills, AB 619. CAMTC was instrumental in providing suggested provisions based on feedback from local officials. AB 619 cleaned up certain provisions, such as changing "MTO" to "CAMTC," and clarified business licenses, permits, and land use policies as applied to businesses in which everyone providing massage is certified. It also allowed for a background check of non-certified owners and made the owner or operator responsible for the conduct of all those providing massage services at the business.

SB 285 made the sale or falsification of school transcripts a crime. SB 1238 was entirely supported by CAMTC with provisions that had been requested by city attorneys and police. SB 1238 made changes to the requirements to qualify as a CMP plus recognized the equivalency of "credit" units and class "hours." It also authorized local law enforcement and other government entities to provide information to CAMTC upon request, added massage related infractions and civil citations to the express grounds for possible denial or discipline, and allowed for the immediate suspension of a certificate holder upon receipt of clear and convincing evidence of a sexually related crime or

related felony. It also allowed local jurisdictions to regulate a business as it sees fit, if the owner is found to have relevant background issues. The legislation also removed a loophole, so that owners are now responsible for the behavior of all employees or contractors providing massage for compensation on the premises.

Additional challenges were presented when CAMTC received pushback from local governments. Even before the first certifications were issued in 2009, several cities claimed that the law did not apply to charter cities. These cities refused to exempt CAMTC-certified professionals from local permitting requirements – an exemption that was the basic premise of the law. The California Police Chiefs Association also voiced concerns about the ability of CAMTC to conduct effective background checks and sponsored a bill (AB 1822 Swanson) that, if passed, would have taken final authority for background checks from CAMTC, and specified that at Sunset all authority would revert back to local control. Implementation of this legislation would have left no incentive for massage professionals to choose CAMTC certification, greatly undermining the organization. The Governor vetoed AB 1822, and CAMTC has since established a respectful and cooperative relationship with the California Police Chiefs Association and with individual police departments throughout the State. The charter city issue was also resolved by working closely with the Senate Business, Professions and Economic Development Committee's Chief Consultant, Bill Gage, and former Senator Gloria Negrete-McLeod, who moved up the sunset date of numerous entities (SB 294), including CAMTC, and codified the legislative intent that certification of massage professionals was a matter of statewide importance. (See Business and Professions Code §4614.)

Several outside factors also complicated CAMTC's arrival in the complex arena of massage certification. First, the Bureau for Private Postsecondary Vocational Education ("BPPVE"), the State organization with oversight of most schools that provide massage education, was sunset in July of 2007. A replacement organization was not authorized until three years later, when AB 48 (Portantino) created the Bureau for Private Postsecondary Education ("BPPE"). During this gap in oversight, there was virtually no

regulation of the vast majority of massage schools in California. Problems with schools escalated during this time period, with an increase in widespread fraud, much of which was committed by the schools themselves.

Additionally, the problem of human trafficking has grown significantly worldwide in the past few years. Human trafficking fuels the sex industry, which has sought to cover its existence by highjacking the good name of the massage profession. California is the entry state for many immigrants, and the widespread fraud at schools and lack of oversight resulted in the selling of massage transcripts to human traffickers, who were looking to provide an air of legitimacy for their sex workers. To make matters worse, the 2008 recession resulted in vacant storefronts and desperate landlords at the same time as city and county budget cuts resulted in reductions in police forces, with vice units often the first to go. Overall, the environment was ripe for fraud and other crime.

CAMTC came into existence during this turbulent time and has faced some criticism from cities and counties in relation to the proliferation of illicit establishments in their jurisdictions, even though CAMTC currently has no jurisdiction over establishments. The problem of eliminating illicit establishments is complex and solving this problem will require direct action on multiple fronts, including: cities and counties utilizing their existing authority; CAMTC cooperation with cities and counties; as well as implementation of legislative changes.

Business and Professions Code section 4612 provides exemptions from local massage establishment permit requirements for businesses in which everyone providing massage is CAMTC-certified. However, it is up to the local jurisdiction to confirm that the exemption applies and to enforce their existing authority over establishments. CAMTC's authority is limited to individuals who apply or are CAMTC-certified.

CAMTC now works closely with many cities, counties, local law enforcement agencies, and local government agencies with the authority to regulate massage. The importance of this good working relationship between CAMTC and local jurisdictions, including the

ability to share information, cannot be understated. It allows CAMTC the unique ability to have a broader overview of its applicants that was not available to the local massage permitting authorities. Many cities and counties have found it more efficient to require CAMTC certification than to administer their own local permitting programs. At this time, approximately 90 jurisdictions require CAMTC certification to practice massage. This trend is expected to continue.

CAMTC is working with many cities for a clear delineation of the roles between CAMTC and the local jurisdictions. CAMTC agrees that a clear definition of shared authority will be in the best interests of the public. We recommend this be accomplished by the voluntary certification of massage establishments by CAMTC, as further described in this report, Section 11, *Regulation of Massage Establishments*. We believe that there will be significant support for CAMTC to certify establishments under a program similar to the current individual professional certification program.

## ***Makeup and Function of the Board of Directors and Committees***

The initial BOD consisted of eleven members, as defined in statute at that time. The BOD was later expanded to twenty members, five of the additional members having qualified in 2009 under the statute, and four more being appointed later by the BOD to reflect diverse stakeholders.

CAMTC's bylaws provide for a maximum of twenty BOD members, though there are only nineteen members at this time. Seven BOD members are certified massage professionals. Eight BOD members are representatives selected by four different professional associations. Four BOD members are representatives selected by statewide associations of private postsecondary schools. One BOD member is a representative selected by the League of California Cities (position currently open), one BOD member is a representative selected by the California State Association of Counties, and another BOD member is a representative selected by the Director of the

Department of Consumer Affairs. The remaining five BOD members are appointed by a two-thirds vote of the BOD pursuant to CAMTC's bylaws.

At the first BOD meeting in February 2009, in addition to the Executive Committee, three advisory committees were formed – Credentials Committee, Public and Profession Outreach Committee, and Public Policy and Local Government Committee. The BOD appointed Chairs who populated their own committees with both BOD members and other interested parties. Since its inception, CAMTC has made use of committees to fulfill specific objectives. All committee meetings are noticed on the CAMTC website and are open to the public.

## **Initial Committees**

### **A. The Executive Committee**

This committee consists of the elected officers of the BOD and has the authority to review and recommend changes to the bylaws and other operating policies of the BOD. The Executive Committee also has the authority delegated to it by the BOD, if any.

### **B. The Credentials Committee**

This committee was tasked with proposing policies for implementation of the educational requirements in the law. Specifically they focused on four main questions: 1) how transcripts should be received by CAMTC; 2) what to require of applicants with massage licenses or education from other states or countries; 3) which national examinations should be recognized; and 4) how to evaluate the education of applicants whose schools had closed. Meetings were held at the Sacramento office or by conference call. The committee met from March through August of 2009, when it was dissolved. After that time the committee Chair, a BOD member, was actively involved in proposing education policies on new issues.



### **C. The Public and Profession Outreach Committee**

This committee supported the development of communication and media protocols, website content, presentations, educational strategies and materials to CAMTC stakeholders; and later shortened the name to Outreach Committee. This committee began on March 16, 2009 and disbanded on March 8, 2011. The former committee Chair currently serves as Outreach Liaison between the BOD and staff.

### **D. The Public Policy and Local Government Committee**

This committee functioned more as a discussion group and advisory resource. Meetings were held via a series of phone conference calls, primarily attended by city massage permit staff, city attorneys, police and a few interested massage therapists and business owners. A core group of city staff participated in most calls, with as many as 150 city attorneys on several calls. Out of these discussions came many of the policies implemented early on to reduce the incidence of fraud and maximize the availability of information to local government staff. Participants reviewed the application form, process for reviewing education, helped design a secure website available to registered local government staff regarding applicants and certificate holders, and helped educate CAMTC as to signs of potential problems. These calls began in April of 2009 and continued every two to three weeks until the spring of 2011. Approximately twenty-five calls were held.

## **Current Committees of the Board**

Currently there are two committees of the Board (defined as committees which may have the authority of the Board on particular issues):

### **A. Executive Committee**

This committee consists of the elected officers of the BOD and has the authority to review and recommend changes to the bylaws and to other operating policies to the BOD. The Executive Committee also has the authority delegated to it by the BOD, if any. Because all CAMTC BOD members are so committed and enthusiastic, the

Executive Committee does not currently play a strong role in the governance of the organization – i.e. most decisions are made by the full BOD.

### **B. Audit Committee**

This committee is charged with oversight of financial reporting and disclosures. The committee interfaces with the auditing firm and the Chief Executive Officer and makes recommendations to the BOD as to the approval of the annual audit report. It also files the organization's tax returns.

### **Advisory Committees**

Three other advisory committees were formed for special purposes and dissolved upon fulfilling their charge:

### **A. CEO Search Committee**

In January of 2010 the BOD approved a job description, scope of work, and budget for a newly created position - CEO. Five BOD members and our General Counsel served on a committee that posted the approved job description. Seventy-seven responses were narrowed to five finalists, who were invited to be interviewed in person by the full BOD on March 3, 2010. The BOD decided to split the budget into two positions; a CEO position for an applicant who had the specialized knowledge and experience to take command immediately and a COO who had executive experience in the arena of newly formed nonprofit professional associations. The committee was dissolved upon fulfilling its mandate.

### **B. The Denial and Disciplinary Committee**

This committee functioned from November of 2009 to June of 2010. It had the decision-making authority to approve or propose denial of applications with education, criminal or other background issues. Comprised of two individuals who at the time were BOD members, one had a massage background and the other was from law enforcement.

This committee reviewed applications, DOJ/FBI and local government reports, school transcripts, other relevant information, and had authority under the initial Procedures for Denial of Certification or Discipline/Revocation (approved by the BOD on October 22, 2009) to approve or propose denial of applicants, as well as to authorize investigations and request court records. Meetings were all held by teleconference. The Committee was disbanded in June 2010.

### **C. Schools Committee**

This committee was created on November 5, 2012 and disbanded on February 13, 2013. It consisted of three BOD members with staff serving in an advisory capacity. The committee held two meetings by teleconference call, one on December 14, 2012, and the second on January 22, 2013. On February 13, 2013, the BOD dissolved this committee and revised the Procedures for Un-Approval of Schools to reflect the shift of authority for making final decisions on the proposed un-approval of schools from the committee to the full BOD. Two further revisions to the Schools Procedures were made by the BOD: on May 9, 2013, the rehabilitation section was added; and on September 19, 2013, schools for which un-approval had been proposed were given the opportunity to make an oral presentation of not more than 20 minutes to the BOD before a final decision was to be made.

Table 1a., below, identifies the BOD meetings and committee meetings each current BOD member has attended. Table 1b., below, identifies the BOD meetings and committee meetings each past BOD member has attended. Table 1c., below, is the current BOD member roster.

## ***BOD Member Meetings and Committee Attendance, Current BOD Members***

<b>Table 1a. Attendance - Current Board Members</b>			
Mark Dixon, Board Chair			
Date Appointed:	January 14, 2010		
Date Reappointed:	February 15, 2012		
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Public Policy and Local Government 2011	March 22	Teleconference	Yes
	January 25	Teleconference	Yes
Board Meetings 2010	November 09	Los Angeles	Yes

	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Public Policy and Local Government 2010	November 16	Teleconference	Yes
	September 14	Teleconference	Yes
	August 18	Teleconference	Yes
	July 06	Teleconference	Yes
	June 03	Teleconference	Yes
	May 12	Teleconference	Yes
	March 24	Teleconference	Yes
	March 02	Teleconference	Yes
	February 04	Teleconference	Yes
Keith Grant, Vice Chair			
Date Appointed:	November 19, 2009		
Date Reappointed:	February 13, 2013		
Date Expires:	November 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes

	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	No
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Board Meetings 2009	December 10	Sherman Oaks	Yes
	November 19	Teleconference	Yes
Michael Marylander, Treasurer			
Date Appointed:	January 14, 2010		
Date Reappointed:	February 13, 2013		
Date Expires:	January 14, 2016		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes

Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	No
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	No
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	No
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Roberta Rolnick, Secretary			
Date Appointed:	February 19, 2009		
Date Reappointed:	February 15, 2012		
Date Expires:	February 15, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes

	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	No
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Public and Profession Outreach Committee 2011	February 22	Los Angeles	Yes
	February 01	Teleconference	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	No
	June 27	Teleconference	No
	June 02	Santa Ana	No
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Public and Profession Outreach Committee 2010	November 01	Teleconference	Yes
	October 12	Teleconference	Yes
	September 13	Teleconference	Yes



	August 31	Teleconference	Yes
	March 09	Teleconference	Yes
	February 25	Teleconference	Yes
	February 08	Teleconference	Yes
	January 06	Teleconference	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	Yes
	October 22	Teleconference	Yes
	September 23	Teleconference	No
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes
	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Public and Profession Outreach Committee 2009	November 23	Teleconference	Yes
	September 19	Teleconference	Yes
	August 26	Teleconference	Yes
	June 30	Teleconference	Yes
	June 11	Teleconference	Yes
	April 06	Teleconference	Yes
	March 16	Teleconference	Yes
William Armour, Board Member			
Date Appointed:	February 11, 2010		
Date Reappointed:	May 9, 2013		
Date Expires:	February 11, 2016		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	No
	May 09	Los Angeles	Yes
	April 05	Teleconference	No

	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	No
	October 08	Teleconference	No
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	No
	March 20	Teleconference	Yes
	February 15	Los Angeles	No
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	No
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	No
	March 15	Los Angeles	No
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	No
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	No
	June 27	Teleconference	Yes
	June 02	Santa Ana	No
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
Judi Calvert, Board Member			
Date Appointed:	January 14, 2010		
Date Reappointed:	January 14, 2013		
Date Expires:	January 14, 2016		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes

	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	No
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	No
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	No
	March 15	Los Angeles	No
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	No
Nayada Dhanaphatana, Board Member			
Date Appointed:	December 7, 2011		
Date Reappointed:			
Date Expires:	December 7, 2014		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A

	September 18-19	Santa Monica	No
	June 27	Teleconference	No
	June 08	Teleconference	No
	May 09	Los Angeles	Yes
	April 05	Teleconference	No
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
Ben Drillings, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:	February 15, 2012		
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	No
	May 09	Los Angeles	Yes
	April 05	Teleconference	No
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	No
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes

	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	No
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Public and Profession Outreach Committee 2011	February 22	Los Angeles	No
	February 01	Teleconference	No
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	No
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Public and Profession Outreach Committee 2010	November 01	Teleconference	Yes
	October 12	Teleconference	Yes
	September 13	Teleconference	Yes
	August 31	Teleconference	Yes
	March 09	Teleconference	Yes
	February 25	Teleconference	Yes
	February 08	Teleconference	No
	January 06	Teleconference	No
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	No
	October 22	Teleconference	Yes
	September 23	Teleconference	No
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes

	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Public and Profession Outreach Committee 2009	November 23	Teleconference	No
	September 19	Teleconference	No
	August 26	Teleconference	No
	June 30	Teleconference	No
	June 11	Teleconference	No
	April 06	Teleconference	No
	March 16	Teleconference	Yes
Guy Fuson, Board Member			
Date Appointed:	January 18, 2011		
Date Reappointed:	February 15, 2012		
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	No
	June 27	Teleconference	No
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	No

	July 20	Teleconference	Yes
	June 02	Los Angeles	No
	April 27	Teleconference	Yes
	April 06	Teleconference	No
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Elna Leonardo, Board Member			
Date Appointed:	December 7, 2011		
Date Reappointed:			
Date Expires:	December 7, 2014		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	No
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	No
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
Christian Pezza, Board Member			
Date Appointed:	February 15, 2012		
Date Reappointed:			
Date Expires:	January 14, 2016		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes

	June 08	Teleconference	No
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
Jean Robinson, Board Member			
Date Appointed:	February 19, 2012		
Date Reappointed:			
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	No
	May 09	Los Angeles	Yes
	April 05	Teleconference	No
	February 13	Los Angeles	Yes
	December 14	Teleconference	No
Board Meetings 2012	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
Marcy Schaubek, Board Member			
Date Appointed:	February 13, 2013		
Date Reappointed:			
Date Expires:	February 19, 2015		



Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	No
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
Paul Schwinghamer, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:	February 15, 2012		
Date Expires:	February 19, 2015		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	No
	June 27	Teleconference	No
	June 08	Teleconference	No
	May 09	Los Angeles	Yes
	April 05	Teleconference	No
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	No
	October 08	Teleconference	No
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	No
	April 16	Teleconference	Yes
	April 10	Teleconference	No
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	No
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes

	September 14	Los Angeles	No
	August 10	Los Angeles	No
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	No
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Public and Profession Outreach Committee 2010	November 01	Teleconference	No
	October 12	Teleconference	No
	September 13	Teleconference	No
	August 31	Teleconference	No
	March 09	Teleconference	No
	February 25	Teleconference	Yes
	February 08	Teleconference	Yes
	January 06	Teleconference	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	Yes
	October 22	Teleconference	Yes
	September 23	Teleconference	No
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes
	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Public and Profession Outreach Committee 2009	November 23	Teleconference	Yes
	September 19	Teleconference	Yes
	August 26	Teleconference	Yes
	June 30	Teleconference	No
	June 11	Teleconference	Yes

Credentials Committee 2009	April 06	Teleconference	Yes
	March 16	Teleconference	Yes
	August 10	Teleconference	Yes
	May 26	Sacramento	Yes
	May 05	Teleconference	Yes
	April 27	Teleconference	Yes
	April 14	Sacramento	Yes
	March 18	Sacramento	Yes
Michael Sinel, Board Member			
Date Appointed:	May 9, 2013		
Date Reappointed:			
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	No
	June 08	Teleconference	No
	May 09	Los Angeles	Yes
Joe Bob Smith, Board Member			
Date Appointed:	February 11, 2010		
Date Reappointed:	February 15, 2012		
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	No
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes

	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Public and Profession Outreach Committee 2011	February 22	Los Angeles	Yes
	February 01	Teleconference	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	No
	March 16	Teleconference	Yes
Public and Profession Outreach Committee 2010	November 01	Teleconference	Yes
	October 12	Teleconference	Yes
	September 13	Teleconference	Yes
	August 31	Teleconference	Yes
	March 09	Teleconference	Yes
	February 25	Teleconference	Yes
	February 08	Teleconference	Yes
	January 06	Teleconference	Yes
Public and Profession Outreach Committee 2009	November 23	Teleconference	Yes
	September 19	Teleconference	Yes
	August 26	Teleconference	Yes
	June 30	Teleconference	Yes
	June 11	Teleconference	No
	April 06	Teleconference	Yes
	March 16	Teleconference	Yes

Carolyn Tseng, Board Member			
Date Appointed:	February 13, 2013		
Date Reappointed:			
Date Expires:	January 14, 2016		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	No
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
Deborah Tuck, Board Member			
Date Appointed:	March 15, 2011		
Date Reappointed:	February 15, 2012		
Date Expires:	February 19, 2015		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	Yes
	February 13	Los Angeles	Yes
Schools Committee 2013	January 22	Teleconference	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
Schools Committee 2012	January 11	Teleconference	Yes
	December 14	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes

	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	No
	March 15	Los Angeles	Yes
Dixie Wall, Board Member			
Date Appointed:	January 14, 2010		
Date Reappointed:	January 14, 2013		
Date Expires:	January 14, 2016		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	Yes
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	No
	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Public and Profession Outreach Committee 2011	February 22	Los Angeles	Yes
	February 01	Teleconference	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes

	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
Public and Profession Outreach Committee 2010	November 01	Teleconference	Yes
	October 12	Teleconference	Yes
	September 13	Teleconference	Yes
	August 31	Teleconference	Yes

## ***BOD Member Meetings and Committee Attendance, Past BOD Members***

<b>Table 1b. Attendance - Past Board Members</b>			
Bob Benson, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:	February 19, 2012		
Resignation:	February 13, 2013		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2013	February 13	Los Angeles	Yes
Board Meetings 2012	December 14	Teleconference	No
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes



	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	Yes
	October 22	Teleconference	Yes
	September 23	Teleconference	Yes
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes
	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Credentials Committee 2009	August 10	Teleconference	Yes
	May 26	Sacramento	Yes
	May 05	Teleconference	Yes
	April 27	Teleconference	Yes
	April 14	Sacramento	Yes
	March 18	Sacramento	Yes
Pamela Blackburn, Board Member			
Date Appointed:	November 9, 2010		
Date Reappointed:			
Resignation:	December 7, 2011		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes

Beth Chape, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	February 11, 2010		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2010	February 11	Santa Ana	No
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Board Meetings 2009	December 15	Sherman Oaks	No
	November 19	Teleconference	No
	October 29	Sherman Oaks	No
	October 22	Teleconference	Yes
	September 23	Teleconference	No
	September 17	Teleconference	Yes
	August 12	Teleconference	No
	July 29	Teleconference	No
	July 15	Teleconference	No
	June 18	Sacramento	Yes
	May 14	Encino	No
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Credentials Committee 2009	August 10	Teleconference	Yes
	May 26	Sacramento	Yes
	May 05	Teleconference	Yes
	April 27	Teleconference	Yes
	April 14	Sacramento	Yes
	March 18	Sacramento	No
Beverly May, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	March 15, 2011		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2011	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes

Public Policy and Local Government 2011	March 22	Teleconference	Yes
	January 25	Teleconference	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Denial and Disciplinary Committee 2010	June 01	Teleconference	Yes
	May 27	Teleconference	Yes
	May 20	Teleconference	Yes
	May 13	Teleconference	Yes
	May 11	Teleconference	Yes
	April 29	Teleconference	Yes
	April 27	Teleconference	Yes
	April 22	Teleconference	Yes
	April 20	Teleconference	Yes
	April 15	Teleconference	Yes
	April 13	Teleconference	Yes
	April 08	Teleconference	Yes
	April 01	Teleconference	Yes
	March 30	Teleconference	Yes
	March 25	Teleconference	Yes
	March 23	Teleconference	Yes
	March 18	Teleconference	Yes
	March 16	Teleconference	Yes
	March 08	Teleconference	Yes
	March 04	Teleconference	Yes
	February 04	Teleconference	Yes
	February 02	Teleconference	Yes
	January 28	Teleconference	Yes
	January 20	Teleconference	Yes
	January 18	Teleconference	Yes

	January 11	Teleconference	Yes
	January 04	Teleconference	Yes
Public Policy and Local Government 2010	November 16	Teleconference	Yes
	September 14	Teleconference	Yes
	August 18	Teleconference	Yes
	July 06	Teleconference	Yes
	June 03	Teleconference	Yes
	May 12	Teleconference	Yes
	March 24	Teleconference	Yes
	March 02	Teleconference	Yes
	February 04	Teleconference	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	Yes
	October 22	Teleconference	Yes
	September 23	Teleconference	Yes
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes
	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Public Policy and Local Government 2009	December 17	Teleconference	Yes
	November 12	Teleconference	Yes
	October 21	Teleconference	Yes
	October 01	Teleconference	Yes
	September 10	Teleconference	Yes
	August 20	Teleconference	Yes
	July 23	Teleconference	Yes
	June 18	Teleconference	Yes
	May 28	Teleconference	Yes
	May 07	Teleconference	Yes
	April 16	Teleconference	Yes
Denial and Disciplinary Committee 2009	December 25	Teleconference	Yes
	December 21	Teleconference	Yes

	December 14	Teleconference	Yes
	November 11	Teleconference	Yes
Richard McElroy, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	June 2, 2010		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2010	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	No
	January 14	Santa Ana	Yes
Denial and Disciplinary Committee 2010	June 01	Teleconference	Yes
	May 27	Teleconference	Yes
	May 20	Teleconference	Yes
	May 13	Teleconference	Yes
	May 11	Teleconference	Yes
	April 29	Teleconference	Yes
	April 27	Teleconference	Yes
	April 22	Teleconference	Yes
	April 20	Teleconference	Yes
	April 15	Teleconference	Yes
	April 13	Teleconference	Yes
	April 08	Teleconference	Yes
	April 01	Teleconference	Yes
	March 30	Teleconference	Yes
	March 25	Teleconference	Yes
	March 23	Teleconference	Yes
	March 18	Teleconference	Yes
	March 16	Teleconference	Yes
	March 08	Teleconference	Yes
	March 04	Teleconference	Yes
	February 04	Teleconference	Yes
	February 02	Teleconference	Yes
	January 28	Teleconference	Yes
	January 20	Teleconference	Yes

	January 18	Teleconference	Yes
	January 11	Teleconference	Yes
	January 04	Teleconference	Yes
Public Policy and Local Government 2010	May 12	Teleconference	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	No
	October 22	Teleconference	Yes
	September 23	Teleconference	No
	September 17	Teleconference	No
	August 12	Teleconference	No
	July 29	Teleconference	No
	July 15	Teleconference	No
	June 18	Sacramento	No
	May 14	Encino	No
	April 15	Sacramento	No
	March 18	Sacramento	No
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Public Policy and Local Government 2009	December 17	Teleconference	Yes
	November 12	Teleconference	Yes
	October 21	Teleconference	No
	October 01	Teleconference	No
	September 10	Teleconference	No
	August 20	Teleconference	No
	July 23	Teleconference	No
	June 18	Teleconference	No
	May 28	Teleconference	No
	May 07	Teleconference	No
	April 16	Teleconference	Yes
Denial and Disciplinary Committee 2009	December 25	Teleconference	Yes
	December 21	Teleconference	Yes
	December 14	Teleconference	Yes
	November 11	Teleconference	Yes
Mason Myers, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	February 11, 2010		

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2010	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	Yes
	October 22	Teleconference	Yes
	September 23	Teleconference	Yes
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes
	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Credentials Committee 2009	August 10	Teleconference	Yes
	May 26	Sacramento	Yes
	May 05	Teleconference	No
	April 27	Teleconference	Yes
	April 14	Sacramento	Yes
	March 18	Sacramento	Yes
Ahmos Netanel, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	January 14, 2010		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2010	January 14	Santa Ana	Yes
Public and Profession Outreach Committee 2010	March 09	Teleconference	Yes
	February 25	Teleconference	Yes
	February 08	Teleconference	Yes
	January 06	Teleconference	Yes
Board Meetings 2009	December 15	Sherman Oaks	Yes
	November 19	Teleconference	Yes
	October 29	Sherman Oaks	Yes

	October 22	Teleconference	Yes
	September 23	Teleconference	Yes
	September 17	Teleconference	Yes
	August 12	Teleconference	Yes
	July 29	Teleconference	Yes
	July 15	Teleconference	Yes
	June 18	Sacramento	Yes
	May 14	Encino	Yes
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	Yes
	February 19	Sacramento	Yes
Public and Profession Outreach Committee 2009	November 23	Teleconference	Yes
	September 19	Teleconference	Yes
	August 26	Teleconference	Yes
	June 30	Teleconference	Yes
	June 11	Teleconference	Yes
	April 06	Teleconference	Yes
	March 16	Teleconference	Yes
Janet Nguyen, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	August 12, 2009		
<b>Meeting Type</b>	<b>Meeting Date</b>	<b>Meeting Location</b>	<b>Attended?</b>
Board Meetings 2009	August 12	Teleconference	No
	July 29	Teleconference	No
	July 15	Teleconference	Yes
	June 18	Sacramento	No
	May 14	Encino	No
	April 15	Sacramento	Yes
	March 18	Sacramento	Yes
	March 04	Teleconference	No
	February 19	Sacramento	Yes
David Rabago, Board Member			
Date Appointed:	February 19, 2009		
Date Reappointed:			
Resignation:	March 16, 2010		



Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2010	March 16	Teleconference	No
	March 03	Santa Ana	No
	February 11	Santa Ana	No
	January 25	Teleconference	No
	January 14	Santa Ana	No
Board Meetings 2009	December 15	Sherman Oaks	No
	November 19	Teleconference	No
	October 29	Sherman Oaks	No
	October 22	Teleconference	No
	September 23	Teleconference	No
	September 17	Teleconference	No
	August 12	Teleconference	No
	July 29	Teleconference	No
	July 15	Teleconference	No
	June 18	Sacramento	No
	May 14	Encino	No
	April 15	Sacramento	No
	March 18	Sacramento	No
	March 04	Teleconference	No
	February 19	Sacramento	Yes
Trisha San Juan, Board Member			
Date Appointed:	January 14, 2010		
Date Reappointed:			
Resignation:	August 10, 2010		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2010	August 10	Los Angeles	No
	July 13	Los Angeles	No
	June 27	Teleconference	No
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes

Michael Schroeder, Board Member			
Date Appointed:	January 14, 2010		
Date Reappointed:	January 14, 2013		
Resignation:	February 13, 2013		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2013	February 13	Los Angeles	Yes
Schools Committee 2013	January 22	Teleconference	Yes
Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	No
Schools Committee 2012	January 11	Teleconference	Yes
	December 14	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes
	January 18	Los Angeles	Yes
Board Meetings 2010	November 09	Los Angeles	Yes
	September 14	Los Angeles	Yes
	August 10	Los Angeles	Yes
	July 13	Los Angeles	Yes
	June 27	Teleconference	Yes
	June 02	Santa Ana	Yes
	April 06	Sacramento	Yes
	March 16	Teleconference	Yes
	March 03	Santa Ana	Yes
	February 11	Santa Ana	Yes
	January 25	Teleconference	Yes
	January 14	Santa Ana	Yes

Michael Sheps, Board Member			
Date Appointed:	January 18, 2011		
Date Reappointed:			
Resignation:	April 5, 2013		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2013	April 05	Teleconference	No
	February 13	Los Angeles	No
Board Meetings 2012	December 14	Teleconference	No
	November 05	Los Angeles	No
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	No
	June 20	Los Angeles	No
	April 16	Teleconference	Yes
	April 10	Teleconference	No
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	No
	September 15	Los Angeles	Yes
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	No
	April 06	Teleconference	No
	March 15	Los Angeles	No
	January 18	Los Angeles	Yes
Michael Callagy, Board Member			
Date Appointed:	March 15, 2011		
Date Reappointed:	February 19, 2012		
Resignation:	October 15, 2013		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meetings 2013	December 05	Los Angeles	N/A
	September 18-19	Santa Monica	No
	June 27	Teleconference	Yes
	June 08	Teleconference	Yes
	May 09	Los Angeles	Yes
	April 05	Teleconference	No
	February 13	Los Angeles	Yes
Schools Committee 2013	January 22	Teleconference	Yes

Board Meetings 2012	December 14	Teleconference	Yes
	November 05	Los Angeles	Yes
	October 08	Teleconference	Yes
	September 12-13	Los Angeles	Yes
	June 20	Los Angeles	Yes
	April 16	Teleconference	Yes
	April 10	Teleconference	Yes
	March 20	Teleconference	Yes
	February 15	Los Angeles	Yes
	January 11	Teleconference	Yes
Schools Committee 2012	December 14	Teleconference	Yes
Board Meetings 2011	December 07	Los Angeles	Yes
	September 15	Los Angeles	No
	July 20	Teleconference	Yes
	June 02	Los Angeles	Yes
	April 27	Teleconference	Yes
	April 06	Teleconference	Yes
	March 15	Los Angeles	Yes

## Current BOD Member Roster

Table 1c. – Current BOD Member Roster					
Member Name	Date First Appointed	Date Re-Appointed	Date Term Expires	Appointing Authority	Profession
William Armour	2/11/2010	5/9/2013	2/11/2016	CAMTC Board	Owner of 9 California luxury spas
Judi Calvert	12/15/2009	2/13/2013	12/15/2015	Hands On Trade Association (HOTA)	President of massage association
Nayada Dhanaphatana	12/7/2011		12/7/2014	CAMTC Board	Spa owner, CMT
Mark Dixon	12/15/2009	2/15/2012	2/19/2015	American Massage Therapy Association (AMTA)	CMT
Ben Drillings, D.C.	2/19/2009	2/15/2012	2/19/2015	California Massage School Association (CAMSA)	Massage school owner
Guy Fuson	1/18/2011	2/15/2012	2/19/2015	California State Association of Counties (CSAC)	Business License Manager (Sacramento Co.)
Keith Grant, PhD	11/19/2009	2/13/2013	11/19/2015	Independent Massage School Association of California (IMSAC)	Massage instructor/physicist
Elna Leonardo	12/7/2011		12/7/2014	CAMTC Board	CPA/CMT
Michael Marylander	12/15/2009	2/13/2013	12/15/2015	CAMTC Board	Massage business owner (12 locations)
Christian Pezza	2/15/2012		12/15/2015	Hands On Trade Association (HOTA)	Exec Dir. massage school/Owner healing center, CMP
Jean Robinson	2/15/2012		2/19/2015	Associated Bodywork and Massage Professionals (ABMP)	Director of Governmental Affairs, ABMP
Roberta Rolnick	2/19/2009	2/15/2012	2/15/2015	CAMTC Board	CMT
Marcy Schauback	4/15/2013		2/19/2015	Associated Bodywork and Massage Professionals (ABMP)	Massage franchise owner
Paul Schwinghamer D.C.	2/19/2009	2/15/2012	2/19/2015	Association of Private Sector Colleges and Universities (APSCU)	Massage school owner
Michael Sinel, MD	5/9/2013		2/19/2015	Department of Consumer Affairs (DCA)	Medical doctor, Professor, UCLA
Joe Bob Smith	3/10/2010	2/15/2012	2/19/2015	California Association of Private Postsecondary Schools (CAPPS)	Massage school manager
Caroline Tseng, JD	4/15/2013		2/13/2015	American Massage Council (AMC)	Attorney
Deborah Tuck	3/15/2011	2/15/2012	2/19/2015	American Massage Therapy Association (AMTA)	CMT
Dixie Wall	12/15/2009	2/13/2013	2/13/2015	American Massage Council (AMC)	Licensed Acupuncturist

**In the past four years, was CAMTC unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?**

In the past four years, the BOD was able to hold all meetings with sufficient quorum.

## ***Major Changes Since Inception***

**Describe any major changes to CAMTC since inception.**

### **Initial Challenges**

As discussed in the *Introduction*, CAMTC was in a full sprint out of the gate, facing challenges that demanded nimble and adroit change to address them. One of the BOD's first tasks was to determine the optimal management structure for CAMTC. Two options were examined:

1. Renting and outfitting its own offices and hiring staff as employees; or
2. Contracting with a management firm.

Initially CAMTC lacked the necessary time and funds to fully implement the first option. Contracting with a management firm to process applications was determined to be the most logical alternative at that time. After careful assessment of all options, a Sacramento based management firm, AMG, was retained to process applications. AMG still maintains this position and also acts as CAMTC's corporate headquarters.

However, even before CAMTC started accepting applications, several serious challenges emerged:

### **1. California Police Chiefs Association ("CPCA")**

Approximately two months after CAMTC began accepting applications, CPCA notified CAMTC of its intention to challenge CAMTC's existence. CAMTC made numerous attempts to address CPCA's concerns, but those efforts were unsuccessful. CPCA

initiated and sponsored AB 1822 (Swanson) in the 2010 legislative session. The bill proposed completely eliminating the benefits State law conferred on CAMTC certified individuals, which would have rendered CAMTC certification of no value. Since CAMTC certification is voluntary, such a change in the law would have resulted in CAMTC's demise. The BOD was clear that in order to secure the organization's existence, it had to find a way to defeat AB 1822 and at the same time foster a harmonious relationship with CPCA.

## **2. Local Government Resistance**

At about the same time CAMTC was facing the challenge from CPCA, staff started receiving hundreds of calls and emails a week from massage professionals who were complaining that cities and counties throughout the State were not going to recognize the new State massage law. CAMTC had engaged in significant proactive educational outreach efforts to local government officials, and local government had two voting representatives on CAMTC's BOD, so this pushback from local government was not expected. While cities and counties proffered a variety of rationales for their uncooperative stance, the City of Irvine asserted that their status as a charter city preempted the new law entirely. Within weeks, the Cities of Newport Beach and San Ramon took the same position and shortly after, many other charter cities followed suit. Cities were sending letters to individual massage professionals informing them of potential consequences if they did not renew their local police permits. With at least 120 charter cities in California, including some of the largest in the State (Los Angeles, San Diego, and San Jose, to name just a few) this situation represented another outside threat to the new organization. A letter from the Chair of the Senate Committee on Business, Professions and Economic Development to Irvine's Mayor did not produce any results. CAMTC was no match for the power and funding of municipalities such as the City of Irvine. A firm and effective strategy was needed in order to swiftly address this challenge. SB 294 (Negrete-McCloud) would eventually resolve this issue with charter cities. More information on this issue is addressed in Section One, *Legislation Affecting CAMTC Since Inception, 2010 Legislation*.

### **3. Fraudulent Transcripts**

As CAMTC began vetting applicants, it soon became clear that many massage school transcripts were fraudulent. Upon further investigation, CAMTC uncovered a massive problem involving multiple massage schools throughout the State, where it appeared that thousands of diplomas were either being sold or issued with fraudulent information as to the nature and length of education claimed. BPPE was a nonfunctioning agency at the time and was unable to act on any information submitted by CAMTC. The BOD understood that the legitimacy of its certification program was at stake and was committed to devising effective but fair protocols to address the submission of fraudulent transcripts by applicants.

### **4. New Legislation**

As CAMTC started implementing the State law in 2009, it became apparent that cleanup legislation was needed to effectively implement its certification program. The challenge was that by initiating new legislation, CAMTC was opening itself up to the introduction of amendments from adversarial organizations. As a private nonprofit corporation, CAMTC is legally permitted to engage the services of a professional lobbying firm. However the BOD accepted the clear recommendation of the Legislature's senior staff not to do so. Consequently CAMTC had to find a way to initiate complex and potentially controversial legislation and manage the process effectively without the services of its own lobbyist.

### **5. Excessive Volume and Unexpected Complexity**

Accurately projecting the demand for CAMTC certification prior to actually accepting applications was a difficult exercise. Since massage in California was historically regulated through a highly fragmented patchwork of local ordinances, an accurate number of prospective applicants was not available. Thousands of massage professionals were practicing without any regulatory oversight whatsoever, either in unregulated jurisdictions or those with requirements that made compliance impossible. Under a State law that made certification purely voluntary, it was difficult to predict how



many massage professionals would be interested in applying and paying for CAMTC certification. Eventually the BOD projected that CAMTC would initially receive an average of 1,000 applications per month. By the time it issued its first certificates in September of 2009, CAMTC had received 5,030 applications and continued to receive approximately 2,000 applications per month in 2009. The combination of the sheer volume of applications, the complexity of the applications, the high numbers of applicants with educational and background issues, the fact that a significant percentage of applicants did not speak any English, and the fact that 40% of CAMTC's applicants did not own a computer and therefore had no access to email, quickly created a massive processing backlog as well as a customer service challenge; some days more than 300 calls would go to voice mail.

The BOD was fully aware of the importance of fast and accurate application processing, with quick turnaround times. At the same time CAMTC had to make sure that individuals who were approved actually qualified for certification. The initial voluntary committee created to review applications with educational or background issues was not sustainable. A legally viable denial and discipline division had to be formed and staffed with experienced massage professionals, ex-law enforcement, legal professionals, investigators, and hearing officers to allow for full compliance with denial and disciplinary procedures.

## **6. Additional Management Needs**

The management firm was overwhelmed with the volume and complexity of CAMTC's operational needs. The unique nature of CAMTC and the massive amount of data and documents passing through the system was unlike anything they had ever experienced. The BOD concluded that a complete re-engineering of management system had to be quickly implemented to address this issue.

## **Internal Changes and Reorganization**

The BOD recognized that each one of the six issues above, if not resolved in a short time, was going to materially compromise the organization. The simultaneous convergence of all six issues represented an imminent threat to CAMTC's existence. The BOD therefore decided to implement a new combined management structure, allowing AMG to continue processing applications with the additional hiring of CAMTC's own management staff and employees.

The BOD realized that it needed a seasoned executive with a proven business track record, industry stature, skill set and strategic expertise in order to assure the viability of the organization. It therefore conducted an extensive executive search and thereafter voted to make an offer to two candidates, one for the CEO position and another for a COO position. The CEO assumed the position on April 1, 2010, and the COO began on June 1, 2010, after relocating from Chicago. On May 4, 2011, a Director of Governmental Affairs and Special Projects was hired, mainly to address the mounting challenges raised by the interpretation and implementation of CAMTC's statute by hundreds of local jurisdictions. On April 8, 2011, the COO resigned after accepting an executive director position with a professional association. The CEO thereafter assumed the COO's responsibilities. The CEO also fulfilled the functions of CFO, Director of Outreach and Marketing, IT Manager, and Director of Human Resources; and he continues to do so.

At the inception of CAMTC, the Denial and Disciplinary Committee, a committee of the BOD with delegated authority, reviewed applications that had outstanding issues. (See Procedures for Denial of Certification or Discipline/Revocation – Attachment 4.a.) Starting on June 3, 2010, the authority to make denial and disciplinary decisions was transferred to the CAMTC employees of the Professional Standards Division ("PSD"). (See Procedures for Denial of Certification or Discipline/Revocation – Attachment 4.b.) PSD was charged with performing investigations, reviewing applications, and making proposed decisions to deny applications or discipline certificate holders. PSD began

operations on June 3, 2010, with a Division Director, two investigators/reviewers/hearing officers, one support person, and outside counsel. The volume and complexity of the cases handled by PSD has continued to increase, and currently seventeen CAMTC employees focus solely on denial and disciplinary matters, including the Division Director, two staff attorneys, two senior investigators, five investigators, three hearing officers, and four paralegals. AMG also employs nineteen individuals who focus solely on CAMTC matters.

As soon as it is known what CAMTC's responsibilities and mandates will be post-sunset, the BOD will perform a complete re-evaluation of its management structure to ensure staff is commensurate with its operational needs.

## ***Legislation Affecting CAMTC Since Inception***

### **2009 Legislation**

**AB 48** (Portantino and Niello). AB 48 was approved by Governor Schwarzenegger on October 11, 2009. This bill established the Bureau for Private Postsecondary Education within the Department of Consumer Affairs, as a successor agency to the former BPPVE. As noted previously, the July 2007 Sunset of the former bureau had a significant impact on CAMTC. Prior to the Sunset of the BPPVE, schools that had been registered or approved by BPPVE were asked to sign letters agreeing to comply with the regulations that were sunset. Whatever problems existed prior to that time escalated exponentially, as there was no longer any oversight of private vocational schools. Due to budget issues, it took some time for the newly authorized BPPE to get fully up and running and to begin investigating complaints of fraudulent schools. As a result, CAMTC conducts its own investigations in order to determine whether schools meet the minimal standards for approval under Business and Professions Code section 4600.

## 2010 Legislation

**AB 1822** (Swanson). In a backlash move to re-gain authority over all massage practitioners in California, the California Police Chief's Association sponsored AB 1822 (Swanson) in 2010. As introduced on February 11, 2010, this bill would have taken away much of CAMTC's authority and placed it back into the hands of local law enforcement. Specifically, it would have:

- Required individuals who provide massage for compensation to be either CAMTC certified or locally permitted with a city or county, until January 1, 2016;
- On and after January 1, 2016, would have required individuals who provide massage for compensation to be locally permitted by a city or county (certification by CAMTC no longer authorized);
- Authorized cities and counties to require individuals who provide massage services or who own a massage business to hold a local business license or massage establishment permit or both;
- Provided that failure to comply with those provisions is a misdemeanor;
- Transferred specified duties from CAMTC to local law enforcement agencies;
- Required an applicant for CAMTC certification to provide his or her fingerprints to the local law enforcement agency in the city or county in which the applicant would be administering massage, for submission by the local agency to the Department of Justice for the requisite state and federal criminal background checks (as opposed to the current process where this is done by CAMTC);
- Required the Department of Justice to provide to the local law enforcement agency the fitness determination regarding the applicant, and would require the local law enforcement agency to conduct a local investigation related to the fitness of the applicant (as opposed to the current process where this is done on a statewide basis by CAMTC);
- Imposed additional duties on local law enforcement agencies;
- Required the Department of Justice and local law enforcement agencies to charge a reasonable fee sufficient to cover those costs;
- Required the organization to establish a standardized form for statewide use for purposes of the fingerprinting requirements;
- Required local law enforcement agencies to approve or disapprove applicants for certification by the organization, and would prohibit the organization from providing certification upon disapproval (as opposed the current process, where the decision to certify or not is solely determined by CAMTC);
- Allowed an applicant to appeal a denial of certification, and would provide a specified procedure for that appeal;
- Made it an unfair business practice for a person to state, advertise, or represent that he or she is certified by a governmental entity or CAMTC unless that representation is true; and

- Made other conforming changes, including to those provisions that exempted from certain local regulations sole proprietorships and massage establishments or businesses that only employ persons who are certified.

AB 1822, as amended and concurred by the Senate and Assembly on August 20, 2010:

- Added two members to CAMTC's BOD who would be selected by specified peace officer associations; and
- Limited the number of law enforcement professionals that may serve on the BOD.

On September 30, 2010, AB 1822 was vetoed by Governor Schwarzenegger as unnecessary.

**SB 294** (Negrete-McCloud). As discussed in the history section above, several jurisdictions initially took a position that as charter cities, SB 731 did not apply to them. SB 294 declared that the certification and regulation of massage professionals as provided for in Business and Professions Code sections 4600-4620 was a matter of statewide concern that affects the entire State and is applicable to all cities and counties, including charter cities. The bill also moved CAMTC's sunset date to January 1 of 2015. SB 294 was signed by Governor Schwarzenegger on September 30, 2010. It became effective on January 1, 2011.

## 2011 Legislation

**SB 285** (Correa). This bill addressed fraudulent transcripts. It provided that:

- A person who provides a certificate, transcript, diploma, or other document, or otherwise affirms that a person has received instruction in massage therapy knowing that the person has not received instruction in massage therapy or knowing that the person has not received massage therapy instruction consistent with that document or affirmation, is guilty of a misdemeanor and is subject to specified penalties; and
- Authorized the arresting law enforcement agency, for any person who is criminally prosecuted for a violation of law in connection with massage therapy, to provide to CAMTC information concerning the massage therapy instruction received by the person prosecuted.

SB 285 was approved by Governor Schwarzenegger on August 1, 2011. It became effective on January 1, 2012.

**AB 619** (Haldeman). This bill was sponsored by the American Massage Therapy Association, California Chapter (AMTA-CA), with support from CAMTC. This bill provided much needed clean up language to CAMTC's statute. The bill:

- Changed the reference in CAMTC's statute from Bureau for Private Post-secondary and Vocational Education (BPPVE) to the Bureau for Private Post-secondary Education (BPPE);
- Clarified that an "approved" or "registered" school was one "approved by the council" which also meets certain other requirements that were already existing in the previous version of the statute;
- Changed all references from the Massage Therapy Organization (MTO) to the California Massage Therapy Council (CAMTC);
- Corrected the description of the Office of the Chancellor of the California Community Colleges;
- Required that lawsuits be filed only in the county of the principal office of CAMTC;
- Required the certificate holder to include the name under which he or she is certified and his or her certificate number in any and all advertising and to display his or her certificate at his or her place of business;
- Provided for immediate nullification (without further action by the council) of conditional massage practitioner certificates if the time period for completion of the required continuing education hours expired without submission of proof of completion;
- Required that the business license fee charged by a city or county be no different from the fee that is uniformly applied to all other individuals and businesses providing professional services, as defined in subdivision (a) of Section 13401 of the Corporations Code;
- Required that a city or county that imposes regulations, rules, requirements, restrictions, land use regulations, moratoria, conditional use permits and zoning requirements on massage businesses that use only certified massage professionals to provide massage for compensation, can do so only as long as such requirements are no different than the requirements that are uniformly applied to all other individuals and businesses providing professional services, as defined in subdivision (a) of Section 13401 of the Corporations Code;
- Prohibited the enforcement of any provision of existing ordinances, regulations, rules, requirements, restrictions, land use regulations, moratoria, conditional use permits and zoning requirements on massage businesses that use only certified massage professionals to provide massage for compensation that is inconsistent with the above sections;
- Clarified that the owner or operator is responsible for the conduct of all employees or independent contractors. If the owner or operator is certified, the

certification of the owner or operator can be revoked if violations of the law occur on the business premises; and

- Provided for a city or county to require a background check of the owner or operator of a massage business or establishment who is not certified and owns 5% or more of the business or establishment. Specified that the background check can include but is not limited to information regarding the applicant's business, occupation, and employment history for five years prior to the application.

AB 619 was approved by Governor Schwarzenegger on August 3, 2011. Its provisions became effective on January 1, 2012.

## **2012 Legislation**

**SB 1238** (Price). This bill began as SB 122, with the provisions later amended into SB 1238, which was sponsored by CAMTC. This bill also provided cleanup language. The bill:

- Defined an "operator" of a massage business as "a person, whether owner or non-owner, who manages or operates a massage business";
- Allowed applicants for the Certified Massage Practitioner ("CMP") tier to submit transcripts from one or more approved schools, as opposed to the previous limitation to one approved school;
- Changed the definition of Certified Massage Therapist ("CMT") to include applicants with 250 hours of education from an approved school and successful completion of a CAMTC approved exam;
- Changed the educational requirements to require either "hours" "or the credit unit equivalent";
- Required that the certificate and identification card be surrendered to CAMTC upon suspension or revocation;
- Stated that any law enforcement agency or other local government entity that regulates or administers ordinances relating to massage or massage businesses may provide specified information to CAMTC upon request;
- Allowed for immediate suspension of a certificate holder upon receipt of clear and convincing evidence of a sexually related crime or related felony;
- Added to the express grounds for denial or discipline infractions, municipal code violations, and administrative or civil citations that are substantially related to the qualifications, functions, or duties of a certificate holder;
- Required that the certificate holder include the name under which he or she is certified and his or her certificate number in any and all advertising, and display of the original certificate at his or her place of business;
- Required that a certificate holder shall have his or her ID card in his or her possession while providing massages;



- Required that a certificate holder shall provide his or her full name and certificate number to a member of the public, CAMTC, law enforcement, or local government agency upon request at the place of business;
- Allowed a city or county to charge a business license fee, as long as it is no higher than any fee applied to individuals and businesses providing professional services as defined in subdivision (a) of Section 13401 of the Corporation Code;
- Permitted a city or county to require an applicant for a business license (for a business in which everyone providing massage is certified) to fill out an application, as long as the information requested is the same as that required of other professions;
- Removed a loophole whereby a certified owner was not held responsible for the conduct of employees or contractors working on the premises, if at least one of them was not certified;
- Specified that the background check of the non-certified owner by a city or county may be for a period of ten years and may include a criminal background check, including fingerprints. If relevant background issues are found, the local jurisdiction is authorized to regulate the business as it sees fit without extending the exemptions for businesses in which everyone providing massage is certified; and
- Clarified that the law does not prohibit a local jurisdiction from restricting the opening of a new massage establishment in a location in which a massage establishment has been closed for criminal activity.

SB 1238 was approved by Governor Brown on September 27, 2012. Its provisions became effective on January 1, 2013.

**SB 1193** (Steinberg). As introduced on February 22, 2012, this bill:

- Required specified businesses and other establishments to post a notice that is at least 8-1/2 inches by 11 inches in size and contains information related to slavery and human trafficking, including information related to two nonprofit organizations that provide services in support of the elimination of slavery and human trafficking.

As amended and concurred on August 24, 2012, this bill also:

- Provided that businesses and establishments where everyone providing massage or bodywork services for compensation are CAMTC certified are not required to post the slavery and human trafficking notice.

SB 1193 was approved by Governor Brown on September 24, 2013. Its provisions became effective on January 1, 2013.



## 2013 Legislation

**AB 1147** (Gomez). This bill was initially introduced as a placeholder bill, raising the educational requirements by five hours for each of the certification tiers. As amended on May 31, 2013, in the Assembly (the third amendment in committee), this bill:

- Added passage of a CAMTC approved exam as a requirement for certification as a CMP or CMT;
- Changed the requirements for certification as a CMT to include within the 500 hours of required education the successful completion of a minimum of 250 hours (or the credit unit equivalent) at an approved school, with at least 100 hours of instruction in specified subjects, and passage of a CAMTC approved exam;
- Authorized a city or county to require revocable certificates of registration for massage businesses that use or employ only CAMTC certified individuals to provide massage for compensation. Cities and counties were authorized to:
  - Require from an applicant, among other things, copies of specified identification and a statement that the business will only employ or use certified persons to provide massage services, and that failure to comply with this provision may result in suspension or revocation of, imposition of conditions upon, or action against the certificate of registration;
  - Require a massage establishment or business to comply with specified local ordinances, regulations, rules, requirements, or restrictions as a condition of granting or maintaining a revocable certificate of registration;
  - In the city or county's sole discretion, the city or county may deny, suspend, revoke, or impose conditions upon a certificate of registration for failure to comply with the provisions of an ordinance adopted pursuant to these provisions;
  - Made it a violation to be a sole proprietor who fails to obtain and maintain a certificate of registration, as specified, and to be a certificate holder who fails to obtain and maintain a certificate of registration, and has knowledge for at least 30 days of the failure to maintain; and
- Specified that these provisions shall not restrict or limit the authority of a city or county to adopt a local ordinance restricting the opening of a new massage establishment in a location, or within 300 feet of a location, in which a massage establishment has been closed due to criminal activity in the past year.

After significant negotiation, consensus could not be reached regarding further authority for local jurisdictions. The bill was re-referred to the Assembly Committee on Business, Professions and Consumer Protection on June 3, 2013 and held as a two-year bill.

CAMTC willingly attended meetings in the Capitol with stakeholders and looks forward to this process continuing in the future.

## ***Regulatory Changes***

Since CAMTC is not a State agency, it does not promulgate regulations, therefore no regulatory changes have been proposed or approved by the BOD.

CAMTC does operate pursuant to various policies and procedures. The Procedures for Denial of Certification or Discipline/ Revocation (Attachments 4.a through 4.c), the Criteria for Rehabilitation (Attachment 5), and the Procedures for Un-Approval of Schools (Attachments 6.a through 6.c) are attached.

### **Describe any major studies conducted by CAMTC.**

CAMTC has not conducted any major studies.

## ***National Associations Activity***

### **List the status of all national associations to which CAMTC belongs.**

#### **Federation of State Massage Therapy Boards**

As the only statewide entity in California with authority to certify massage professionals, CAMTC was accepted to become a member of the Federation of State Massage Therapy Boards ("FSMTB"). This membership includes voting privileges. CAMTC's BOD members and staff serve on FSMTB's board of directors and various committees/task forces addressing issues of:

- Policy;
- Bylaws;
- Professional development activity standards;
- Information technology;
- Continuing competence; and
- National practitioner database.

CAMTC's representatives have attended 14 FSMTB meetings. The following is a list of dates and locations:

- October 8-10, 2009, Nashville, Tennessee
- October 7-19, 2010, San Juan, Puerto Rico
- October 11-15, 2011, Redondo Beach, California
- January 24-25, 2012, Chicago Illinois
- May 19-22, 2012, Nashville, Tennessee
- September 27-29, 2012, New Orleans, Louisiana
- November 1-2, 2012, Excelsior Springs, Missouri
- January 26-28, 2013 San Diego, California
- February 22 – 23, 2013, Charleston, South Carolina
- April 26-27, 2013, Jacksonville, Florida
- July 16, 2013, Nashville, Tennessee
- August 11-12, 2013, San Juan, Puerto Rico
- August 25, 2013, Overland Park, Kansas
- October 10-12, 2013, Baltimore, Maryland

All committee member and delegate travel expenses related to the above listed meetings were fully paid for by FSMTB.

### **Federation of Associations of Regulatory Boards**

CAMTC senior staff are current members of the Federation of Associations of Regulatory Boards ("FARB"). This membership does not include voting privileges. On January 25-27, 2013, senior staff attended FARB's annual forum in San Diego, California.

### **International Spa Association**

CAMTC is a current collaborative member of the International Spa Association ("ISPA"). This membership does not include voting privileges.

### **Use of National Exams**

In 2009, the BOD voted to approve three psychometrically developed exams: The National Certification Exam for Therapeutic Massage and Bodywork ("NCETMB"), the National Certification Exam for Therapeutic Massage ("NCETM"), and the Massage and

Bodywork Licensing Exam (“MBLEx”). The NCETMB and the NCETM were both developed and are administered by the National Certification Board of Therapeutic Massage and Bodywork (“NCBTMB”). NCBTMB was established in 1992, with a central office in Illinois. The MBLEx was developed and is administered by FSMTB. FSMTB was established 2005 and is based in Kansas. Both the NCBTMB and FSMTB contract with Pearson VUE to score and deliver the exams.

These exams are not required of all applicants. Currently, passage of an approved exam can only be used to allow an applicant with at least 250 hours of approved education but less than 500 hours of education to qualify for CMT, instead of the 500 hours of education normally required. This additional means of qualifying for CMT became effective January 1, 2013, upon the passage of SB 1238, which amended Business and Professions Code section 4601(c)(2)(B). Although not required, applicants may use passage of one of the approved exams as a means to verify education from schools that have closed or it may provide additional proof of adequate education. Currently 43 states, the District of Columbia, and Puerto Rico require at least one of these exams.



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Section 2

### Performance Measures and Customer Satisfaction Surveys

- Performance Measures
- Customer Satisfaction Surveys

## Section 2 –

### Performance Measures and Customer Satisfaction Surveys

#### ***Performance Measures***

**Provide each quarterly and annual performance measure report as published on the DCA website.**

CAMTC is not a State board, therefore there are no performance measure reports as used by DCA.

#### ***Customer Satisfaction Surveys***

**Provide results for each question in the customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.**

CAMTC began using customer surveys in September of 2010. The surveys were distributed electronically and at that time were focused on market awareness of CAMTC and the new State law.

Currently CAMTC is conducting a pilot test for performance measures and three customer satisfaction surveys (general, certification, and enforcement) have been sent to complaining parties and certificate holders. The pilot test is still being conducted, therefore it is too early to compile and assess this data. Based on the results of the pilot test, CAMTC is planning to implement quarterly customer satisfaction surveys, starting in 2014. Surveys of consumer satisfaction for CAMTC's handling of complaints will be sent to the complaining party via e-mail, or postcard if no e-mail is available, upon closing of the complaint.



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## Section 3 Fiscal and Staff

- Fiscal Issues
- Staffing Issues

## ***Fiscal Issues***

**Describe CAMTC's current reserve level, spending, and if a statutory reserve level exists.**

### **Current Cash Level and Spending**

CAMTC ended 2012 with a cash balance of \$1,643,701, which equates to 6.8 months of operating cash. CAMTC estimates 2013's cash balance to be approximately \$1,940,000 equaling 6.2 months in operating cash.

CAMTC does not have a statutory reserve fund limit, since it is not a State agency.

### **Anticipated Deficit and Fee Change**

**Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by CAMTC.**

Current CAMTC projections do not indicate a future deficit. The certification fee has not been increased since inception, and there are no immediate plans to increase or reduce fees. All figures, whether revenue or expenses, for 2013 are based on actual data for January 1, 2013 through September 30, 2013, with projected estimates for the balance of the year. CAMTC's fund condition is further described in Table 2.



## ***CAMTC Fund Condition***

<b>Table 2. Fund Condition</b>					
(Dollars in Thousands)	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Beginning Balance</b>	\$ -	\$ 1,076	\$ 990	\$ 732	\$ 1,624
<b>Revenues</b>	\$ 1,617	\$ 2,051	\$ 2,261	\$ 3,687	\$ 3,365
<b>Start-Up Loans</b>	\$ 106	\$ -			
<b>Total Revenue</b>	\$ 1,723	\$ 2,051	\$ 2,261	\$ 3,687	\$ 3,365
<b>Approved Budget</b>	\$ 631	\$ 1,969	\$ 2,854	\$ 2,920	\$ 3,356
<b>Expenditures</b>	\$ 540	\$ 2,137	\$ 2,520	\$ 2,794	\$ 3,277
<b>Loan Repayment</b>	\$ -	\$ 106	\$ -	\$ -	\$ -
<b>Fund Balance</b>	\$ 1,076	\$ 990	\$ 732	\$ 1,624	\$ 1,712
<b>Months of Operating Cash</b>	<b>8.4</b>	<b>6.2</b>	<b>3.2</b>	<b>6.8</b>	<b>6.2</b>

**Describe history of general fund loans. When were the loans made? When were payments made? What is the remaining balance?**

CAMTC has never made or taken loans to or from the general fund.

### **Expenditures by Program Component**

**Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by CAMTC in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.**

Table 3, below, reflects CAMTC's expenditures by program component. On average, during the last four years, CAMTC's enforcement program accounted for 37% of CAMTC's expenditures, the certification program accounted for 41% of expenditures, and administration, legal, outreach, and other expenses accounted for 22% of expenditures.

## Expenditures by Program Component

Table 3. Expenditures by Program Component										
(Dollars in Thousands)	2009		2010		2011		2012		2013	
	Personnel	OE&E	Personnel	OE&E	Personnel	OE&E	Personnel	OE&E	Personnel	OE&E
<b>Enforcement</b>	\$ -	\$ 11	\$ 182	\$ 363	\$ 416	\$565	\$431	\$714	\$716	\$799
<b>Certification</b>	\$ 301	\$ 60	\$ 623	\$ 226	\$ 685	\$310	\$830	\$357	\$919	\$300
<b>Administration</b>	\$ -	\$ 56	\$ 275	\$ 109	\$ 295	\$83	\$250	\$103	\$276	\$116
<b>Legal/Outreach/ Marketing/Other</b>	\$ -	\$ 127	\$ -	\$ 359	\$ -	\$166	\$0	\$109	\$0	\$151
<b>TOTALS</b>	\$ 301	\$ 254	\$ 1,080	\$1,057	\$ 1,396	\$1,124	\$ 1,511	\$1,283	\$ 1,911	\$1,366

\*Administration includes costs for executive staff (CEO/COO), BOD, administrative support, and audit.

**Describe recertification cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by CAMTC.**

CAMTC has only been in operation since 2009. CAMTC's authority to set fees is provided in Business and Professions Code section 4600.5 (c). This section provides that CAMTC's BOD shall establish fees reasonably related to the cost of providing services and carrying out its ongoing responsibilities and duties. The BOD establishes initial and recertification fees annually. Fees for an initial application for certification and for a recertification application (each of which results in a two year certificate) have been set at \$150. This fee has not changed since CAMTC's inception.

On January 18, 2011, the BOD established a \$75 late fee for recertification applications received after their certificate expiration date, with the provision that if an application for recertification is received 180 days or more after the expiration of a certificate, the applicant has to re-apply as a new applicant. This means they have to meet the current requirements for certification. On September 13, 2012, the BOD replaced the \$75 late fee with a sliding fee scale. This sliding fee scale is still in place. The sliding fee scale is as follows:

Applications for recertification received or postmarked:

1-10 days after expiration -	\$25
11-29 days after expiration -	\$40
30-180 days after expiration -	\$90

On September 15, 2011, the BOD established a fee for oral hearings and consideration of written statements for all applicant proposed denials and certificate holder discipline. The initial fee for an oral hearing was \$95 and the fee for consideration of a written statement was \$65. Fee waivers were granted for indigent individuals who were able to prove that they were unable to pay the hearing or consideration fees. On September 13, 2012, the fees were raised to \$135 for an oral hearing and \$90 for consideration of a written statement.

## Fee Schedule and Revenue

Table 4. Fee Schedule and Revenue								
		(Dollars in Thousands)						
FEE TYPE	Current Fee Amount	2009	2010	2011	2012	2013	TOTAL FEES BY TYPE	% of Total Revenue
Application Fees	\$150	\$1,616	\$2,037	\$1,866	\$1,871	\$1,713	\$9,103	70.1%
Recertification Fees	\$150			\$360	\$1,644	\$1,453	\$3,457	26.7%
Recertification Late Fees		\$ -	\$ -	\$ -	\$83	\$81	\$164	1.3%
1-10 days	\$25							
11- 29 days	\$40							
30 + days	\$90							
Up-grade/ Miscellaneous Fees		\$ -	\$11	\$33	\$46	\$82	\$172	1.3%
Upgrade	\$30							
ID Replacement	\$15							
Certificate Replacement	\$15							
Name Change (New ID & Certificate)	\$30							
Hearing Fees		\$ -	\$ -	\$ -	\$43	\$35	\$78	.6%
Written Hearing	\$90							
Oral Hearing	\$135							
TOTALS		\$1,616	\$2,051	\$2,260	\$3,688	\$3,365	\$12,980	100.00%

**Describe Budget Change Proposals (BCPs) submitted by CAMTC in the past four fiscal years.**

As a private organization CAMTC does not submit budget change proposals.

## ***Staffing Issues***

**Describe any staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.**

In 2009 CAMTC had ten staff members. Currently CAMTC has a total of thirty-seven staff members. CAMTC provides a work environment that is flexible, positive, and supportive of staff development. The longevity of service by current staff speaks well of CAMTC's retention efforts. CAMTC recognizes the importance of institutional knowledge. PSD (CAMTC's enforcement program staff) meets twice weekly to discuss and decide cases. Certification program staff meets weekly to discuss issues/concerns related to certification. Staff revises the procedures and protocols for certification processing as needed. The processing protocols and regularly scheduled meetings provide staff members with direction on necessary tasks and an understanding of CAMTC's objectives and goals.

**Describe CAMTC's staff development efforts and how much is spent annually on staff development.**

Staff mentoring is vital to staff development. All staff is expected to mentor and train newer staff members so that institutional knowledge and experience is passed down. In addition to the training available, staff is afforded the opportunity to participate when special projects arise. These opportunities provide staff the experience necessary to qualify for promotion opportunities within CAMTC.

The staff composition of CAMTC since 2009:

<b>CAMTC STAFF COMPOSITION</b>					
	2009	2010	2011	2012	2013
<b>Total Staff Positions</b>	<b>10</b>	<b>20</b>	<b>32</b>	<b>33</b>	<b>37</b>
Managers	1	2	2	2	2
COO	0	1	1	0	0
CEO	0	1	1	1	1
Support Staff	9	16	28	30	34

CAMTC has spent approximately \$64,053 in staff development from September 2009 through September 2013. The following amounts have been spent annually on staff development:

<b>Staff Expense Chart</b>	
<b>Year</b>	<b>Cost</b>
2009	\$0
2010	\$6,470
2011	\$9,360
2012	\$28,823
2013	\$19,400



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## Section 4

### Certification Program

- Certification Performance Measures
- Application and Certification Processing Times
- Applicant Information Verification and Requirements
- Out of State Applicants
- Out of Country Applicants
- Examinations
- School Approvals
- Continuing Education/Competency Requirements



## ***Certification Performance Measures***

**What are CAMTC's targets/expectations for its certification program? Is CAMTC meeting those expectations? If not, what is CAMTC doing to improve performance?**

In the first three quarters of 2013, the number of applications received exceeded CAMTC's expectations by 16%. CAMTC was able to meet and, in some areas, surpass its previous performance standards in the processing and issuing of massage certificates. The increased performance was possible due to improved protocols, policies and procedures, plus the assistance of additional staff, as well as bringing printing and mailing functions in-house. CAMTC's certification staff is working diligently to maintain its current standards.

## ***Application and Certification Processing Times***

**Describe any increase or decrease in average time to process applications and/or issue certificates.**

### **Complete Applications With No Educational, Criminal, or Background Issues**

The average time needed to issue certificates depends largely on the receipt of the items required for certification and if there are any outstanding educational, criminal, or background issues which are, for the most part, outside of CAMTC's control. CAMTC bases its statistics from the date that an application is considered complete. A complete application is one for which CAMTC has received a signed, dated, and completed application form that includes all required attachments, the application fee, livescan results, official transcripts received directly from the school(s), and information from the local government officials in the cities and counties where the applicant has lived or worked in the past 10 years, if applicable. In 2009-2010, the processing time for

complete applications with no criminal, background, or educational issues was approximately 65 days on average. The overall decline in the annual number of applications received, the implementation of the current streamlined processing system, and the hiring of additional staff has significantly shortened processing times. Currently, the average processing time for complete applications with no education, criminal, or background issues is 7 days.

### **Applications With Educational Issues**

Applicants with “complete applications” as described above, but who have submitted a transcript from a school (or schools) where they are required to provide additional proof of adequate education (beyond just a transcript), are grouped together and reviewed by PSD once every month or every other month. If after review a decision is made to propose denial of an application, a proposed denial letter is promptly sent to the applicant. These applicants have historically been given 90 days to provide additional proof of adequate education, with a hearing date set for approximately 120 days from the date of the letter. CAMTC is currently testing a pilot program that shortens timelines for submission of additional proof of adequate education and provides hearings in a shorter time frame.

### **Applications With Criminal or Background Issues**

For applicants with criminal histories or background issues, an investigation must be performed, evidence must be gathered, compiled, and reviewed before a decision to propose denial can be made and a proposed denial letter can be sent. These investigations are resource intensive and can take a significant amount of time to complete, especially when CAMTC must wait to receive evidence from third parties such as cities and law enforcement agencies. In the past two years, CAMTC has implemented new procedures and protocols, has brought all investigations in-house, and has hired additional staff. Each of these steps have shortened investigation and waiting times.

**Have pending applications grown at a rate that exceeds completed applications? If so, what has been done to address them? What are the performance barriers and what improvement plans are in place? What has the BOD done and what is the BOD going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?**

Completed applications greatly exceed pending applications, which account for less than 8% of the applications received in any given year. The BOD has already taken significant steps to increase performance and shorten processing times for applicants with criminal or background issues. These include the hiring of additional staff, taking investigations in-house, and improvement of processing protocols, thereby shortening processing times and increasing efficiency. In the past, cases were addressed oldest first, which meant that cases that could be quickly cleared had to wait in line behind complicated cases that required significant investigation before the simple cases could even be reviewed. In an effort to reduce processing times for applicants with minor criminal or background issues, in 2013 CAMTC implemented a new case assessment system that quickly identifies low risk cases that require only small amounts of investigator time to either clear or identify as needing further investigation.

**How many certifications does CAMTC issue each year? How many recertifications does CAMTC issue each year?**

CAMTC has certified 49,392 massage professionals and recertified 20,358 CAMTC certificate holders between September 15, 2009 and September 28, 2013. Table 6, below, describes CAMTC's certified population for each year since inception. Table 7, below, describes applications processed and outcomes for each year since inception. CAMTC does not renew certificates. Instead it recertifies certificate holders. This means that they must complete a recertification application and are assessed for background issues upon recertification. CAMTC CMP and CMT certificates are active for a period of two years.

## ***Certification Population for 2009 through September 2013***

<b>Table 6. Certification Population</b>						
		<b>2009*</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013**</b>
CMT	Active	2314	14903	23997	29516	35907
	Inactive	0	8	259	3711	5095
CMP	Active	229	1701	3011	5092	6846
	Inactive	0	0	41	789	790
CCMP	Active	63	1311	1249	718	294
	Inactive	0	0	188	373	460
*The first certificates were issued 9/15/09						
**2013 data is through 9/30/2013						

## Total Certification Data

Table 7. Total Certification Data				
	Application Type	Received	Approved	Denied
2009*	CMT Certification	9269	2314	5
	CMP Certification	697	229	
	CCMP Certification	869	63	
2010	CMT Certification	11074	12423	2498
	CMP Certification	1070	1211	
	CCMP Certification	1206	1683	
2011	CMT Certification	10837	8297	1093
	CMT Recertification	2284	2262	
	CMP Certification	1459	1110	
	CMP Recertification	217	217	
	CCMP Certification	1546	1415	
	CCMP Recertification	59	59	
2012	CMT Certification	8193	8347	838
	CMT Recertification	9832	9818	
	CMP Certification	2599	2670	
	CMP Recertification	1490	1486	
	CCMP Certification	0	437	
	CCMP Recertification	26	26	
2013**	CMT Certification	6425	6593	325
	CMT Recertification	5066	5063	
	CMP Certification	2230	2578	
	CMP Recertification	1370	1370	
	CCMP Certification	0	22	
	CCMP Recertification	57	57	
Total Applications Received to Date				77875
Total Applications Closed (Approved/Denied) to Date				74509
Total Applications Purged to Date***				759
Total Applications Pending to Date				2607
Of Pending Total Application incomplete to Date				2153
Of Pending Total Applications in Process to Date				454
<p>*First certificates issued 9/15/09. **2013 data is through 9/30/2013.</p> <p>***Incomplete applications are purged after one year.</p> <p>Please note, for purposes of this chart, denials are noted in the year that the proposed denial letter was sent.</p>				

## ***Applicant Information Verification and Requirements***

### **How does CAMTC verify information provided by the applicant?**

School transcripts, passage of approved exams, and criminal background reports are submitted directly to CAMTC. Criminal background reports are verified by fingerprint for each applicant.

### **What process is used to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?**

All applicants must be fingerprinted and must comply with live scan requirements using CAMTC's ORI number, so that reports are sent directly to CAMTC. This has been a statutory requirement since the enabling law became effective, so every applicant has submitted fingerprints. Subsequent arrest notifications are received and reviewed. Once an application is received, e-mail notices are sent to each CAMTC contact with the authority to regulate massage in the cities and counties where the applicant has reported that they have lived or worked within the past ten years. A minimum of two weeks is provided for local law enforcement and local government staff to submit information related to each applicant. The receipt and review of this information from the local agencies is critical. The DOJ and FBI reports received from the live scan only include criminal convictions and do not include administrative citations or civil actions related to a local massage permit, as these are not always criminal matters. Additionally, local municipal code violations don't always show up on the DOJ, since in many cases these violations don't require fingerprinting, so there is no reporting.

When a certificate holder requests recertification, another e-mail is sent to contacts in the jurisdictions reported as home and work locations over the past ten years, requesting additional information. Since many jurisdictions have moved from criminal charges to administrative citations and civil actions, this affords an opportunity for CAMTC to receive a great deal of information relevant to the individual's certification.

CAMTC also receives information from out-of-state massage boards in relation to discipline against massage professionals.

**Does CAMTC fingerprint all applicants?**

Yes, CAMTC fingerprints all applicants and has since its inception.

**Have all current certificate holders been fingerprinted? If not, explain.**

Yes, all certificate holders have been fingerprinted.

**Is there a national databank relating to disciplinary actions? Does CAMTC check the national databank prior to issuing a certification? Recertifying a certificate holder?**

Currently there is no functional national databank related to disciplinary actions against massage professionals.

The National Massage Practitioner Database is currently in beta testing and is scheduled to be fully operational by early 2014. This database will be available only to state certification and licensing boards. Once it is available, CAMTC staff will be able to search data by multiple information fields in order to determine if there are unreported criminal records in other states or administrative disciplinary actions, as well as issues regarding the school attended. Once the National Massage Practitioner Database is fully functional, records uploaded by states will be merged with any matches from other states and also with the database of those who have taken the MBLEx.

**Does CAMTC require primary source documentation?**

Yes. CAMTC requires that open schools directly submit transcripts to CAMTC. For schools that have closed, and no independent verification of education exists, CAMTC accepts compelling evidence of attendance and graduation. Information submitted by an applicant is assessed by staff, who use a scorecard to evaluate the evidence submitted.

Applicants may also be required to pass an interview with a CAMTC curriculum expert who has many years of expertise in the profession.

Test scores from CAMTC approved exams (NCETMB, NCETM, and MBLEx) are also sent directly to CAMTC. If an exam has been taken prior to submission of an application for certification and is being used as part of the application, CAMTC staff will verify the score with the testing provider.

## ***Out of State Applicants***

**Describe CAMTC's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.**

Business and Professions Code section 4601(d) provides:

The council shall issue a certificate to an applicant who meets the other qualifications of this chapter and holds a current and valid registration, certification, or license from any other state whose licensure requirements meet or exceed those defined within this chapter. The council shall have discretion to give credit for comparable academic work completed by an applicant in a program outside of California.

When CAMTC receives an application from an applicant that is licensed or certified in another state, it first assesses whether the license is from a state that meets or exceeds the educational requirements in CAMTC's statute. Most states that provide for statewide licensing of massage professionals meet or exceed the educational requirements in CAMTC's statute. For applicants who hold valid licenses from these states, the state license is considered to meet the educational requirements in CAMTC's statute. These applicants are still assessed to determine whether they meet the other requirements in the statute. They must pass CAMTC's background check. For applicants who have licenses from states that do not meet or exceed the educational requirements in CAMTC's statute, their education is considered on a case-by-case basis. CAMTC has the statutory authority to give credit for comparable work completed outside of California. CAMTC has experts that assess out of state



transcripts and determine the credit that should be given for each transcript and whether it meets CAMTC's educational requirements.

## ***Out of Country Applicants***

CAMTC does not have the legal authority to accept or evaluate licenses from other countries. Instead, CAMTC evaluates the education received from out of country schools by sending transcripts to a foreign evaluation service approved by the BOD. Currently there are two approved foreign evaluation services that translate and assess massage transcripts. CAMTC accepts translated and evaluated transcripts from the evaluation service, and that document is reviewed to determine compliance with the educational standards in CAMTC's statute. Please see CAMTC's policy on Foreign Transcripts. (Attachment 7.)

**Does CAMTC send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.**

CAMTC does send No Longer Interested notifications electronically to the DOJ on a regular and ongoing basis. There is currently a backlog due to the fact that the DOJ does not allow CAMTC to send these notices in batches. Instead, CAMTC must send one email for each individual for which a "No Longer Interested" notification is required. This takes a significant amount of staff resources and is a lower priority than other functions.

## ***Examinations***

**Describe the examinations required for certification. Is a national examination used? Is a California specific examination required?**

No examination is currently required for CAMTC certification.

CAMTC has approved and does recognize three psychometrically developed national exams as a means of qualifying for certification as a CMT for those applicants who have at least 250 hours of education but less than 500 hours of education from approved schools (instead of the 500 hours of education usually required for certification as a CMT). The examinations currently approved by CAMTC's BOD are the MBLEx (offered by FSMTB), the NCETMB, and the NCETM (both of which are offered by NCBTMB). The FSMTB and NCBTMB each contract with Pearson VUE to deliver and score their exams.

**What are pass rates for first time vs. retakes in the past 4 fiscal years?**

This question is not applicable to CAMTC since no examination is required.

**Is CAMTC using computer based testing?**

This question is not applicable to CAMTC since no examination is required.

**Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.**

CAMTC does not believe that existing statutes are hindering the efficient and effective processing of applicants. Instead, the opposite is true. CAMTC's statute provides it with the ability to process applications in both an efficient and effective manner. The information sharing with local agencies codified in CAMTC's statute provides it with the ability to effectively evaluate a significant amount of information. CAMTC's broad statutory basis for denials and discipline also affords it ample opportunity to effectively assess applicants and discipline certificate holders when necessary.

## ***School Approvals***

### **Describe the legal requirements regarding school approval.**

CAMTC's statute provides for the approval of schools only as it relates to CAMTC certification. CAMTC's authority does not extend to all massage schools. Currently CAMTC may only issue certificates to applicants who have completed at least 250 hours of education at "approved" school(s). (Business and Professions Code §4601(b) and (c).) Business and Professions Code section 4600 specifies that, "[a]pproved 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" and that is approved by at least one of the agencies listed in 4600(a)(1)-(5). The list of other agencies generally includes BPPE, Department of Consumer Affairs, the organizations that accredit junior and community colleges, and corresponding agencies in other states. California State and University of California schools also meet the second prong in the definition of an "approved school."

### **Who approves your schools?**

CAMTC's statute provides for a two-pronged approach to the approval of schools for CAMTC certification. Schools must be approved by both CAMTC and another State certifying agency listed in Business and Professions Code section 4600(a) in order for the education from that school to meet the educational requirements in CAMTC's statute. For the majority of massage schools in California, the State certifying agency is BPPE. If a California school does not have a BPPE approved massage program, or a massage program approved by another one of the certifying agencies listed in Business and Professions Code section 4600(a), CAMTC cannot accept education from that school.

In order for CAMTC to accept education from a school, it must also meet minimum standards for training and curriculum as determined by CAMTC. CAMTC does not currently approve schools. Instead, if it finds that a school does not meet minimum

standards for training and curriculum it un-approves that school. Attached please find the current version of the Procedures for Un-Approval of Schools. (Attachment 6.c.) While CAMTC may un-approve a school for various reasons, the most typical reason to un-approve a school is for transcript discrepancies. This generally means that the transcript does not accurately reflect the education actually received by the applicant. The reasons for transcript discrepancies can range from inaccurate record keeping to outright fraud and sale of transcripts. CAMTC has been charged by the legislature with the responsibility to determine that schools meet the requirements of its statute. (Business and Professions Code section 4601(g).) CAMTC also has broad authority to investigate whether an applicant actually received the education claimed, as per Business and Professions Code section 4601(g). There are currently fifty-seven schools on CAMTC's un-approved list.

### **What role does BPPE have in approving schools?**

School approval by BPPE or one of the other agencies listed in Business and Professions Code section 4600(a) is the first step in a school meeting the definition of an "approved" school in CAMTC's statute. If a school does not have a massage program that is approved by BPPE or one of the other agencies listed in its statute, education from that school cannot be used to fulfill the educational requirements in CAMTC's statute.

### **How does CAMTC work with BPPE in the school approval process?**

BPPE's school approval process is a stand-alone process without CAMTC involvement. BPPE's authority to approve schools is broad based, while CAMTC's authority is limited to approval of schools only for the purpose of CAMTC certification. Generally speaking, BPPE school approval is also based on different factors than CAMTC un-approval. BPPE looks at the financial records of the school and other administrative factors, but does not determine substantively whether the school's massage programs are sufficient. CAMTC's statutory authority is to determine whether the school meets minimum standards for training and curriculum and is limited to approving the school in

relation to CAMTC certification. This means schools can be un-approved by CAMTC and still operate massage programs, its students just can't use the education from an un-approved school for CAMTC certification.

**How many schools are approved by CAMTC? How often are schools reviewed?**

CAMTC does not currently approve schools. Instead, CAMTC un-approves schools that it has determined don't meet minimum standards for training and curriculum. There are currently fifty-seven un-approved schools. CAMTC does intend to begin actively approving schools in the future.

**What are CAMTC's legal requirements regarding approval of international schools?**

CAMTC does not actively approve international schools. Instead, education received from international schools is sent to a foreign evaluation service approved by the BOD. CAMTC accepts the evaluated transcript from the evaluation service and that document is reviewed to determine compliance with the educational standards in CAMTC's statute. Please see CAMTC's Policy on Foreign Transcripts. (Attachment 7.)

## ***Continuing Education/Competency Requirements***

**Describe CAMTC's continuing education/competency requirements, if any. Describe any changes made by CAMTC since the last review.**

CAMTC's statute has no scope of practice, nor any requirements for continuing education or other means of evaluating competency. There is an option to qualify for the Certified Massage Therapist tier by submitting up to 250 hours of approved Continuing Education ("CE") along with 250 hours from an approved school. CE's must be obtained at approved massage programs, related courses in community or other colleges, or from providers approved by NCBTMB. Transcripts are required for CE's obtained at schools. Currently there is no way to confirm that the certificate of

attendance from an independent provider is authentic, although CAMTC does confirm that the provider was approved at the time the class was taken.

**How does CAMTC verify CE or other competency requirements?**

Currently there is no program or authority to evaluate or verify continuing education.



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## Section 5 Enforcement Program

- Enforcement Program Performance Measures
- Trends in Enforcement Data and Efforts to Address Increases in Volume and Complexity
- Case Prioritization, Mandatory Reporting, and Statutes of Limitation
- Cite and Fine
- Cost Recovery and Restitution

## ***Enforcement Program Performance Measures***

### **What are CAMTC's performance targets/expectations for its enforcement program?**

CAMTC's enforcement program is administered by PSD and Legal. CAMTC's enforcement program applies to both applicants and certificate holders. The majority of cases are applicant denials, with certificate holder discipline comprising a very small percentage of total cases. The low level of certificate holder discipline is due in part to a focus on ensuring that those who don't meet the qualifications for certification are not certified in the first place. CAMTC does not have a specified timeline for completion of enforcement actions. Cases are completed and processed as quickly as possible, but CAMTC is often dependent on receiving information and evidence from other sources outside of its control such as cities and law enforcement agencies. Additionally, the large volume of cases it handles has led to some delays. CAMTC does prioritize cases as further described below, and expedites alleged cases of rape, sexual assault, or sexual battery by certificate holders so that they may be addressed as quickly as possible.

### **Is CAMTC meeting those expectations? If not, what is CAMTC doing to improve performance?**

CAMTC is meeting current expectations, with serious cases as described above generally being resolved within three to six months' time, from initial complaint and investigation to hearing and final decision. CAMTC has taken significant measures in the last year to improve performance, shorten timelines, and address the backlog, including hiring additional investigators, two new staff attorneys, three new hearing officers, and a new paralegal, and developing new procedures and protocols. (See



Staff Organizational Charts – Attachments 8.b., i-v.) These steps have significantly decreased the backlog and waiting time for many cases.

## ***Trends in Enforcement Data and Efforts to Address Increases in Volume and Complexity***

**Explain trends in enforcement data and CAMTC's efforts to address any increase in volume, timeframes, ratio of closure to pending, or other challenges.**

### **Unexpected Volume**

CAMTC began accepting the first applications for certification in August of 2009. The volume of applications received initially overwhelmed the organization. While it had been predicted that CAMTC would receive 1,000 applications a month, the numbers were significantly higher than that. CAMTC began accepting applications on August 1, 2009, and by the time the first certificates were issued in September of 2009, we had received approximately 5,030 applications.

The BOD initially delegated its authority for review of applications and denial and disciplinary decisions to a Committee of the BOD – the Denial and Disciplinary Committee. (See the initial 2009 Procedures for Denial of Certification or Discipline/Revocation, Attachment 4.a.) Two volunteer BOD members who met on weeknights and after hours initially staffed this committee. They reviewed applications, considered evidence, and made proposed denial and disciplinary decisions. The first handful of proposed denial letters were mailed in December of 2009 and the first oral hearings were held in January of 2010. As time moved on and the avalanche of applications continued, it quickly became apparent that additional resources were needed to handle the volume of work related to the investigation of applicants, review of information received, and to make decisions to approve or propose denial of applications. Applications continued to be received in a steady flow and CAMTC's mandate was unlike that of any other certifying agency because CAMTC was not only reviewing criminal records, it was also receiving information on applicants from local law

enforcement agencies and government agencies with the authority to regulate massage across the State. CAMTC also had the legal authority to deny for reasons beyond criminal convictions, such as unprofessional conduct. Reviewing and assessing this information was a significant task.

## **Education**

CAMTC also began denying applications based on educational issues (discussed below) in July of 2010, and full time staff was needed to handle this significant increase in volume. In June of 2010, PSD was created and the authority to make denial and disciplinary decisions was transferred to PSD and its employees. (See 2010 revised Procedures for Denial of Certification or Discipline/Revocation, Attachment 4.b.) At its inception, PSD consisted of the Division Director, two investigators/application reviewers/hearing officers, and one support staff person. Dedicated hearing officers, a paralegal, and additional support staff were all added in the summer of 2010 to address the increased volume of denials related to education.

While the initial Committee generally addressed applicants with background issues, the majority of which were criminal in nature, it also came to CAMTC's attention in 2009 that there might be a significant issue with the educational qualifications submitted by applicants. Investigations related to schools began at this time. In early 2010 CAMTC identified approximately 18 schools about which it had significant concerns regarding transcripts and whether they accurately reflected the education actually received by the applicants. After further investigation, in March of 2010 CAMTC listed these 18 schools on its website as schools from which additional proof of adequate education was required, beyond just a transcript, in order for the students to receive certification. In March of 2010 CAMTC sent letters to approximately 3,520 applicants who listed one of these schools on their application, notifying them that they had 90 days in which to provide additional proof of adequate education. The vast majority of applicants that received this letter failed to respond to it, and many of those that did respond failed to provide adequate proof of education sufficient to allow for certification.

In July of 2010, CAMTC sent proposed denial letters based on inadequate education to 2,696 applicants who had previously received the March 2010 letter, but had either not responded or failed to provide sufficient proof. These letters notified the applicant that they had the right to request an oral hearing or consideration of a written statement, provided a suggested list of evidence that CAMTC might find to be relevant, and notified the applicant that if they failed to respond to the proposed denial letter in a timely manner, their denial would become final and effective on a date certain. A significant portion of those sent the July 2010 proposed denial letter responded and requested an oral hearing or consideration of a written statement.

CAMTC therefore hired additional support staff, paralegals, and hearing officers to handle this significant increase in volume. In 2010, 145 oral hearings were held and 171 written statements were considered. The resources needed just to communicate with the large volume of applicants who received the July 2010 proposed denial letter (many of whom did not speak English or had limited English ability), schedule hearings and consideration of written statements, create a record from the hearings and written considerations, and generally manage the process and information was significant. Applicants who prevailed at the oral hearing or consideration of a written statement were sent a letter notifying them that they would be certified. Those who were denied after the hearing or written consideration were sent a “Notice of Decision” which included the specific reasons for their denial.

While the first proposed denial letters (“PDLs”) based on inadequate education were sent in July of 2010, additional large batches of PDLs followed monthly through 2012. The number of PDLs sent monthly varied, but was significant, with 330 letters sent in September of 2010, 203 sent in November of 2010, 186 sent in December of 2010, 203 sent in March of 2011, 140 sent in December of 2011, and 336 sent in May of 2012. Each PDL that CAMTC sent created the potential need for a hearing or written consideration and all the resources required to complete that process.

While additional staff was hired, it was not sufficient to keep pace with the continued increase in the volume of proposed denials that needed to be processed. Due to the fact that staff was overwhelmingly focused on addressing the large volume of education-related denials, background and criminal denials moved more slowly through the process. In relation to the education-related denials, it was initially thought that the listing of eighteen schools in March of 2010 was going to be a one-time event. Instead, as investigations continued, schools continued to be added to the list of schools from which a transcript wasn't sufficient on a rolling basis, until the list contained a total of approximately thirty-eight schools by the end of 2011. Every time a school was added to the list, it created the need to propose denial of more applicants, thereby increasing the number of cases in the system. And because schools continued to be added to the list of schools from which we didn't accept transcripts without additional proof of education, there was no real way to predict the volume of cases that were going to be added to the system.

Since July of 2010, 6,301 proposed denial letters based on insufficient education have been sent. In 2011, CAMTC held 794 oral hearings and considerations of written statements. In 2012 a total of 505 oral hearings and considerations of written statements were held. Through September of this year, 292 oral hearings and considerations of written statements have been held.

In 2012, CAMTC changed its process for dealing with schools whose transcripts are not trustworthy.

In 2010 and 2011, the applicants who listed a school from which we don't accept transcripts without further proof of education on their applications were initially sent a 90-day letter requesting additional proof of adequate education. Those who failed to provide sufficient additional proof of adequate education or failed to respond to the letter (which comprised the majority of applicants) were then sent a proposed denial letter based on inadequate education, informing them of their due process rights. All those who requested an oral hearing or consideration of a written statement in a timely

manner were accommodated. While this process has changed and the numbers have gone down, CAMTC continues to send proposed denial letters based on inadequate education.

At the September 2011 BOD meeting the BOD voted to un-approve the first schools. These schools were listed on CAMTC's website in November of 2011, with an effective un-approval date 90 days into the future (February 1, 2012). Under this new protocol, after a 90-day grace period, CAMTC would not accept education from an un-approved school. Applicants who listed one of these schools on their applications are told that their applications are incomplete and that they have one year to submit qualifying education before their applications are purged. On February 1, 2012, the first seven schools became un-approved. Additional schools followed on a rolling basis and CAMTC has continued to un-approve schools. As of July 16, 2013, fifty-seven schools have been un-approved by CAMTC. Another seven remain on the inadequate education list (allowing their students to prove education). The un-approval of schools was an entirely new process for CAMTC. Prior to the un-approval of schools, applicants who stated that they attended one of the schools on the inadequate education list could prove education. Alleged attendance at one of these schools was not an outright bar to certification. Applicants who provided sufficient proof of education could be certified. That changed with the BOD's decision to un-approve certain schools. Applicants who allege that they attended an un-approved school may not prove education if their application is submitted after the 90-day grace period has ended. This process is still operational. Due to these process changes, the number of applicants who receive proposed denials based on inadequate education has decreased. In July of 2013 for example, CAMTC sent only 26 proposed denial letters based on inadequate education.

### **Increase in Complexity and Volume of Cases With Background Issues**

At the same time that applicants' education became an issue, the volume of applicants with background issues and proposed denials on that basis also continued to increase. Early on, only a small number of local jurisdictions cooperated with CAMTC and

provided the information requested as related to applicants. Without this information, CAMTC initially lacked the evidence needed to deny applicants or discipline certificate holders in accordance with its statute. Today, CAMTC receives large amounts of information from all sources, including local law enforcement agencies and government agencies that regulate massage, which has resulted in an increase in denials and discipline. This trend is expected to continue, especially since amendments to CAMTC's statute, effective on January 1, 2012, (**AB 619** – Haldeman) and January 1, 2013, (**SB 1238** - Price), have allowed for more information sharing. Local agencies have also begun to accept CAMTC and cooperate with the organization instead of opposing it. This change in attitude has resulted in more information sharing and has had a direct impact on the increase in denials and discipline.

The investigation, information and evidence gathering, and review of cases based on background issues other than criminal convictions, is much more complex than cases based on criminal convictions. For example, if an applicant has a related conviction, that is a relatively easy and straightforward basis on which to deny certification. A smaller amount of investigation and staff time is needed to process a denial based on a conviction for a related crime (such as rape, sexual battery, sexual assault, or prostitution) since the record of the conviction is conclusive evidence of the crime. (Business and Professions Code §4603(d).) However, CAMTC also has the authority to deny applications based on “unprofessional conduct,” which includes things like the denial or revocation of a local massage permit. (Business and Professions Code §4603(a).) The investigation and staff time needed to gather evidence in relation to a local massage permit denial or revocation is extensive. CAMTC may also deny applications based on unprofessional conduct attested to in sworn declarations from law enforcement officers. (Business and Professions Code §4602.5(b), §4603(a).)

It requires significantly more staff resources to build an adequate case of this type. As time progresses, a higher percentage of cases are based on background issues other than criminal convictions, resulting in an increased workload for staff.

Also, while CAMTC initially contracted out some of the investigatory work, it has taken the investigations in-house, which increased its staffing needs. Additionally, recent changes to CAMTC's statute have also expanded the basis for CAMTC's denials of applications and discipline of certificate holders. For instance, starting on January 1, 2013, CAMTC gained the express authority to deny applications based on related infractions, civil actions, and administrative citations. The broader authority for denials and disciplinary actions has also resulted in more complex cases that require additional evidence gathering. All of these factors have resulted in an increased workload. Yet with the additional staffing, wait times for applicants with background issues have decreased.

### **Certificate Holder Discipline**

As CAMTC has certified more individuals and time has passed, there has been an increase in certificate holder discipline due to the mere fact that the certified population is growing and there has been more time for people to get into trouble. This is a natural trend that is also expected to continue. While the overall number of cases for certificate holder discipline is small, these cases are the most complicated of all, and require the most staff resources per case.

### **Current Status**

The huge volume of proposed denials that began in July of 2010 and continued through 2012 (with the addition of denials based on education) resulted in a backlog that CAMTC is still addressing. Each batch of proposed denial letters resulted in significant numbers of hearings and written considerations, each of which had to be scheduled, processed, held, and for those denied after hearing/consideration, a complicated Notice of Final Decision letter had to be written. To address this backlog and keep pace with increases in the complexity of CAMTC's current workload (based on background issues as discussed above), the BOD approved funding for the hiring of additional staff in 2012. CAMTC currently has 17 employees and one outside legal counsel focused on denials and discipline. The 17 employees include a Division Director, a Chief

Investigator, a Senior Investigator, five Investigators, two Staff Attorneys, four Paralegals, and three dedicated Hearing Officers. Several of these positions have been added just in the last year in order to address the backlog and keep pace with current demand. With this increase in staffing levels the backlog is decreasing and CAMTC is processing cases faster. It appears that with the current level of staffing CAMTC is properly placed to continue addressing the current workload and eliminate the backlog in the foreseeable future.

### **What are the performance barriers?**

One of the biggest performance barriers CAMTC has faced in the past has been lack of sufficient staff to handle workload volume. CAMTC was also hampered by the reluctance of local law enforcement and local agencies that regulate massage to share information with CAMTC. These past performance barriers have been overcome. CAMTC is also still determining the most efficient way to manage the significant amount of data and documents related to its applicants and certificate holders.

### **What improvement plans are in place?**

The recent hiring of additional staff over the last year, moving investigations in house, and the un-approval of schools are recent changes that have significantly addressed the increased volume and initial lack of staffing. As time moves on, senior staff becomes more adept at predicting future workload and is actively taking proactive steps to ensure that there are sufficient resources in place to address it. Legislative changes that became effective on January 1, 2012, (**AB 619** – Haldeman) and January 1, 2013, (**SB 1238** - Price), plus local law enforcement and government agencies increased acceptance of CAMTC due to extensive outreach efforts, have addressed the initial low level of information sharing. The continuation of outreach efforts with local law enforcement and local government agencies will continue to increase the information sharing with CAMTC, allowing it to better protect the public. CAMTC also intends to create an entirely new database to more efficiently manage its data and documents.



**What has CAMTC done and what is CAMTC going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?**

As we move into the future, additional staff will be hired if it is determined that they are needed to address workload issues. Outreach efforts with local law enforcement agencies and local agencies that regulate massage will continue. CAMTC is also currently in talks with database providers to find a more efficient way to manage its data and documents.

Table 9, below, describes the enforcement data.

## Enforcement Statistics

Table 9a. Enforcement Statistics - Initial Applicant/Recertification								
		Sent to PSD for Review (includes Certificate Holders)	Cleared by PSD (includes Certificate Holders)	Background Issue Proposed Denial (letter sent in noted year)	Education Proposed Denial (letter sent in noted year)	Approved (final outcome)	Denied (final outcome)	Pending
2009*	Initial Applicant***	209	204	5	0	0	5	0
2010	Initial Applicant***	4503	700	229	3551	1276	2498	6
2011	Initial Applicant/Recertification	2199	536	245	1340	492	1093	0
2012	Initial Applicant/Recertification	2114	781	117	1216	475	838	20
2013**	Initial Applicant/Recertification	1161	548	249	180	97	325	7
<p>* First review took place 11/2009</p> <p>**2013 is through 9/30/2013</p> <p>***No Recertifications in 2009 or 2010</p> <p>Please note, applicants sent proposed denial letters in one year may have their outcomes become final and effective in a later year, but for purposes of this chart their outcomes are noted in the year that their proposed denial letter was sent.</p> <p>Tables 9a and 9b - Columns for "Sent to PSD for Review" and "Cleared by PSD" numbers represent combined data for Applicants, Recertifications, and Certificate Holders.</p>								

Table 9b. Enforcement Statistics - Certificate Holder									
		Sent to PSD for Review (includes App. and Recert.)	Cleared by PSD (includes App. and Recert.)	Proposed Revocation/ Discipline	Proposed Nullification	No Action After Oral Hrng or Written Stmtnt	Discipline Imposed	Revoked	Automatic Suspension
2009*	Certificate Holder	209	204	-	-	-	-	-	-
2010	Certificate Holder	4503	700	9	-	1	-	8	28
2011	Certificate Holder	2199	536	22	4	1	-	17	34
2012	Certificate Holder	2114	781	49	-	2	1	46	52
2013*	Certificate Holder	1161	548	42	1	2	10	29	55
<p>* First review took place in 11/2009</p> <p>**2013 is through 9/30/2013</p> <p>Tables 9a and 9b - Columns for "Sent to PSD for Review" and "Cleared by PSD" numbers represent combined data for Applicants, Recertifications, and Certificate Holders.</p>									

### **What do overall statistics show as to increases or decreases in disciplinary action since inception?**

Since its inception, CAMTC has seen a significant increase in disciplinary action. This is due to the fact that CAMTC began issuing the first certificates in September of 2009, which is fairly recent. As the certified population increases, and remains certified for a longer period of time, the instances of disciplinary action are expected to increase due to a sheer increase in the number of certificate holders. In 2011, CAMTC sent 22 letters to certificate holders proposing revocation or discipline of their certificates. In 2012 that number increased to 49 letters to certificate holders proposing revocation or discipline of their certificates, and in 2013 (through September) CAMTC has already sent 42 letters to certificate holders proposing revocation or discipline of their certificates. Table 9b. above further details CAMTC's disciplinary action.

### ***Case Prioritization, Mandatory Reporting, and Statutes of Limitation***

**How are cases prioritized? What is CAMTC's complaint prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.**

Since CAMTC is not a State agency it is not subject to DCA's *Complaint Prioritization Guidelines for Health Care Agencies*.

CAMTC handles a larger volume of cases than most California State licensing boards. Cases based on background issues (not including education) are initially prioritized based on certification status (certificate holders, expired certificate holders recertifying, and applicants). Cases against certificate holders and expired certificate holders requesting recertification are then prioritized within those classifications based on the severity of the alleged conduct and threat to public harm, and then prioritized based on date (oldest first) within those classifications. For applicants, cases are generally prioritized by date (oldest first) but all new cases are reviewed upon receipt, low risk

cases are identified, and those that can be quickly cleared are, while the remaining cases needing further investigation are placed back in line based on date.

Instances of certificate holder discipline take priority, with issues related to recertification of expired certificate holders taking second priority, and denials of applicants taking third priority. The reason for this prioritization is that certificate holders are practicing pursuant to a CAMTC certificate and determining whether they are a threat to public safety, and removing that threat if they are determined to be one in order to protect the public, is top priority. Expired certificate holders who are requesting recertification are the second priority since they have practiced their profession pursuant to a CAMTC certificate and are waiting to continue practicing pursuant to a new certificate. Applicants are the third priority since they have not yet attained certification and therefore are less of a direct threat to public safety. Complaints received alleging rape, sexual assault, or sexual battery by certificate holders are given top priority and expedited through the system.

**Are there mandatory reporting requirements?**

CAMTC is not subject to any mandatory reporting requirements.

**Does CAMTC operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases were lost due to statute of limitations? If not, what is CAMTC's policy on statute of limitations?**

CAMTC does not operate within a statute of limitations. No cases are lost due to statute of limitations issues and there is no BOD policy on statute of limitations.

**Describe CAMTC's efforts to address unlicensed activity and the underground economy.**

CAMTC has no jurisdiction over uncertified activity. As a voluntary certification organization it does not fully occupy the field. In regards to the underground economy, on a positive note, CAMTC has brought many thousands of massage professionals into

the open, obtaining CAMTC certification and business licenses as professionals for the first time. This is a direct reaction to the fact that CAMTC certification exempts certified individuals from the generally onerous local massage permitting conditions. CAMTC is a member of the California Municipal Revenue and Tax Association (“CMRTA”) and has helped them by providing information that can be used to collect business taxes. Each certificate holder is notified that unless they are a W-2 employee, they must obtain a business licenses in any jurisdiction in which they provide services that requires one.

CAMTC has worked with the Employment Development Department and Department of Industrial Relations in preparing for joint operations with law enforcement.

### ***Cite and Fine***

CAMTC does not have cite and fine authority.

### ***Cost Recovery and Restitution***

CAMTC does not have the legal authority to engage in cost recovery or restitution and therefore does not engage in these activities. It does charge fees for oral hearings and consideration of written statements.



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## Section 6 Public Information Policies

## ***Public Information Policies***

**How does CAMTC use the internet to keep the public informed of BOD activities? Does CAMTC post BOD meeting materials online? When are they posted? How long do they remain on the website? When are draft meeting minutes posted online? When does CAMTC post final meeting minutes? How long do meeting minutes remain available online?**

CAMTC's website was created in 2009 and is constantly being updated and re-designed to provide a variety of information to applicants, certificate holders, the public, schools, massage businesses, local government officials, law enforcement, and the media. The website features links to CAMTC's laws, protocols, Denial and Disciplinary Procedures, Schools Procedures, Criteria for Rehabilitation, forms and publications, online certification verification, agendas, approved minutes from BOD meetings, CAMTC activity, announcements and links to related content. An online link allows anyone to easily file a written complaint against a CAMTC certificate holder. The website also offers a feature for individuals to enroll in a Subscriber List, which provides an e-mail notification to subscribers when new information is added on the website.

**Does CAMTC webcast its meetings? What are CAMTC's plans to webcast future BOD and committee meetings?**

CAMTC has not webcast its meetings and currently has no plans to do so.

**Does CAMTC establish an annual meeting calendar, and post it on the CAMTC's web site?**

CAMTC posts meeting agendas online, at least ten days before the meeting date. At this time, the agendas remain on the website indefinitely. CAMTC meeting dates for the upcoming calendar year are posted a couple of months prior to the end of the current calendar year. Committees meet on an "as needed" basis.

**Is CAMTC's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does CAMTC post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?**

CAMTC is not a State agency, therefore it is not required to comply with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*. CAMTC's denial or disciplinary process does not result in the creation of accusations, and therefore they are not posted on its website. CAMTC does draft proposed denial/discipline letters, which state the basis of the proposed denial/discipline and are sent to the applicant or certificate holder. This is required to meet the due process standards in the law. These letters are not posted on CAMTC's website. If an applicant or certificate holder is ultimately denied certification or disciplined, a detailed "Notice of Decision" letter is sent to the applicant or certificate holder identifying the basis for the denial/discipline and the reasons why the proposed action is being upheld. This document is not published on the website. CAMTC does publish the fact that a particular certificate holder has had their certificate revoked, suspended, or otherwise acted against on its "verify certification" link. However, identifying information related to a specific certificate holder must be known in order to access this information.

When CAMTC receives a non-anonymous complaint related to a certificate holder, either from the link on our website, by email, letter or phone, we let the complaining party know that their complaint has been received and is under review. PSD reviews and considers every complaint. The decision on how to proceed in relation to any specific complaint is in the sole discretion of the PSD. If the PSD determines that the complaint is regarding a matter within CAMTC's jurisdiction, is credible, has actionable information, and meets other relevant criteria, it will be investigated. Many complaints received do not meet these criteria. For example, the complaint may be against a massage professional who cannot be identified, is not CAMTC certified, or may be in relation to a matter outside of CAMTC's jurisdiction, such as a contract dispute or an employment matter.



**What information does CAMTC provide to the public regarding its certificate holders (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?**

Consumers can access a certificate holder's information on CAMTC's website using the Certification Verification tool. Entering the certificate holder's name, certificate number, or city or county allows a user to see certain information. A record appears with the certificate holder's name, certification number, and status (active, suspended, revoked, or expired), effective date and expiration date, and the city listed as the home address, and the certifications held (i.e., CMP, CMT, CCMP).

**What methods are used by CAMTC to provide consumer outreach and education?**

CAMTC uses the following methods to provide consumer outreach and education:

- Website;
- Brochures;
- Press interviews; and
- Participation at massage and other health fairs.

Please see a recent brochure for consumers. (Attachment 9.a.) CAMTC also regularly participates at community health fairs, where it is always popular with attendees.

Photographs from a recent health fair follow.

Community Health Fair. October, 2013.

CAMTC's booth was the most popular one at the health fair.



The line for CAMTC's booth was more than 20 people deep.





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## Section 7 Online Practice Issues

## ***Online Practice Issues***

**Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does CAMTC regulate online practice? Does CAMTC have any plans to regulate Internet business practices or believe there is a need to do so?**

Massage is a hands-on profession that cannot be practiced online. Since certification is voluntary, uncertified activity is not an issue. CAMTC does send cease and desist letters to those improperly using titles reserved for certificate holders on the internet.



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## Section 8 Workforce Development and Job Creation

## ***Workforce Development and Job Creation***

### **What actions has CAMTC taken in terms of workforce development?**

CAMTC's primary focus is to assure that certificate holders have adequate education to qualify for certification and do not possess any background issues that would disqualify them. In order to facilitate the applicants' ability to enter the workforce as soon as possible, CAMTC is committed to processing applications as quickly and accurately as possible.

Significant outreach has been directed towards educating business owners as to the advantages of utilizing only CAMTC-certified massage professionals. This has been accomplished through emails, presentations, and brochures directed towards business owners and networking at industry conferences and conventions. (See Business Owner Brochure – Attachment 9.b.) CAMTC has developed consumer brochures aimed at certified massage professionals and business owners regarding the benefits of choosing certified massage professionals and listing some warning signs of potential unprofessional conduct. These are currently being distributed to all certificate holders at no charge – additional supplies will be available at cost.

We are currently developing a program for employers to send recruitment offers to certified professionals who agree to receive such offers. The demand for this service is an indication that the profession is not saturated. It is also an indication that employers prefer to hire certified massage professionals.

**Describe any assessment CAMTC has conducted on the impact of certification delays.**

CAMTC's primary focus is to ensure that applicants for certification meet standards set in State law prior to getting certified and to assure that applications are processed quickly and efficiently. Since CAMTC's certification is voluntary and only mandated by a minority of municipalities, certification delays rarely adversely affect the massage profession's workforce and the massage providers' ability to make a living. With more than 43,000 certified massage professionals in good standing, the public is able to easily find certified massage providers.

**Describe CAMTC's efforts to work with schools to inform potential certificate holders of the certification requirements and process.**

CAMTC has presented at numerous schools and conferences of massage schools, including participating in school forums. We have arranged student days at annual massage conferences to educate the student population and instructors about the certification program. CAMTC has staffed booths at the American Massage Conference in San Diego for the past two years. At this conference, CAMTC has staff on hand to accept new and recertification applications and to answer questions from individuals and business owners on the law. CAMTC's Government Relations Director has also been available at these events for appointments regarding procedures for starting new businesses in different jurisdictions. Staff spent a significant amount of time helping applicants and certificate holders navigate the interplay between the State law and local ordinances as they set up new businesses. Please see the following photographs from a recent massage industry conference.



CAMTC BOD Member presentation at a recent massage professional conference.



A well attended CAMTC booth at a 2013 industry conference.





**Provide any workforce development data collected by CAMTC.**

CAMTC currently does not collect such data.



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## Section 9 Current Issues

## ***Current Issues***

### **What is the status of CAMTC's implementation of the Uniform Standards for Substance Abusing Licensees?**

CAMTC is not a State board so it is not required to implement this program.

### **What is the status of CAMTC's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?**

CAMTC is not a State board so it is not required to implement this program.

### **Describe how CAMTC is participating in development of BreEZe and any other secondary IT issues affecting CAMTC.**

CAMTC is not a State board so it is not required to implement this program. However, CAMTC is currently evaluating the implementation of new IT systems. The objective is to overhaul the way CAMTC operates and the way certificate holders, applicants, schools, employers, local government and law enforcement interact with the organization. The new system will bring with it improved access to CAMTC's services, greater ease of use for stakeholders, and improved back-office functionality that will greatly enhance certification and enforcement efficiency.



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## Section 10

### Board Action and Response to Prior Sunset Issues

## **Section 10 – Board Action and Response to Prior Sunset Issues**

### ***Response to Prior Sunset Issues***

This section is not applicable since this is CAMTC's first Sunset Review.



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## Section 11 New Issues

- CAMTC Legal Structure
- Education and Professional Competence
- Regulation of Massage Establishments

### ***New Issues***

#### ***CAMTC Legal Structure***

CAMTC's BOD has resolved to maintain CAMTC as a private nonprofit corporation that provides voluntary certification. The current structure is working well and allows for maximum flexibility and efficiency in a highly cost effective manner. A change to CAMTC's structure would eliminate its ability to address issues in a nimble and cost effective manner. Being the first entity with statewide authority over the massage profession in California, the model of a private entity allows CAMTC to respond and adapt quickly to the challenges of a rapidly evolving industry. As such, CAMTC supports the continuance of a voluntary certification program administered by a private nonprofit organization.

#### ***Education and Professional Competence***

California is one of only two states that do not require passage of a written exam. Several other states also require passage of a practical exam in addition to passage of a written exam. Over the course of its existence, CAMTC has found that relying on written educational documentation only has proven to be an insufficient way to properly vet applicants' educational qualifications. Despite significant efforts to identify, investigate, and un-approve inadequate schools, the sale of fraudulent massage transcripts from BPPE approved schools continues to be a problem. CAMTC is still receiving transcripts that don't accurately reflect the education received by applicants and it is limited in its ability to address this issue before the initial applicants from a school that is selling transcripts are certified. It takes time to determine that there is an issue with a school, investigate it, send it a proposed un-approval letter, and place the

applications of its students on hold. While CAMTC can un-approve a school more quickly than could a government agency, investigations and evidence gathering still takes time. Requiring passage of a written exam would help to keep potentially unqualified people from gaining certification.

In addition, a substantial number of applicants receive substandard training. Raising the hourly educational requirement and requiring continuing education would help to address this problem. Under existing law, CAMTC has core educational requirements for CMPs, but not for CMTs. This appears to have been an oversight by the legislature that should be fixed at this time.

### **Proposed Solution for Education and Professional Competence**

#### **1. Require all new applicants to pass a CAMTC approved written exam**

In accordance with its statute, CAMTC may only approve psychometrically developed exams. CAMTC's BOD has approved three exams: MBLEx, NCETM, and NCETMB. A psychometrically developed written exam is a highly objective instrument. Requiring passage of a CAMTC approved written exam would provide additional protection to the public and help to ensure that applicants have more than substandard education. Requiring passage of a CAMTC approved exam for all tiers of certification would require a legislative change. It would also necessitate the termination of the path to certification in which an individual can qualify for CMT by passing an approved exam and submitting 250 hours of approved education.

#### **2. Phase out the Certified Massage Practitioner tier**

CAMTC recommends that certification as a CMP end on December 31, 2014. Certification as a CMP requires only 250 hours of education at an approved school. This certification tier was designed as a grandfathering provision to allow schools the opportunity to revise their programs and upgrade them to 500-hour programs (the minimum level required by most other states). Additional grandfathering pathways that recognized experience as well as a conditional certification program all ended on



December 31, 2011. Currently Business and Professions Code section 4601(b)(2) states, “new certificates shall not be issued pursuant to this subdivision after December 31, 2015”. However, when the Sunset date for the statute was moved from December 31, 2015 to December 31, 2014, the date in this section was not changed to match.

**3. Continue to allow applicants for Certified Massage Therapist to qualify with a minimum of 250 hours or the credit unit equivalent in massage and related subjects from approved schools and up to 250 hours of continuing education**

Currently the law allows an applicant to qualify for CMT with a minimum of 250 hours in approved schools and up to 250 hours of continuing education. In order to help ensure that applicants receive a well-rounded education for entry into the profession, this portal was to close with Sunset, but was never changed in statute to reflect the new Sunset date of December 31, 2014. At this time the BOD feels that keeping this portal open will help long time professionals who have less than 500 hours or the credit unit equivalent from approved massage schools, but do have acceptable continuing education, to qualify for certification.

**4. Require that applicants for CMT obtain the same core curriculum education as CMPs**

Currently, the educational requirements for the CMP tier states that a minimum of 100 hours must be successfully completed in identified core subjects, specifically: anatomy, physiology, contraindications, health and hygiene, and business and ethics. The CMT tier does not include this core curriculum requirement (which we believe was simply an oversight). Requiring the same core curriculum for both tiers would assure that all applicants have the same basic entry-level knowledge and skills.

**5. Authorize CAMTC to require continuing education hours in order to promote core competencies**

A Task Force created by the Federation of State Massage Therapy Boards recommended that the focus on continuing education requirements be shifted from requiring continuing education hours focused on new subjects to hours that maintain

core competencies. The best way to ensure public protection is to require on-going training and education for certificate holders. This education should focus on competencies for safe and professional practice and on areas identified as requiring regulatory intervention and guidance. This can be done through the requirement for continuing education that promotes core competencies.

## ***Regulation of Massage Establishments***

Current California law gives CAMTC no authority over massage establishments. All massage establishment regulation is done by local government. CAMTC's statute does limit the extent to which local government may regulate establishments where everyone providing massage is CAMTC-certified. In today's world of continuously shrinking budgets, cities and counties often lack sufficient resources to close illicit businesses or address problems with establishments. Nuisance abatement is resource intensive and requires the coordination of multiple agencies. Cities and counties have asked for CAMTC's help with addressing illicit businesses. Some cities and counties have also expressed concern over the existing CAMTC statutory scheme, which exempts business that use only CAMTC certified massage professionals to provide massage for compensation from local regulations, unless those regulations are uniformly applied to other business providing professional services as defined in Corporations Code section 13401(a).

During the last legislative term, CAMTC proposed legislation that would allow cities and counties to issue a revocable certificate of registration for massage establishments where everyone providing massage for compensation is CAMTC-certified. The legislation did not pass. After a thorough review of the approaches taken in other states, CAMTC recommends that a different approach be taken. Nine other states and the District of Columbia regulate massage establishments as well as individual providers. CAMTC recommends a legislative change that allows for the voluntary certification of massage establishments by CAMTC.

## **Proposed Solution for Regulation of Massage Establishments**

### **1. Voluntary CAMTC certification of massage establishments where everyone providing massage is CAMTC certified**

As CAMTC has been proving itself in the certification of individuals, many jurisdictions that initially resisted the new law now recognize that CAMTC does a better job at evaluating applicants, at a cost savings to the city or county. There are increasing requests from city attorneys, police, and code enforcement for CAMTC to regulate establishments in addition to the individual practitioners. As with the certifications of individuals, CAMTC can often identify indications of illegal activity that an individual jurisdiction might miss, such as when an owner has had action taken against a business in another city or county. It also has more latitude in denying applications and imposing discipline. A voluntary program for certifying establishments would be implemented much the same as the current program for individual massage professionals. CAMTC would conduct a thorough background check, request specific relevant information, and would have the authority to certify the establishment, deny certification, or impose discipline, such as revocation of the certificate.

### **2. Close the “rotating door”**

Another supportive legislative measure would be to allow cities or counties to enact ordinances that prohibit another massage business from opening in a location where a previous massage business had a CAMTC certification revoked.

### **3. Local authority**

Further clarify in statute what authority over certified professionals and businesses is granted to local government.



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Section 12 Attachments

- Articles of Incorporation
- Bylaws
- Flowchart for Application Processing
- Procedures for Denial of Certification or Discipline/Denial
  - a. Initial version, adopted October 22, 2009
  - b. Revised version, adopted June 2, 2010
  - c. Current operative version, adopted February 13, 2013
- Rehabilitation Criteria
- Procedures for Un-Approval of Schools
  - a. Initial version, adopted February 13, 2013
  - b. Revised version, adopted May 9, 2013
  - c. Current operative version, adopted September 19, 2013
- Policy on Foreign Transcripts
- Organizational Charts
  - a. Current tables showing membership of BOD and each committee have been included in this document. Section 1, Tables 1a-1c.
  - b. Organization Charts identifying staff by classifications assigned to each major program area, as of October 15<sup>th</sup> for each year since inception.
    - i. 2009 Organizational Chart
    - ii. 2010 Organizational Chart
    - iii. 2011 Organizational Chart
    - iv. 2012 Organizational Chart
    - v. 2013 Organizational Chart
- Outreach Brochures
  - a. Consumer Brochure
  - b. Business Owner Brochure

## Section 12 – Attachments

CAMTC is providing the following materials in relation to its program.

1. Articles of Incorporation
2. Bylaws
3. Flowchart for Application Processing
4. Procedures for Denial of Certification or Discipline/Revocation
  - a. Initial version, adopted October 22, 2009
  - b. Revised version, adopted June 2, 2010
  - c. Current operative version, adopted February 13, 2013
5. Rehabilitation Criteria
6. Procedures for Un-Approval of Schools
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  - a. Consumer Brochure
  - b. Business Owner Brochure



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**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

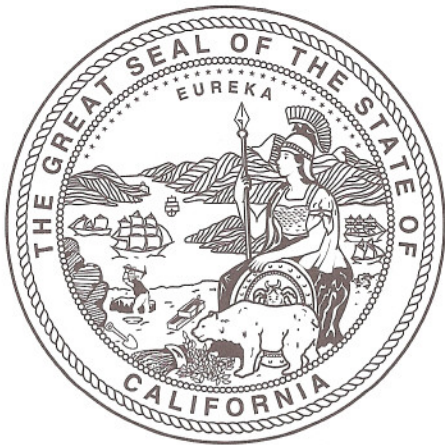
## Articles Of Incorporation



**State of California**  
**Secretary of State**

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of

**JAN 29 2009**

DEBRA BOWEN  
Secretary of State



**ARTICLES OF INCORPORATION****ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

I

JAN 21 2009

The name of this corporation is CALIFORNIA MASSAGE THERAPY COUNCIL.

II

A. This corporation is a nonprofit PUBLIC BENEFIT CORPORATION and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes.

B. The specific purpose of this corporation is to provide certification for massage therapists and advance educational attainment within the massage therapy profession in California as a quasi-public body pursuant to the authority granted in California Business and Professions Code Section 4600 et seq. for the benefit of the public.

III

The name and address in the State of California of this corporation's initial agent for service of process is:

Jill S. England  
1127 - 40th Street  
Sacramento, California 95819

IV

A. This corporation is organized and operated exclusively for public and charitable purposes within the meaning of Section 501(c)(3), Internal Revenue Code.

B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

V

The property of this corporation is irrevocably dedicated to public and charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for public and charitable purposes and which has established its tax exempt status under Section 501(c)(3), Internal Revenue Code.

*Beverly May*  
Beverly May, Incorporator





**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Bylaws

**BYLAWS**  
**OF**  
**CALIFORNIA MASSAGE THERAPY COUNCIL**  
**(a nonprofit public benefit corporation)**

ARTICLE I.

NAME

Section 1. Name. The name of this corporation is CALIFORNIA MASSAGE THERAPY COUNCIL (hereinafter "Council" or "corporation").

ARTICLE II.

LOCATION OF PRINCIPAL OFFICE

Section 1. Principal Office. The principal office for the transaction of the activities and affairs of the corporation shall be located in California. The Board of Directors ("Board") may change the principal office from one location to another so long as the principal office remains in California.

Section 2. Other Offices. The Board may establish branch or subordinate offices at any place or places where the corporation is qualified to conduct its activities.

ARTICLE III.

PURPOSES AND LIMITATIONS

Section 1. General Purposes. This corporation is a California Nonprofit Public Benefit Corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public purposes and to carry out the obligations described in California Business and Professions Code Sections 4600 et seq. (hereinafter "the Code").

Section 2. Specific Purposes. The specific purpose of this corporation is to provide certification for massage therapists and to advance public education regarding the massage therapy profession in California as a quasi-public body pursuant to the authority granted in the Code for the benefit of the public.

Section 3. Limitations. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

The property of this corporation is irrevocably dedicated to public and charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director or officer, or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit foundation, fund or corporation which is organized and operated exclusively for public and charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.

#### ARTICLE IV.

##### NO MEMBERS

Section 1. Members. This corporation shall have no members. To the extent any person is referred to as a “member” in any corporate materials, it shall be understood that such person is not a statutory member as contemplated by the California Nonprofit Public Benefit law, and has no voting or other rights in the corporation.

#### ARTICLE V.

##### BOARD OF DIRECTORS

##### Section 1. Powers.

(a) General Corporate Powers. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and the Code, the corporation's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board.

(b) Specific Powers. Without prejudice to the general powers set forth in subsection (a) above, but subject to the same limitations, the directors shall have the right to do the following:

- (1) Policies. Adopt policies, rules and procedures for the management and operation of the corporation.
- (2) Certificates. Issue certificates as described in the Code. The Board may also discipline certificate holders and suspend or rescind certificates as authorized in the Code.
- (3) Fees. Annually establish initial and renewal fees for certificates which are reasonably related to the cost of providing services and carrying out the ongoing responsibilities and duties of the Council.
- (4) Administration. Retain an individual employee or consultant, or a management firm, or contract with another entity, to administer the day-to-day activities of the corporation. An individual retained pursuant to this authority, if any, shall be known as the Chief Executive Officer (“CEO”). The Board may

also employ, retain, or authorize the employment of such other employees, independent contractors, agents, accountants, and legal counsel as it from time to time deems necessary or advisable in the interest of the corporation, prescribe their duties and fix their compensation.

(5) Bonds. The Board may require officers, agents, and employees charged by the corporation with responsibility for the custody of any of its funds or negotiable instruments to give adequate bond.

(6) Borrowing money. Borrow money and incur indebtedness on behalf of the corporation and cause to be executed and delivered for the corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, liens, and other evidences of debt and securities.

(7) Gifts. Receive and accept gifts, devises, bequests, donations, annuities, and endorsements of real and personal property, and use, hold and enjoy the same, both as to principal and income, and to invest and re-invest the same or any part thereof for the furtherance of any objects, interests or purposes of this corporation.

(8) Contributions. Make such contributions as the Board determines are necessary and advisable in furtherance of the interests and purposes of this corporation.

(9) Fiscal Year. Establish and change the fiscal year of the corporation.

(10) Contracts. Enter into contracts and agreements with individuals and with public and private entities for the advancement of the purposes for which the corporation is organized.

(11) Property. Acquire, construct and possess real, personal, and intellectual property.

(12) Bank Accounts and Special Funds. Establish one or more bank accounts and/or special funds in order to accomplish and further the purposes of the corporation.

(13) Committees. Appoint committees as provided in these bylaws.

(14) Start-up costs. Authorize the re-payment of the start-up costs for this organization to the individual(s) or organizations that provided such funds, including but not limited to attorney's and accountant's fees and costs, and filing fees for incorporation and for obtaining federal and state tax exempt status for the corporation.

(15) Other. Do and perform all acts and exercise all powers incidental to, or in connection with, or deemed reasonably necessary for the proper implementation of the purposes of the corporation.

## Section 2. Number and Qualification of Directors.

(a) Number. The Board shall consist of at least four (4) but not more than twenty (20) directors, as follows:

- 1) Two directors appointed by each professional society, association, or other entity, whose membership is comprised of massage therapists and that chooses to participate in the organization. To qualify, a professional society, association, or other entity shall have a dues-paying membership in California of at least 1,000 individuals for the last three years, and shall have bylaws that require its members to comply with a code of ethics;
- 2) One director appointed by each statewide association of private postsecondary schools incorporated on or before January 1, 2010, whose member schools have together had at least 1,000 graduates in each of the previous three years from massage therapy programs meeting the approval standards set forth in subdivision (a) of Section 4600, except from those qualifying associations that choose not to exercise this right of appointment.
- 3) One director appointed by the League of California Cities, unless that entity chooses not to exercise this right of appointment.
- 4) One director appointed by the California State Association of Counties, unless that entity chooses not to exercise this right of appointment.
- 5) One director appointed by the Director of Consumer Affairs, unless that entity chooses not to exercise this right of appointment.
- 6) One director appointed by the California Community College Chancellor's Office, unless that entity chooses not to exercise this right of appointment. The person appointed, if any, shall not be part of any massage therapy certificate or degree program.
- 7) Other directors appointed by a two-thirds (2/3) vote of the Board.

(b) Qualifications. All directors must be individuals who are dedicated to the purposes of this corporation as set forth above.

(c) Restriction on Interested Persons as Directors. No more than 49% of the persons serving on the Board may be "interested persons". An "interested person" is:

(1) any person compensated by the Council for services rendered to it within the previous twelve months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable reimbursement paid to an officer or director; and

(2) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of the provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the corporation.

Section 3. Term of Office; Term limits. The term of office of each director shall be three (3) years and until a successor has been appointed and qualified. There shall be no limit on the number of terms a director may serve if he or she remains qualified and appointed to the Board. The Board may stagger the terms of the initial directors using any reasonable method.

Section 4. Removal of Directors. A director may be removed from the Board at any time, with or without cause, by the entity that appointed the director, or by a two-thirds (2/3) vote of all the other directors on the Board.

Section 5. Vacancies on Board.

(a) Events Causing Vacancy. The vacancy or vacancies on the Board shall exist on the occurrence of the following:

- (1) The death or resignation of any director;
- (2) The removal of a director by its appointing entity or the Board;
- (3) The declaration by resolution of the Board of a vacancy in the office of a director who has been declared of unsound mind by an order of court, convicted of a felony, or found by final order or judgment of any court to have breached a duty under Article 3 of Chapter 2 of the California Nonprofit Public Benefit Corporation Law; or
- (4) The increase of the authorized number of directors.

(b) Resignations. Except as provided below, any director may resign by giving written notice to the Chairperson of the Board, the CEO (if any), or the Secretary of the Board. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective. Except on notice to the Attorney General of California, no director may resign if the corporation would be left without a duly appointed director or directors.

(c) Filling Vacancies. Vacancies on the Board may be filled by the entity entitled to fill the seat, or by the Board, depending on how the seat was filled originally. The individual filling a vacant director position shall serve until the end of the term of the director whose vacancy he or she is filling.

(d) No Vacancy on Reduction of Number of directors. No reduction of the authorized number of directors shall have the effect of removing any director before that director's term of office expires.

## Section 6. Board Meetings.

(a) Annual Meeting. The Board shall hold an annual meeting at a time and location determined by the Board for purposes of organization, election of officers, and transaction of other business. Notice of the annual meeting shall be given in accordance with subsection (d) below.

(b) Special Meetings. Special meetings of the Board for any purpose may be called at any time by the Chairperson, the CEO, if any, or any two directors. Notice of any special meeting shall be given in accordance with subsection (d) below.

(c) Bagley-Keene Open Meeting Act. Board meetings shall be subject to the rules of the Bagley-Keene Open Meeting Act ("Act") (California Government Code Section 11120 et seq.). Specifically, notice of meetings shall comply with subsection (d) below and all meetings shall be open to the public unless specifically noticed as a "closed session" in compliance with the Act.

(d) Notice. Notice of Board meetings, specifying the time and place of the meeting and a specific agenda for the meeting, shall be given to each director (and any other person who has requested, in writing, notice of meetings), at least ten (10) days before the meeting. The notice and agenda must also be posted on the Council's website at least 10 days before the meeting. Any notice/agenda sent on less than 10 days notice must be in accordance with the exceptions provided by the Act.

(e) Place of Meetings. Meetings of the Board shall be held at any place within California that has been designated in the notice of the meeting.

(f) Meetings by Telephone or Video Conference or by Electronic Transmission. Directors may participate in a meeting of the Board through use of conference telephone, electronic video screen communication, or electronic transmission by and to the corporation (Corporation Code Sections 20 and 21).

Participation in a meeting through use of conference telephone or electronic video screen communication constitutes presence in person at that meeting as long as all directors participating in the meeting are able to hear one another.

Participation in a meeting through use of electronic transmission by and to the corporation, other than conference telephone and electronic video screen communication, constitutes presence in person at that meeting if both of the following apply:

(1) Each director participating in the meeting can communicate with all of the other directors concurrently.

(2) Each director is provided the means of participating in all matters before the Board, including, without limitation, the capacity to propose, or to interpose an objection to, a specific action to be taken by the corporation.



(g) Quorum/Act of the Board. A majority of the voting directors shall constitute a quorum for the transaction of business, except to adjourn. Except as specifically provided in these bylaws or in the California Nonprofit Public Benefit Corporation Law, every action taken or decision made by a majority of the directors present at a duly held meeting at which a quorum is present shall be the act of the Board. A meeting at which a quorum is initially present may continue to transact business, despite the withdrawal of directors, if any action taken or decision made is approved by at least a majority of the required quorum for that meeting.

(h) Voting Power. For all purposes, the voting power of each voting director shall be one vote.

(i) Attendance. Any director who misses three (3) consecutive Board meetings for any reason automatically loses his or her seat on the Council. Staff will immediately notify the director and the appointing entity via email regarding the removal after the third missed Board meeting.

The Board may waive this provision as to a particular 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. Any vacancy created by this provision shall be filled in accordance with Article V, Section 5(c) above.

Section 7. Compensation and Reimbursement. Directors shall not receive compensation from the Council for their services on the Board. Directors may receive such reimbursement of expenses as the Board may determine by resolution to be fair and reasonable at the time that the resolution is adopted.

Section 8. Property Rights. No director shall have any property rights in any assets of the corporation.

## ARTICLE VI.

### OFFICERS

Section 1. Officers of the Corporation. The elected officers of the corporation shall be a Chairperson, Vice-Chairperson, Secretary, and Treasurer. The offices of Secretary and Treasurer may be combined and held by one director in the discretion of the Board. If combined, the office shall be known as the "Secretary/Treasurer". All officers must be directors. The CEO, if any, shall be an officer but not an elected officer.

Section 2. Election of Officers. The elected officers of the corporation shall be elected by the Board from among its directors at the annual meeting.

Section 3. Terms of Office; Term Limits. Officers shall serve at the pleasure of the Board for one-year terms. There is no limit on the number of terms an officer may serve if he or she is a director and continues to be elected to an officer position by the Board.

Section 4. Removal of Officers. Any elected officer may be removed at any time, with or without cause, by a majority vote of the Board at any properly called meeting where a quorum is present.

Section 5. Resignation of Officers. An officer may resign at any time by giving written notice to the Chairperson or the Secretary. The resignation shall take effect as of the date the notice is received or at any later time specified in the notice and, unless otherwise specified in the notice, the resignation need not be accepted to be effective.

Section 6. Vacancies in Office. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled by a majority vote of the directors present at any annual or special meeting of the Board where a quorum is present. The individual filling a vacant officer position shall serve until the end of the term of the officer whose vacancy he or she is filling.

Section 7. Responsibilities of Officers.

(a) Chairperson. The Chairperson of the Board shall preside at meetings of the Board and shall exercise and perform such other powers and duties as the Board may assign from time to time. If there is no CEO, the Chairperson of the Board shall also be the Chief Executive Officer and shall have the powers and duties of the CEO of the corporation prescribed by these Bylaws.

(b) Vice-Chairperson. If the Chairperson is absent or disabled, the Vice-Chairperson shall perform all duties of the Chairperson. When so acting, the Vice-Chairperson shall have all powers of and be subject to all restrictions on the Chairperson. The Vice-Chairperson shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

(c) Secretary.

(i) Book of Minutes. The Secretary shall keep or cause to be kept, at the corporation's principal office or such other place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board, and committees of the Board. The minutes of meetings shall include the time and place that the meeting was held, whether the meeting was annual or special, and, if special, how authorized, the notice given, and the names of those present at the Board and committee meetings. The Secretary shall keep or cause to be kept, at the principal office in California, a copy of the Articles of Incorporation and the Bylaws, as amended to date.

(ii) Notices, Seal, and Other Duties. The Secretary shall give, or cause to be given, notice of all meetings of the Board and of its committees required by these Bylaws. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

(iii) If the Chairperson and Vice-Chairperson are both absent or unable to serve, the Secretary shall perform all the duties of the Chairperson. When so acting, the Secretary shall have all powers of and be subject to all restrictions on the Chairperson.

(d) Treasurer.

(i) Books of Account. The Treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The Treasurer shall send or cause to be given to the directors such financial statements and reports as are required to be given by law, by these Bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

(ii) Deposit and Disbursement of Money and Valuables. The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board may designate, shall disperse the corporation's funds as the Board may order, shall render to the Chairperson, the CEO, if any, and the Board, when requested, an account of all transactions as Treasurer and of the financial condition of the corporation, and shall have such other powers and perform such other duties as the Board or the Bylaws may prescribe.

(e) Chief Executive Officer. The CEO, if any, may be either an independent contractor/consultant or an at-will employee, as appropriate under law. The CEO, if any, shall be the chief executive officer and general manager of the Council and shall manage the corporation's day-to-day activities, affairs, and administration under the supervision of the Board. The CEO shall keep the Board apprised of significant matters relating to the operation of the corporation, its activities, employees, contractors, and financial condition. The CEO shall have such other powers and duties as the Board or the Bylaws may prescribe.

## ARTICLE VII.

### COMMITTEES

Section 1. Committees of the Board. The Board, by resolution, may create committees of the Board, each consisting of two or more directors *and no persons who are not directors*, to serve at the pleasure of the Board. The Board shall appoint a Chair for each committee of the Board from among the directors. The Chair of each committee shall appoint the members of the committee from among the directors. Any such committee, to the extent provided in the Board resolution, shall have all the authority of the Board, except that no committee, regardless of Board resolution, may:

(a) Fill vacancies on the Board or on any committee that has the authority of the Board;

(b) Authorize reimbursement of the directors for serving on the Board or on any committee;

(c) Amend or repeal Bylaws or adopt new Bylaws;

(d) Amend or repeal any resolution of the Board that by its express terms is not so amendable or repealable;

(e) Create any other committees of the Board or appoint the members of committees of the Board; or

(f) Approve any contract or transaction to which the corporation is a party and in which one or more of its directors has a material financial interest, except as special approval is provided for in Section 5233(d)(3) of the California Corporations Code.

## Section 2. Executive Committee.

The Executive Committee shall be a “standing advisory committee”. The Executive Committee shall be subject to the rules applicable to “advisory committees” described below except that the Executive Committee shall consist of the elected officers of the corporation – Chairperson, Vice-Chairperson, Secretary, and Treasurer – and the Chairperson of the Council shall be the Chair of the Executive Committee.

The Executive Committee may develop policies for Board approval, and may review and recommend to the Board changes to the bylaws and to other operating policies. The Executive Committee shall also have such authority as is delegated to it by the Board.

Section 3. Advisory Committees. The Board may also establish advisory committees composed of at least one director and any number of other interested persons who are not directors. The Board shall appoint a Chair for each advisory committee. The Chair of each advisory committee shall appoint the members of the committee. Advisory committees shall provide advice and recommendations to the Board but shall not have the authority of the Board or any final decision making authority, except as provided above in Section 2 of this Article.

Section 4. Notice Requirements for Committees. Committees shall comply with the Bagley-Keene Open Meeting Act. Written notice and agenda requirements for committee meetings shall be the same as for Board meetings. Committee meetings may be called by the Chairperson of the Council, the Chair of the committee, or by a majority of the members of the committee.

Section 5. Quorum for Committees. A majority of the voting members of any committee shall constitute a quorum, and the acts of a majority of the voting members present at a meeting at which a quorum is present shall constitute the act or recommendation of the committee.

Section 6. Meetings by Telephone or Video Conference or by Electronic Transmission. Any meeting of a committee may be held by telephone or video conference or by electronic transmission in the same manner provided for in Article V of these bylaws.

## ARTICLE VIII.

### LIABILITY, INDEMNIFICATION, AND INSURANCE

Section 1. Liability. No volunteer director or officer shall be liable to third parties if the volunteer director or officer has met the requirements for good faith performance of his or her duties prescribed by the California Nonprofit Public Benefit Corporation Law and the

corporation has met its duties relative to insurance required by the California Nonprofit Public Benefit Corporation Law.

Section 2. Right of Indemnity. To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in Section 5238(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any "proceeding", as that term is used in that section, and including an action by or in the right of the corporation, by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this Bylaw, shall have the same meaning as in Section 5238(a) of the California Corporations Code.

Section 3. Approval of Indemnity. On written request to the Board by any person seeking indemnification under Section 5238(b) or Section 5238(c) of the California Corporations Code, the Board shall promptly determine under Section 5238(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so, the Board shall authorize indemnification.

Section 4. Advancement of Expenses. To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification pursuant to these Bylaws in defending any proceeding covered by such indemnification shall be advanced by the corporation before final disposition of the proceeding, on receipt by the corporation of an undertaking by or on behalf of that person, that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the corporation for those expenses.

Section 5. Insurance. The Board shall authorize the purchase and maintenance of an insurance policy or policies on behalf of its directors, officers, and employees against any liabilities, other than for violating provisions against self-dealing, incurred by the director, officer, or employee in such capacity or arising out of their status as such. Such policy shall meet the requirements set forth in Corporations Code Section 5239.

## ARTICLE IX.

### RECORDS AND REPORTS

Section 1. Maintenance of Corporate Records. The corporation shall keep:

- (a) Adequate corporate books and records of account;
  - (b) Written minutes of the proceeding of its Board and committees of the Board;
- and
- (c) A record of each director's name, address, telephone number, facsimile number, and electronic mail address, if any.

Section 2. Maintenance of Articles and Bylaws. The corporation shall keep at its principal office the original or a copy of the Articles of Incorporation and Bylaws, as amended to date.

Section 3. Inspection by Directors. Every director shall have the right to inspect the corporation's books, records, and documents to the extent allowed by the California Nonprofit Public Benefit Corporation Law.

Section 4. Annual Report. The Board shall cause an annual report to be sent to directors within 120 days after the end of the corporation's fiscal year. That report should contain the following information, in appropriate detail, for the fiscal year:

- (a) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year.
- (b) The principal changes in assets and liabilities, including trust funds.
- (c) The revenue or receipts of the corporation, both unrestricted and restricted to particular purposes.
- (d) The expenses or disbursements of the corporation for both general and restricted purposes.
- (e) Any information required by Section 5 of this article.

The annual report shall be accompanied by any report of independent accountants or, if there is no such report, by the certificate of an authorized officer of the corporation that such statement were prepared without audit from the corporation's books and records.

This requirement of an annual report shall not apply if the corporation receives less than \$25,000 in gross receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all directors who request it in writing.

Section 5. Annual Statement of Certain Transactions and Indemnifications.

If any of the following types of transactions or indemnifications occurred during the previous fiscal year, then as part of the annual report to all directors, or as a separate document if no annual report is issued, the corporation shall prepare and mail or deliver to each director a statement of any such transaction or indemnification within 120 days after the end of the corporation's fiscal year:

- (a) Any transaction:
  - (i) in which the corporation, its parent or its subsidiary was a party,
  - (ii) in which an "interested person" had a direct or indirect material financial interest, and
  - (iii) which involved more than \$50,000, or was one of a number of transactions with the same "interested person" involving, in the aggregate, more than \$50,000.

The statement shall include a brief description of the transaction, the names of "interested persons" involved, their relationship to the corporation, the nature of their interest in the transaction and, if practicable, the amount of that interest, provided that if the transaction was with a partnership in which the "interested person" is a partner, only the interest of the partnership need be stated.

(b) Any indemnifications or advances aggregating more than \$10,000 which were paid during the fiscal year to any officer or director of the corporation.

## ARTICLE X.

### MISCELLANEOUS

Section 1. Fiscal Year. Unless changed by the Board, the fiscal year of the corporation shall begin on the first day of January and end on the last day of December of each year.

Section 2. Conflicts of Interest. Board members and committee members must actively seek to avoid situations and activities that create an actual or potential conflict between the individual's personal interests and the interests of the corporation. If a Board member or committee member believes that a conflict exists relative to a particular issue being considered by the Board or any committee, he or she shall disclose the conflict to the Board or committee, as appropriate, and abstain from discussion or voting on the issue.

For purposes of this section and these bylaws, a "conflict of interest" means a situation in which a board or committee member is part of a discussion or decision by the board or a committee which has the potential to financially benefit that board or committee member or a member of that board or committee member's immediate family. "Immediate family" means, spouse or same-sex/domestic partner, children, parents, siblings, parents-in-law, or siblings-in-law.

Both the fact and the appearance of a conflict of interest should be avoided. Board members or committee members who are unsure as to whether a certain transaction, activity, or relationship constitutes a conflict of interest should discuss it with the Chairperson, who will determine whether disclosure to the Board or the assistance of legal counsel is required.

Section 3. Intellectual Property. All intellectual property prepared or purchased by or on behalf of the corporation, including but not limited to newsletters, educational, promotional, and training materials, contracts, trade names, logos, service marks, and lists of certificate holders, shall be the exclusive property of the corporation and Board members agree to deal with it as such. Board members agree that they will not sell, transfer, publish, modify, distribute, or use for their own purposes, the intellectual property belonging to the corporation without the prior approval of the Board memorialized in a writing signed by the Chairperson.

Section 4. Required Filings and Disclosures. The Board shall ensure that the required filings are made at applicable state and federal agencies, including but not necessarily limited to filings required by the Secretary of State, the Attorney General's office, the Internal Revenue Service, and the Franchise Tax Board.

The Council shall also comply with the disclosure requirements of federal and state agencies to which it is subject. Requirements which are applicable to the Council include but are not necessarily limited to making the corporation's annual exempt organization filing (IRS Form 990) available to the public, and registering with the Attorney General's office in California.

Section 5. Construction and Definitions. Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the Nonprofit Public Benefit Corporation Law shall govern the construction of these Bylaws. Without limiting the generality of this provision, the singular includes the plural, the plural includes the singular, the masculine includes the feminine and neuter, and the term "person" includes both an individual and an entity.

## ARTICLE XI.

### AMENDMENTS

Section 1. Amendments. Subject to any limitations in the law, these Bylaws may be initially adopted, and thereafter amended, or repealed and new bylaws adopted, by a majority vote of the Board at any properly called meeting where a quorum is present, so long as the amendments, proposed repeal, or new bylaws are provided to each director at least ten (10) days prior to the meeting at which such amendments, repeal, or new bylaws will be discussed and voted on.

## ARTICLE XII.

### DISSOLUTION

Section 1. Remaining Assets. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit organization which is organized and operated exclusively for public and charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.



## **CERTIFICATE OF SECRETARY**

I certify that I am the duly elected and acting Secretary of the CALIFORNIA MASSAGE THERAPY COUNCIL, a California nonprofit public benefit corporation; that the above Bylaws, consisting of 15 typewritten pages including this page, are the Bylaws of this corporation as approved by the Board of Directors on April 6, 2010; and that they have not been amended or modified since that date.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 at  
\_\_\_\_\_, California.

\_\_\_\_\_  
Dr. Ben Drillings, Secretary



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

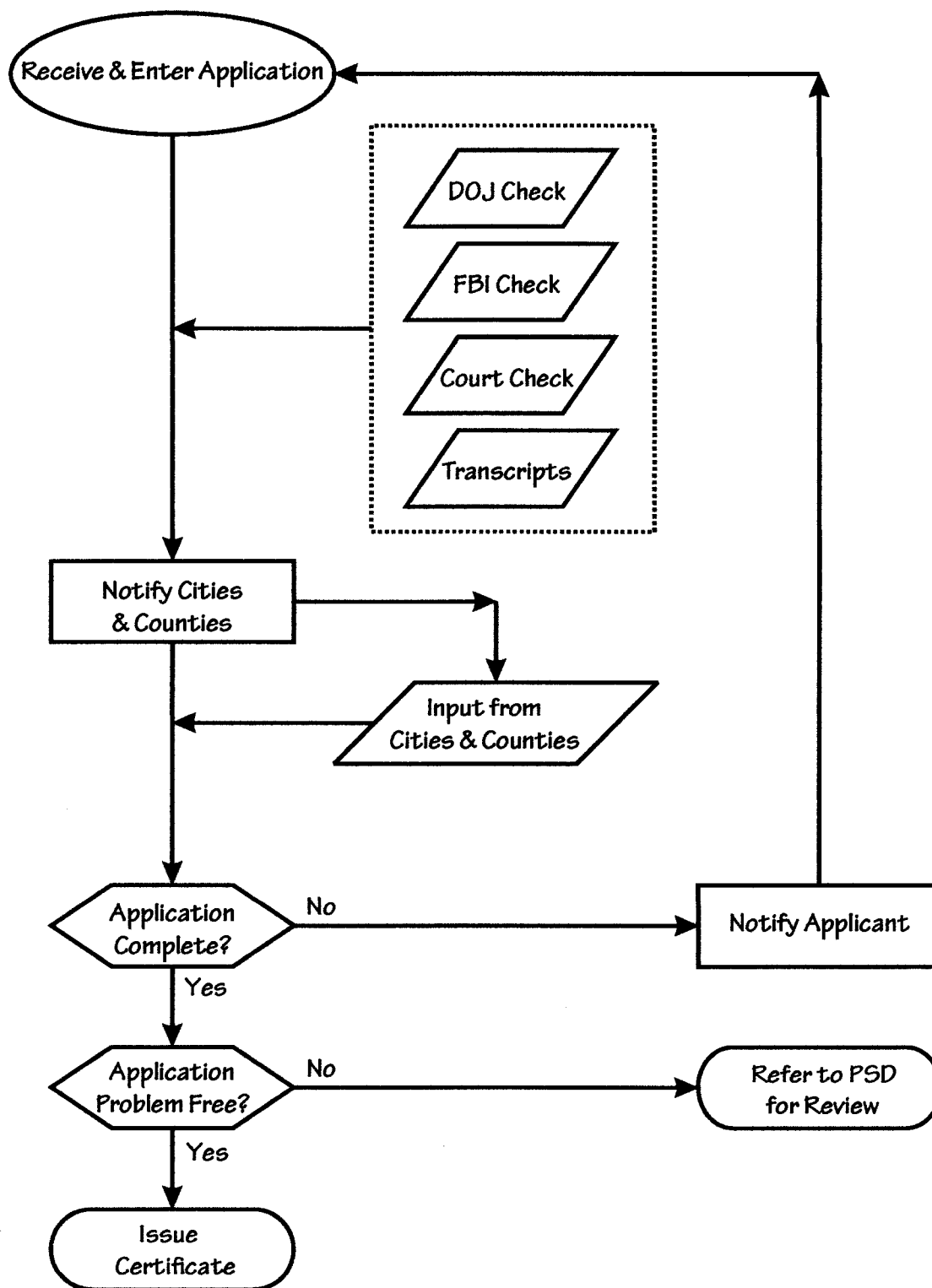
## Flowchart for Application Processing

# CAMTC Application Processing



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





**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Procedures for Denial of Certification or Discipline/Denial

- a. Initial version, adopted October 22, 2009
- b. Revised version, adopted June 2, 2010
- c. Current operative version, adopted  
February 13, 2013

**CALIFORNIA MASSAGE THERAPY COUNCIL**  
**PROCEDURES FOR DENIAL OF CERTIFICATION OR DISCIPLINE/REVOCATION**

Pursuant to California Business and Professions Code Section 4603.1, the California Massage Therapy Council (the "Council") 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 Section 4601 or 4604.
  - b. Failure to obtain a positive fitness determination after fingerprinting pursuant to Section 4601.3.
  - c. Unprofessional conduct, including, but not limited to, denial of licensure, revocation, suspension, restriction, 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, or judgment shall be conclusive evidence of these actions.
  - 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 or term of the Law or any rule or bylaw adopted by the Council.
  - f. Conviction of any felony, or conviction of a misdemeanor that is substantially related to the qualifications, functions, or duties of a certificate holder, in which event the record of the conviction shall be conclusive evidence of the crime.
  - g. Impersonating an applicant or acting as a proxy for an applicant in any examination referred to under the Law for the issuance of a certificate.
  - h. Impersonating a certified practitioner or therapist, or permitting or allowing an uncertified 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.

2. Investigations. Section 4601(g) of the Law provides:

(1) The organization shall have the responsibility to determine that the school or schools from which an applicant has obtained the education required by this chapter meet the requirements of this chapter. If the organization 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 organization shall investigate the facts* to determine that the applicant received the required education prior to issuing a certificate.

(2) For purposes of paragraph (1) *and any other provision of this chapter for which the organization is authorized to receive factual information as a condition of taking any action*, the organization shall have the authority to conduct oral interviews of the applicant and others or to make any investigation deemed necessary to establish that the information received is accurate and satisfies any criteria established by this chapter.

If an applicant has been convicted of a felony or misdemeanor, whether expunged or not, CAMTC will conduct an investigation and review all prior convictions substantially related to the qualifications, functions or duties of a massage professional. Each application will be evaluated on a case by case basis. CAMTC will consider the nature, severity, and timing (how recent) of the offense(s), as well as rehabilitation and other factors when making a certification determination. CAMTC will make the determination for approval or denial of certification by evaluating the entire application and all supporting documentation.

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.

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.

- b. Suspending the certificate and the rights conferred by the Law 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 committee appointed by the Council, deems proper.
- f. Notwithstanding any other provision of 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 paragraph 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 days at the address last filed with the Council that the certificate has been suspended, and the reason for the suspension.
  - (3) Notify any business within 10 days that the Council has in its records as employing or contracting with the certificate holder that the certificate has been suspended.

Upon notice to the Council that the charges described above in this subparagraph f. have resulted in a conviction, the suspended certificate shall become subject to permanent revocation. The Council shall provide notice to the certificate holder within 10 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 that the conviction is either invalid or that the information is otherwise erroneous.

Upon notice that the charges have resulted in an acquittal, or have otherwise been dismissed prior to conviction, the certificate shall be immediately reinstated and the certificate holder and any business that received notice pursuant to these procedures shall be notified of the reinstatement within 10 days.

- 5. Procedure for denial or revocation of a certificate. If the Council determines that grounds appear to exist for denial of an application for certification or discipline of an existing certificate holder, the procedures set forth below shall be followed (except in cases where the specific procedures in paragraph 4.f. apply):

- a. The Council shall appoint a committee responsible for reviewing and making determinations regarding denials and discipline. The committee shall be composed of any number of individuals deemed appropriate by the Council. The committee may be a standing committee that handles all denials and discipline, or the Council may appoint a new committee for each proposed denial or discipline, in the Council's discretion. The Council shall ensure that the individuals on any committee making 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 committee 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. The hearing shall be held, or the written statement considered, by the committee, which is authorized to determine whether the denial of certification or proposed discipline should occur. The decision of the committee shall be final.
- Notice of the committee'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.
- d. 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 one year after the date of the certificate denial or certificate holder discipline. If the action is successful, the court may order any relief, including reinstatement, that it finds equitable under the circumstances.
- e. An applicant or certificate holder who is denied certification or disciplined shall be liable for any charges incurred, services or benefits actually rendered or fees incurred before the certificate denial or certificate holder discipline or arising from contract or otherwise.



**CALIFORNIA MASSAGE THERAPY COUNCIL**  
**PROCEDURES FOR DENIAL OF CERTIFICATION OR DISCIPLINE/REVOCATION**

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  - c. Unprofessional conduct, including, but not limited to, denial of licensure, revocation, suspension, restriction, 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, or judgment shall be conclusive evidence of these actions.
  - 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 or term of the Law or any rule or bylaw adopted by the Council.
  - f. Conviction of any felony, or conviction of a misdemeanor that is substantially related to the qualifications, functions, or duties of a certificate holder, in which event the record of the conviction shall be conclusive evidence of the crime.
  - g. Impersonating an applicant or acting as a proxy for an applicant in any examination referred to under the Law for the issuance of a certificate.
  - h. Impersonating a certified practitioner or therapist, or permitting or allowing an uncertified 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.
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2. Investigations. Section 4601(g) of the Law provides:

(1) The organization shall have the responsibility to determine that the school or schools from which an applicant has obtained the education required by this chapter meet the requirements of this chapter. If the organization 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 organization shall investigate the facts* to determine that the applicant received the required education prior to issuing a certificate.

(2) For purposes of paragraph (1) *and any other provision of this chapter for which the organization is authorized to receive factual information as a condition of taking any action*, the organization shall have the authority to conduct oral interviews of the applicant and others or to make any investigation deemed necessary to establish that the information received is accurate and satisfies any criteria established by this chapter.

If an applicant has been convicted of a felony or misdemeanor, whether expunged or not, CAMTC will conduct an investigation and review all prior convictions substantially related to the qualifications, functions or duties of a massage professional. Each application will be evaluated on a case by case basis. CAMTC will consider the nature, severity, and timing (how recent) of the offense(s), as well as rehabilitation and other factors when making a certification determination. CAMTC will make the determination for approval or denial of certification by evaluating the entire application and all supporting documentation.

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- b. Issue an initial certificate on probation, with specific terms and conditions.

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.
- b. Suspending the certificate and the rights conferred by the Law 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.
- f. Notwithstanding any other provision of 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 paragraph 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 days at the address last filed with the Council that the certificate has been suspended, and the reason for the suspension.
  - (3) Notify any business within 10 days that the Council has in its records as employing or contracting with the certificate holder that the certificate has been suspended.

Upon notice to the Council that the charges described above in this subparagraph f. have resulted in a conviction, the suspended certificate shall become subject to permanent revocation. The Council shall provide notice to the certificate holder within 10 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 that the conviction is either invalid or that the information is otherwise erroneous.

Upon notice that the charges have resulted in an acquittal, or have otherwise been dismissed prior to conviction, the certificate shall be immediately reinstated and the certificate holder and any business that received notice pursuant to these procedures shall be notified of the reinstatement within 10 days.

5. Procedure for denial, suspension, or revocation of a certificate. All denials, suspensions, revocations, and other discipline required or allowed by the Law and these Procedures shall be carried out by an employee of the Council known as the Division Director of Professional Standards (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 paragraph 4.f. apply):

- a. The PSD shall be responsible for reviewing and making determinations regarding denials and discipline. The PSD shall ensure that the PSD employees making 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 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. 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, who together are authorized to determine whether the denial of certification or proposed discipline should occur. The decision of the Division Director/PSD shall be final.

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.

- d. 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 one year after the date of the certificate denial or certificate holder discipline. If the action is successful, the court may order any relief, including reinstatement, that it finds equitable under the circumstances.
- e. An applicant or certificate holder who is denied certification or disciplined shall be liable for any charges incurred, services or benefits actually rendered or fees incurred before the certificate denial or certificate holder discipline or arising from contract or otherwise.



**Approved by the CAMTC Board 3/15/11**  
**Amended 11/5/12**  
**Amended 2/13/13**

## **PROCEDURES FOR DENIAL OF CERTIFICATION OR DISCIPLINE/REVOCATION**

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  - 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 or term of the Law or any rule or bylaw adopted by the Council.
  - f. Conviction of any felony, misdemeanor, infraction, or municipal code violation, or liability in an administrative or civil action, that is substantially related to the qualifications, functions, or duties of a certificate holder, in which event the record of the conviction or other judgment 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 under the Law for the issuance of a certificate.

- h. Impersonating a certified practitioner or therapist, or permitting or allowing an uncertified person to use a certificate.
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2. Investigations. Section 4601(g) of the Law provides:

(1) The council shall have the responsibility to determine that the school or schools from which an applicant has obtained the education required by this chapter meet the requirements of this chapter. 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 paragraph (1) and any other provision of this chapter for which the council is authorized to receive factual information as a condition of taking any action, the council shall have the authority to conduct oral interviews of the applicant and others or to make any investigation deemed necessary to establish that the information received is accurate and satisfies any criteria established by this chapter.

If an applicant has been convicted of a felony or misdemeanor, whether expunged or not, CAMTC will conduct an investigation and review all prior convictions substantially related to the qualifications, functions or duties of a massage professional. Each application will be evaluated on a case by case basis. CAMTC will consider the nature, severity, and timing (how recent) of the offense(s), as well as rehabilitation and other factors when making a certification determination. CAMTC will make the determination for approval or denial of certification by evaluating the entire application and all supporting documentation.

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.

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.
  - b. Suspending the certificate and the rights conferred by the Law 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.
  - f. Notwithstanding any other provision of 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 paragraph 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 days at the address last filed with the Council that the certificate has been suspended, and the reason for the suspension.
    - (3) Notify any business within 10 days that the Council has in its records as employing or contracting with the certificate holder that the certificate has been suspended.

Upon notice to the Council that the charges described above in this subparagraph f. have resulted in a conviction, the suspended certificate shall become subject to permanent revocation. The Council shall provide notice to the certificate holder within 10 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 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 have resulted in an acquittal, or have otherwise been dismissed prior to conviction, the certificate shall be immediately reinstated and the certificate holder and any business that received notice pursuant to these procedures shall be notified of the reinstatement within 10 days.

- g. Notwithstanding any other provision of law, if the Council receives clear and convincing evidence 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 decision to immediately suspend a certificate pursuant to this subdivision shall be based on

clear and convincing evidence and the Council shall also consider any available credible mitigating evidence before making a decision to suspend a certificate. 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 the certificate of a certificate holder 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).

(2) Notify by electronic mail or any other means consistent with the notice requirements of this chapter, within 10 business days, any business that the Council has in its records as employing or contracting with the certificate holder for massage services, and the California city or county permitting authority that has jurisdiction over any business that the Council has in its records as employing or contracting with the certificate holder, 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, a hearing to challenge the factual basis for the suspension. If the holder of the suspended certificate requests a hearing on the suspension, the hearing 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. An owner or operator of a massage business or establishment who is certified pursuant to this chapter shall be responsible for the conduct of all employees or independent contractors working on the premises of the business. Failure to comply with this chapter may result in revocation of the owner's or operator's certificate in accordance with paragraph 1 of these Denial Procedures.
6. A certificate holder shall include the name under which he or she is certified and his or her certificate number in any and all advertising and shall display his or her original certificate at his or her place of business. A certificate holder shall have his or her CAMTC identification card in his or her possession while providing massage services.
7. Procedure for denial, suspension, or revocation of a certificate. All denials, suspensions, revocations, and other discipline required or allowed by the Law and these Procedures shall be carried out by an employee of the Council known as the Division Director of Professional Standards (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 paragraph 4.f. apply):

- a. The PSD shall be responsible for reviewing and making determinations regarding denials and discipline. The PSD shall ensure that the PSD employees making 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 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. 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, who together are authorized to determine whether the denial of certification or proposed discipline should occur. The decision of the Division Director/PSD shall be final.  
  
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.
- d. 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 one year after the date of the certificate denial or certificate holder discipline. If the action is successful, the court may order any relief, including reinstatement, that it finds equitable under the circumstances.
- e. An applicant or certificate holder who is denied certification or whose certificate is revoked pursuant to section 4 of these procedures shall not be allowed to re-apply for certification until two years after the effective date of the certificate denial or certificate revocation pursuant to section 4.



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Rehabilitation Criteria

**CALIFORNIA MASSAGE THERAPY COUNCIL  
CRITERIA FOR PROOF OF REHABILITATION**

Pursuant to California Business and Professions Code Sections 480(b), 482, and 4603.1, the California Massage Therapy Council (the "Council") hereby adopts the following criteria for applicants to prove rehabilitation after proposed denial of certification under California Business and Professions Code Sections 4600 et seq.

The Council evaluates each application on a case-by-case basis considering the totality, weight, and competency of the evidence provided and uses the following criteria to determine satisfactory rehabilitation:

1. The nature and severity of the act(s) or crime(s);
2. Additional subsequent act(s) or crime(s);
3. The number of act(s) or crime(s);
4. How recent the act(s) or crime(s) were;
5. Compliance with terms of parole, probation, restitution, or other sanctions; and
6. Evidence of rehabilitation submitted by the applicant.

The burden of proof lies with the applicant to provide sufficient evidence of rehabilitation in relation to an act or crime that is substantially related to the qualifications, functions, or duties of a certificate holder. The Council shall take into account all competent evidence of rehabilitation furnished by the applicant.



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Procedures for Un-Approval of Schools

- a. Initial version, adopted February 13, 2013
- b. Revised version, adopted May 9, 2013
- c. Current operative version, adopted  
September 19, 2013



## PROCEDURES FOR UN-APPROVAL OF SCHOOLS

Pursuant to California Business and Professions Code Section 4600 and 4601, the California Massage Therapy Council ("CAMTC") hereby adopts the following procedures relative to the un-approval of schools and the requirement to provide additional proof of adequate education (beyond merely a transcript), pursuant to California Business and Professions Code Sections 4600 et seq. (hereinafter the "Law"):

1. Reasons for un-approval. Schools may be un-approved for any of the following reasons:

- a. Selling or offering to sell transcripts, or providing or offering to provide transcripts, without requiring attendance, or full attendance, at the school.
- b. Failure to require students to attend all of the classes listed on the transcript.
- c. Failure to require students to attend all of the hours listed on the transcript.
- d. Engaging in fraudulent practices, including but not limited to, the creation of fake 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.
- e. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision or term of law or any rule or bylaw of CAMTC.
- f. Denial, suspension, revocation, or otherwise being acted against by National Certification Board for Therapeutic Massage and Bodywork, including but not limited to, denial, suspension, or revocation of approved provider code.
- g. Failure to create, record, or maintain accurate records, including but not limited to student attendance records and student transcripts.

- h. 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.
- i. 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 these sections 1. a. - h.

## 2. Investigations.

Section 4601(g) of the Law provides:

(1)The organization<sup>1</sup> shall have the responsibility to determine that the school or schools from which an applicant has obtained the education required by this chapter meet the requirements of this chapter. If the organization 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 organization shall investigate the facts to determine that the applicant received the required education prior to issuing a certificate.

(2) For purposes of paragraph (1) and any other provision of this chapter for which the organization is authorized to receive factual information as a condition of taking any action, the organization shall have the authority to conduct oral interviews of the applicant and others or to make any investigation deemed necessary to establish that the information received is accurate and satisfies any criteria established by this chapter.

If CAMTC receives information that a school has violated a provision of section 1 of these procedures, it will make a determination (in its sole discretion based on the nature of the information received) whether to investigate that claim or not. If CAMTC decides to investigate the claim and, after investigation, has credible evidence that a violation of a provision of section 1 of these procedures has occurred, CAMTC will then make a determination whether or not to propose un-approval of a school. If CAMTC decides to propose un-approval of a school, the procedures listed in section 3 below shall be followed.

Any school about which there is a concern will be evaluated and investigated on a case-by-case basis. CAMTC will consider all of the evidence before it when making a proposed or a final decision.

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<sup>1</sup> “Organization” as used in the Law means CAMTC.

With respect to investigations and/or actions against schools, including but not limited to final decisions about un-approval, CAMTC may delegate its authority under these procedures to a committee or to staff, in CAMTC's sole discretion.

3. Procedure for Notifying School of Concern and Chance to Respond.

Once the initial investigation is completed and CAMTC has made a decision to propose un-approval of a school, it shall notify the school of its intent to place it on the un-approved list. It shall also take all of the following steps:

- a. Send the school a letter notifying it of CAMTC's proposed decision to place the school on its un-approved list and identifying the reasons for that decision;
- b. Notify the school that it will be given 30 days from the date of the proposed un-approval letter to respond to the proposed un-approval in writing, including submission of any documents, evidence, and written statements;
- c. Further notify the school that if it does submit information in response to the proposed un-approval letter, it will be considered and a decision will be rendered by CAMTC within 30 days of CAMTC receiving the school's submission. The school will be notified in writing of CAMTC's decision regarding the school.
- d. Inform the school that all applications submitted with transcripts from their school that cannot be otherwise certified will be placed on hold until a final decision as to whether to list the school is made.

4. Action Against a School.

If CAMTC makes a final determination that a school has engaged in any of the conduct identified in paragraph 1 of these procedures, it may take any of the following actions, in its sole discretion:

- a. List the school as an unapproved school. If the school is listed as un-approved, a 90-day grace period will follow. During this 90-day grace period, the school's students who apply, and all of those whose application was 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 who apply after the 90-day grace period has expired will be told that, unless they have also supplied evidence of completion of required hours of massage education from one or more 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. List the school as a school for which students will have to provide additional proof of education beyond just a transcript, rather than listing the school as “un-approved”;
- c. Place the school on probation, with the specific probationary terms and conditions identified in the final decision letter, including but not limited to further inspection of school premises and documents.

If the school submits no information in response to the proposed un-approval letter, it will be listed on CAMTC’s website as an un-approved school after the time for response to the proposed un-approval letter has expired.





## PROCEDURES FOR UN-APPROVAL OF SCHOOLS

Pursuant to California Business and Professions Code Section 4600 and 4601, the California Massage Therapy Council ("CAMTC") hereby adopts the following procedures relative to the un-approval of schools and the requirement to provide additional proof of adequate education (beyond merely a transcript), pursuant to California Business and Professions Code Sections 4600 et seq. (hereinafter the "Law"):

1. Reasons for un-approval. Schools may be un-approved for any of the following reasons:

- a. Selling or offering to sell transcripts, or providing or offering to provide transcripts, without requiring attendance, or full attendance, at the school.
- b. Failure to require students to attend all of the classes listed on the transcript.
- c. Failure to require students to attend all of the hours listed on the transcript.
- d. Engaging in fraudulent practices, including but not limited to, the creation of fake 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.
- e. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision or term of law or any rule or bylaw of CAMTC.
- f. Denial, suspension, revocation, or otherwise being acted against by National Certification Board for Therapeutic Massage and Bodywork, including but not limited to, denial, suspension, or revocation of assigned school code.
- g. Failure to create, record, or maintain accurate records, including but not limited to student attendance records and student transcripts.

- h. 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.
- i. 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 these sections 1. a. - h.

## 2. Investigations.

Section 4601(g) of the Law provides:

(1) The council<sup>1</sup> shall have the responsibility to determine that the school or schools from which an applicant has obtained the education required by this chapter meet the requirements of this chapter. 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 paragraph (1) and any other provision of this chapter for which the council is authorized to receive factual information as a condition of taking any action, the council shall have the authority to conduct oral interviews of the applicant and others or to make any investigation deemed necessary to establish that the information received is accurate and satisfies any criteria established by this chapter.

If CAMTC receives information that a school has violated a provision of section 1 of these procedures, it will make a determination (in its sole discretion based on the nature of the information received) whether to investigate that claim or not. If CAMTC decides to investigate the claim and, after investigation, has credible evidence that a violation of a provision of section 1 of these procedures has occurred, CAMTC will then make a determination whether or not to propose un-approval of a school. If CAMTC decides to propose un-approval of a school, the procedures listed in section 3 below shall be followed.

Any school about which there is a concern will be evaluated and investigated on a case-by-case basis. CAMTC will consider all of the evidence before it when making a proposed or a final decision.

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<sup>1</sup> "Council" as used in the Law means CAMTC.

With respect to investigations and/or actions against schools, including but not limited to final decisions about un-approval, CAMTC may delegate its authority under these procedures to a committee or to staff, in CAMTC's sole discretion.

3. Procedure for Notifying School of Concern and Chance to Respond.

Once the initial investigation is completed and CAMTC has made a decision to propose un-approval of a school, it shall notify the school of its intent to place it on the un-approved list. It shall also take all of the following steps:

- a. Send the school a letter notifying it of CAMTC's proposed decision to place the school on its un-approved list and identifying the reasons for that decision;
- b. Notify the school that it will be given 30 days from the date of the proposed un-approval letter to respond to the proposed un-approval in writing, including submission of any documents, evidence, and written statements;
- c. Further notify the school that if it does submit information in response to the proposed un-approval letter, it will be considered and a decision will be rendered by CAMTC within 90 days of CAMTC receiving the school's submission. The school will be notified in writing of CAMTC's decision regarding the school.
- d. Inform the school that all applications submitted with transcripts from their school that cannot be otherwise certified will be placed on hold until a final decision as to whether to list the school is made.

4. Action Against a School.

If CAMTC makes a final determination that a school has engaged in any of the conduct identified in paragraph 1 of these procedures, it may take any of the following actions, in its sole discretion:

- a. List the school as an un-approved school. If the school is listed as un-approved, a 90-day grace period will follow. During this 90-day grace period, the school's students who apply, and all of those whose application was 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 who apply after the 90-day grace period has expired will be told that, unless they have also supplied evidence of completion of required hours of massage education from one or more 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. List the school as a school for which students will have to provide additional proof of education beyond just a transcript, rather than listing the school as “un-approved”;
- c. Place the school on probation, with the specific probationary terms and conditions identified in the final decision letter, including but not limited to further inspection of school premises and documents.

If the school submits no information in response to the proposed un-approval letter, it will be listed on CAMTC’s website as an un-approved school after the time for response to the proposed un-approval letter has expired.

## 5. Rehabilitation.

### A. Consideration of Rehabilitative Factors

Consideration of a school’s rehabilitation will be evaluated on a case-by-case basis. CAMTC will consider all available information, including the totality, weight, and reliability of the evidence when making a determination.

Factors that will be considered when determining whether a school has been rehabilitated may include, but are not necessarily limited to, the following:

- a. The seriousness of the conduct that resulted in CAMTC action against the school;
- b. The number and nature of complaints CAMTC has received about the school, both before and after CAMTC action against the school;
- c. The length of time between complaints against the school;
- d. The number and nature of disciplinary action by CAMTC or other organizations against the school;
- e. The length of time the school has been operating and approved by one of the organizations listed in 4600(a)(1)-(5);
- f. The effect CAMTC action against the school has had on the school;
- g. Safeguards instituted by the school to prevent recurrence;
- h. Actual knowledge by current school owners of the bad acts engaged in at the time the conduct that led to CAMTC action against the school occurred;
- i. Change in status with other agencies that regulate schools, such as NCBTMB (e.g. restoration of a school’s NCBTMB “school code” after suspension or revocation or change from suspension to revocation);
- j. Approval or re-approval of the school by the Bureau for Private Postsecondary Education (BPPE);
- k. Ongoing rehabilitation efforts by the school and how realistic such efforts are; and
- l. All other relevant information related to rehabilitation.

## B. Procedures

When a school requests that it be taken off the list of un-approved schools or the list of schools from which students have to provide additional proof of education beyond just a transcript (collectively “the list”), CAMTC will make the decision, in its sole discretion, based on its consideration of rehabilitative factors as described in Section A.

All such requests by schools must be:

1. in writing, and
2. sent to the CAMTC offices at One Capital Mall, Suite 320, Sacramento, CA 95814  
OR via email to [camtcreview@amgroup.us](mailto:camtcreview@amgroup.us).

CAMTC will review the information presented by the school and has the authority to investigate the evidence, including but not limited to oral interviews with a school’s management, staff, students and graduates and any other relevant witnesses, whether affiliated with the school or with other organizations.

If CAMTC determines that a school should be removed from the list (or may be eligible to be removed from the list), CAMTC may impose conditions on the school, including but not necessarily limited to the following:

- a. Requiring a school to submit periodic written progress reports identifying steps being taken to correct the unacceptable issues.
- b. Requiring a school to submit to unannounced CAMTC staff visits to the school for inspection, including but not limited to inspection of facilities, personnel, classes, and records, and to monitor the school’s activities.

Once a final decision is made by CAMTC, the school will be notified in writing of that decision.

Any school that has been placed on the list for selling transcripts may not request removal for a period of five (5) years from the date the school was added to the list. All other schools may request removal after a period of two (2) years from the date the school was added to the list.

The burden of proof is on the school to prove that it has been sufficiently rehabilitated to allow removal from the list. Whether a school that claims rehabilitation and requests removal from the list will be removed from the list is in CAMTC’s sole discretion.



## PROCEDURES FOR UN-APPROVAL OF SCHOOLS

Pursuant to California Business and Professions Code Section 4600 and 4601, the California Massage Therapy Council ("CAMTC") hereby adopts the following procedures relative to the un-approval of schools and the requirement to provide additional proof of adequate education (beyond merely a transcript), pursuant to California Business and Professions Code Sections 4600 et seq. (hereinafter the "Law"):

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- b. Failure to require students to attend all of the classes listed on the transcript.
- c. Failure to require students to attend all of the hours listed on the transcript.
- d. Engaging in fraudulent practices, including but not limited to, the creation of fake 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.
- e. Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision or term of law or any rule or bylaw of CAMTC.
- f. Denial, suspension, revocation, or otherwise being acted against by National Certification Board for Therapeutic Massage and Bodywork, including but not limited to, denial, suspension, or revocation of assigned school code.
- g. Failure to create, record, or maintain accurate records, including but not limited to student attendance records and student transcripts.

- h. 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.
- i. 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 these sections 1. a. - h.

## 2. Investigations.

Section 4601(g) of the Law provides:

(1)The council<sup>1</sup> shall have the responsibility to determine that the school or schools from which an applicant has obtained the education required by this chapter meet the requirements of this chapter. 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 organization shall investigate the facts to determine that the applicant received the required education prior to issuing a certificate.

(2) For purposes of paragraph (1) and any other provision of this chapter for which the council is authorized to receive factual information as a condition of taking any action, the council shall have the authority to conduct oral interviews of the applicant and others or to make any investigation deemed necessary to establish that the information received is accurate and satisfies any criteria established by this chapter.

If CAMTC receives information that a school has violated a provision of section 1 of these procedures, it will make a determination (in its sole discretion based on the nature of the information received) whether to investigate that claim or not. If CAMTC decides to investigate the claim and, after investigation, has credible evidence that a violation of a provision of section 1 of these procedures has occurred, CAMTC will then make a determination whether or not to propose un-approval of a school. If CAMTC decides to propose un-approval of a school, the procedures listed in section 3 below shall be followed.

Any school about which there is a concern will be evaluated and investigated on a case-by-case basis. CAMTC will consider all of the evidence before it when making a proposed or a final decision.

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3. Procedure for Notifying School of Concern and Chance to Respond.

Once the initial investigation is completed and CAMTC has made a decision to propose un-approval of a school, it shall notify the school of its intent to place it on the un-approved list. It shall also take all of the following steps:

- a. Send the school a letter notifying it of CAMTC's proposed decision to place the school on its un-approved list and identifying the reasons for that decision;
- b. Notify the school that it will be given 30 days from the date of the proposed un-approval letter to respond in writing, including submission of any documents, evidence, and written statements, and/or to request the opportunity to make an oral statement before the CAMTC Board of not more than 20 minutes;
- c. Notify the school that if an oral statement is timely requested, the school will have the opportunity to make that statement to the Board before its matter is considered;
- d. Notify the school of the outcome in writing within 90 days after the Board renders its decision; and
- e. Inform the school that all applications submitted with transcripts from their school that cannot be otherwise certified will be placed on hold until a final decision as to whether to list the school is made.

4. Action Against a School.

If CAMTC makes a final determination that a school has engaged in any of the conduct identified in paragraph 1 of these procedures, it may take any of the following actions, in its sole discretion:

- a. List the school as an un-approved school. If the school is listed as un-approved, a 90-day grace period will follow. During this 90-day grace period, the school's students who apply, and all of those whose application was 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 who apply after the 90-day grace period has expired will be told that, unless they have also supplied evidence of completion of required hours of massage education from one or more 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. List the school as a school for which students will have to provide additional proof of education beyond just a transcript, rather than listing the school as “un-approved”;
- c. Place the school on probation, with the specific probationary terms and conditions identified in the final decision letter, including but not limited to further inspection of school premises and documents.

If the school submits no information in response to the proposed un-approval letter, it will be listed on CAMTC’s website as an un-approved school after the time for response to the proposed un-approval letter has expired.

## 5. Rehabilitation.

### A. Consideration of Rehabilitative Factors

Consideration of a school’s rehabilitation will be evaluated on a case-by-case basis. CAMTC will consider all available information, including the totality, weight, and reliability of the evidence when making a determination.

Factors that will be considered when determining whether a school has been rehabilitated may include, but are not necessarily limited to, the following:

- a. The seriousness of the conduct that resulted in CAMTC action against the school;
- b. The number and nature of complaints CAMTC has received about the school, both before and after CAMTC action against the school;
- c. The length of time between complaints against the school;
- d. The number and nature of disciplinary action by CAMTC or other organizations against the school;
- e. The length of time the school has been operating and approved by one of the organizations listed in 4600(a)(1)-(5);
- f. The effect CAMTC action against the school has had on the school;
- g. Safeguards instituted by the school to prevent recurrence;
- h. Actual knowledge by current school owners of the bad acts engaged in at the time the conduct that led to CAMTC action against the school occurred;
- i. Change in status with other agencies that regulate schools, such as NCBTMB (e.g. restoration of a school’s NCBTMB “school code” after suspension or revocation or change from suspension to revocation);
- j. Approval or re-approval of the school by the Bureau for Private Postsecondary Education (BPPE);
- k. Ongoing rehabilitation efforts by the school and how realistic such efforts are; and
- l. All other relevant information related to rehabilitation.

## B. Procedures

When a school requests that it be taken off the list of un-approved schools or the list of schools from which students have to provide additional proof of education beyond just a transcript (collectively “the list”), CAMTC will make the decision, in its sole discretion, based on its consideration of rehabilitative factors as described in Section A.

All such requests by schools must be:

1. in writing, and
2. sent to the CAMTC offices at One Capital Mall, Suite 320, Sacramento, CA 95814  
OR via email to [camtcreview@amgroup.us](mailto:camtcreview@amgroup.us).

CAMTC will review the information presented by the school and has the authority to investigate the evidence, including but not limited to oral interviews with a school’s management, staff, students and graduates and any other relevant witnesses, whether affiliated with the school or with other organizations.

If CAMTC determines that a school should be removed from the list (or may be eligible to be removed from the list), CAMTC may impose conditions on the school, including but not necessarily limited to the following:

- a. Requiring a school to submit periodic written progress reports identifying steps being taken to correct the unacceptable issues.
- b. Requiring a school to submit to unannounced CAMTC staff visits to the school for inspection, including but not limited to inspection of facilities, personnel, classes, and records, and to monitor the school’s activities.

Once a final decision is made by CAMTC, the school will be notified in writing of that decision.

Any school that has been placed on the list for selling transcripts may not request removal for a period of five (5) years from the date the school was added to the list. All other schools may request removal after a period of two (2) years from the date the school was added to the list.

The burden of proof is on the school to prove that it has been sufficiently rehabilitated to allow removal from the list. Whether a school that claims rehabilitation and requests removal from the list will be removed from the list is in CAMTC’s sole discretion.



**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Policy on Foreign Transcripts



## **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 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)

World Education Services  
West Coast Director, Todd Rutkin  
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

## Organizational Charts

- a. Current tables showing membership of BOD and each committee have been included in this document.

Section 1, Tables 1a-1c.

- b. Organization Charts identifying staff by classifications assigned to each major program area, as of October 15<sup>th</sup> for each year since inception.

- i. 2009 Organizational Chart*

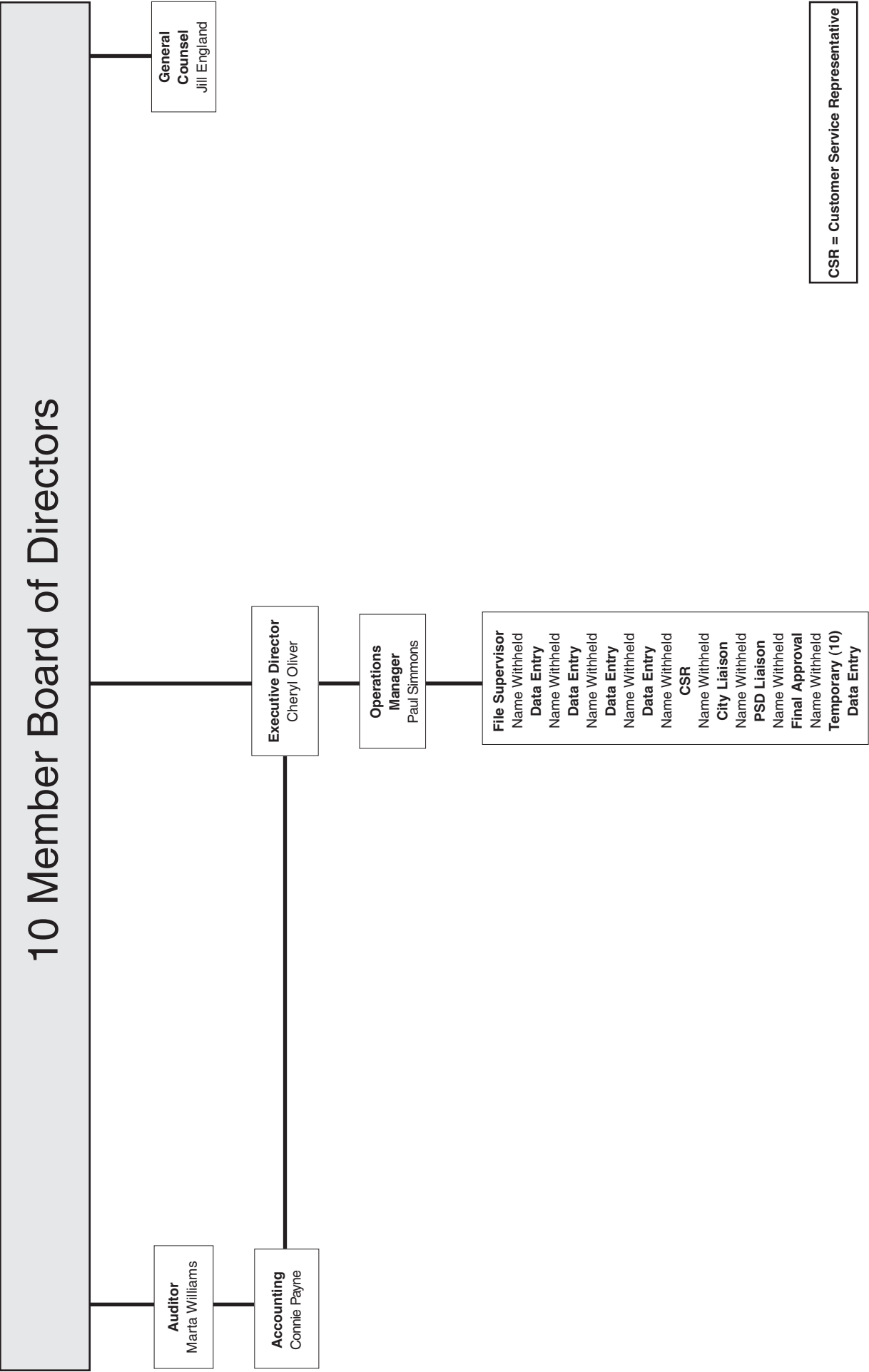
- ii. 2010 Organizational Chart*

- iii. 2011 Organizational Chart*

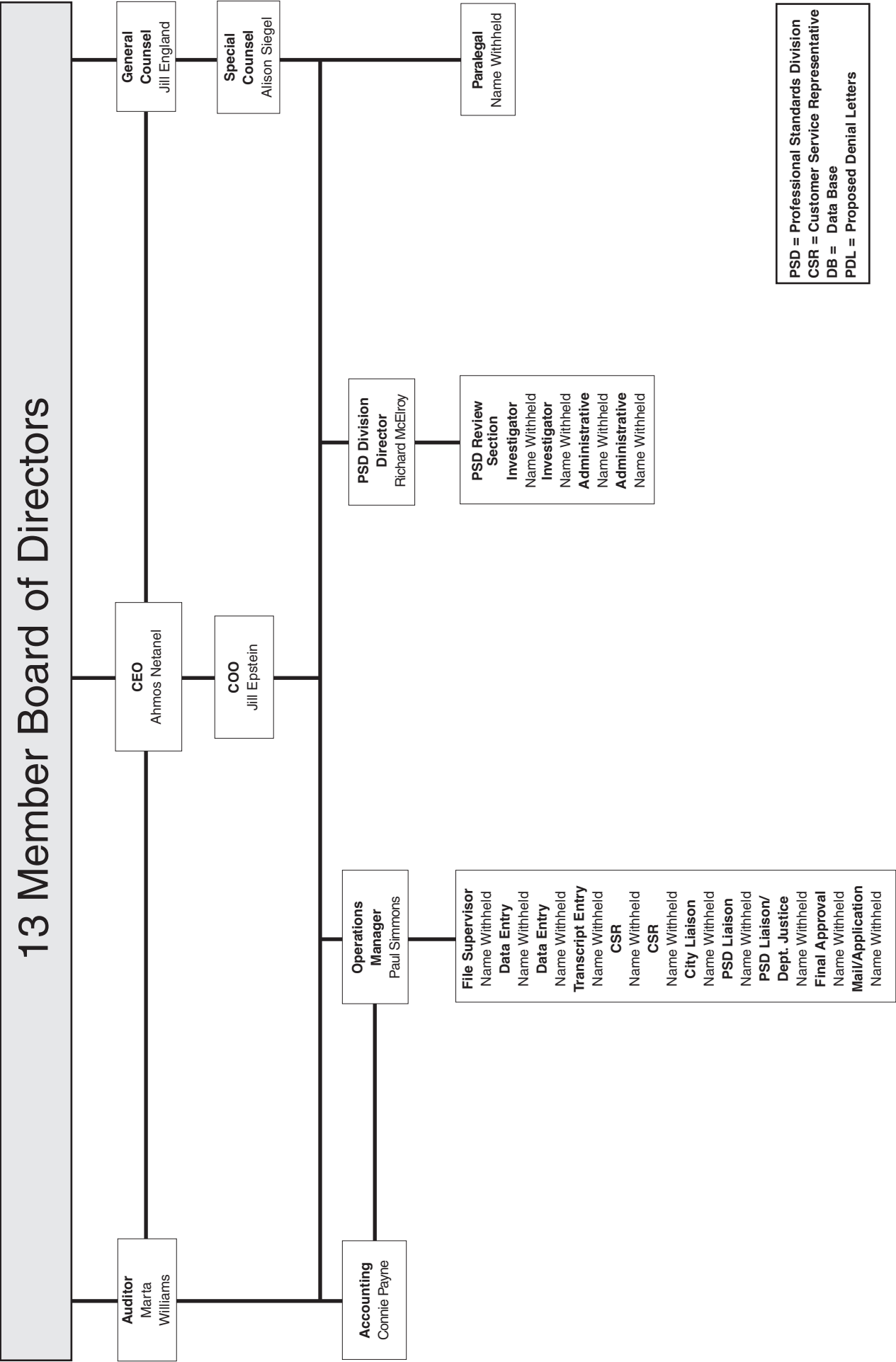
- iv. 2012 Organizational Chart*

- v. 2013 Organizational Chart*

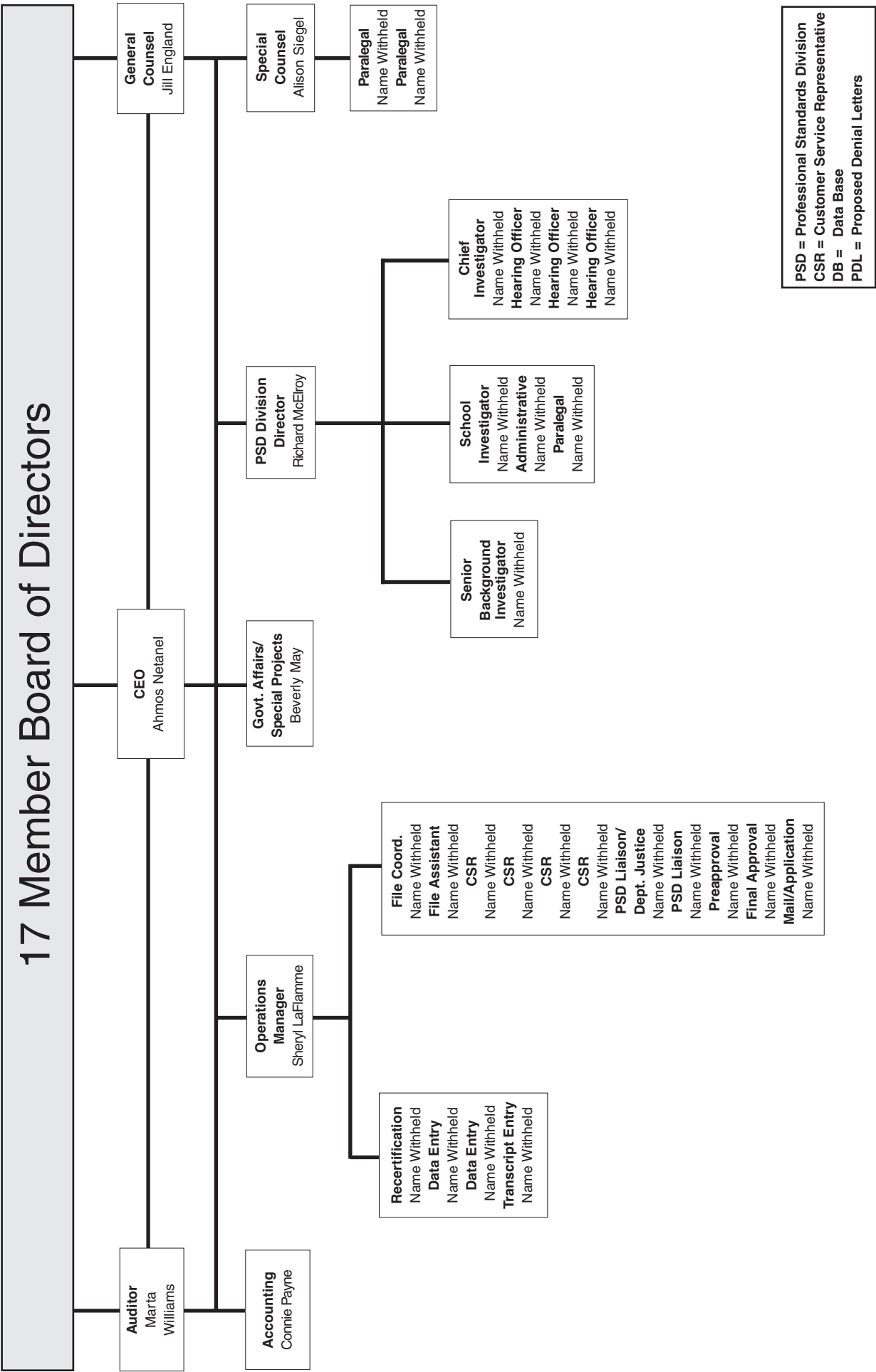
2009 CAMTC Organizational Chart as of October 15



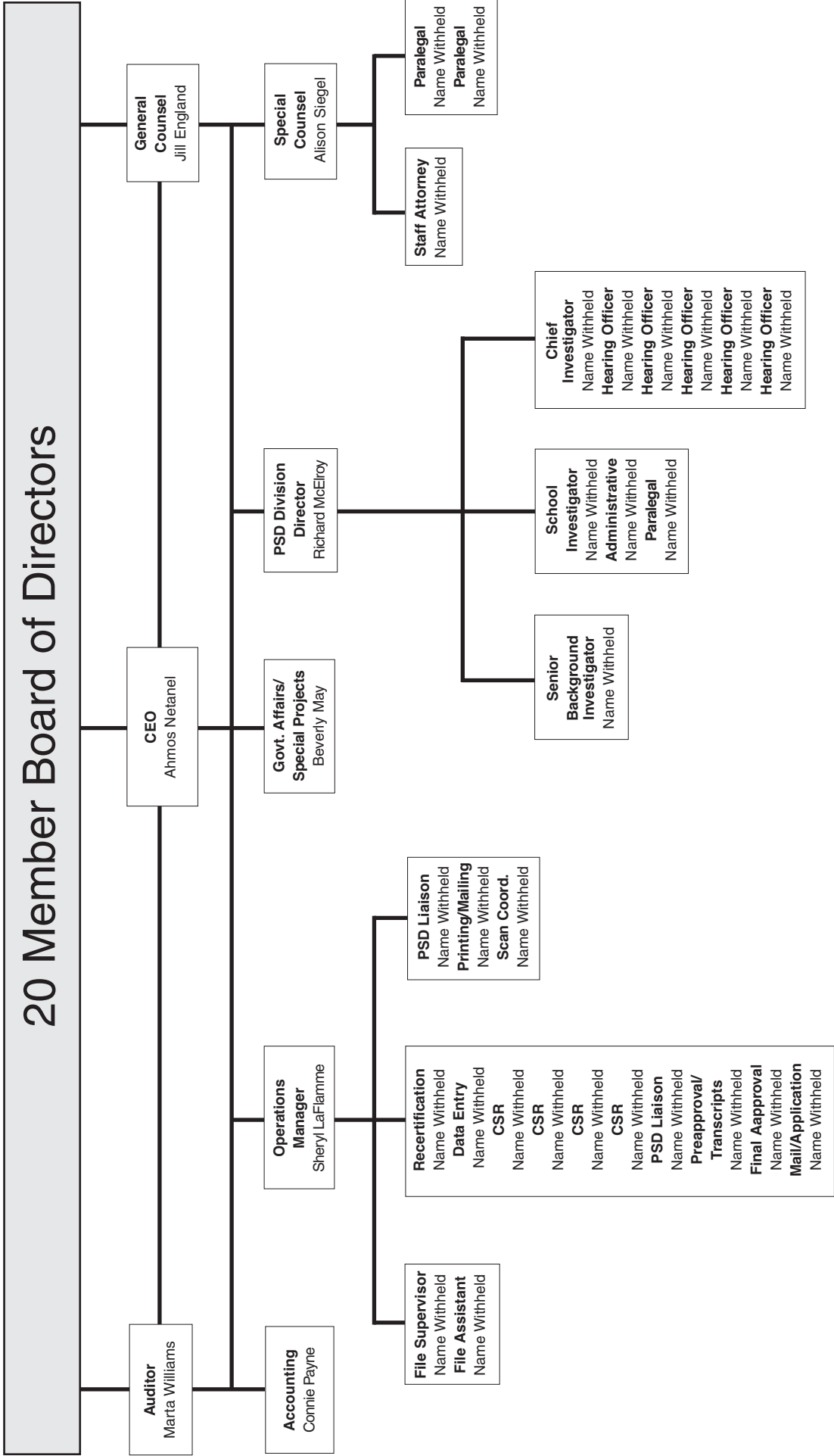
2010 CAMTC Organizational Chart as of October 15





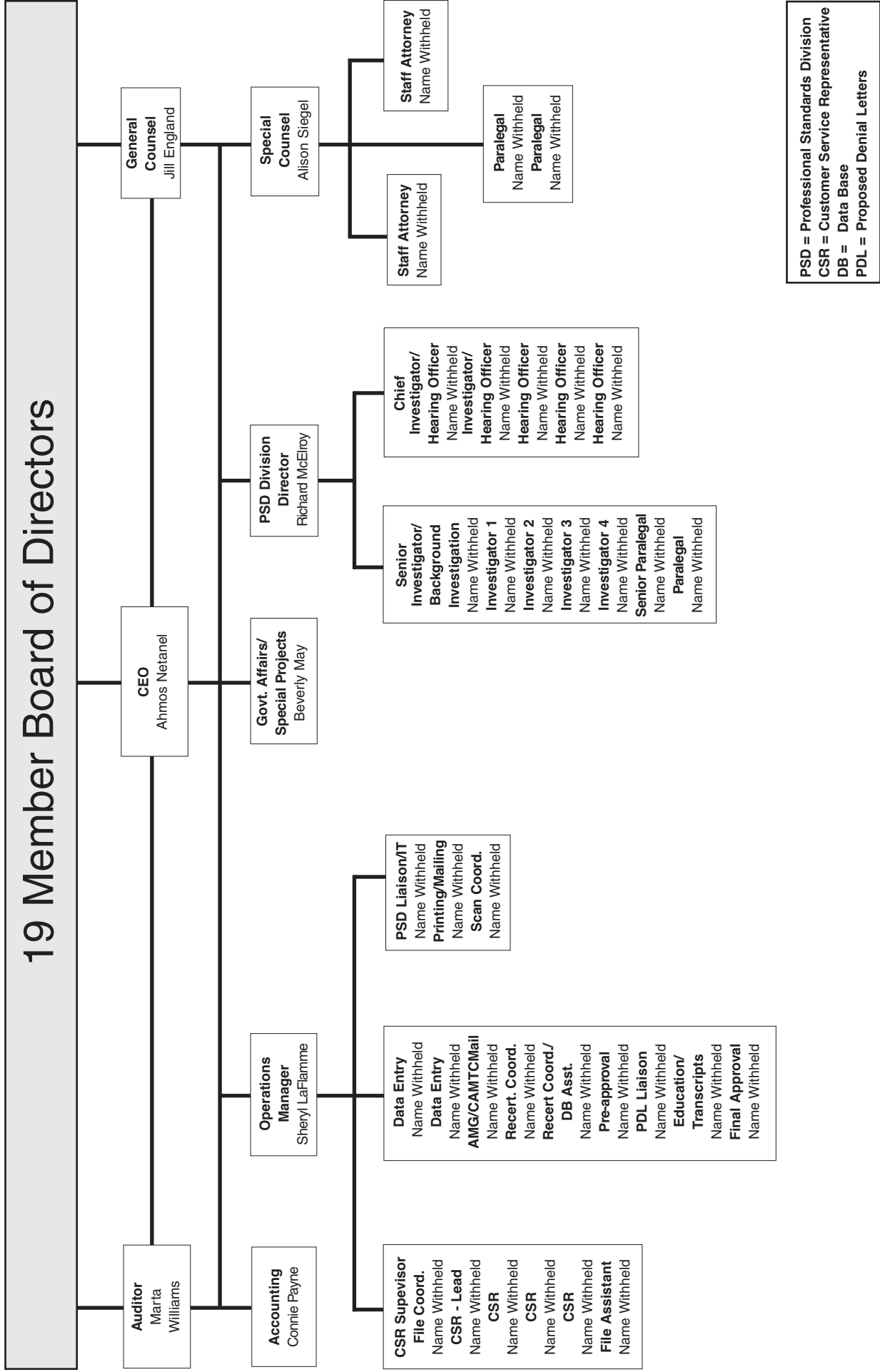


## 20 Member Board of Directors



PSD = Professional Standards Division  
CSR = Customer Service Representative  
DB = Data Base  
PDL = Proposed Denial Letters

# 2013 CAMTC Organizational Chart as of October 15





**CALIFORNIA**  
MASSAGE THERAPY  
COUNCIL

## Outreach Brochures

- a. Consumer Brochure
- b. Business Owner Brochure

The California Massage Therapy Council (CAMTC) is a non-profit organization established in 2009 to protect the public by certifying qualified massage professionals in California.

Report Questionable and/or Unprofessional Conduct of Massage Providers:

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



California Massage Therapy Council  
One Capitol Mall, Suite 320  
Sacramento, CA. 95814

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

Phone (916) 669-5336

Fax (916) 669-5337



Is your massage  
provider certified?



## What is the law?

California law provides for the voluntary certification of massage professionals by CAMTC. It is against the law for a massage provider to hold themselves out as, or otherwise imply, that they are certified when they are not certified by CAMTC.



Certificate holders found to have engaged in unprofessional or illegal conduct may have their certificates suspended or revoked, or may be subject to other discipline by CAMTC.

## Local Regulations

A growing number of California cities and counties are requiring CAMTC certification for massage professionals. If CAMTC certification is not required in a specific city or county, and a massage provider practicing in that city or county is not CAMTC certified, then the city or county may require massage providers to obtain and maintain a local permit or license.

## What Is a CMT, CMP or CCMP?

In order to be certified as a massage professional by CAMTC, an applicant must pass a background check that includes review by the California Department of Justice and FBI, and meet the educational standards established by California State Law. Massage professionals may be certified as either:



**CMT - Certified Massage Therapist**  
- 500 hours of approved education  
or 250 hours of approved education and passage of a CAMTC approved exam; or



**CMP - Certified Massage Practitioner**  
- 250 hours of approved education; or



**CCMP - Conditional Certified Massage Practitioner**  
- Applied on or before January 1 of 2012, with 100 hours of approved education, and completed a minimum of 30 hours per year of approved continuing education until 250 hours are reached within 5 years.

## Beware of massage providers who...

- Do not display their CAMTC certificate number in their advertising
- Are not listed as holders of a valid CAMTC certificate at: [www.CAMTC.org/VerifyCertification.aspx](http://www.CAMTC.org/VerifyCertification.aspx)
- Fail to provide you with their true legal name
- Fail to display their CAMTC certificate at their place of work
- Refuse to provide you with their CAMTC identification card when requested to do so
- Use the phrases "certified massage therapist" or "certified massage practitioner" or hold themselves out as CAMTC certified when they are not CAMTC certified
- Do not provide you with a clean, safe, and comfortable environment before, during, and after the massage
- Fail to treat you with respect, courtesy, confidentiality, and dignity
- Do not provide you with privacy while changing and do not provide you with the right to remove your clothing only to your own level of comfort for the massage
- Do not drape you appropriately with a sheet, towel or blanket that leaves only the area being massaged exposed
- Do not provide an explanation of the nature of the massage and techniques to be used in advance of starting the massage
- Do not provide you with the opportunity to consent to the massage techniques and approaches, including pressure, used in the massage
- Behave unprofessionally and commit sexual misconduct

# The California Massage Therapy Council (CAMTC) can help.

Is your massage  
business or spa...



...stressing you out?



California Massage Therapy Council  
One Capitol Mall, Suite 320  
Sacramento, CA. 95814

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# Take Advantage of 6 Ways California Law and CAMTC Can Benefit Your Business

**Compliance with the mandatory certification requirement of a growing number of cities and counties.**

If your business operates in a city or county that requires CAMTC certification, then those providing massage services at your business must all be CAMTC certified.



**Exemption from certain local massage regulations.**

Businesses that use only CAMTC certified massage professionals are generally not required to comply with local regulations related to land use, conditional use permits, massage establishment permits, and zoning requirements, unless these local regulations are also uniformly applied to others providing professional services as defined in Corporations Code section 13401.

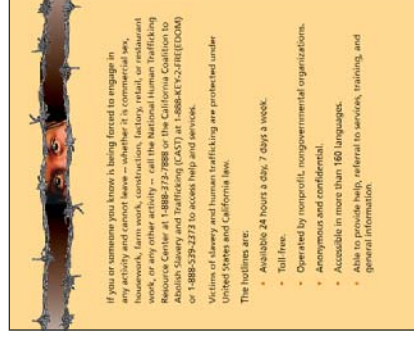
**Boost your marketing effectiveness by promoting CAMTC certification to your customers.**

CAMTC certification means that the massage professionals working at your business have met or exceeded minimum standards for training and education, have passed a background check, and have met other requirements in the law.



**Exemption from signage requirement to post “human trafficking” hotlines.**

California law mandates that massage businesses, unless all massage staff working at the business are CAMTC certified, must post human trafficking signage in a conspicuous place. However exempt massage businesses, where 100% of the massage staff are CAMTC certified, are not required to post this signage.



**Help in recruiting staff by having access to more than 40,000 CAMTC certified professionals.**

CAMTC can provide you with access to its certified massage professionals by forwarding your recruitment mailings to them, while still maintaining the privacy of its certificate holders. This program gives you access to massage professionals that are already CAMTC certified.



**Assistance in dealing with sexual misconduct complaints against staff.**

CAMTC takes allegations of sexual misconduct seriously. If you receive a complaint against a CAMTC certificate holder, simply contact CAMTC. By referring the complaint to CAMTC, you remain neutral with staff and clients alike. If CAMTC's Professional Standards Division decides to investigate, and determines that action is warranted, CAMTC may revoke the certificate.

**For details on how CAMTC can help your massage or spa business, please go to the following link:**

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

Any of the above may be discontinued at any time without notice. CAMTC makes no warranties or guarantees regarding certificate holders or the assistance CAMTC provides to businesses. CAMTC does not provide legal advice and massage businesses are encouraged to engage their own legal counsel, accountants, and other business professionals when making business decisions.







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