



**CALIFORNIA**  
MASSAGE THERAPY COUNCIL

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**Sent and posted June 8, 2012**

**NOTICE OF PUBLIC MEETING**

**June 20, 2012**

**9:30 a.m.**

**Radisson Hotel at Los Angeles Airport**

**San Jose Room**

**6225 W. Century Blvd., Los Angeles, CA 90045**

**AGENDA**

- 1. OPEN SESSION-** Call to Order and Establish Quorum
- 2. Chair's Comments**
- 3. Approval of Minutes**
  - February 15, 2012 Board Meeting
  - March 20, 2012 Teleconference Board Meeting
  - April 10, 2012 Teleconference Board Meeting
  - April 16, 2012 Teleconference Board Meeting
- 4. Chief Executive Officer's Report**
  - a. State and Growth of CAMTC
  - b. Operations and Administration
  - c. Finance, Budget, Tax Return
  - d. Outreach and Communications
  - e. Federation of State Massage Therapy Boards (FSMTB)
- 5. Conflict of Interest Policy**

**6. Audit and Audit Committee's Results**

**7. Treasurer's Report**

**8. IT Liaison's Report**

**9. Director of Governmental Affairs and Special Projects' Report**

- a. Local Government Update
- b. Legislative Update
  - i. SB 1575 Senate Business & Professions Committee Bill
  - ii. SB 122 (Price)- Omnibus Committee Health Bill: includes CAMTC
  - iii. SB 1193 (Steinberg)- Human Trafficking: Public Posting
  - iv. AB 2540 (Gatto) - Veterans' Home of California (Service Tax)
  - v. AB 1940 (Hill, co-authors Ma and Swanson) Prostitution
  - vi. AB 1963 (Huber) Personal Income Tax, Sales and Use Tax
- c. FSMTB's Massage Therapy Licensing Database Committee

**10. Closed Session with CAMTC Legal Counsel Pursuant to California**

**Government Code Section 11126(e)**

**11. Director of Professional Standards Division's (PSD) Report**

**12. Budget Issues**

- a. Recommendation to Restructure PSD
- b. Addition of Four new staff members for processing and phones
- c. Ratification of Scanning Budget increase
- d. Update on New In-House Counsel's Hiring and Office Budget
- e. Public and Media Relations Firm

**13. Recommendation to Adopt a Static/Rolling Budget Hybrid**

**14. Board Travel Reimbursement Policy**

**15. Reestablishment of Executive Committee's Function- Bylaws Change**

**16. Proposed Policy re: Reintroducing items or Related items Previously Defeated**

**17. Establishing the Board as a Policymaking Body**

**18. Web edits:**

- a. Adding Board Members and Key Staff Bio's and Photos
- b. Creation of History Section on the Website with Photos

**19. Framework and Process for Board September Strategic Planning Session**

**20. Resource Long Term Planning Study**

**21. Proposed Policy re: Requirement of a Board Vote Prior to Assigning Projects to Staff**

**22. Employers and Vendors Requests to Rent CAMTC's Mailing List**

**23. Closed Session Regarding the Appointment, Employment, Evaluation of Performance, or Dismissal of an Employee Pursuant to CA Government Code Section 11126(a)**

**24. OPEN SESSION: Announcements Regarding Closed Session (#23)**

**25. Future Agenda Items**

**26. Adjournment**

*All agenda items are subject to discussion and possible action. To request more information, to submit comments to the Board, or to make a request regarding a disability-related modification or accommodation for the meeting, please contact Sheryl LaFlamme at (916) 669-5336 or One Capitol Mall, Suite 320 Sacramento CA 95814 or via email at [camtc@amgroup.us](mailto:camtc@amgroup.us).*

*Requests for disability-related modification or accommodation for the meeting should be made at least 48 hours prior to the meeting time. This notice and agenda is available on the Internet at <http://www.camtc.org>.*



## CEO Report

June 12, 2012

### State and Growth

CAMTC is a healthy and strong organization. It is important to recognize where the organization is in its lifecycle. It is my opinion that CAMTC is in the middle of its growth phase and it is reasonable to assume that it will achieve a mature state in a couple of years. This assessment is based on a triangulation of three factors:

1. **New Endeavor** - It has not even been three years since CAMTC issued its first certificate. While it is past its start-up and fast growth stages, like most enterprises and organizations CAMTC is still establishing itself with external stakeholders (ie: consumers, massage professionals and local government) as well as improving and reengineering internal systems (ie: processing protocols, customer service and IT).
2. **New Model** - CAMTC is a private, public benefit corporation functioning with an unusual and relatively new organizational platform. CAMTC is not a governmental agency, a State Board, a professional association, a charitable organization or a business. At the same time it must meet the demands and responsibilities of such entities without the benefits associated with being any of them. This reality creates a unique set of challenges that must be grappled with on a daily basis. While the tendency to compare the organization to such entities is understandable, CAMTC will benefit from a culture that recognizes that such comparisons typically prove to be humbling attempts to “fit a square peg in round hole”. More often than not, the atypical challenges of CAMTC require customized and innovative solutions.
3. **New Law** - While California State law went into effect in 2009, its weaknesses required yearly “clean-ups” which represented way more than just “cosmetic” amendments. Even though the

legislative changes were all welcomed improvements, they have\* put CAMTC into an unavoidable yearly micro “re-launch” mode.

## **Operations**

Improving applicants’ and certificate holders’ experience is currently staff’s top priority.

We are able to be more responsive to phone and online inquiries. Fewer calls get voicemail messages and emails are returned faster. Programming changes that will enable real time documentation of communication metrics are being developed to better monitor customer service performance.

In the December 7, 2011 Board meeting I recommended the Board to adopted an objective to bring the average turnaround time for new applications without any background or educational issues down from 90 days to 45 days by 12/31/12. The Board adopted this recommendation. At this point we already exceeded this goal, we lowered this turnaround time to 23 calendar days. Out of the 206 certificates which where mailed on June 1, 2012, more than half of them took less than 16 calendar days to be mailed from the time we had a completed application.

The Board also adopted a recommendation to bring the turnaround time for applications with educational and background issues from ten months to Five by 12/31/12. On the Average we are presently either certifying or denying these applicants in four months with more than half of them either certified or denied in less than four month.

As I informed the Board in April, my intention was to add four new staff members to our Sacramento office: one additional staff member joined our staff in the middle of May and the other three at the beginning of June. The additional cost associated with this staff expansion for the month of June will be covered by tapping into the CEO’s contingency fund. Detailed request to increase the budget for the processing of applications is included in this Board packet.

A process review was performed with the assistance of the Board’s IT liaison, Christian Pezza. It identified multiple areas where operating protocols can be made more efficient. Implementing changes will be ongoing throughout the rest of the year.

## **Finance**

As of May 31, 2012, cumulative Excess Revenue Over Expense for the year was \$342,372, which is \$367,156 above the budgeted cumulative deficit of (\$24,784). As of June 9, 2012 bank balance was \$1,262,089. CAMTC’s 2011 tax rerun was filed on time.

## **Outreach**

In an effort to implement more efficient processing protocols and systems, we have suspended outreach initiatives for the purpose applicants’ recruitment with the exception of CAMTC’s participation in the American Massage Conference in April and responding to ongoing press inquiries. Once our new systems are in place, we will resume our outreach efforts.



## **Report – Annual American Massage Conference April 20-22, 2012**

**Prepared by Mark W. Dixon**

This was the first conference attended by CAMTC, and while the centerpiece of our effort was the Exhibit Booth, quite a lot else was going on that afforded CAMTC's board members the opportunity to meet and network with industry representatives; a brief sampling: MASSAGE Magazine Editor Karen Menahan; AMTA National President Cynthia Ribeiro; AMTA-CA Chapter President Michael Roberson; ABMP's V.P.-Communication; FSMTB Government Relations Director Sally Hacking; FSMTB President Kathy Jensen, and the owners/directors of several massage schools.

### **Board Members**

Judi Calvert   Mark W. Dixon   Christian Pezza   Roberta Rolnick   Joe Bob Smith   Deb Tuck   Dixie Wall

These board members were true brand ambassadors and gave CAMTC a visible, ongoing presence at various events and throughout the conference.

### **STAFF**

CEO                      Director of Government Relations                      Operations Manager and her amazing First String

### **OPENING EVENT**

600-700 enthusiastic massage school students heard from several presenters who spoke on various aspects of a successful massage career, notably Joe Bob Smith. He covered the advantages and benefits of CAMTC certification and directed the students to the CAMTC table at the Job Fair and to our exhibit immediately following the presentation. He also took the opportunity to introduce CAMTC Staff and Roving Ambassadors to let them know that CAMTC is here to help them start the application process at our booth and answer questions.

### **JOB FAIR**

As soon as the introduction concluded, the CAMTC Job Fair table was swarmed by students with eager questions about continuing education, employment and CAMTC certification. Many questions were handled on the spot by Deb Tuck and Mark Dixon, and many students were referred to the CAMTC booth in the Exhibit Hall.

### **IN AND AROUND THE EXHIBIT AREA**

The conference was attended by roughly 2000 massage therapists, most of whom were from California.

At the conclusion of the Job Fair, the Exhibit Hall opened (with the CAMTC booth immediately inside the room's only entrance), and for much of the first day the line at our booth was over 25 deep. The booth

AMC Report

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included 3 laptop stations set to assist with applications and renewals, as well as a laptop station with Beverly May ready to problem-solve issues and answer questions related to local governments and municipalities.

Several video interviews of AMC attendees were conducted by Judi Calvert and Christian Pezza, and Ahmos' interview with MASSAGE Magazine Editor Karen Menehan was immediately posted to the publication's website; and the interview can be seen on YouTube at <http://www.youtube.com/watch?v=Z9GxYPZvxp8>.

#### **SATURDAY NIGHT GALA – LEADERSHIP AWARD**

The AMC Leadership Award was given to our CEO Ahmos Netanel for excellence in Leadership. This national award is given to select individuals whose manner and methods set an example for massage organizations and state boards nationwide. Notable among the guests present were Ahmos' first massage instructor from 30 years ago, Dr. Ginger Clark.

#### **SUNDAY PRESENTATION**

A large crowd came to hear Ahmos' presentation, **"Thriving -- Putting The Power of CAMTC Certification to Work for You"**



On March 6, 2012, the Chair of the Audit Committee Elna Leonardo, sent the following statement to the CEO:

"Based on our review of the audit and supporting documentation, as well as conferring with the auditor, the Audit Committee accepts the audit of the CAMTC financial statements for the year ended December 31, 2011."



## Treasurer's Report Board Meeting: June 20, 2012

### Applications Received Through June 9, 2012

#### New Applications

For the period July 27, 2009 through June 9, 2012, 41,674 new applications have been received.

The average number of applications received per week during 2011 was 239, down from an average of 261 in 2010. For the first 23 weeks of 2012, the average is 213. This moderate three year downtrend is surprising; not because the direction is down, but because the downward trend is so slight. As of May 31<sup>st</sup>, new applications are up 56% over the budgeted amount. One possible implication of this variance from budget is that many new therapists are entering the field. Another possibility is that many existing therapists have decided to certify for the first time; however, since there has been no major increase in the outreach marketing expenditures, this may not be the primary reason.

However, renewals are 9% below budget. The below budgeted renewal level, coupled with the substantial above-budget in new certification, indicates the possibility of considerable "churn" in the industry. This means that the marketing challenge is to reach both new entries and renewals. Nevertheless, over the longer term, one would expect renewals to play the greater role

#### Recertification

The recertification period began on September 1 of 2011. As of June 9, 2012, 10,112 therapists have been billed and 72% of them have paid/complete. As both experience in the industry and the data, above, suggest, it is the nature of the industry that many therapists drop out or become inactive, so the Board, based on the experience of some members, can review the re-certification goals.

<b>Recertification as of June 9, 2012</b>		
Billed	10,112	100%
Paid/Complete	7,197	71%
Review	120	1%
No Response/Not renewing	2,795	28%

## **Financial Statements May 31, 2012**

### Statement of Functional Activities (Income Statement)

The revenue allocation procedure recognizes 27% of the \$150 initial application and renewal fees when the application is received, 38% when the certificate is issued and the balance, 35%, over 24 months.

Revenues through the end of May exceeded budget by 20% and expenses were 11% below the budget amount. The net effect is an excess of revenues over expenses of \$342,372 compared with a budgeted deficit of \$24,784. Over the course of the year, revenues have gradually exceeded budget estimates and expenses have declined. However, the substantial gain in revenues through May have put CAMT “in the black” for the first time this year.

The substantial gains in both new applications and new certificates issued accounted for most of the increase in revenue. As noted, renewals were 9% below budget.

Expenses through May were down 11% from budget. The actual expenses were below budget in every major category except for a small excess over budget for Board and Committee. While it is hard to complain about below budget expenditures, the below-budget figures for outreach marketing warrant some discussion. The figures do not include the expenses from the AMC meeting. Even so, outreach is critical for the long-term success of CAMTC. Given the savings in other areas, this budget item might be re-evaluated.

The following table shows expenses and budgeted amounts by category for the year to date:

	Through May 31, 2012		
Category	Actual	Budget	Actual as a % of Budget
Board & Committee	\$9,728	\$9,600	101%
Outreach/Marketing	20,899	37,800	55%
General Administrative	122,435	147,938	83%
Executive Staff	160,755	178,120	90%
Professional Standards Division	354,325	409,461	87%
General Staffing	29,637	34,260	87%
Professional Services	362,895	374,715	97%
<b>Total</b>	<b>1,060,674</b>	<b>1,191,894</b>	<b>89%</b>

### Statement of Financial Position (Balance Sheet)

The CAMTC balance sheet on May 31, 2012 is considerably stronger than at the end of 2011:

- Total assets are \$1,338,801 down from \$784,734 at year end 2011.
- Liabilities are up, \$1,338,801, from \$1,137,366 on December 31, 2011. However the increase in liabilities is considerably less than the increase in Assets.
- Net worth on May 31, 2012 (\$10,259), while still negative, is improved substantially from December 31, 2011 (\$352,632).

### **Conclusions**

- CAMTC is in a stronger financial position than it was at the end of 2011. Relative to budget, it has been effective in generating revenues and controlling expenses.
- New applicants will continue to be an important part of revenues. Efforts to recruit new therapists should be given the same priorities as renewals.

- The procedures for marketing to both of these groups should be under ongoing review to ensure that the message and methods of communicating those messages are effective.

Respectfully submitted by Michael Marylander,  
Treasurer  
June 13, 2012

## Information Technology Liaison, Christian Pezza

Report to Board Member of CAMTC

For June 20th 2012 Meeting

### OBJECTIVES

#### 1 STATUS OF CAMTC IT SYSTEM

#### 2 DATABASE STATUSES AND IMPLEMENTATION

#### 3 SERVICES OFFERED THROUGH THE WEBSITE

#### 4 PHONE SYSTEMS

#### 5 STAFF IT FOR PROJECTS AND RELATED OPERATIONS

#### 1 STATUS OF CAMTC IT SYSTEM

After spending time in the CAMTC office with the staff discussing problems and solutions, I am following up with a technical breakdown of what must be pursued to ensure and maintain security while improving productivity and growth on the CAMTC IT system:

1a **WORKFLOW ANALYSIS** (see appendix 1). It is necessary to measure and fix basic needs to guarantee that the correct IT systems are in place, and minimize usage of paper. Goals are to understand Database needs and provide tools which will maximize efficiency and minimize security risks. This process will set the foundation to develop a relatively inexpensive Web based interface and improve supervision of operations. Maintenance and remote control of the system itself will become more cost effective.

1b **A PAPERLESS POLICY** is needed to improve and maintain security and supervision of CAMTC stored and archived data. This will not entirely eliminate paper usage. One of the first steps is to develop a workflow where data entry is automatized as much as possible. This includes: diversifying income information, have applicants begin the process via the website, and scanning documents from staff. We could also develop an OCR system (think when you go at the bank and your check is deposited from the ATM). These options will cut work time and management costs and improve customer service while being environmentally friendly. Staff could then spend more time on customer service and qualifying applicants.

1c **DEVELOP A SCALABLE SYSTEM** for the work done and make it possible to fit any future needs to access data, and to deliver top class performances required on demand.

A secure and productive development requires good timing, teamwork and an in-house dedicated developer to supervise and support daily operations in compliance with the agreed on workflow directive.

#### 2 DATABASE STATUS

Considering the growth of the CAMTC and all challenges the organization went through, the information being stored and managed is in good standing. No doubt there is a way to improve what is in place and implement the access and usage of the database. This database topic is one of the most important to address. It will define the maintenance of all future infrastructure and the standard of language used in future software developments. The system should remain in its Microsoft environment as this will guarantee a standard as well as a reliable option of choice for vendors as we continue to develop the database architecture.

Below are the operations that should be considered for implementation:

2a..Analysis and assessment of Database (MSSQL)

- Analyze Database and workflow. This step will help identify the best features of the current system and prioritize how money will be spent.

2b. Implementation and Development of Database (MSSQL) to initiate a better work flow, maintain security and improve productivity. This will include development of specific improvements and better interactions and functions not in place yet (ex: macros, filters, contact-log and tickets system, reports etc)

- Implementation of Database workflow for security
- Rewriting current macros, filter to MSSQL

2c. Implementation of MSSQL server to Interface with [ASP.NET](#)

- MSSQL and [ASP.NET](#) integration

MSSQL is the name of the database system we are currently using. We should not change but only update to a more recent version. ASP.NET is the system we should use when we are ready to create a web interface system for internal operations, including authorization of offsite access of the database and public usage through the CAMTC.org website

2d. Setup an [ASP.NET](#) system to migrate from desktop-interface to web-interface

- Batch payments online through public CAMTC website
- Data Reports for any query to supervise and screen performance, critical workflow points and productivity
- Organizing folders/files to attach documents for the main storage system
- Data Entry Pages for Applicants and for schools to upload transcripts using CAMTC designed format
- Website interface Database Design

2e. Finalize a system to be able to export PDF certification information for printing purpose.

- PDF creation of certificate to implement final production/printing of certificates in-house.

This list of improvements should make it possible to process an application in a week if the application is “healthy” without compromising quality control and security in the process.

Budget needs to be finalized.

### 3 SERVICES OFFERED THROUGH THE WEB SITE

CAMTC.org should be migrated to a more friendly solutions company like a Content Management System. That way it will be possible to customize the structure and content as needed without a third party dependency. This will dramatically reduce the cost of maintenance. This migration will be easy with future developments of the database interfaced to the public with initiation of new applications, updating information, payments and direct communications as customer service will be made possible with more flexible and easy supervision from CAMTC staff.

Budget not in place.

### 4 PHONE SYSTEM

As of today we don’t have an independent solution to manage and implement our phone system. We should implement our phone system through a dedicated Voice Over IP (VIOP) solution where we can manage calls through a dedicated Interactive Voice Responsive which

can direct calls to the right department. PBX VOIP can be supported for affordable software for call center management, where it is possible to screen callers, record conversations for training purposes, as well as analyze the length of conversations.

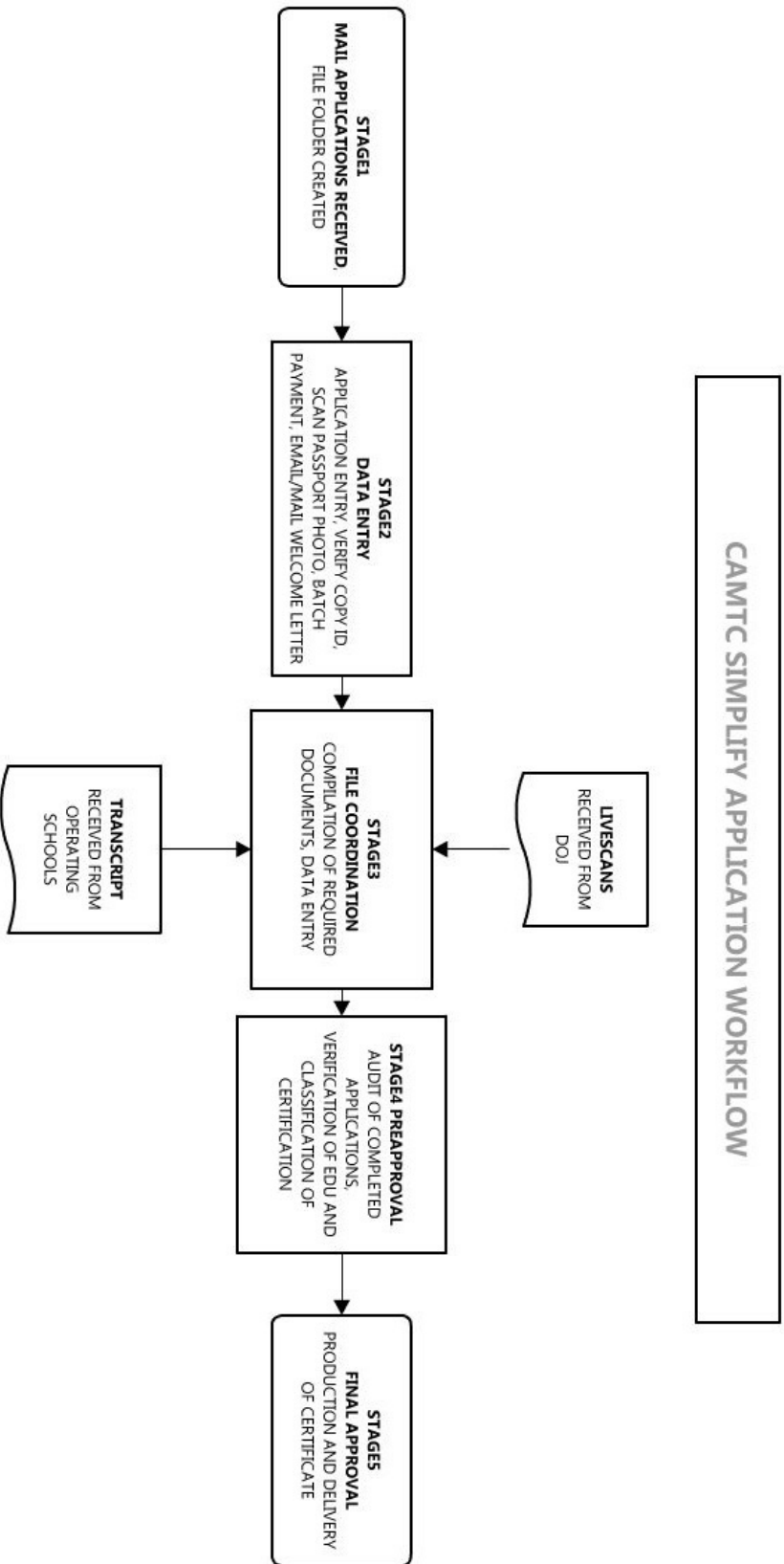
Gross Budget estimate \$6000

## **5 STAFF IT FOR PROJECTS AND RELATED OPERATIONS**

There is a need for dedicated staff members to be assigned to support the IT system, especially if and when we are going to implement the IT changes. I am estimating at least two staff members need to be educated about IT matters. They should also be knowledgeable about all developments in progress. I am volunteering to participate in this phase.

Workflow solutions will best be found through frequent dialogue between project developers and daily operations staff (mediated through supervisors).

There is a need to hire a dedicated MSSQL developer as well an ASP.NET developer.







## **Governmental Affairs and Special Projects Report – June 13, 2012**

### **I. Local Government Update:**

#### **A. Attached spreadsheets:**

- a. “Claims status as of 6.13.12 sorted by population” - shows the number, type and status of “claims” – reports of city or county failure to fully implement and recognize the state massage law.
- b. “Cities and Counties that Require Certification as of 6.12.12” lists the names of cities and counties that staff is aware of, either through direct involvement or other reports, with ordinances that have been revised to require certification.

#### **B. Local Ordinance status**

Of the 540 cities and counties in California, approximately 10% (53 confirmed) currently require certification in order to practice massage, with a least 13 others in the process of drafting ordinances to require certification.

So far two counties, San Diego and San Mateo, require certification with Alameda likely to be next. Some of these ordinances, like Alameda County’s, have been a year or more in development. Many other cities are at some stage of considering ordinance revisions – the process can take a couple of years if there is no pressure to make it urgent. A significant number of these ordinances were already revised to comply with SB 731 and are being amended for AB 619 while others need further revision.

Jurisdictions that have not updated their ordinances exempt certified massage professionals from sections of the local ordinance that no longer apply. However, how that gets interpreted in each city varies drastically.

I monitor city council agendas, which, under the Brown Act, are posted 72 hours in advance. I also monitor the internet for articles on massage, and when I read about issues rising to the level of news, I contact the city and proactively offer my assistance. Often, these early contacts allow me to be involved from the time a new ordinance is first being planned. City staff contact me for advice or request that I attend their committee hearings on possible new regulations. These connections facilitate my ability to track and participate throughout the process instead of waiting to learn that in a day or two the city will have a first reading on a new ordinance. By that time, it is more difficult to provide significant input.

Nevertheless, some proposals slip through undetected until the last minute. It was just this type of monitoring that alerted us to a first reading of a proposal in Huntington Beach that would have limited the city to a maximum of 30 massage businesses. After a series of calls with the City Attorney and Police Chief, also involving our CEO, the city decided to drop the item from the council's agenda. Rick, Ahmos, Mark Dixon (a resident of the city) and I met with the Chief, his Captain and the City Attorney to discuss what we can do together to solve the problem. The result is the beginning of a dynamic relationship of combined resources to tackle common problems.

Despite posts to city attorneys through the League of Cities listserv and discussions on the listserv itself, I frequently deal with city attorneys who are not aware of the 2012 changes to the law. Another post is planned.

The biggest concern to cities continues to be regarding establishments – how to control what is now perceived as unchecked growth of questionable establishments. My contacts report this to be a major topic of discussion on the city attorney listserv.

Rick McElroy and I will be speaking to the Orange County City attorney's Association this month. Also scheduled is a "brainstorming" session with the legislative analyst for Thousand Oaks, who is also a member of the League of Cities Public Safety Committee, as they are considering a massage bill as soon as 2013. We look forward to working with the cities in the spirit of cooperation.

Local jurisdictions feel that the law makes it difficult to find the resources to investigate and take action against illicit businesses, yet that authority and resources have not been given to CAMTC. They perceive this and the limitations on land use (zoning) restrictions as problems. While city attorneys are finding various clever means to provide the resources they need, and we are working with them with every tool we have, none of this may be enough.

As I have reported previously, there is a growing public outcry towards the illicit businesses, especially in cities that have never regulated massage. Three of these have drafted new ordinances – Lafayette and Visalia, which have passed, and Folsom, which in the last stage before introduction. Paso Robles is gathering public input on its' first ever ordinance. All four cities will require certification. The first three of these cities asked me to attend and speak at hearings on the ordinances, since the concept of regulation at all was new to their massage community. I'm advising Paso Robles and the local massage community. Meetings in the three cities were well attended and received. In Visalia, the city will exempt some long time massage therapists who missed the grandfather period, while Lafayette is giving them time to qualify. In all these cities, not only the public but the local massage community has supported the new ordinances, despite being subject to regulation for the first time. Quite a number of questions from both the public and massage community were about how effectively CAMTC can screen applicants and revoke certifications. City attorneys and law enforcement in these cities are quite grateful that CAMTC is here to check applicants so that the cities don't have to set up new systems. It is our responsibility not to let them down.

**a. Major reasons city staff contact my office:**

1. Proposed new ordinances –Assistance and sample ordinances.
2. Frustration – I hear comments like “we have been flooded with applications for new businesses, most illicit”. Some cities, like Huntington Beach, report that everyone in these businesses are certified – others, like San Francisco, find that they are not, yet they opened under the exemptions for businesses in which everyone providing massage is certified. In some cases, cities are unaware of the authority they retain.
3. General advice such as understanding the law and how other cities are implementing certain provisions; registering or navigating the secure area of our website.
4. Interface between city prosecutors or law enforcement and PSD or AMG staff regarding investigations and subpoenas for records.

**b. Major areas of non-compliance by local jurisdictions**

1. Accessory use limitations - limiting massage to a maximum of 30% or 50% of revenue or floor space
2. Prohibition on outcall massage
3. Conditional Use Permits not required of other professions in the same location

4. Fees – compliance or establishment

## II. Legislative Update:

1. **SB 1575 (Price)-** Senate Business & Professions Committee Bill. This bill included 9 of the 14 proposed amendments to California Business & Professions Code Section 4600 et seq. that have been submitted by CAMTC. June 13<sup>th</sup>, these amendments were deleted from the bill.
2. **SB 122 (Price)-** Omnibus Committee Health Bill. SB 122 began as a Nursing bill with some higher education provisions and as a result was assigned to two policy committees in the Assembly. All 14 amendments proposed by CAMTC were added into this bill in the Higher Education Committee on June 12<sup>th</sup>. Attached to this report is a proposal for one additional amendment. The bill was re-referred to the Assembly Committee on Higher Education. The next step is the hearing in the Assembly Business, Professions and Consumer Protection Committee. We will testify at the hearing, which will be either June 26<sup>th</sup> or July 3<sup>rd</sup>. The bill will need to go back to Assembly Appropriations Committee, pass the Assembly floor, go through concurrence with the Senate version, and then to the Governor.
3. **SB 1193 (Steinberg)- Human Trafficking: Public Posting.** This bill will require specified businesses and other establishments to post a notice containing information related to human trafficking and slavery in English, Spanish, and any other language that is the most widely spoken in the county where the establishment is located, including the toll-free hotline information for two nonprofit organizations that provide support services to victims of such crimes. AMTA-CA and their lobbyists have actively engaged with Senator Steinberg regarding exempting certified massage professionals from those who are required to post the notice. AMTA-CA has formally issued a letter of “Oppose unless Amended” after the Senator rejected such an exemption. We are working with Steinberg’s staff as well. Currently the bill has passed through the Senate and is in the Assembly Committee on the Judiciary. The following businesses and establishments would be required to post the specified notice (at least 8.5 inches by 11 inches in size) in a conspicuous place near the public entrance or in another location in clear view of the public and employees:
  - (1) On-sale general public premises licensees under the Alcoholic Beverage Control Act.
  - (2) Adult or sexually oriented businesses.
  - (3) Airports.
  - (4) Intercity passenger rail or light rail stations.
  - (5) Bus stations.
  - (6) Highway truck stops.
  - (7) Emergency rooms within general acute care hospitals.
  - (8) Urgent care centers.
  - (9) Farm labor contractors.

- (10) Privately operated job recruitment centers.
- (11) Roadside rest areas.
- (12) Massage businesses or establishments.

A prior bill similar to this, SB 1230, was vetoed in 2010 by then Governor Schwarzenegger, who wrote "I support efforts to eliminate human trafficking. However, this measure will burden legitimate businesses while having little to no impact on human slavery. After all, businesses likely to comply with his law are not likely to have employees that would benefit from such postings. For these reasons, I am unable to sign this bill."

- 4. **AB 2540 (Gatto) - Veterans' Home of California (Service Tax)** This bill would have imposed a tax upon all retailers for the privilege of selling specified services" including "non-medical massage". The funds collected would have been donated to the Department of Veterans' Affairs to operate various veterans' homes.

This bill is effectively dead, having failed to meet a deadline.

- 5. **AB 1940 (Hill, co-authors Swanson and Ma) Prostitution.** This bill relates to the sealing and destruction of prostitution records when the conviction is the result of human trafficking. As of May 25<sup>th</sup>, this bill is effectively dead. However, the substantive provisions are expected to be amended into AB 2040, authored by Assembly member Swanson. As of this writing, AB 2040 has passed out of the Assembly, had its' first reading in the Senate and now is awaiting assignment to committee. AB 2040 allows for the records for juvenile convictions for prostitution to be sealed. Currently, not all convictions for crimes of "moral turpitude" while a minor are eligible to be sealed.

- 6. **AB 1963 (Huber) Personal Income Tax, Sales and Use Tax**

This bill would require the Legislative Analyst's Office to assess and report the effects of potential changes to sales and use taxes, including the possibility of assessing sales tax on certain services. It has passed out of the Assembly and first reading in the Senate. It is waiting to be assigned to committee.

### **III. Other updates**

#### **Typical types of contacts with Massage Therapists:**

- 1. Compliance issues-
  - a. They gave wrong information to city staff or city staff misunderstood
  - b. A new city staff person is not oriented
- 2. Questions on rights/responsibilities

- a. Wondering why to certify – especially when cities are not in full compliance
- 3. General Questions
  - a. Applying, updating their information, etc.
  - b. Faster than amg or need further explanation of information
  - c. Labor disputes and business questions not within our jurisdiction
  - d. Questions re: legal name and posting of certificate or certificate number

#### **Typical types of contacts with AMG Staff:**

- 1. Questions directed to the wrong party
- 2. School core curriculum questions and compelling evidence for closed schools (amg staff has taken on most of these responsibilities now)
- 3. City and county contact requests for information or registration for secure site
- 4. Web updates as needed
- 5. Drafting eblasts

#### **Contacts with Professional Standards Division (PSD)**

- 1. Referring, advising and at times responding to consumer complaints
- 2. Schools – helping create new protocol for determining whether to investigate and scope of investigation and tracking. School “scams” are getting more sophisticated, a new one being a vendor promoting non-approved classes through a community college as if it is part of the college program. They are charging \$3,125 for 250 hours and \$6,250 for 500 hours, marketing them to the Chinese community as preparation for CAMTC certification.
- 3. Advertising policies
- 4. Sunset Preparation – Developing surveys and assuring adequate tracking systems for handling applicant/certificant issues and consumer complaints

#### **Contacts with Homeland Security and Immigration and Customs Enforcement (ICE):**

- 1. Operations – often first contact
- 2. Student visas – discussion regarding applications for student visas to attend schools from which CAMTC does not accept transcripts. ICE is reviewing their policies and will inform us if they see patterns of visa-holder behavior related to particular schools which may be relevant to CAMTC.

#### **Contacts with Legislators and Staff:**

1. Legislative staffers calling to discuss authoring a similar law for another profession
2. Pursuing an author for our proposed amendments
3. Responding to inquiries from legislators on behalf of constituents
4. Business and Professions Committee staff – ongoing relationship regarding proposed amendments, Sunset issues, CAMTC effectiveness
5. Republican consultants – ongoing relationships
6. League of Cities Analyst – ongoing relationship
7. Bureau for Private Postsecondary Education (BPPE) – ongoing relationship, discussions regarding school investigations, approvals
8. Department of Consumer Affairs (DCA) – ongoing relationships
9. Legislative Counsel – clarifying intent of language in proposed amendments

**Contacts with other professional boards and staff (both CA. and other states)– ongoing**

Contact with AMTA-CA Governmental Relations Chair – as lobbying professional association, make sure to maintain communication and cooperation

#### **IV. Federation of State Massage Therapy Boards (FSMTB) Massage Therapy Licensing Database Committee:**

I was invited to participate as a member of this committee. We met at Professional Credential Services (PCS) headquarters in Nashville May 21- 22 (funded by FSMTB). PCS is a specialized service provider for examination development and administration, licensing and certification services to state and national organizations responsible for the regulation and management of occupations and professions. Also participating were the Executive Director and Governmental Relations Chair of FSMTB and assorted staff of PCS, the Executive Directors of the Florida and Missouri State Massage Boards, both of whom are bureaucrats who administer multiple state boards, and the Arizona Massage Therapy Board Chairman (also FSMTB vice President).

This database will ease the ability of states to verify the status of licensees/certificate holders in other states as well as to search for school attended, disciplinary actions and supporting documentation. Different levels of access will be established for staff and Board members.

Such national databases are already used by federations of nursing, cosmetology and accounting boards amongst others, so customizing for massage therapy purposes will be relatively easy, as the infrastructure is already established and in use by PCS.

Initially the database will be limited to individual massage therapists but establishment information and schools can easily be added. Creation of a national code for schools as well as CE tracking are both under consideration.

Executive Directors of state boards will be surveyed regarding intent to participate and time frame. This is considered a staff decision. The hope is to get all the executives to the annual FSMTB conference (in New Orleans this year) to discuss further details. By September 2012 a prototype shell will be complete built around and enhancing the current MEBLEX test information database. A selection of states will be asked to submit data first – at least one state with an independent massage board, one with an umbrella board, and California, with our unique structure. January 2013 the database should be ready for full use.

This meeting provided an invaluable opportunity, not only in regards to the task at hand, but also for the in person time to network with a small group of highly experienced regulators and FSMTB and PCS staff.



Jurisdiction	Status	Issue	Date reported
Los Angeles County	resolved-	still requires medical exam	May-11
Los Angeles County	resolved	background checks/ permit	May-11
Los Angeles County	resolved	establishment permit and fees	Apr-11
Los Angeles County	awaiting Supervisor direction	drafting ordinance	May-11
Los Angeles City	unsure	business license/employee outcall	Oct-10
Los Angeles City	resolved- until next time	permit required- citations issued	May-11
Los Angeles City	mostly resolved	establishment permit and CUP	May-11
San Diego	ongoing-not critical	oppressive dress code	Jul-11
San Diego County	resolved	background checks/ permit	Dec-10
San Diego County	resolved	Mueller school says needs background check	Dec-10
San Diego County	resolved	establishment permits	Dec-10
San Diego County	in progress	drafting ordinance	Nov-11
San Bernardino County	resolved - all medical	proposed moratorium, new zoning w/CUP	May-11
San Bernardino County	resolved	use permit -	Nov-11
Santa Clara County	unknown	county reqd permit	Dec-11
Santa Clara County	unknown	no home occupation for massage	Dec-11
Santa Clara County	in progress	estab permit \$1200 new, \$980 renew	Oct-11
Santa Clara County	in progress	misdeameanor citations for not registering certified staff	Sep-11
Alameda County	ongoing	drafting ordinance	Jun-11
Alameda County	ongoing	moratorium	Jun-11
San Diego city	resolved- paige folkman	background check of certified owner	Apr-11
San Diego city	resolved -paige	establishment permit	Apr-11
San Diego city	resolved - paige	showers required	Apr-11
San Diego city	resolved	permit required	Apr-11
San Diego city	in queue	restrictive zoning	Sep-11
San Diego City	in progress	drafting ordinance	Oct-11
San Jose	ongoing	drafting new ordinance	Jun-11
San Jose	in the queue	no outcalls	Jun-11
Fresno county	unconfirmed	background checks	Dec-10
San Francisco	in progress	estab permit	Dec-10
San Francisco	stalled	estab.fees	Dec-10
San Francisco	stalled-	outcall permit required	Dec-10
San Francisco	resolved	showers required	Dec-10
San Mateo County	resolved	drafting ordinance	Apr-10
San Mateo County	ongoing	\$420 annual "medical waste" fee	Nov-11
San Joaquin	resolved	permit background check, establishment	Jan-12
Stanislaus County`	resolved	permits, even of instructors	Jun-11
Fresno city	resolved	background checks	Mar-11
Fresno city	resolved	city permit/background checks again	May-12
Long Beach	working with city	accessory use only	Dec-10
Long Beach	resolved	establishment fee for gym based massage	Aug-11
Long Beach	resolved	business license fees	Jun-11
Long Beach	resolved	employee zoning	Jun-11
Long Beach	ongoing	drafting ordinance	Jul-11
Sacramento	confirming	wants somatic practitioner permit	Dec-11
Sacramento	CMTC checking if only massage	no home occupation (not confirmed if massage specific	Oct-11
Oakland	verifying	special permit	Mar-12
Monterey County	in progress	background check	Nov-10
Santa Ana	resolved	\$300 permit & \$150 med exam	1/1/2012
Santa Ana	resolved	restricted from professional zoning	3/1/2012
Santa Ana	Resolved	establishment fee \$700	4/1/2012
Anaheim	in the queue	establishment permit	Jun-11
Bakersfield	unknown	permit required	Oct-10
Bakersfield	in progress	drafting ordinance	Sep-11
Riverside City	resolved	over \$811 for establishment permit	Dec- 10
Riverside City	ongoing	showers required/extra bathroom	Dec-11
Riverside City	ongoing	chair massage	Dec-11
Riverside City	mostly resolved	background check for certified owner (only if hire non-cert	Oct-11
Riverside City	resolved	high establishment fee	Jun-11
Riverside City	in progress	same -estab permits req	
Chula Vista	resolved	requires city permit	Oct-11
Fremont	in queue	CUP? \$4100	Aug-11
Irvine	rresolved	no massage in hotel room	Aug-11
Irvine	final draft -Ok	drafting ordinance	Feb? 2011
Modesto	in the queue	owner and manager need certification	Apr-10
Glendale	resolved	CUP	unknown
Huntington Beach	in the queue	no outcalls	early 2010
Huntington Beach	in progress	max 30 massage businesses in city	Amay 2012
Oxnard	approved	drafting ordinance	Dec-11
Oceanside	new report- not confirmed	no home occ (permits only massage)	Aug-11
Oceanside	in queue	no chair massage at swap meets	Mar-12
Oceanside	verifying	multiple business licenses	May-12
El Dorado	resolved	requiring permit	Apr-11
Rancho Cucamonga	resolved	establishment permit required	Dec-10
Rancho Cucamonga	in process	\$2600 CUP	Dec-10
Santa Clarita/ LA county	resolved	background check	Oct-10

Santa Clarita/ LA county	resolved	showers required	Oct-10
Santa Clarita/ LA county	reresolved	\$2100 establishment permit	Sep-11
Pomona	in queue	accessory use only	Apr-12
Pomona	confirming	drafting ordinance?	Apr-12
		possible establishment, owner must be member of	
Palmdale	resolved	assn	Aug-11
Palmdale	resolved	requiring business certification of ME new location	Aug-11
Palmdale	in queue	will amend ordinance	Jun-11
		drafting ordinance, likely estab permit if non-	
Pasadena	in the queue	certified owner	Jul-11
Pasadena	in the queue	background check of certified owner	Dec-10
Pasadena	in the queue	CUP	May-10
		refuses to renew business license unless large	
Corona	unconfirmed	employer	Dec-10
Torrance	ongoing	drafting ordinance	Jun-11
Torrance	resolved	moratorium	Sep-10
Torrance	not priority-in queue	required class on ordinance	Mar-12
	\$654 annual establishment permit		
Torrance	for owner/each contractor		May-12
Escondido	resolved	new ordinance	Jun-11
Escondido	in progress	establishment zoning restriction	Apr-12
Lancaster	passed 5/10 w. problems	drafting ordinance	Mar-10
Lancaster	no recent activity	compliance certificate and fee	Mar-10
Lancaster	in new ordinance	compliance permit required	May-10
Lancaster	in new ordinance	establishment permit	May-10
Elk Grove	unverified	massage permit required	early 2011
Orange - city of	resolved	W-2 employee biz license	Aug-11
Orange - city of	needs verification	establishment permit	Apr-12
Orange - city of	in queue	ancially use only 20%	Apr-12
Sunnyvale	resolved	background check and city permit	Aug-11
Sunnyvale	resolved	establishment permit	Aug-11
Sunnyvale	resolved	fees for establishment	Apr-12
Thousand Oaks	resolved	establishment permit-citations	May-11
Thousand Oaks	complete	drafting ordinance	Oct-11
Simi Valley	resolved	moratorium	Nov-10
Simi Valley	approved	drafting ordinance	Nov-11
El Monte	in queue	establishment permit fee	Nov-11
Santa Clara City	resolved	establishment permit	Oct-10
Santa Clara City	resolved	background check	Oct-10
Visalia	in progress	drafting ordinance	Jan-12
Concord	resolved	did not recognize certification	Aug-11
Vallejo	resolved	police permits	Jan-12
Vallejo	confirming	CUP	Jan-12
Costa Mesa	ongoing	amending new ordinance	Jul-11
Costa Mesa	resolved	establishment permit	Jul-11
Costa Mesa	ongoing	no hotel massage	Jul-11
Costa Mesa	resolved	moratorium	Jul-09
Roseville	apply per the law	no locked doors	Apr-12
Roseville	not yet	drafting ordinance	Nov-11
Downey	resolved	\$833 establishment permit	Oct-11
Downey	resolved	restrictive zoning/ cup	Jun-11
Downey	in progress	drafting ordinance	Nov-11
West Covina	in the queue	permit required	Nov-10
Victorville	in progress	CUP	Oct-11
Victorville	resolved	city permit required	Mar-12
Norwalk	resolved	CUP	8/11/2011
Burbank	resolved	registration/permit?	Jun-11
Burbank	resolved	establishment permit for mobile at Warner Bro	Jan-12
Burbank	resolved	shower/tub/	Mar-12
Burbank	resolved	establishment permit and fees	Mar-12
Burbank	resolved	home inspection to make sure no home occ	May-12
Berkeley	resolved	establishment permit	Apr-11
Berkeley	resolved	city application	Jan-11
Berkeley	resolved	CUP	Apr-11
Berkeley	resolved	wants permit of sound healer	Jan-12
Carlsbad	resolved	city permit?	Jun-12
Ventura	city will not budge	taking permit fees	Dec-10
Ventura	in progress	high "inspection" fee	Jun-12
Richmond	resolved	background check and massage permit	Sep-11
Richmond	new report	CUP, establishment permit	Aug-11
Temecula	in the queue	city permit	Mar-11
Temecula	in the queue	no outcalls	Mar-11
Temecula	in progress	restrictive zoning	May-12
Murrieta	resolved	permit required	Oct-10
Murrieta	in progress	no couples massage	Apr-12
Mission Viejo	in the queue	\$800 establishment fee	Oct-10
Mission Viejo	in the queue	CUP	Oct-10
Mission Viejo	in the queue	establishment permit	Oct-10
Rialto	resolved	CUP -	Dec-10
Rialto	resolved	medical certificate	Dec-10

Rialto	resolved	city permit	Apr-12
Rialto	resolved	possibly high business license fee	May-12
Vista	resolved	employee business license	Feb-11
Vista	in the queue	compliance fees	Feb-11
Vacaville	in queue	establishment "supplemental" license	Aug-11
Clovis	in progress	requires background check	Feb-12
Westminster	in the queue	permit required	May-10
Westminster	resolve	police approval for business license as I.C.	May-10
Westminster	resolved	must work under a chiropractor	Apr-12
Santa Monica	new report	owner exam on city code	Aug-11
santa monica	new report	restrictive zoning	Aug-11
Santa Barbara	in progress	no chair massage	11/1/2011
Santa Barbara	in progress	establishment permit	11/1/2011
Newport Beach	resolved	CUP -	early 2011
Newport Beach	resolved	city exam	Aug-11
Newport Beach	in the queue	drafting ordinance	unknown
Livermore	resolved	does not recognize CMP	Apr-12
Chino	postponed, soon	plan to draft massage/zoning ord.	Apr-11
Chino	in queue	establishment issues	Oct-10
Chino	in queue	requires permit	Oct-10
san marcos	resolved in new ord.	establishment permit	Oct-10
san marcos	confirmed	employee business licenses	8/6/2011
san marcos	in progress	drafting ordinance	Oct-11
Buena Park	in progress	accessory use only	Feb-12
Lakewood	in queue	background check of certified owner	Feb-11
san leandro	in queue	possible permit required	Oct-10
Baldwin Park	approved	drafting zoning ordinance	Apr-12
Baldwin Park	resolved	no new massage businesses	Mar-12
Merced -city	verifying	background check	Feb-12
Merced - city	in progress	no home occ or mobile-massage only	Feb-12
Chino Hills	resolved	establishment permit	Oct-10
Chino Hills	resolved	Conditional use permit	Jan-11
Chino Hills	resolved	drafting new ordinance	Apr-11
Chino Hills	resolved	no outcalls	Aug-11
Lake Forest	resolved	technician permit	Nov-11
Lake Forest	resolved	establishment permit	Nov-11
Redwood City	resolved	no outcalls in draft	Oct 2011'
Redwood City	resolved	draft to deny CCMP's ability to work	Oct-11
Redwood City	resolved	drafting ordinance	Jul-11
Redwood City	resolved	Cup, high fee	Jan-11
Bellflower	verifying	possible employee business license	Aug-11
Bellflower	in queue	permit required	Oct-10
Bellflower	in queue	no outcall, hours restrictions	Mar-12
Bellflower	in queue	zoning restrictions	Mar-12
Upland	in progress	forbids full massage in reflexology business	Nov-11
Upland	resolved	accessory use only	Feb-12
upland	in progress	establishment permit	Mar-12
MountainView	in queue	background check	Feb-11
Mountainview	in queue	establishment permit & fees	Feb-11
MountainView	in progress	police application	April 3 2012
Tustin	in queue	establishment permit	Jun-12
Alameda city	resolved	requires city permit,	Sep-09
Alameda city	in progress	drafting ordinance	Jan-12
Union City	in queue	restrictive zoning	Aug-11
Redlands	in queue	restrictive zoning	Aug-11
Redlands	in queue	CUP and fee	Oct-09
Redlands	in queue	permit required	Oct-09
Redlands	in queue	restrictive zoning	Apr-12
Redlands	in progress	drafting ordinance	Feb-12
Milpitas	resolved	background checks	Sep-11
Milpitas	resolved	CUP	Apr-12
Folsom	ongoing	drafting ordinance	Oct-11
Turlock	resolved	background check/ police permit	Nov-11
Turlock	in queue	establishment	Dec-09
Pleasanton	resolved	city livescan and license fees	Aug-11
Pleasanton	confirming	does not recognize CMP	Apr-12
Yorba Linda	in progress	showers required	Nov-11
Yorba Linda	in progress	establishment permit	Dec-11
Yorba Linda	in progress	massage permits	May-12
San Clemente	resolved	drafting ordinance	early 2011
San Clemente	in queue	no home occupation for massage	Aug-11
San Clemente	in queue	restrictive zoning	Aug-11
Redondo Beach	in progress	drafting ordinance	early 2011
Redondo Beach	in progress	plans to require a CUP	Nov-11
Camarillo	resolved	2 business license fees - one specific only to massage	Oct-11
Camarillo	resolved	city permit and medical exam	Sep-11
Camarillo	resolved	no home or outcall massage	Jul-11
Walnut Creek	resolved	city permit required'	Aug-11
Montebello	in queue	no massage businesses allowed	May-11
Palo Alto	resolved	permit required	May-11

Palo Alto	almost complete	drafting ordinance	May-11
Encinitis	probably resolved (see file)	\$6000 for new business planning fee	Jan-12
Monterey Park	resolved	certified owner background check	Oct-11
Monterey Park	resolved	restrictive zoning	Mar-11
Monterey Park	complete	new ordinance	Oct-11
Monterey Park	resolved	CUP	Mar-11
Monterey Park	resolved	background check of certified owner	Oct 20101
San Ramon	resolved	establishment permit	4.3.12
San Ramon	resolved	police permits	4/1/2012
San Ramon	resolved	employee business license	April 3 2012
San Ramon	in queue	photo id card	4/1/2012
San Ramon	resolved	incidental use; limited zoning	8/6/2011
La Habra	resolved	requires city exam	Jan-12
La Habra	in progress- positive	requires showers	Jan-12
Diamond Bar	resolved	CUP - resolved	May-11
Fountain Valley	in queue	establishment permit, CUP	10/1/2010 and oct 2011
Fountain Valley	in queue	extra restrooms	Aug-11
Fountain Valley	in queue	permit required/another report contradicts	Oct-10
La Mesa	resolved	required permit	Feb-12
Arcadia	in queue	\$10 registration fee W-2 employees	5/1/2011
Arcadia	in queue	limited to 33% of business	May-11
Arcadia	in queue	only in med, chiro offices - 2mts max	May-11
Cupertino	in queue	outcall permit required	Mar-12
Cupertino	passed	drafting ordinance	Mar-12
Rocklin	in queue	establishment permit	Mar-11
Perris	in the queue	variance	early 2011
Cerritos	ongoing	CUP and Town Center limitation	May-11
Delano	resolved	cup	Nov-11
Delano	in progress	drafting ordinance	Nov-11
Novato	resolved	permit required	Oct-10
Novato	in queue	higher business license fee	Aug-11
Novato	in queue	restrictive zoning	Oct-10
Cathedral City	in queue	permit required	early 2011
Glendora	in progress	no outcall	Mar-12
Glendora	resolved	accessory use only	Apr-12
Glendora	resolved	CUP	April 3 2012
Highland	in queue	difficult to get business license	Aug-11
Brentwood	resolved	city permit (registration by employee?)	Nov-11
Placentia	resolved	no independent contractors	Aug-11
Placentia	resolved	exam	Oct-10
Placentia	ongoing	accessory or medical only	Augn 2011
Placentia	ongoing	manager must be certified	Jun-11
Placentia	ongoing	CUP	Oct-10
Palm Desert	resolved	accessory use	May-11
Palm Desert	resolved	permit required	Dec-10
Palm Desert	resolved	restricted zoning	Mar-12
Gilroy	resolved	background check/police permit	Jan-12
Yucaipa	resolved	permit required	May-11
Lake Elsinore	in progress	certified owner background check	Dec-11
La Mirada	resolved	CUP, also of holistic health businesses	Oct-11
La Mirada	resolved	new ordinance	Oct-11
Cypress	resolved		
Covina	in queue	moratorium	early 2011
covina	in queue	no mobile - needs planning	Jan-12
Azusa	resolved	moratorium	May-11
Dublin	resolved	background check,	May-11
Dublin	resolved	moratorium	May-11
Dublin	in queue	no outcalls	May-11
Palm Springs	resolved	city permit	Nov-11
Palm Springs	resolved	dual business license fees	Sep-11
Palm Springs	resolved	establishment permit	Oct-10
Palm Springs	in progress	medical exam	Dec-11
Palm Springs	in progress	zoning	Oct-10
Palm Springs	in progress	accessory use only	Jan-12
El Centro	resolved	city will not recognize certification	May-12
San Luis Obispo	resolved	TB test required	Nov-11
San Luis Obispo	resolved	police permits	Mar-12
Newark	in queue	no massage home occupation	Oct-10
Danville	in queue	background checks	May-11
Danville	in queue	moratorium	May-11
Danville	in queue	sheriff background checks	May-11
Rohnert Park	resolved	did not recognize certification	unknown
La Puente	in queue	ignores law	Jan-12
San Gabriel	resolved	CUP	May 2011
San Gabriel	resolved	permit required for certified owner	May-11
San Gabriel	resolved	drafting new ordinance	May-11
San Gabriel	resolved	Moratorium	May-11
San Gabriel	resolved	high fee/background check CMT	May-12
Rancho Palos Verde	resolved	permit required	May-11
Lincoln	in queue	no outcalls	Jun-11
Lincoln	resolved	no home occupation specific to masaaage	Mar-12

Campbell	resolved	registration fee	Jun-11
Campbell	resolved	additional business license for massage	Nov-11
Campbell	resolved	\$471 establishment fee	Sep-11
Culver City	resolved	establishment and technician permit	Aug-11
Culver City	in queue-may be OK	high fee	Aug-11
Pacifica	resolved	cup \$3700	Oct 2011'
Pacifica	resolved	police permits	Mar-11
Pacifica	Resolved	medical exam	Feb-11
Pacifica	in progress	dressing room and laundry facility or service	Feb-12
Pacifica	in progress	CUP	Feb-12
Morgan Hill	in queue	moratorium	unknown
Monrovia	in queue	certified owner background check/\$1300	Jul-11
Monrovia	in queue	moratorium	May-11
Monrovia	in queue	restrictive zoning	May-11
Stanton	in queue	permit required	Oct-10
Stanton	in queue	inspection fee	Feb-14
Montclair	in queue	Cup	May-12
Dana Point	in queue	restrictive zoning	Aug-11
San Juan Capistrano	resolved	establishment permit	May-11
San Juan Capistrano	resolved	"business" permit required of employees	May-11
San Juan Capistrano	in queue	restrictive zoning	May-11
San Dimas	in progress	accessory use only	Feb-12
Los Banos	in progress	drafting ordinance	Dec-11
Beverly Hills	resolved	fees, massage work permit and livescan	8/1/2011
Beverly Hills	not being enforced	no cross gender massage	long ago
Temple City	in queue	citation for not renewing establishment pemrit	Aug-11
Temple City	in queue	refused information	May-11
La Verne	resolved	requires city permit - no fee	unknown
Pleasant Hill	resolved	permit required	Oct-10
Pleasant Hill	resolved	establishment permit	Dec-11
Laguna Hills	in queue	permit required	May-11
Walnut	in queue	moratorium	Jul-11
Saratoga	ongoing	non-cert. owner estab permit	Jun-11
Wildomar	in progress	drafting ordinance	Apr-12
Goleta	in queue	registration fee	Oct-10
Los Gatos	resolved	employee business licenses	May-11
Los Gatos	in queue	variance/CUP	Oct-10
Foster City	in queue	background check	Aug-11
Twentynine Palms	resolved	city therapist permit	Aug-11
Pasa Robles	in progress	drafting first ordinance	May-12
Monterey City	final stages	est permit required -non cert owner	Feb-12
San Carlos	ongoing	new ordinance	Jul-11
Los Altos	resolved	background, permit high fees & medical exams	Aug-11
Banning	resolved	moratorium	unknown
Ridgecrest	resolved	establishment permit	Feb-12
Desert Hot Springs	in queue	permit required	Oct-10
Desert Hot Springs	in progress	"house fee" \$200 + biz license fee	Feb-12
Belmont	in queue	business license fee \$2038	2000
Belmont	in queue	establishment fee \$3500	2000
Eureka	resolved	city permit fee	Dec-11
South Pasadena	resolved	proposed moratorium, new zoning w/CUP	Jun-11
South Pasadena	ongoing	Fee for ID badges	Jun-11
South Pasadena	new report	\$300 zoning fee for contractor for each location	Aug-11
Wasco	confirming	CUP if not in spa	Jan-12
San Fernando city	in progress	certified owner background check/\$1300	Oct-11
Laguna Beach	1st reading 2.7.12	new ordinance	Jan-12
Lafayette	passed	possible first ordinance	Feb-12
Coronado	in queue	restrictive zoning	Oct-10
Calabasas	resolved	permit required	Oct-10
Calabasas	introduced	drafting ordinance	Apr-12
Agoura Hills	resolved	CUP	Aug-11
Agoura Hills	probably resolved-	establishment permit,	Aug-11
Millbrae	postponed, communication	new ordinance	Jun-11
Lomita	in progress	massage permit	Nov-11
Pinole	in queue	no outcalls	unknown
Pinole	in queue	permit required- city interview	Oct-10
Santa Fe Springs	in progress	new ordinance	Oct-11
Artesia	resolved	employee business license	Jan-11
El Segundo	in queue	possible permit required	unknown
Albany	in queue	restrictive zoning	Oct-10
Rancho Mirage	resolved	business license for hospital volunteer	Aug-11
Hawaiiin Gardens	complete	drafting ordinance	Mar-12
Pacific Grove	resolved	city permit	Jan-12
Carpinteria	ongoing- stalled	not permitting cmp to do outcall -	May-11
Malibu	ongoing	no home or outcall massage	Aug-11
Auburn	in queue	no outcalls	Oct-10
Half Moon Bay	in queue	possible permit required	Oct-10
Marysville	full exemption -1st reading	amended ordinance	Feb-12
Los Alamitos	in queue	refused business license	Feb-11
Los Alamitos	in queue	seem to have no exemption	Apr-12
Scotts Valley	in queue	possible permit required	Oct-10

Lindsay	support	new ordinance- favorable zoning	Oct-11
Sierra Madre	in queue	CUP, fee	May-11
Placerville	in progress	drafting ordinance	Apr-12
Emeryville	resolved	livescan and 500 hours	Sep-11
Emeryville	resolved	requiring permit	Oct-10
Corte Madera	in queue	background check,	Oct-10
Corte Madera	in queue	restrictive zoning	Oct-10
Taft	resolved	city permit required	Sep-11
Taft	in queue	establishment permit	Sep-11
Rio Vista	in progress	live scan even if certified	Apr-12
Calimesa	in queue	requires permit	Oct-10
Escalon	resolved	required permit	Oct 2010'
Escalon	in queue	high fee permit	Oct-10
Escalon	in progress	required CE's	Oct-11
Del Mar	in queue	showers for clients and staff	Jul-11

Jurisdiction	Population	Require certification?
American Canyon	16,836	yes, in policy
Lafayette	24,342	yes -
La Mirada	50,015	yes
Chino Hills	78,971	yes
Agoura Hills	23,387	yes
Antioch	102,330	yes
Banning	28,751	yes
Camarillo	66,690	yes
Campbell	40,860	yes
Costa Mesa	117,178	yes
Cotati	7,476	yes
Del Mar	4,660	yes
Delano	54,447	yes
Encinitas	65,171	yes
Escondido	147,514	yes
Fontana	190,356	yes
Gardena	61,927	yes
Glendale	207,902	yes
Hawaiian Gardens	15,884	yes
Huntington Beach	203,484	yes
Irvine	217,686	yes
King City	12,140	yes
La Verne	34,051	yes
Laguna Beach	25,354	yes
Menifee	68,905	yes
Modesto	211,536	yes
Monrovia	39,984	yes
Monterey City	29,455	yes
Moorpark	37,576	yes
Morgan Hill	40,246	yes
Oxnard	200,004	yes
Placentia	52,305	yes
Pleasant Hill	33,844	yes
Port Hueneme	21,887	yes
Redwood City	78,568	yes
Reedley	26,227	yes
Rosemead	57,756	yes
San Carlos	29,155	yes

San Clemente	68,763	yes
San Diego County	3,118,876	yes
San Gabriel	42,984	yes
San Mateo County	724,702	yes
San Rafael	58,822	yes
Santa Clarita	177,641	yes
Santa Rosa	163,436	yes
Simi Valley	126,902	yes
Torrance	149,717	yes
Tustin	75,773	yes
Vacaville	97,305	yes
Ventura City	106,096	yes
Visalia	125,971	yes
Vista	97,513	yes
Thousand Oaks	130,209	yes
Alameda County	1,521,157	proposing
Calabasas	23,788	proposing
Clovis	96,868	proposing
Contra Costa County	1,056,064	proposing
Daly City	108,383	proposing
Dublin	48,821	proposing
Folsom	71,453	proposing
Fresno City	502,303	proposing
Palm Springs	48,040	proposing
Paso Robles	30,072	proposing
Placerville	10,429	proposing
San Diego City	1,257,000	proposing
San Marcos	84,391	no-probably won't
San Jose	1,023,083	no -plan to keep dual
Marysville	12,867	no - full exemption





June 12, 2012

Memo: to CAMTC Board of Directors

From: Beverly May

**Possible Additional Amendment to be added to SB 122**

California State Business & Professions Code Section 4601 (b)(1)(B) states “The applicant has successfully completed, at a single approved school, curricula in massage and related subjects totaling a minimum of 250 hours that incorporates appropriate school assessment of student knowledge and skills.”

The intention of this provision is that after the grandfathering period which ended Jan 2, 2012, all new applicants would need to have at least 250 hours from one approved school with 100 of those hours in specified “core” subjects (Anatomy, physiology, health and hygiene, business & ethics).

Unfortunately, the law neglected to require the 100 hours in core subjects, or to state that at least 250 must be in one school, in order to certify at the higher tier (CMT). As a result, under current law, while the CMP must have 250 hours in one school of which 100 hours must be in specified core subjects, the CMT can attend any number of schools and have no required core subjects.

This is an issue to be addressed at Sunset.

Meanwhile there are a sizable number of massage therapists who missed the grandfathering period for various reasons and now find that they cannot qualify because they have less than 250 hours and their school is closed. Most of these people have been practicing for years and have no desire to go back to school to start from scratch. All staff who interact with these therapists feel that there are no indications that they are

a problem, and in fact we have no reports that their closed schools were not reputable.

The Bureau for Postsecondary Education, which approves private postsecondary schools, allows schools to transfer credits. Although not all schools will accept transfer credits, others are willing to do an entry evaluation and allow students from closed schools to take more classes to get to or above 250 total hours.

According to Bill Gage, Chief Counsel for CAMTC's legislative oversight committee, transfer of credits between one school and another is always anticipated, especially under the Education Code.

He has suggested a fix now by striking "single". This would be made either in Assembly Appropriations Committee or on the floor of the Assembly. Another option, to make it more likely that the student has received the core class work, is to amend to "no more than two". These options are spelled out below:

Option 1: BPC 4601 (b)(1)(B) The applicant has successfully completed, **at a single approved school**, curricula in massage and related subjects totaling a minimum of 250 hours that incorporates appropriate school assessment of student knowledge and skills.

Option 2: BPC 4601 (b)(1)(B) The applicant has successfully completed, **at a single no more than two approved schools**, curricula in massage and related subjects totaling a minimum of 250 hours that incorporates appropriate school assessment of student knowledge and skills.

The Republican Consultant prefers Option 1, as this is how the Education Code handles other school transfers.

## **Professional Standards Division**

### Briefing

#### OPEN SESSION

The role of each staff member of PSD has significantly changed in the last two years. For 2012, PSD is pushing to review an average of 65 people per week, 30 new and 35 being carryovers from previous weeks. Approximately 50% of the new ones need some sort of follow up investigation. Police department declarations, district attorney contacts and court checks make up the bulk of this activity.

In 2011, the Background Investigation Unit (BIU) along with our legal section generated 1719 denials. Also in 2011, the PSD conducted 769 hearings for education and general denials. An emerging trend is the increasing amount of time needed to complete the higher volume of court checks. 2011 saw 283 court checks completed and we have already surpassed that number in the first half of 2012 and estimate it will grow to over 600 at years end.

In 2012, PSD took on the responsibility of updating the "City Contact List" previously performed by AMG. This was done because it was a better fit for the PSD staff and is updated more frequently.

Also, in 2012, PSD staff has taken the responsibility of obtaining officer declarations from SSA leaving SSA with the responsibility to investigate schools only. Due to these changes, many of the staff has been tasked with multiple duties. For example, our paralegal is filling in for an investigator position, Tim is providing oversight on all of the hearings, writing declarations for officers as well as myriad other duties. Kellie prepares all suspension, denial, revocation memos as well as conducting hundreds of court checks to arrive at the information needed to launch investigations. All of these duties have been added to their original hired position as "part time reviewers".

Because of the complexity and the need to separate investigations from denials/revocations/suspensions, the PSD has been re-organized into three sections responsible for various duties. This new reorganization puts in place a "checks and balance" system so as to limit any one persons authority, including the Director. See accompanying chart.

As a result of PSD making improvements to the CAMTC website for making a complaint against a therapist, a new protocol was implemented for handling the increasing number of therapist complaints that now average 2-3 per week. This new system categorizes the complaints, classifies the type of investigation and documents the action taken by PSD. Less than 10% of the complaints involve serious misconduct with the remaining amounting to minor misconduct. This complaint protocol is provided as a separate attachment. A "satisfaction survey" is also being currently designed for the sunset requirements.

Each time the BOD adds a school to our "DATAPOE" list, the person is given 90 days to request an educational hearing. While it was projected that we would see a decline in educational hearings this year, it is simply not the case. Last month we sent out nearly 400 education PDL's due to the three new schools on the list. We typically have a 50% response rate that means we are looking at another 200 hearings from that batch alone. This equates to 5 additional months that will carry us well into next year. At this rate, we may need to hire more hearing officers.

Looking at the remaining 2012 year and 2013, it is evident the PSD caseload will continue to increase. New applicants who in the beginning, used to make up 100% of our Monday call list, now account for less than 50% as the number of SARS, re-certification problems, criminal conduct, misconduct (complaints) are now overtaking the new applicants thus slowing down our quality of service to new applicants. As these numbers increase, the existing queue will grow even larger than the present 500 that are waiting.

## **TYPES OF COMPLAINTS**

**CATEGORY I** - IMMEDIATE FOLLOW UP, MAY INVOLVE AN EMERGENCY CALL OUT

**CATEGORY II** - SOME EVIDENCE 30 DAYS TO INVESTIGATE

**CATEGORY III** - NO EVIDENCE, NO FOLLOW UP, FILE ONLY

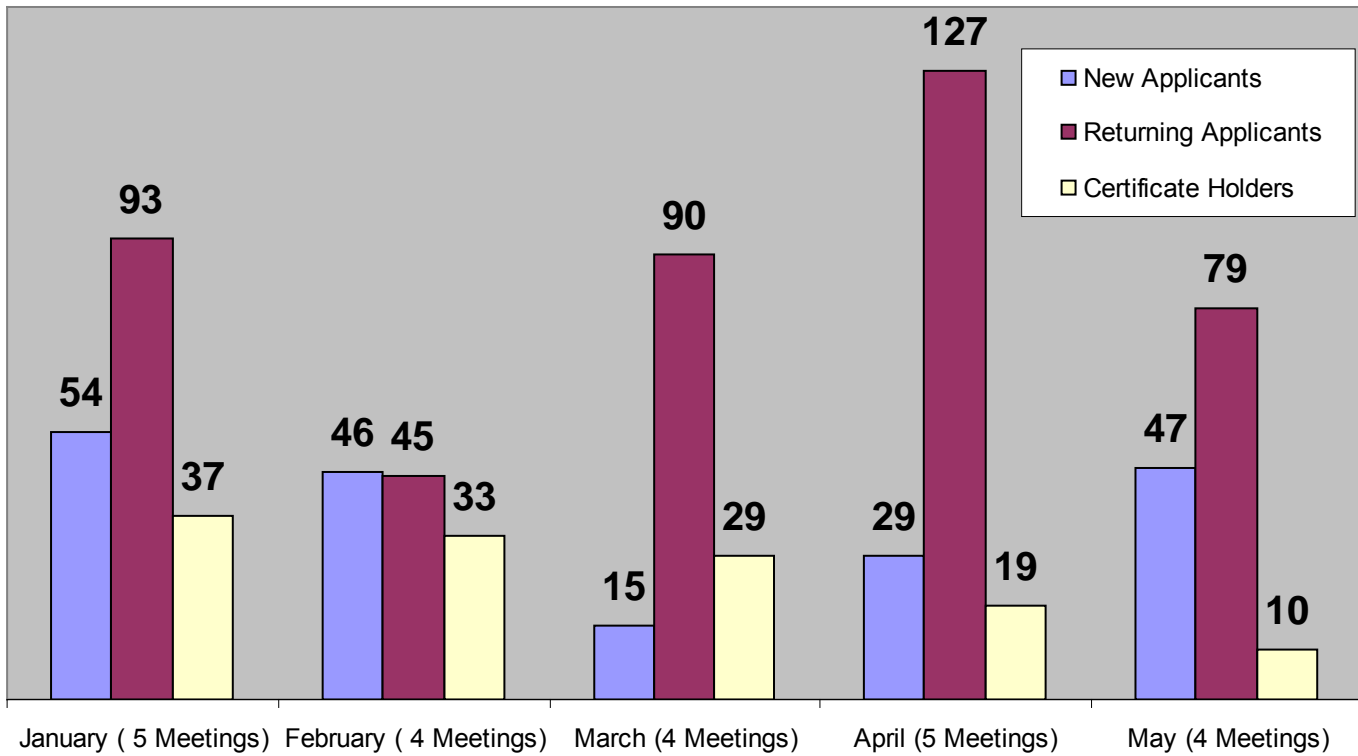
## **CLASSIFICATIONS OF INVESTIGATIONS**

1. **SUSTAINED** - COMPLAINED OF ACTIVITY OCCURRED.
2. **NOT SUSTAINED** - CAN'T PROVE ACTIVITY OCCURRED ONE WAY OR ANOTHER.
3. **UNFOUNDED** - ACTIVITY DIDN'T HAPPEN.

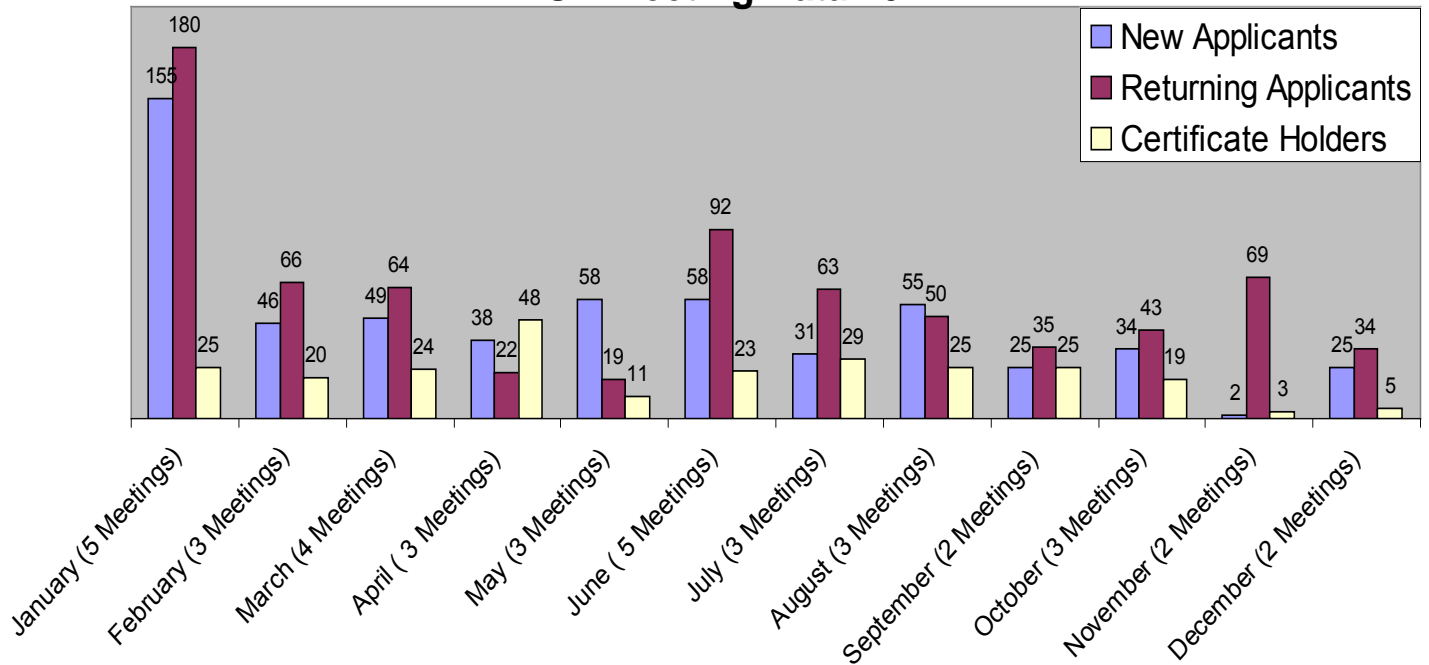
## **ACTIONS TAKEN**

1. REVOKE
2. NO ACTION
3. SUSPENSION
4. PROBATION

## 2012 PSD Meeting Data YTD



## PSD Meeting Data 2011



The data contained in the following tables represents the amount of reviews conducted by PSD for 2011 & 2012, as well as a break down of the decisions rendered for each review.

#### PSD Data for 2011 (Jan 1,2011 to Dec 31, 2011)

<b>1570</b>	Total reviewed
57	Certificate Holders with SARs
576	Applicants
737	Previously Reviewed
147	Denials for Conduct
27	Denials for Conduct and Education
58	Inadequate Education Only Denials
352	Approvals
191	No Actions
330	Kellie's Kellie's Court Checks
81	Sent to AMG for more information
205	SSA Investigations
26	Revocations
33	Suspensions
67	Tim's Investigations
44	Other (includes client complaints)

#### PSD Data YTD 2012 (Jan 1 to May 31, 2012)

<b>753</b>	Total Reviewed
128	Certificate Holders with SARs
434	Previously Reviewed
191	New Applicants
52	Denials for Conduct
12	Denials for Conduct and Education
14	Inadequate Education Only Denials
126	Approvals
72	No Actions
147	Kellie's Court Checks
136	Sent to AMG for more information
40	SSA Investigations
25	Revocations
19	Suspensions
67	Tim's Investigations
34	Micaela's List
4	Elaine's List
39	Other (includes client complaints)



# Memo

Date: June 14, 2012

To: Board of Directors  
California Massage Therapy Council

From: Ahmos Netanel, Chief Executive Officer

Subject: PSD Reorganization and Promotions Proposal

In PSD's Director's Report, Rick McElroy alluded to the fact that PSD staffers wear many hats and are extremely talented and dedicated to their jobs. Tim and Kellie were originally hired to be "part time application reviewers". They were initially offered \$30.00 an hour but were cut back to \$28.00 an hour (2009) and currently get paid 28.84 an hour. Because PSD was a new entity, they only had one responsibility - review applications, make recommendations and capture that data via a paralegal. Today, their many duties are as follows:

2009- Tim and Kellie-part time application reviewers, 25 hours per pay period

2012-Tim's duties: Now- 80 hours per pay period

1. Reviews arrest reports and prepares officer declarations
2. Interviews witness (complaints) and prepares declarations
3. Pre-screens the call list prior to the Monday call, and application reviewer.
4. Supervises 5 hearing officers and participates in Thursday's hearings
5. Assists legal counsel with special requests
6. Trains new hearing officers and assists the Director in their selection.



7. Liaises with police departments
8. Provides declaration training to police departments
9. Trains new investigators and paralegals (Tim is a paralegal)
10. Conducts special investigations at the Directors request
11. Assists AMG regarding service improvement on PSD matters
13. Sits in for the Director when he is away
14. Supervises one investigator (one more in near future)

2012- Kellie's duties: Now- 80 hours per pay period

1. Writes all the denial, suspension and revocation memos to counsel
2. Conducts online court checks for filings, convictions, and disposition of charges
3. Contacts local and out of area courts for case details
4. Tracts (weekly) pending court charges
5. Liaises with police departments for arrest details
6. Reviews and edits minutes from paralegal
7. Hearing officer
8. Maintains city contact list on a weekly basis
9. Supervises one investigator (one more in near future)
10. Application reviewer

2012- Elaine's duties: Now- 70 hours per pay period

1. Application reviewer
2. Schools investigator (N. Cal)
3. Hearing officer
4. Adult advertising investigator
5. Field Investigator

Micaela's duties: Hired as a part time paralegal, now 80+ hours per pay period

1. Paralegal (keeps minutes for the Monday application review)
2. Assists Kellie as an investigator collecting various evidence
3. Back-up paralegal for the hearings.

Lisa Hartzell's duties: Hired as a part time paralegal, now approximately 70 hours per pay period

1. Paralegal – reviews and responds to all correspondence from applicants who are sent to the PSD process (and many who simply get her email address and correspond even when they aren't yet in the PSD process). Holds applicants hands, fends off complaints and tries to work with applicants and their attorneys who are upset by the process.

2. Receives, reviews, and uploads applicant documentation and correspondence to PSD review panel and attorneys
3. Tracks the thousands of PDLs, PRLs, suspensions, and revocations as well as the new process for paying for hearings and written considerations
4. Schedules and keeps track of the thousands (6,000+ now) applicants/cert holders who have been offered hearings and written considerations (hearing dates, when documents are due, etc.)
5. Liaison between Alison, AMG, PSD and all applicants who have received a PDL or a PRL or suspension, revocation, etc.

Stacy Morrison's duties: Hired as a part time paralegal, now 80+ hours per pay period

1. Paralegal - takes minutes from all telephonic oral hearings, consideration of oral hearings, and consideration of written statements for all proposed denied applicants and proposed revoked or disciplined certificate holders (769 oral hearings/ consideration of written statements in 2011)
2. Finalizes minutes for oral hearings, consideration of oral hearings, and consideration of written statements
3. Reviews all evidence specific to each applicant/certificate holder in preparation for oral hearings and consideration of written statements (in many cases 400+ pages of evidence per applicant/certificate holder) and drafts document list clearly identifying each piece of evidence to be used in minutes and Notice of Decision letters drafted by counsel
4. Liaison between AMG, PSD, and counsel regarding evidence submitted by applicants/certificate holders and access to that evidence through the secure site
5. Assists counsel in preparation of Administrative Records for Petitions for Writ of Mandate

Cindy's duties: Now 30+ hours per pay period

1. Prepares memos to AMG
2. Prepares approval letters
3. Prepares PSD activity report monthly
4. Special projects for the Director

PSD has evolved into a very complex mechanism with everybody pitching in to get the job done. However, I had a concern that from an integrity standpoint, one could question how one person had too much influence or “power” within the division. The new organizational chart does not replace any prior org chart, but is designed something like a police department conducting investigations and then turning it over to the district attorney (independent review) for prosecution and ultimately, a court as a third party to render a decision. Since the beginning of April, Tim with the most experience regarding our investigators, assumed the functions to Chief of the Enforcement and Investigations Section (IES) overseeing its operations. Kellie became Senior Investigator of the Background Investigation Unit (BIU) handling the initial legal preparation. Tim, Kellie, Elaine and Rick populate the application/Complaint panel every Monday. As you can see from the org. chart that the investigation is prepared by Tim’s group, sent to the Directors office for review, then shipped to Kellie’s unit for legal preparation and finally to our legal staff for hearing setup and dates. This method removes the notion that one person at PSD could be the “judge, jury and executioner” for example. Its a defensible design from an outside challenge and protects CAMTC from criticism.

It’s obvious that all the employees have evolved together into a cohesive team. But, they are constantly bombarded with more work and new responsibilities. To carry out CAMTC’s mission in a timely manner, two things must occur:

1. Two more investigators need to be hired, one for Tim and one for Kellie.
2. To keep key people at PSD, they need to be compensated for their expertise and level of responsibility. Keep in mind that Kellie and Tim often work 7 days a week, holidays and have no paid sick or vacation time off. Also, they are on call for suspension information and witness interviews 24/7.

I recommend that the Board formalize Tim’s position as Chief of Investigations and Enforcement and Kellie’s as Senior Investigator of the Background investigation Unit.

In looking at other organizations with positions with requirements for similar skill sets in the Los Angeles area. We also looked at paralegals with supervisory position for guidance. The closest position we could determine that fit the job description was that as an LAPD Det-3 position for Tim and Det-2 for Kellie.

The salary for a Det-3 is \$114,276

The salary for a Det-2 is \$98,376

My recommendations for the two positions are less than the LAPD as they currently don’t have to carry guns although they can as they are permitted. My recommendation is as follows:

Tim- paid at \$37.50/hour, \$78,000 a year, benefits package allowance of \$400/mo, 14 days paid sick leave and 10 days paid vacation (retroactive accrual beginning January 1, 2012).

Kellie- paid at \$33.50/hour, \$69,680 a year with the same corresponding benefits as Tim's above.

Micaela, Lisa, and Stacy -remain at current salary (with potential raises recommended below) but add vacation and sick leave benefits as above.

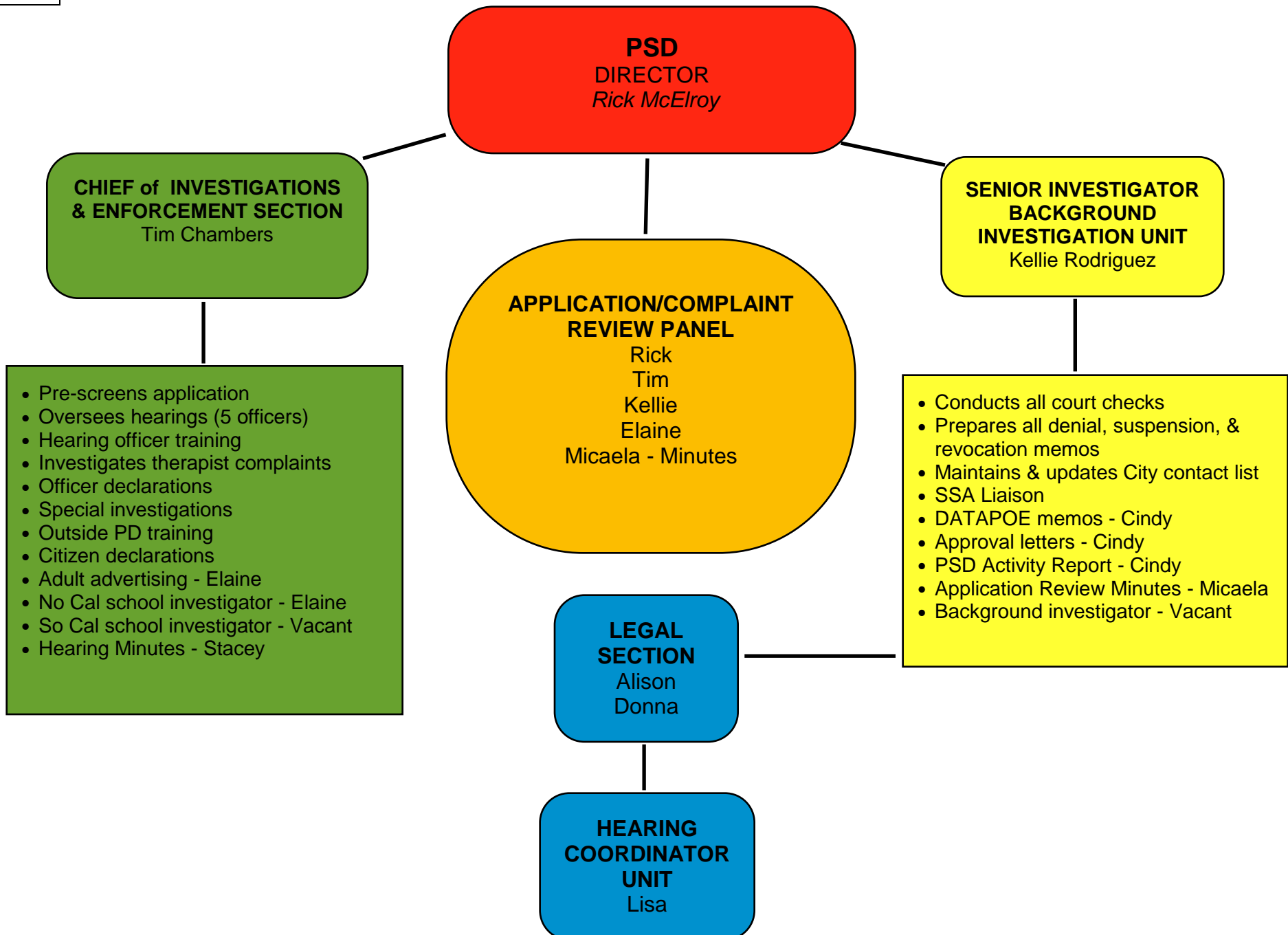
Add two full time Investigators with a starting salary of \$25.00 hour=\$52,000 a year with same benefit package. Vacation and sick leave accrual to start in the second year.

If approved by the Board, all changes to titles, pay, and benefits will be memorialized in new offer letters to these employees.

PSD Director needs 5 additional hours per week at current salary. (Increase from 50 hours per pay period to 60).

Also, I am requesting a 4% raise for the rest of PSD's staff.  
All of the above compensation changes to be effective April 1, 2012.

# PROFESSIONAL STANDARDS DIVISION ORGANIZATIONAL CHART



# Memo

To: Board Members  
 From: Ahmos Netanel, CEO  
 Date: 6/14/2012  
 Re: PSD Budget Requests

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Per our discussion concerning the budgeting for PSD the following information is provided:

1. <u>Management</u> (Rick)	Approved 2012 budget	\$63,195
<i>Request change to 120 hours per month from 60 hours beginning June 1st, no increase in hourly rate</i>		
	Adjusted budget including Jan-May Actuals	<u>\$69,603</u>
	Increase (Decrease) to approved budget	\$ 6,408+
2. <u>Application Review &amp; Field Investigations</u> (Tim & Kelly)	Approved 2012 Budget	\$115,729
<i>Request increase of annual salaries for both from \$59,987 to \$78,000 &amp; \$69,680 respectively Including a benefit allowance of \$400 per month each (effective April 1, 2012)</i>		
	Adjusted budget including Jan-May Actuals	<u>\$145,909</u>
	Increase (Decrease) to approved budget	\$ 30,180+
3. <u>Clerical</u>	Approved 2012 Budget	\$146,908
<i>Request 4% increase in all salaries based on the current monthly actuals (effective April 1, 2012)</i>		
	Adjusted budget including Jan-May Budget (includes Lisa legal denial assistant)	<u>\$152,785</u>
	Increase (Decrease) to approved budget	\$5,877+
4. <u>Field Investigators</u> (new hires)	Approved 2012 Budget	-0-
<i>Request hiring of 2 field investigators @ \$52,000 annually and \$400 per month benefit allowance (effective 8/1/12)</i>		
	Adjusted budget	<u>\$47,333</u>
	Increase (Decrease) to approved budget	\$47,333+

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5. <u>Employee Benefits</u>	Approved 2012 Budget	\$29,295
<i>Request reduction of line item to remove Tim &amp; Kelly's benefits</i> (effective date of benefits Jul 1, 2012)		
	Adjusted budget	\$15,000
	Increase (Decrease) to approved budget	(\$14,295)
6. <u>Investigations (SSA)</u>	Approved 2012 Budget	\$45,600
<i>Request reduction of investigative line from approved budget due to hiring of in-house investigators</i>		
	Adjusted budget including Jan-May Actual	\$20,600
	Increase (Decrease) to approved budget	(\$25,000)

**TOTAL BUDGET IMPACT FOR REQUESTS 1-6 \$50,503 +**



# Memo

Date: June 12, 2012

To: Board Members

From: Ahmos Netanel, Chief Executive Officer

Subject: Recommendation for Budget Increase for the Addition of Four New Staff Members to Customer Service and Applications Processing.

Improvement of applicants' and certificate holders' experience is CAMTC's top priority for 2012. Current year budget for applications processing and management services was set at \$60,000 per month for the first quarter and then at \$55,000 per month for the rest of the year. The reduction was based on the assumption that CAMTC's application flow will experience a substantial decline in 2012. The reality we faced was that application flow did not decline as predicted and recertification has been creating an additional demand on staff beyond what was originally predicted. In order to meet the reduced budget we would have had to reduce the size of our staff. As I previously informed the Board, I kept the staffing level for April and May as is and tapped into the CEO's contingency fund to make up the \$5,000 per month difference.

In order to meet CAMTC's operational objectives it became clear that additional personnel must be added. In June we added four new members to our staff at an additional cost of \$15,000, also by tapping into the CEO contingency fund. I recommend that the Board approve raising the budget to \$60,000 per month effective April and to \$75,000 effective June through the remainder of the year.

I had many discussions with the owners of AMG. I performed a detailed analysis of the entire staff's salaries, benefits and taxes associated with their employment with AMG.



This excluded AMG's costs relative to CAMTC: hiring, training, managing, benefit management, and payroll support – all the myriad responsibilities involved with a going concern. The increase in staff from five during CAMTC's start-up in April 2009 to a staff of 19 (as proposed) three years later reflects a 380 percent growth rate.

Comparing the old fee and staff structure to the current needs of CAMTC is no longer appropriate. AMG currently have staffing for the duties, which were previously agreed to. Over time, however, AMG has taken on additional duties and responsibilities (such as the reapplication and recertification processes which have been in place since October 2011), and maintained the current staffing but at a lower fee than originally proposed, while still meeting the operational expectations of the Board.

AMG also accommodates projects that are beyond the scope of the contract; i.e., scanning project, furniture shopping, delivery and set-up, and other special needs of CAMTC's unique organization. The support that Ms. Payne and Ms. La Flamme provide for operational and financial matters is always at the time and request of the CEO and the Board, whether during normal work hours or not. This recommended budget is appropriate and warranted to support the staff and additional duties necessary to achieve CAMTC's mission.

This proposal is based on the actual needs of CAMTC and the need for the increase based on current duties such as bringing the scanning and final mailing processes in-house by the end of the year.

### **Cost Savings**

- The savings to CAMTC to bring the mail function in-house, based on the current cost structure with our outside vendor for preparation of the packet only, excluding material costs and postage, is \$27,560 per year.
- Scanning of applications as they are received, including transcripts and attachment of the live scan to the file, eliminates the annual expense for the outside vendor, saving \$21,500 per year
- Total savings by bringing both functions in-house is approximately \$49,000 per year (based on 13,000 applications/year or 250/week).

AMG agreed to implement the in-house by the end of 2012. That includes the mailing of certificates, ID cards and welcome packets to applicants assuming a new software to streamline this process will be installed. The packets will be collated by an outside vendor and stored in CAMTC's on-site storage unit.



## CALIFORNIA MASSAGE THERAPY COUNCIL

This staffing level projects a processing turnaround within 5-7 business days of receipt of materials, returning of emails within 48 hours and answering of all phones without voicemail, whenever possible. Completed applications will be certified and the certificate mailed within 45 days of receipt of all materials. Re-certifications will be processed and mailed within 25 days of receipt. The contract includes the hiring of 4 FTEs: 1.25 –Customer Service, 1.0 – Pre-Approvals, 1.0 – Re-certifications, .75 – Re-applies/Data Entry. Also includes implementation of scanning files as they are received and by October 1, 2012, printing and mailing of certificates.

**Fee Structure: \$ 75,000 per month**

<b>DEPT 1 – APPLICATION RECEIPT AND HANDLING</b>		
<b>1.0 FTE</b>		
<ul style="list-style-type: none"> <li>• INCOMING APPLICATIONS</li> <li>• INCOMING TRANSCRIPTS</li> <li>• ADDITIONAL INFORMATION ON EDUCATION</li> <li>• MISSING INFORMATION</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> </ul>	<p>STAFF: Elaine (0.75 FTE) AMG staff (0.25 FTE)</p> <p>Based on the daily receipt of:</p> <ul style="list-style-type: none"> <li>➤ 37 applications</li> <li>➤ 20 re-certifications</li> <li>➤ 90 transcripts</li> <li>➤ 20 returns, other</li> <li>➤ 20 additional information</li> </ul>	1.0
<b>DEPT 2 – APPLICATION PROCESSING</b>		
<b>2.75 FTE</b>		
<ul style="list-style-type: none"> <li>• CREATE FOLDERS</li> <li>• APPLICATION ENTRY</li> <li>• REAPPLICATION ENTRY</li> <li>• QUALITY CONTROL</li> <li>• TEMP CHECKS/NO PAYMENT</li> <li>• RETURNED CHECKS</li> <li>• INFORMATION UPDATES</li> <li>• SCANNING APPLICATIONS TO DIGITAL</li> <li>• PRINT/MAIL CERTIFICAT (start 10/1/2012)</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> </ul>	<p>STAFF: Danielle (1.0 FTE) Alicia (1.0 FTE) Jenna (.75 FTE)</p> <p>Based on the daily entry of:</p> <ul style="list-style-type: none"> <li>➤ 60 applications/Reapplications entered per day</li> <li>➤ Scanning applications to digital</li> </ul>	2.75

<b>DEPT 3 – TRANSCRIPT/LIVE SCAN ENTRY</b> <b>1.0FTE</b>		
<ul style="list-style-type: none"> <li>• TRANSCRIPT/LIVE SCAN ENTRY</li> <li>• SCANNING OF TRANSCRIPT AND ATTACHING TO DIGITAL FILE</li> <li>• ATTACHING LIVE SCAN TO DIGITAL FILE</li> <li>• COMMUNICATION RELATING TO TRANSCRIPTS/LIVE SCANS VIA PHONE/EMAIL</li> </ul>	<p>STAFF: Lita (1.0 FTE)</p> <p>Based on daily entry of:</p> <ul style="list-style-type: none"> <li>➤ Entry of 50 transcripts daily</li> <li>➤ Follow-up and weekly entry of old transcripts</li> </ul>	1.0
<b>DEPT 4 – CUSTOMER SERVICE SUPERVISOR</b> <b>1.0FTE</b>		
<ul style="list-style-type: none"> <li>• PRINT LIVE SCANS TO PDF FROM DOJ WEBSITE</li> <li>• LIVE SCAN REJECTION, REPRINTS, NAMECHECKS</li> <li>• CCMP'S</li> <li>• PURGES</li> <li>• CLOSED SCHOOL/EDUCATION QUESTIONS</li> <li>• QUALITY ASSURANCE AND CUSTOMER SATISFACTION TRAINING AND SUPERVISION</li> <li>• PHONE BACKUP</li> </ul>	STAFF: Rebecca (1.0 FTE)	1.0
<b>DEPT 5 – RECORDS MANAGEMENT</b> <b>2.0FTE</b>		
<ul style="list-style-type: none"> <li>• MAINTAIN CAMTC FILING SYSTEMS</li> <li>• GENERAL RECORDS MANAGEMENT INCLUDING COORDINATION OF FILES SENT TO SOFTFILE</li> <li>• COORDINATE ADDITIONAL INFORMATION RECEIVED, SCAN AND ATTACHED TO DIGITAL FILE</li> <li>• QUALITY CONTROL/FILE AUDITS</li> <li>• COMMUNICATION RELATING TO RECORDS MANAGEMENT VIA PHONE/EMAIL</li> <li>• PURGES</li> <li>• CCMP</li> </ul>	<p>STAFF: James (1.0 FTE) Robin (1.0 FTE)</p> <p>Based on daily</p> <ul style="list-style-type: none"> <li>➤ Maintenance of 3,000+ in-house files and 37,000+ digital files</li> <li>➤ Manage the files/paperwork during the transition from paper to the digital process</li> <li>➤ Pre-review and marking for pre-approval</li> <li>➤ Management of missing information</li> <li>➤ Receipt of 200+ new files weekly</li> <li>➤ Manage coordination of 30,000+ files to SOFTFILE for scanning</li> </ul>	2.0

<b>DEPT 6 – CUSTOMER SERVICE AND COMMUNICATIONS</b> <b>4.25 FTE</b>		
<ul style="list-style-type: none"> <li>• ANSWER PHONE CALLS</li> <li>• RETRIEVE AND RESPOND TO VOICEMAILS</li> <li>• ASSIST APPLICANTS, CERTIFICATE HOLDERS, PUBLIC</li> <li>• RETURNED MAILED</li> <li>• RETRIEVE AND RESPOND TO EMAIL COMMUNICATIONS</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> </ul>	STAFF: Bridgette (1.0 FTE) Dewan (1.0 FTE) Kajal (1.0 FTE) Cole (1.0 FTE) Jenna (.25 FTE)	4.25
<b>DEPT 7 – PDL/ADDITIONAL INFORMATION</b> <b>1.0 FTE</b>		
<ul style="list-style-type: none"> <li>• MANAGE 90-LETTER, PDL'S AND HYBRID PDL'S</li> <li>• REVIEW ADDITIONAL INFORMATION</li> <li>• PREPARE, SCAN AND UPLOAD FILES FOR HEARINGS</li> <li>• UPDATE DATABASE WITH HEARING OUTCOMES</li> <li>• COMMUNICATION TO APPLICANTS AND COUNSEL RELATING TO INADEQUATE EDUCATION</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> </ul>	STAFF: Rikki (1.0 FTE)	1.0
<b>DEPT 8 – RECERTIFICATIONS</b> <b>1.0 FTE</b>		
<ul style="list-style-type: none"> <li>• DUES INTEGRITY CHECK</li> <li>• INVOICE 6-WEEKS PRIOR TO EXPIRATION</li> <li>• EMAIL/MAIL NOTIFICATIONS AND REMINDERS</li> <li>• ENTER RECERTIFICATION APPLICATIONS</li> <li>• UPDATE CERTIFICATE DATE FROM ONLINE RECERTIFICATIONS</li> <li>• COMMUNICATION RELATING TO RECERTIFICATIONS</li> <li>• PRODUCTION AND MAILING OF RECERTIFICATION CERTIFICATES</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> </ul>	STAFF: Casey (1.0 FTE)  <b>Base on daily entry of:</b> <ul style="list-style-type: none"> <li>➤ 25 re-certifications</li> <li>➤ Processing of 25 additional on line re-certifications</li> <li>➤ Updating of all new information</li> <li>➤ Forwarding 300 files to final approval for upload to printer</li> <li>➤ Re-certification received by applicant with 25 days of receipt</li> </ul>	1.0

**DEPT 9 – PROFESSIONAL STANDARDS AND LOCAL GOVERNMENT  
1.0 FTE**

- PSD SUPPORT
- COORDINATE LOCAL GOVERNMENT NETWORK
- TRADEWINS PROJECT UPLOAD
- PREPARE, SCAN UPLOAD FILES FOR PSD AND HEARINGS
- SUSPENSION, REVOCATIONS, REINSTATEMENTS
- COMMUNICATION TO APPLICANTS, PSD AND COUNSEL RELATING TO BACKGROUND ISSUES AND HEARINGS
- UPDATE DATABASE WITH HEARING OUTCOMES
- COMPLAINTS
- GENERAL ADMINISTRATIVE DUTIES

STAFF: Ryan (1.0 FTE)

1.0

**DEPT 10 – APPLICATION EVALUATION – PRE-APPROVAL  
1.0 FTE**

- AUDIT OF COMPLETED FILES
- VERIFICATION OF EDUCATION
- CLASSIFICATION OF CERTIFICATION
- COMMUNICATION RELATING TO PREAPPROVAL
- MAINTAIN SCHOOL DATABASE
- CREDENTIALING AND SCHOOL STANDARDS
- GENERAL ADMINISTRATIVE DUTIES

STAFF: Melody (1.0 FTE)

Based on daily entry of:  
➤ 50 pre-approvals daily

1.0

**DEPT 11 – ONLINE/FINAL APPROVAL  
1.0FTE**

- ONLINE PAYMENTS
- APPLICATIONS APPROVAL
- UPGRADES, REPRINTS
- PRODUCTION AND MAILING OF CERTIFICATES
- OUT OF STATE VERIFICATIONS
- HEARING FILING FEES
- COMMUNICATION RELATING TO ONLINE PAYMENTS AND FINAL APPROVALS
- GENERAL ADMINISTRATIVE DUTIES

STAFF: Coryn (1.0 FTE)

Based on weekly:  
➤ 250 Approvals Weekly  
➤ 30 Upgrades/Reprints  
➤ 20 Hearing Filing Fee Processing Weekly  
➤ Print, label, assemble and mail certificate, ID card and welcome letter

1.0

<b>DEPT 12 – OPERATIONS MANAGER</b> <b>1.0 FTE</b>		
<ul style="list-style-type: none"> <li>• MANAGE AMG STAFF OF 17 FTES</li> <li>• IMPLEMENT BOARD DECISIONS</li> <li>• MAINTAIN DATABASE CHANGES, CLEAN-UP</li> <li>• ASSIST WITH WEBSITE CHANGES AND UPDATES</li> <li>• EBLAST COMMUNICATION TO APPLICANTS, CERTIFICATE HOLDERS, LOCAL GOVERNMENT</li> <li>• BOARD ARRANGEMENTS</li> <li>• PREPARE BOARD PACKETS</li> <li>• COMMUNICATION TO APPLICANTS, CERTIFICATE HOLDERS, LOCAL GOVERNMENT, PSD, COUNSEL, BOARD VIA PHONE/EMAIL</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> </ul>	STAFF: Sheryl (1.0 FTE)	1.0
<b>DEPT 13 – MANAGEMENT SERVICES</b> <b>1.0 FTE</b>		
<ul style="list-style-type: none"> <li>• HUMAN RESOURCES</li> <li>• BUDGET ANALYSIS AND FINANCIAL REPORTING</li> <li>• PAYROLL SERVICES</li> <li>• ACCOUNTING INTEGRATION</li> <li>• GENERAL ADMINISTRATIVE DUTIES</li> <li>• REPORTING</li> </ul>	STAFF: Connie, Bob  <b>Based on providing:</b> <ul style="list-style-type: none"> <li>➤ Monthly Financial Reporting</li> <li>➤ On-Going Analysis and Reporting</li> <li>➤ Budget support</li> <li>➤ Semi-Monthly Payroll</li> <li>➤ Insurance and other operational needs</li> </ul>	1.0

**FTES 19.0**



# Memo

Date: June 14, 2012  
To: Board Members  
From: Ahmos Netanel, Chief Executive Officer  
Subject: Update on New In-House Counsel

On June 1, 2012, Donna Ortlieb started her employment, as CAMTC's new in-house counsel. She was hired at an annual salary of \$80,000/year plus annual benefits allowance of \$6,000/year. The board approved an annual compensation of \$120,000 for this position. Currently she works from her home in Southern California or from our Sacramento office when she trains with Allison.

There was a discussion by several Board members to rent a temporary offices for the In house counsel and the CEO in the Los Angeles area. If the Board wishes to implement such an idea, a short term lease in an executive office suite can be obtained at a monthly budget of \$3,000 per month (including two unassigned parking spots, utilities, janitorial, professional reception and use of a conference room).



# Memo

Date: June 13, 2012

To: Board Members

From: Ahmos Netanel, Chief Executive Officer

Subject: Public and Media Relation Firm for the Asian Market

A significant percentage of CAMTC applicants are individuals who hardly speak or read any English. Many of them are Asians who get their news from Asian media outlets. In the past few months CAMTC was featured several times in local and national media, mainly regarding confusion and frustration with CAMTC's schools policy. I believe that CAMTC will be well served by the engagement of an LA based public relation firm that specializes in the Asian market to assist CAMTC effectively and proactively communicate with this important segment. I'm requesting a \$2,500 per month budget (July – December) for that purpose.



**June 14, 2012**

**TO:** Mr. Ahmos Netanel  
**CAMTC**

**FR:** Craig Tomiyoshi  
Jennifer Ju  
**IW Group, Inc.**

**RE:** Asian American Media Outreach Top Line Recommendations

Mr. Netanel:

As a follow up to our discussion this afternoon regarding Asian American media outreach, the following outlines our top line recommendations. These recommendations include a brief summary of our initial proposed activities, as well as a recommended budget. We would be happy to discuss the strategy as well as proposed tactics with you in further detail.

#### **BACKGROUND**

Based on our previous work with CAMTC, we know that a significant percentage of massage therapists and practitioners in California are of Asian-American descent. We also know that many of these individuals prefer to communicate in a language other than English, which can make understanding and navigating through the certification process difficult.

Recently, articles have appeared in the Chinese-language press about CAMTC and the certification process, several of which contained inaccurate or misleading information. In addition, we understand that confusion about the certification process – including which schools are qualified and accredited by CAMTC to provide education and training – has become more common within the Asian American community.

As the Asian-American media is the primary source of news and information for the in-language preferred Asian-American community, effectively working with reporters and editors that cover news about CAMTC will be critical to reaching and educating consumers, massage professionals, massage businesses and schools about the certification process.

We recommend the following tactics to help CAMTC reach the in-language preferred Asian-American community in California, and work to address the aforementioned issues.

#### **OBJECTIVES/STRATEGIES**

- Build awareness of CAMTC and the benefits of becoming certified
- Educate editors and reporters about CAMTC and the steps required to become certified
- Strengthen/Build relationships and lines of communication between CAMTC and editors and reporters
- Address critical misperceptions of CAMTC and the certification process

- Educate consumers, business organizations and associations, and community stakeholders about CAMTC and the certification process

### **TARGET AUDIENCES**

- Primary: Chinese, Korean, Thai and Vietnamese editors and reporters
- Secondary: Asian-American consumers, business organizations and community stakeholders

### **PROPOSED TACTICS**

#### *Media Roundtable*

IW Group recommends hosting a roundtable for Asian-American editors and reporters based in Southern California.

The purpose of the briefing would be to educate reporters and editors that cover issues related to CAMTC, and provide them with correct information about the certification process to include in their stories. Secondly, it would also serve to strengthen the relationship between CAMTC and the media, so should a reporter want to write a story related to massage certification in California, they would be able to contact CAMTC before writing their story.

The event would include an overview of CAMTC, its organization and function, the benefits of being certified, and what individuals and businesses need to do to become certified. Recommended speakers at the event would include representatives from CAMTC, an Asian-American CAMTC therapist or practitioner, and a representative from an accredited school. After the presentation, time would be allocated for discussion and Q&A with the CAMTC representatives.

IW Group will work with CAMTC to develop an agenda for the event, develop the press kit including fact sheets and other communications pieces, coordinate logistics and secure media attendance.

#### *News Releases*

In the weeks/months following the media roundtable, IW Group recommends developing, transadapting and distributing to Asian American media a series of two news releases/feature stories about CAMTC and the certification process. We will work with CAMTC to determine topics/areas of focus, but topics may include:

- An overview of CAMTC and the therapist/practitioner certification process
- What therapists/practitioners need to know about certification
- The benefits of being certified
- What consumers need to know about certification, and how to file a complaint
- A feature story about a certified therapist/practitioner or an accredited school

IW Group will utilize its AIMS media monitoring service to track for coverage, and provide CAMTC with a summary of the media results within 30 days of each distribution.

## **BUDGET**

### **Estimated Fees:**

#### **Activity**

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##### **Media Roundtable**

Coordinate one media roundtable in Southern California for Asian-American media, including logistics, press kit, and securing media attendance

#### **Activity**

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##### **Press Releases**

Transadaptation for up to two releases and up to two pages each into Chinese, Korean, Thai and Vietnamese; distribution and pitching to Asian-American media outlets statewide.

**TOTAL ESTIMATE:**

**\$15,000\***

*\*Please note that all estimated costs for the projects outlined above are determined by using best estimates of actual fees and does not include out of pocket expenses such as venue, light refreshments for attendees, and printing. The final costs are subject to change based on the client's approval of the activities and scope of work.*

Date: \_\_\_\_\_

Approved: \_\_\_\_\_



# Memo

Date: June 14, 2012

To: Board Members

From: Ahmos Netanel, Chief Executive Officer

Subject: Recommendation to Adopt a Static/rolling Budget Hybrid

CAMTC's 2012 budget was based on forecasts completed in November 2011. A static approach to the budget will mean that no changes based on actual activity will be made. Thus, even with significant changes to the expected revenues and expenses, a static budget will not provide for any adjustments. A static budget is most useful when an organization has highly predictable revenues and expenses that are not expected to change much through a twelve month period. In more fluid environments such as CAMTC where operating results and needs change substantially, a static budget can be a hindrance, since actual results may be compared to a budget that is no longer relevant.

To address this challenge, many young organizations that demand a higher level of fiscal agility use a rolling budget and continuously (often monthly) update at the end of each budget period. Such an approach calls for considerably more management

attention than in the case when an organization stays with a one-year static budget since some budgeting activities must now be prepped monthly.

Consequently, I recommend that CAMTC takes a hybrid approach and implement two budget periods for 2012: January through May and June through December. The attached budget illustrates the actual fiscal impact on CAMTC if all staff recommendations are adopted by the Board.



## MEMO

TO: Board Members

FROM: Ahmos Netanel, CEO

Date: June 14, 2012

Subject: Budget Change Proposals

In order to meet the Board strategic objectives for 2012 the following proposed changes have been made to the budget to accommodate for known actuals and proposals for new activities:

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### Line 1 & 13 - Revenue

No changes were made to the revenue as CAMTC currently reflects a better than budget of **\$235,760**.

### Line 14-18 – Board & Committee Expenses

1. January – May were changed to the actuals and additional expenses were added to accommodate additional board travel and expenses over the next seven months and for a two day conference in November.
2. Conference calls were increased.

Total change is an **increase of \$16,554** from the approved budget

### Line 19-22 – Outreach/Marketing

1. Communications & Promotions were **decreased by \$13,161** to reflect the actuals for Jan-May and the expected expenses for the balance of the year.
2. Public Relations was changed to the actuals and **increased by \$13,500** to reflect a PR consultant that specializes in the Asian community.

Total change is an **increase of \$409** from the approved budget

### Line 23-39 – General Administrative

1. All categories were changed to the Jan-May actuals.
2. Office Furniture/Equipments was **increased by \$9,549** for the purchase of a high quality printer for the certifications and other miscellaneous equipment.
3. Record Scanning was **increased by \$5,093** to reflect the actuals already spent and the contracted payments for the outside scanning vendor.

4. Bank card fees were changed to reflect the anticipated actuals due to the increased use of credit card payments for certification renewal, **increased by \$31,427**
5. Staff travel was **increased by \$1,943** to better reflect the actual cost of travel for staff and the extra day stay in November.
6. Certifications etc were changed due to the in-house mailing anticipated to begin in October for a total **decrease of \$5,626**.
7. Database development was **increased by \$11,366** to allow CAMTC to review and possibly change the current database system to a more efficient system.

Total change is an **increase of \$54,976** from the approved budget

#### Line 40-51 - Executive Staff

1. All categories were changed to the Jan-May actuals.
2. Off Site Office was **increased by \$7500** to allow for an outside office rental for the CEO.
3. Equipment was **increased by \$500** to allow for the purchase of furniture for the office

Total change is a **decrease of \$8,365**

#### Line 52-70 – Professional Standards Division

1. All categories were changed to the Jan-May actuals.

**(SEE ATTACHED MEMO FOR DETAIL OF REQUESTED CHANGES)**

Total change is an **increase of \$127,778**

#### Line 75-79 – Professional Services

1. All categories were changed to the Jan-May actuals
2. Application Processing was **increased by \$155,240** to allow for the hiring of 4 additional personnel to add to customer service, perform the scanning in-house and collating, printing and mailing of the certificates and ID cards in-house. A detail of the duties is available to the Board.

Total change is an **increase of \$144,263**

#### Line 83 – Operating Surplus/(Deficit)

Approved budget for 2012 was a deficit of **(\$23,414)** the current proposed budget changes would increase the deficit by **(\$95,053)** to a total deficit of **(\$118,467)**

#### Line 133- Ending Cash

Approved budget for 2012 Ending Cash was equal to five months operating expenses. The current proposed budget Ending Cash equals to four months operating expenses.

# BUDGET SPREADSHEET

In Folder - Separate from Board Packet



**California Massage Therapy Council**  
**Non-Staff Board Meeting Expense Reimbursement Policy**

DOCUMENT 14

~~Approved 9-14-10~~ Proposed 6/20/2012

Members of the Board of Directors of the California Massage Therapy Council (the Council), per the organization's by-laws "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." Though not explicitly so stated in the by-laws, presumably the same rules would apply to individuals serving on Committees created by the Council, whether they are members of the Board of Directors or not.

**TRAVEL:**

- Full reimbursement of actual transportation expenses by airplane (limited to coach or economy fare), train, bus or other common carrier, including airport parking fees and taxi fees, for travel within the state of California to a CAMTC Board Meeting. Receipts must be submitted with expense report for all travel expenses in excess of \$25.
- If multi leg trips are taken that include Council service and also other purposes, the current roundtrip fare will be used based on previous roundtrip transportation expenses reported if applicable; or if not, then current roundtrip costs based on place of residence and the meeting location.
- Non-California residents shall be reimbursed for the current rate of a roundtrip airplane fare (limited to coach or economy fare) between Los Angeles (LAX) and San Francisco (SFO), including airport parking fees and taxi fees.
- Full reimbursement of the cost of use<sup>1</sup> of a personal automobile either to travel to a CAMTC Board meeting or to the point of departure for a common carrier to a CAMTC Board Meeting, plus parking fees if any. A statement of mileage must be submitted with expense report.

**LODGING/MEALS**

- Reimbursement on a per diem basis for the cost of lodging, meals and incidental expenses at rates published by the U.S. General Services Administration (GSA) for the city or county in which ~~Council business~~ A CAMTC Board Meeting is being conducted. ~~Council business~~ A CAMTC Board Meeting requiring an overnight hotel stay will permit reimbursement at the published GSA Domestic Per diem Rates<sup>2</sup>; ~~business-a CAMTC Board Meeting~~ that requires travel but which can be accomplished without an overnight hotel stay will permit reimbursement for Meals and Incidental Expenses (M&IE)<sup>3</sup> only.

**REIMBURSEMENT REQUESTS**

- It will be the responsibility of each individual covered by this policy who is seeking expense reimbursement to document on CAMTC forms the times (portal to portal) of Council service, whether the business conducted required travel, and whether that travel required an overnight stay.
- Reimbursement requests must be submitted to AMG within 60 days of Council business.

The intent of this policy is not to reimburse expenses connected to Council business done by telephone, e-mail correspondence, or modest time commitment meetings that do not involve significant travel.

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<sup>1</sup> The standard shall be the maximum mileage reimbursement rate permitted, without giving rise to income to the individual, published by the U.S. Internal Revenue Service. At this date of adoption the reimbursement rate is \$0.50 per mile.

<sup>2</sup> At this date of adoption the daily rates (including M&IE) are Sacramento \$173, Los Angeles / Orange County \$192, San Diego \$211, San Francisco \$249, Oakland \$165.

<sup>3</sup> At this date of adoption the daily rates for M&IE only are Sacramento \$59, Los Angeles / Orange County \$64, San Diego \$64, San Francisco \$64, Oakland \$59.

CAMTC Board Travel Reimbursement  
Policy for Non-Board of Directors Meeting Travel

In some circumstances it will be cost effective and efficient for Board members to travel to perform certain tasks for the CAMTC that are directly related to important core functions of the CAMTC (hereinafter “Board Reimbursed Trip” or “BRT”).

The Chair may authorize such travel subject to the following rules:

1. No more than one director shall be sent on such a trip at CAMTC expense with the exception of trips of 50 miles or less where the only reimbursed item will be personal automobile mileage, in which case two directors will be reimbursed. Except as provided above for local travel, multiple directors traveling together can only be approved by a vote of the Board.
2. Before a BRT occurs, the Chair and the CEO must make a written finding that: (a) there is no CAMTC employee or consultant who could more cost effectively perform the task intended to be performed by the traveling director; and (b) the task can only be accomplished by traveling and not by other means such as a conference call or Skype.
3. The purpose of the BRT must be directly related to CAMTC business.
4. The duration of the BRT must be no longer than is necessary to carry out the task assigned by the CEO and Chair. Overnight stays should be avoided when possible.
5. The Budget for BRT for the rest of calendar year 2012 will be \$5,000. Subsequent year budget amounts shall be approved as a part of the regular budget process.



## **Original Exec Committee language from original CAMTC bylaws**

Section 2. Executive Committee. The Executive Committee shall be a “standing committee of the board” subject to all the rules applicable to “committees of the board” described in this Article.

The Executive Committee shall consist of the elected officers of the corporation – Chairperson, Vice-Chairperson, Secretary, and Treasurer.

The Executive Committee shall have the authority of the Board between Board meetings to make decisions and take actions relative to the operation of the corporation. The Executive Committee shall report any decisions made or actions taken at each meeting of the full Board. The Executive Committee may also develop policies for Board approval, and may review and recommend to the Board changes to the bylaws and to other operating policies.

Without diluting the general authority granted to the Executive Committee by this provision, the Executive Committee shall oversee and have final decision-making authority with respect to personnel matters.



# The Federation of State Massage Therapy Boards

## Schedule of Authority Policy

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*Preface: This is the policy statement of the Federation of State Massage Therapy Boards (FSMTB) regarding the Schedule of Authority. The Board of Directors (the “Board”) of the Federation of State Massage Therapy Boards (“FSMTB”), officers, and key employees each have an affirmative obligation to act at all times in the best interests of the FSMTB. The formation of this policy is to identify the authority, protocols and involvement for decision-making by volunteers and staff.*

### **Purpose**

To provide a tool to help volunteers and staff understand processes and associated authority to taking action in an orderly manner. The schedule is likely to be reviewed and updated annually and provided at Board orientation.

### **Precaution**

The organization’s culture, bylaws, leadership transitions and external environment will influence the schedule of authority. It is not intended to be a restraint but rather a tool for expediting processes.

### **Definition of Decision-Making Roles**

**A. Decision-maker:** The person or group in the organization who has the authority and responsibility to make the decision. This person or group may seek advice or receive recommendations from others and should advise others once the decision is made.

**B. Make recommendations to decision-maker:** The person or group within the organization responsible for making a recommendation to the decision maker. This person or group may use other sources within the organization to study and develop the recommendation and may seek advice from other segments of the organization.

**C. Must be advised:** Any person or organization segment that must be advised about a decision that has been made. If the decision is to be disseminated publicly or to the organization, such person or segment of the organization is to be advised in advance.

**D. May be consulted:** Such person or group may be called in to confer, provide information, render advice or make a recommendation.

**E. Must be consulted:** Such person or group must be consulted prior to any decision being made or approval granted, to confer, render advice or provide information as appropriate. The person or group being consulted does *not* make the decision or grant approval, but does have veto power.

	Board of Directors	Executive Committee	President	Treasurer	Executive Director
<b>Organizational Issues</b>					
Bylaw changes	A	B			B
Board agenda	B	D	A		B
Employment of consultants, attorneys, etc		C	E		A
Employment of auditing firm	A	B	E	B	C
Employment of strategic planning facilitator	B				A
Serious unresolved member concerns	C	A	E		B
Taking official positions	A				B
<b>Programs, Products &amp; Services</b>					
New programs, products or services	C	C	D	D	A
Change in strategic alliances	A	C	E		B
Major changes to annual meeting program	A				B
Conference, meeting sites	C			D	A
<b>Budget and Fiscal Control</b>					
Annual budget	A	C	E	B	B
Overspend budget line items	A	C	E	E	B
Overspend overall budget	A	C	E	E	B
Check signing authority under \$10,000					A
Check signing authority over \$10,000				E	A
<b>Personnel Issues</b>					
Salary ranges of staff		D			A
Changes in staff benefits	C	D			A
Changes in personnel manual	C	D			A
Establishing new employee positions	C	C			A
<b>Executive Director Compensation and Responsibilities</b>					
Hiring executive director	A	B			
Evaluation of performance	A	B			C
Establishing executive director compensation		A		B	C
Approval of vacation schedule			A		B
<b>Legislative and Regulatory Issues</b>					
Commits association to law suit on issue	A		E		B
Testify at public hearings	C				A
<i>A = Decision maker</i>					
<i>B = Makes recommendations to decision maker</i>					
<i>C = Must be advised</i>					
<i>D = May be consulted</i>					
<i>E = Must be consulted</i>					

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**Adopted:** 2009.8.2