



CALIFORNIA
MASSAGE THERAPY COUNCIL

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Sent and posted: November 22, 2011

Notice and Agenda

**Board of Directors Meeting
Wednesday, December 7, 2011
Radisson Hotel at Los Angeles Airport
6225 W. Century Blvd., Los Angeles, CA 90045
9:30 a.m.**

1. Call to order/Roll call
2. Approval of minutes
3. New Board members - report from work group and Board vote
4. CEO report
 - a. Fiscal viability
 - b. Operational update
 - c. Outreach update
5. Treasurer's report
6. Director of Governmental Affairs and Special Projects' report
7. League of California Cities' appointee report
8. Employee handbook (including budget implications of possible adoption of certain benefits)
9. Relationship with AMG- 2012 contract
10. Budget 2012 -presentation and approval
11. Closed session with CAMTC legal counsel pursuant to CA Government Code Section 11126(e)

12. Board members' terms and qualifications:
 - a. Status of current terms.
 - b. The need to stagger terms based on this information.
 - c. How should associations, school groups and agencies re-qualify themselves?
 - d. Who interfaces with these groups about the appointments and re-appointments?
13. Legislative objectives and strategies for 2012
14. Legislator of the Year
15. Hearing filing fee- exemption/economic hardship updated form approval
16. In house counsel- search and hiring update
17. AMTA – requested bylaws amendment
18. Unprofessional conduct - board policy's fiscal impact
19. Strategic priorities for 2012
20. Closed Session regarding the appointment, employment, evaluation of performance, or dismissal of an employee pursuant to CA Government Code Section 11126(a)
21. Return from closed session and announce any action taken during item number 20
22. FSMTB annual meeting- update
23. Definition of scope of practice- report from work group
24. Issues and scheduling for next meeting
25. Adjourn

All agenda items are subject to discussion and possible action.

Requests for more information, or to make a request regarding a disability-related modification or accommodations 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.

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>.



DRAFT

CAMTC Board of Directors Meeting

September 15, 2011

Radisson Los Angeles Airport Hotel

6225 West Century Blvd.

Los Angeles, CA

OPEN SESSION MINUTES

In attendance

Directors: Bob Benson, Pamela Blackburn, Judi Calvert, Mark Dixon, Ben Drillings, Keith Grant, Michael Marylander, Michael Schroeder, Paul Schwinghamer, Michael Sheps, Joe Bob Smith, Deb Tuck, Dixie Wall

Directors Absent: William Armour, Michael Callagy, Guy Fuson, Roberta Rolnick

Staff: Ahmos Netanel, CEO; Sheryl LaFlamme, Operations Manager; Beverly May, Director of Governmental Affairs

General Counsel: Jill England

Law Enforcement: Jeanette Chervony, Costa Mesa PD; Cris Gaiennie, Irvine PD; William Jones, Los Angeles PD;

General Public: JoAnn Baiocco, CAMTC Certificate Holder; Michael Neal, CAMTC Certificate Holder

Chairperson Wall called the meeting to order at 9:45am.

1. Approval of Minutes

Motion (1): Schroder/Grant - To approve June 2, 2011 open session minutes

Motion Passes, 13-0

Motion (2): Blackburn/Benson – To approve July 20, 2011 open session minutes

Motion Passes, 12-0, 1 abstain - Marylander

2. CEO Report

Mr. Netanel stated that CAMTC is doing really well in the area of human relations such as collaboration and smooth communication between CAMTC staff and the Board. Mr. Netanel expressed his gratitude in working with a capable group of executives.

Mr. Netanel stated there was a glitch in the first batch of recertification certificates to go out. The expirations dates were incorrect in two mailings. CAMTC immediately sent two eBlasts making the certificate holders aware. CAMTC received positive responses from the certificate holders.

Mr. Netanel stated that the viability of the organization was better than expected. The cash position as of last month was 44% above anticipation and exceeding the number of new applications by 11%. Certificate Holders are renewing early and to date, CAMTC has recertified 550+ certificate holders.

Mr. Netanel stated in 2-3 weeks, we will focus on the 12/31/2011 deadline for CCMP with direct mailings. We are in the process of editing two videos that will be going to schools to show upon graduations. The second video will be uploaded to the website for viewing.

Mr. Netanel would like the Board to send him a wish list on what they would like to see in the 2012 budget.

CAMTC has recalibrated its relationship with the California Police Chiefs Association. There were misconceptions among some police chiefs. SB 731 has cleared up some of those misconceptions, but CAMTC must stay vigilant in their communication with law enforcement.

Mr. Netanel states there are fewer concerns with CCS now that systems are secure. Mr. Netanel stated he is looking at pro's and con's of CCS versus bringing IT in-house.

3. Treasurer's Report

For the period of July 27, 2011 through September 3, 2011, 32,747 applications have been received.

4. Director of Governmental Affairs and Special Project's Report

Beverly May articulated the position of the Direction of Governmental Affairs. Ms. May stated the primary focus is on service to government officials and certificate holders. The primary focus equals 80% of her workload and the remaining 20% is geared towards special projects, such as education issues, website revisions and projects assigned by or in cooperation's with the CEO, Operations Manager, Legal Counsel or PSD Director as needed.

5. PSD Report

Two additional hearing days have been added in October/November. PSD hearings are now booked through the end of January 2012. Two new PSD Hearing Officers were hired. Two PSD staff employees are no longer with CAMTC.

6. Closed Session

The Board went into closed session pursuant to Government Code Section 11126(e) at 11:33am and returned to open session at 1:21pm.

7. Legislator of the Year

Mike Schroeder would like to recognize Senator Correa as Legislator of the Year for all of his hard work on SB285. Mr. Schroeder would like to present Senator Correa with a plaque.

Motion (3) – Schroeder/Smith – To purchase and present Senator Correa with the Legislator of the Year award.

Motion Passes, 13-0

8. Budget

Mr. Netanel presented his recommendations for implementing filing fees for hearings. In preparing the proposed waiver of fees form, Mr. Netanel referred to the American Arbitration Association and the Orange and Sacramento County Superior Court forms.

Motion (4) - Dixon/Schroeder – To adapt waiver of fees form as presented.

Motion Passes, 12-0, 1 abstain - Wall

Form to go into effect on January 1, 2012. Mr. Netanel to give notice.

Motion (5) - Schroeder/Dixon – To add to the waiver form a request for applicants to provide documentation evidencing income level.

Motion Passes, 12-0, 1 abstain - Wall

Mr. Netanel presented his recommendation for hiring in-house counsel

Motion (6) - Schroeder/Schwingamer – To adopt CEO recommendation of in-house counsel for total compensation package of \$140K. General Counsel Jill England and Special Counsel Alison Siegel to be involved in search.

Benson asked for a friendly amendment to motion for total compensation package, including salary and benefits, to be no more than \$120K. Schroeder and Schwingamer accept friendly amendment.

Motion Passes, 13-0

Mr. Netanel stated he has found the discrepancy pertaining to the cost of certificates. In the beginning of certification, CAMTC was sending batches to the printers of 400-600 files. In January 2011, batches were sent more frequently in order for certificate to reach new certificate holder quicker. The smaller batch size equaled higher prices.

Motion (7) - Schroeder/Blackburn – To send certificates in batches of 200 or more per week.

Motion Passes, 12-0, 1 abstain - Wall

Mr. Netanel stated new accounting procedures must be put in place to make sure we have mechanism to control spending. Mr. Netanel recommends we change the way we do business with outside vendors.

Motion (8) - Schroeder/Benson – To adopt the CAMTC Accounting Procedures.

Amendment first paragraph on accounting procedures:

Authorized Purchases:

The Board will establish a miscellaneous/contingency item as part of future annual budgets. **Upon the authorization of the Chair**, the CEO is authorized to approve purchase of goods and services for amounts up to the amount budgeted in this item. No Payee will be paid more than \$5,000 from this item in the fiscal year (even if paid in multiple checks) for goods and services unless pre-approved by the Board. **The CEO will notify the Board within 2 business days by email of any expenditures pursuant to this section.**

Consulting Services:

Consultants used frequently by CAMTC are uniquely able to alert the organization when services requested of them in a specific month will exceed established amounts. Contract amendments should be sent to personal service vendors having signed contracts with anticipated annual costs in excess of \$60,000. The amendments should include the specific monthly budget amounts, request that the consultants cease work and contact CAMTC for approval before the monthly limit is exceeded **and provide that services not billed for within 90-days will not be compensated.**

Motion Passes, 12-0, 1 abstain - Wall

Mr. Netanel stated that CAMTC staff is behind in purging. Mr. Netanel stated that purging is very important in that it takes on entire income of fee.

9. Adding New Board Members to Available Seats

Mr. Dixon suggested we add three directors to the CAMTC Board. Two of the Board seats added would be CAMTC certificate holders in good standing and the third would be filled by a general management representative from the hotel and spa industry.

Motion (9) - Dixon/Schroder – To proceed with adding three new seats to the Board.

Motion Passes, 13-0

10. FSMTB Annual Meeting

Mr. Smith stated the planning for the FSMTB conference is going well. Mr. Smith and Ms. Rolnick have collected items for the welcome bag, which will also include a welcome letter from Chairperson Wall.

11. CMT, CMP and CCMP Seal

Mr. Netanel reminded the Board that all Certificate Holders are required to display their certificate numbers on business cards starting 1/1/2012. Certificate Holders are asking if they can display the CAMTC logo as well. Instead of our logo, Mr. Netanel proposed approving the CMT, CMP and CCMP seal. CAMTC certificate holders can download from the CAMTC website.

Motion (10) - Smith/Dixon – To move forward with the concept of a “seal” which certificate holders can download and use for advertising purposes.

Motion Passes, 12-0, 1 abstain - Wall

Motion (11) - Benson/Schroeder – To allow Board to give feedback on design and let staff roll out.

Motion Passes, 12-0, 1 abstain - Wall

12. CAMTC Logo use

Motion (12) - Wall/Schroeder – To allow schools, businesses, and massage professionals to apply for a non-exclusive revocable license to use the CAMTC name and/or logo for legitimate business purposes relating to the massage profession. The CEO or Chair will review requests for use of the name and/or logo and will determine whether to authorize the license. Licensees must sign the license agreement drafted by CAMTC legal counsel.

Motion Passes, 12-0, 1 abstain - Wall

13. CAMTC's Transparency – Posting of Minutes

Chairperson Wall stated that the minutes are now posted on the CAMTC website.

14. Employee Handbook

Motion (13) - Schroeder/Dixon – To email comments, edits and suggestions to Jill England by October 15, 2011. Ms. England to send out new draft of Handbook prior to next meeting.

Motion Passes, 12-0, 1 abstain - Wall

15. Closed Session

The Board went into closed session pursuant to Government Code Section 11126(a) at 4:15pm and returned to open session at 4:29pm

16. Return to Open Session

The Chair announced that no action was taken in closed session

17. Issues and Scheduling for next Meeting

Next Board Meeting is scheduled for November 3, 2011 at 9:30am – Radisson Hotel Los Angeles Airport

18. Adjournment

Chairperson Wall adjourned the meeting at 4:31pm.

Minutes Approved: _____, 2011

Roberta Rolnick, Secretary

SUBJECT: ADDING DIRECTORS TO BOARD
REPORT OF NOMINATIONS WORK GROUP

DATE: Dec. 7 2011

To more fully engage and reflect the input of the industry it actually regulates, the CAMTC Board created a Nominations Work Group on September 15th to actively recruit and nominate two candidates from the massage and bodywork field and one from the hotel/spa industry. The Work Group consists of the Chair and Vice Chair.

Accordingly, a Call for Candidates, including the Board Position Description (EXHIBIT A, attached) was issued to every CAMTC certificate holder and to the Hotel/Spa Industry's association in California on September 22.

Until and including October 24, resumes were received and reviewed. A weighted, objective and uniform scoring system evaluated each resume and cover letter on its own merits without comparison to any of the others. The Five Categories considered were:

1. Education (5 points)
 - General
 - Massage
 - Spa management/Continuing Education/Certification/Licenses
2. Community Concern and Involvement (5 Points)
3. Business Experience (10 Points)
 - Business Management/Leadership Positions
 - Professional Management/Leadership Positions
 - Volunteer/Non-Profit – Leadership Positions
 - Working with Legislature and Lobbyists
 - Executive or Board Level – Financial statements, Budget
4. Reflection of Constituency (5 Points)
5. Communication Skills and Commitment Level (5 Points)

Three CAMTC certificate holders scored over a 25/30 by their resume, were put into the Candidate Group and invited to do a phone interview. The Vice Chair compiled 14

interview questions with assistance from experts in the field. Phone interviews of each candidate were conducted on Wednesday, November 2nd, and all three finalists were invited to come to the December 7th meeting and meet the Board.

The Chair and Vice Chair request the Board's assistance in selecting two candidates to satisfy the massage & bodywork portion of the 09/15 motion (Only one application from the Hotel and Spa Industry was received, and was later withdrawn by the applicant).

The three massage & bodywork candidates who most closely satisfy the requirements of the Sept. 15 Task Assignment are presented for consideration by the Board. Each will be given the opportunity to give a short statement and answer one interview question by each member of the board.

When that process is complete, the candidates will be excused and a preferential vote (i.e., the two candidates receiving a plurality of votes) will be taken to appoint two Directors.

The CAMTC Board of Directors wishes to thank all the candidates for their willingness to serve the CAMTC.

EXHIBIT A

California Massage Therapy Council (CAMTC)

Member of the Board of Directors

Position Description and Expectations

California Massage Therapy Council's mission is to protect the public by certifying qualified massage professionals in California.

Purpose of the Board: Board members serve on a volunteer basis to advise, govern, oversee policy and direction, and assist with the leadership and general promotion of the CAMTC so as to support the organization's mission and needs.

***Major responsibilities:**

- Organizational leadership and advisement
- Formulation and oversight of policies and procedures
- Financial management, including adoption and oversight of the annual budget
- Oversight of program planning and evaluation
- CEO evaluation and development
- Review of organizational and programmatic reports
- Promotion of the organization
- Outreach

**Members of the board share these responsibilities while acting in the interest of CAMTC. Each member is expected to make recommendations based on his or her experience and vantage point in the community.*

Length of term: Three years, with no term limits if re-appointed by the Board.

Meetings and time commitment:

- Face to face meetings are on an as needed basis, at least four times a year and are all day, usually from 9:30am to 4:30pm.
- Teleconference meetings are on an as needed basis and usually are less than two hours.

Expectations of board members:

BOARD MEETINGS AND CONFERENCE CALLS:

- Attend and participate in meetings on a regular basis, and special events as able.
- Read Meeting Packet prior to the meeting and arrive with a working knowledge of the material to be discussed
- Understand and respect the Rules of Debate

GENERAL:

- Participate on a standing committee of the board as needed, and serve on ad-hoc committees as necessary.

certification pathways will no longer be available after the end of the year. The card directed recipients to a visually accessible webpage designed to guide the potential applicant through the process of determining if they qualify under a closing pathway, and how to then apply.

We also designed and uploaded to our homepage a banner ad with a similar look to the card. This banner ad will be removed on December 30, 2011.

Our plans for December 2011 include:

- Revising the webpage and application form to delete references to the closed pathways
- Rolling out the CMT & CMP seal usage protocol
- Direct mail campaign targeting nationally certified therapists
- Re-edit the videos, distribute to schools and upload to the website.

ELNA LEONARDO

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OBJECTIVE

- To serve as an instrumentally effective CAMTC Board Member & be an advocate for the community of Bodywork/Massage Professionals in California

SKILLS PROFILE

- Foundation of healing skills grounded upon an intuitively harmonic blend of modern modalities & ancient traditions encompassing Shiatsu, Deep Tissue, Swedish, Craniosacral, & Thai Yoga
- Expansive holistic knowledge base that encompasses physical, nutritional, mental, emotional, energetic, and spiritual aspects
- Effectively adapts and thrives in environments spanning international Corporations, Small Businesses and a Sole Proprietorship
- Successful & bold career transition from Computer Security Consulting into the realm of Healing Arts & Bodywork/Massage
- Diligently effective and resourceful across various platforms and technologies
- Self-taught in the technical areas of WordPress website installations; customized Facebook Pages; PC/Mac troubleshooting and debugging; and HTML/CSS coding for functional and styling effect

PROFESSIONAL EXPERIENCE

Business Owner

Trinity Bodywork, Los Angeles, CA (2002-Present)

- Provides Mobile Bodywork/Massage services for Private and Corporate Clients including Production Sets, Spa Parties and Events
- Experience includes working through business life cycle phases such as client attraction and retention; business development, sustenance and growth; marketing and referrals; network, association and colleague affiliations; mentorship and training; continuing education and training; community and charity participation; infrastructure equipment and supplies; Heart-centered communication and reporting; energy rejuvenation and maintenance; assessing client needs, progression and satisfaction; delivery of services; timely and routine follow-up; time and schedule management; payment processing; invoicing; accounting and record keeping, etc.
- Served as an Independent Contractor for high-end Spa, Wellness and Fitness Center environments

Project Manager

PricewaterhouseCoopers, Los Angeles, CA & Washington, D.C. (1993-2002)

- Manager experience includes
 - Pre-sales cycle including client meetings, prepare and deliver Requests for Proposals based on project specifications and client requirements
 - Identify and address client needs and requirements, as well as solution-oriented

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recommendations and project add-ons

- Lead and manage a team with varying skill sets including technical and audit resources
 - Identify, design, and outline project timelines, milestones, priorities, tasks, and deliverables
 - Build and maintain valuable client relationships
 - Ensure timely delivery of services in line with client expectations and project budget
 - Conduct entrance and exit conferences, as well as presentations, meetings, and training sessions
-
- Technical security and audit experiences include
 - Security audits and reviews of multi-platform implementations and configurations of MVS, ACF2, RACF, AS/400, UNIX, Red Hat Linux, Sun Solaris, Novell, Oracle, Netscape, Windows NT/2000, SQL, LDAP, etc.
 - Technical reviews of network security applications, configurations and hardware including authorization and authentication mechanisms, role-based access control, single sign-on, firewalls, infrastructure, physical security measures, server installations and applications, cryptography, biometrics, ActivCard, DataKey, PKI, SSL, etc.
 - Comprehensive reviews and assessments of organizational security methodologies, standards, policies and procedures to ensure that adequate controls were in place
 - Comprehensive analyses leading to production recommendation and selection
 - Clients ranged from major Federal government agencies to Fortune 500 companies (Department of Treasury, Social Security Administration, Intel, Universal Music Group, etc.)

Information Systems Auditor

Chevy Chase Bank, Bethesda, MD (1991-1993)

- Designed and performed tests of automated systems and procedures to ensure adequacy of accounting and security controls
- Supported External Audit efforts

Internal Auditor

Johns Hopkins Health System, Baltimore, MD (1989-1991)

- Performed Special Projects and supported External Audit efforts

EDUCATION

University of Santa Monica

Santa Monica, CA

Masters of Arts, Spiritual Psychology (2005)

Milne Institute

Santa Monica, CA; Gainesville, FL; Tuscany, Italy

Visionary Craniosacral Work (2004)

ELNA LEONARDO

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Shiatsu Massage School of California

Santa Monica, CA

Programs A, B & C (2002)

Loyola College

Baltimore, MD

Bachelor's of Business Administration, Accounting (1989)

PROFESSIONAL ASSOCIATIONS

California Massage Therapy Council (CAMTC)

Certified Massage Therapist (CMT) Certificate #11

Associated Bodywork & Massage Professionals (ABMP)

Professional Membership #953925

VOLUNTEER SERVICE

Charity Work

Greater Los Angeles

The Archer School for Girls, Transparency for Haiti, United Cerebral Palsy (UCP) Wheels for Humanity, & Heal the Bay (2009-present)

University of Santa Monica

Santa Monica, CA

Counseling Psychology Program Assistant (2007-2009)

California AIDSride

West Hollywood, CA

Volunteer (2000-2002)

REFERENCES

Available upon request

Dear Ms. Wall:

Attached please find my resume reflecting my skills and experience. Please review it at your earliest convenience, and if you find my qualifications could be beneficial to your Board, please forward to the appropriate parties.

The description for the position of the member of the Board of Directors lists a unique blend of attributes that perfectly fit my background. I am fortunate to have been engaged in a rewarding high tech career that provided me with exposure to the corporate world, encompassing best practices in all aspects of manufacturing, marketing, sales, and finance. In August 2004 I indulged my lifelong interest in massage therapy, and retrained as a massage therapist. I leveraged my previous professional experiences by incorporating many of the business theories into my massage business, resulting in success exceeding all expectations. My data driven business processes, and skillful execution to well thought-out planning have made me a successful sole proprietor where I am viewed by many of my peers as an accomplished leader in the massage therapy field. I have been a full time massage therapist for the past 6 years. During that time I have experienced a period of tremendous growth and valuable knowledge development. I am extremely professional, focused and detail oriented. I bring a well-rounded depth of understanding to the business of massage therapy management as well as a positive attitude that will enhance this opportunity to work with your board.

All my best,

Lori Yee

408.221.2534

lorikyee@yahoo.com

Lori K. Yee

CA State Certified Massage Practitioner Cert# 13985

585 Redwood Drive

Boulder Creek, CA 95006

408.221.2534

lorikyee@yahoo.com

EDUCATION:

- **Master of Science in HR Management - Organizational Behavior** - Golden Gate University- Los Altos, CA
- **Bachelor of Arts in Sociology** - University of CA- San Diego
- **State Certified Massage Practitioner** - Just For Your Health Massage College / Twin Lakes College of the Healing Arts / West Valley College (Bay Area, CA)

WORK EXPERIENCE:

2006-Present

Small Business Owner

- Massage by Lori Yee: offices in Campbell and Boulder Creek (CA)
- Massage Therapist for Kaplan Chiropractic, Campbell CA
- Corporate Chair Massage contractor with Infinite Massage
- Maintain detailed monthly statistical analysis of business trends, profit/loss ratios and small business accounting ledger
- Design promotional materials and marketing collateral to attract new clientele/ maintain existing clientele
- Member/Insured with Associated Bodywork and Massage Professionals since Sept 2004

Panasas Inc., Fremont, CA

Privately held company that designs and manufactures high Performance Data Storage Systems

Sales Operations Manager -12/04 to 3/06

- Actively worked with senior sales/marketing leadership in managing and directing the operational elements of the sales organization
- Set priorities with executive management and executed the plan with operations
- Processed external purchase orders, converted to internal sales orders and tracked through build / ship and delivery
- Responsible for maintaining the sales team compensation plan
- Analyzed and reported sales data on targeted verticals
- Tracked bookings and revenue
- Direct customer interface for various administrative task

Ciena Communications, San Jose, CA

Designs and manufactures Telecommunications Equipment (NASDAQ: CIEN)

Forecast Planning Analyst - 6/02 to 7/04

- Provided Sales Ops support for international sales teams across 3 major product lines regarding forecasting, purchase/sales order status and inventory requests
- Primary Sales Ops contact for NPI (New Production Introduction) product team
- Worked closely with operations scheduling to prioritize customer orders
- Processor for all non-revenue, field trial and internal sales orders
- Generated weekly forecasted revenue reports for distribution to senior management
- Coordinated efforts between Sales and Manufacturing organizations to ensure a smooth transition and prompt product delivery during the ONI/Ciena merger

ONI Systems, San Jose, CA

Designed and manufactured Telecommunications Equipment

ONI went public in June 2000 (NASDAQ: ONIS) and was acquired by Ciena in June 2002

Sales Operations Planning Coordinator - 09/01 to 6/02

- Primary liaison between the international sales organization and manufacturing operations for all customer revenue and field trial requirements
- Principal interface with order administration, program management, forecasting, regional business managers, GSS (Global Services Support) and GPI (Global Production Introduction)
- Chaired weekly meetings to establish sales order priorities, directing operations activities
- Monitored and provided status on customer sales orders for the worldwide sales organization
- Advised systems engineers on current inventory availability affecting system configuration
- Developed curriculum and trained the sales team on the use of the Customer Order Status link located on the corporate ONI Website

Master Scheduler -12/99 to 9/01

- Developed and maintained the MPS (Master Production Schedule) for all revenue, field trial, and internal sales orders and shipments
- Initiated, coordinated and assisted in the logistics of revenue material, field trial and internal demands
- Primary contributor on the ERP transition team
- Key developer of the Master Scheduling procedure for ISO 9000 certification
- Organized and structured the process for BOM format, ECO's and CCB

OTHER EXPERIENCE:

Senior Planner, Adept Technology, San Jose, CA

Planner, Teradyne/Megatest Division, Inc., San Jose, CA

Manufacturing Planner, Lockheed Missiles and Space Company, Sunnyvale CA

Tooling/Operations Planner, General Dynamics, San Diego, CA

Instructor, Consumer Credit Counseling San Jose, CA

SUMMARY OF ADDITIONAL SKILLS:

- Extensive experience working in cross functional organizations
- Effective communication with a broad range of and interpersonal dynamics, education, and professional backgrounds including Executives Management,
- Seasoned presentational skills ranging from executive staff meetings to classroom settings
- Experience with implementing and utilizing sales force automation and MRP systems, e.g. Oracle, Siebel, Salesforce.com., BaaN, Macola
- Proficiency in Written/Verbal Communications
- Computer literacy in Microsoft Office

REFERENCES AVAILABLE UPON REQUEST

NAYADA DHANAPHATANA
8701 Airline Ave., Los Angeles, CA 90045
Tel. (310) 699-4999 • Fax (310) 695-7152 • Nayada21@hotmail.com

OBJECTIVE

Board member of California Massage Therapist Council

EDUCATION

National Institute of Development Administration Bangkok, Thailand
Master of Public Administration, Pending comprehensive exam 1997-present

Chulalongkorn University Bangkok, Thailand
Bachelor of Arts, Major: French, Minor: English, Drama 1972-1976

RELATED EXPERIENCE

Leelavadee Thai Wellness Center Westchester, CA
Marketing Director and Owner 2009 – Present

- Collaborated with architect in the design of the facility
- Designed promotional material for business including print advertisement, brochure, and banners
- Responsible for interviewing, hiring, scheduling, and management of all staff
- Established marketing strategies and public relations

Century 21 Exclusive Realty – Mattucci Real Estate Los Angeles, CA
Real Estate Agent 2002 - Present

- Residential, businesses, or commercial properties sales.

Thai Corner Restaurant Los Angeles, CA
Owner 2001 - 2004

- Provided dining service for patrons
- Managed cash register
- Responsible for accounting, balancing sales and expenses account

Chiab Magazine Los Angeles, CA
Editor-in-Chief and Owner 1997-2000

- Wrote several feature articles
- Managed graphic design
- Responsible for advertising

LICENSES AND PERMITS

- Massage Therapist 2010
- Esthetician 2010
- Real Estate Agent 2003

ORGANIZATIONS

Thai American Chamber of Commerce

- Board of Director for Spa and Massage Business

TRAINING/SKILL SETS

- Proficient in Microsoft Word, Excel, Powerpoint, Adobe Pagemaker, Adobe Photoshop



CEO Report

November 29, 2011

State of CAMTC

As a young organization, CAMTC is still facing some serious challenges. However, we are making consistent progress on the path to becoming a mature, efficient and enduring organization. The value of certification within the profession and with employers grows as more and more employers demand certification and professionals appreciate the benefit of one certification to work throughout the state. Furthermore, our credibility with local governments grows as the trend continues towards mandated certification.

Fiscal Viability

As we reported to the Board on November 4, 2011, our October financials exceeded expectations.

Deficit- The Board budgeted for a deficit of \$526,954. We reduced it to \$192,065.

Cash flow- Board expected the cash position on November 30, 2011 to be at \$263,458. We ended the month with \$725,853.

This is a result of generating higher revenues and holding back expenditures.

As of November 26, 2011 we received 35,700 new applications and certified 26,503.

Operations

With the exception of limited numbers of snags relating to the recertification protocol, which have been rectified, all operational systems have been functioning smoothly. All recent Board policy decisions regarding unprofessional conduct (advertising), schools, and recertification have been fully implemented, however the extent of their overall impact will not be fully apparent until the end of March 2012.

Outreach

Since early September we sent two different eblasts to all certificate holders, encouraging them to “tell a friend” about the benefits of CAMTC’ certification. As a whole these eblasts were well received.

We implemented a direct mail project, sending 10,000 large color postcards to association members who have never applied with CAMTC reminding them that several certification pathways will no longer be available after the end of the year. The card directed recipients to a visually accessible webpage designed to guide the potential applicant through the process of determining if they qualify under a closing pathway, and how to then apply.

We also designed and uploaded to our homepage a banner ad with a similar look to the card. This banner ad will be removed on December 30, 2011.

Our plans for December 2011 include:

- Revising the webpage and application form to delete references to the closed pathways
- Rolling out the CMT & CMP seal usage protocol
- Direct mail campaign targeting nationally certified therapists
- Re-edit the videos, distribute to schools and upload to the website.

Treasurer's Report Board Meeting: December 7, 2011

Applications Received Through November 12, 2011

New Applications

For the period July 27, 2009 through November 12, 2011, 35,190 applications have been received.

The average number of applications received is approximately 244 for the ten weeks from September 5 through November 12, 2011, down moderately from the average of 294 per week from July 27, 2009 through November 12, 2011.

On the one hand, the figure for the most recent nine months, 244 continues a long term downtrend. However, such a gradual decline might be consistent with a certification process of any type; the existing prospect base may be more likely to apply when the process is initially offered, and prior to the renewal period.

The current budget reflects what Executive Staff and Board consider practical on the basis of experience and market assessment. The year to date figure of 10,404 is slightly (6%) above the budgeted number of 9,728 initial applications received.

There was a 7% increase over budget in the number of certificates issued year-to-date.

Recertification

The recertification period began on September 1 of this year. As of November 12, 2,669 therapists were billed and 59% have renewed as of November 12, 2011.

Recertification as of November 12, 2011		
Billed	2,669	100%
Paid/Complete	1,594	59%
Not Renewing	5	*
Review	69	3
No response	1,001	38

Disposition of Initial Applications

The disposition of applications from July 27 through November 12, 2011 is similar to previous periods with two minor exceptions:

- Certificates issued fell to 74% from 77% as of September 3, 2011
- Applications with incomplete date rose to 12% from 8% as of September 3, 2011.

Applications	Disposition as of November 12, 2011
Certificates Issued	74%
Held due to education	2%
Incomplete	12%
Applications received, not entered	1%
Complete and ready for approval	1%
In PSD	2%
Denied	8%
Purged	1%
Total	100%

Year to Date: October 31, 2011 Financial Statements*

Statement of Functional Activities (Income Statement)

Overview.

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 October 31 exceeded budget by 5% and expenses were 9% below the budget amount. The net effect is an excess of expenses over revenues of \$192,065 compared with a budgeted short-fall of \$526,954.

A small additional excess of expenses over revenues has been budgeted for the balance of the year; however, this additional budgeted "loss" appears unlikely to take place given that revenues are up and expenses are down over the budgeted amounts...

Performance Relative to Budget by Major Expense Categories.

In every category but one, expenses were at least slightly below the budgeted amount. In the one exception, actual expenses exceeded the budgeted amount by only \$920. The biggest favorable variances were in the “General Administrative” and “Professional Standards Division” categories.

Listed below are the major expense categories, in the order shown on the Statement of Functional Activities and the variance from the budget.

Item	Actual	Budgeted	Variance (negative numbers mean actual exceeded budget)
Board & Committee	\$18,210	\$27,016	\$8,806
Outreach marketing	\$63,826	\$64,497	\$671
General Administrative	\$259,273	\$334,334	\$75,061
Executive Staff	\$335,889	\$350,411	\$14,522
Professional Standards	\$724,671	\$825,537	\$100,866
General Staffing	\$48,538	\$50,106	\$1,593
Professional Services	\$661,311	\$698,000	\$36,689
TOTAL	\$2,111,718	\$2,349,901	\$238,183

The year to date loss (revenue minus expenses) of \$192,065 on October 31 is less than the comparable figure of \$219,084 at the end of September, indicating that there was a small surplus for October. This is the second consecutive excess of revenues over expenses in several months and appears to reflect the anticipated beginning of an excess of revenues over expenses

Statement of Financial Position (Balance Sheet)

Overview The CMTC balance sheet on October 31 is moderately stronger than the preceding month, reflecting the excess of revenue over expenses for the month.

Total assets of \$751,386 are up 7% from the end of September.633, 203.

Liabilities of \$1,185,260 are up 2% reflecting the increase in deferred fees from renewals.

Equity, at negative \$433,874 is somewhat more favorable than the negative \$460,893 on September 30...

Respectfully submitted by Michael Marylander,
Treasurer
November 23,, 2011



Governmental Affairs and Special Projects Report December 7, 2011

December 7, 2011

To: CAMTC Board of Directors

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

Overall Focus:

This position continues to consist of approximately 80% governmental affairs and the remaining 20% on special projects, such as education issues, website revision, and projects assigned by or in cooperation with the CEO, Operations Manager, Legal Counsel or PSD Director as needed.

Stakeholder Responsiveness:

1. City/county attorneys/ law enforcement
 - a. Ordinance revisions
 - b. Compliance with the law
 - c. Understanding the effects of AB 619
 - d. Declaration process and tools
 - e. Receiving complaints and forwarding as appropriate
 - f. Receiving concerns regarding the law for potential inclusion in clean-up bill
2. Massage therapists
 - a. Assisting with application process for those with complex issues
 - b. Navigating local regulations and understanding their rights
 - c. Miscellaneous other questions
3. **Organization of Data:**
 - a. Maintaining database of jurisdictions not in compliance with the law
 - b. Tracking status of local ordinance revisions
 - c. Maintaining sample ordinances

Communications:

1. Website revision
2. Application revision

Clean-up legislation:

1. Working with team of city attorneys as the interface between existing and incoming statutory language and unintended consequences regarding effective public protection
2. Meeting with AMTA-CA Government Relations Chair and their lobbying team
3. Meetings with Chief Counsel for Joint Committee on Business, Professions and Economic Development

Professional Standards Division:

1. Working with the Director on special projects
2. Interface, with Operations Director, between PSD and cities and applicants
3. Receive reports of complaints regarding fraudulent practices of schools

Local government priorities:

1. Imminent ordinance revision
2. Compliance issues
3. Continue educating city and county staff of 2012 changes

Requirements for establishment permits and conditional use permits (CUPs) remain one of the most burdensome problems for certified professionals. As of January 2, 2012 in most cases these will no longer be allowed. Despite tremendous outreach efforts many cities and counties still do not understand the extent of the changes affecting local regulation of establishments and zoning . Monitoring how local governments respond and implement the new law will be critical. In addition, tracking potential problems that may occur as unintended consequences will be important. For the credibility of CAMTC certification it is in our interest to make sure that the program does not increase misuse of the profession by the criminal operations. As a result, there will need to continue to be negotiation with local officials on how to serve our common goals of protecting the public . I now have a group of city attorneys who fully understand the massage law, have tremendous respect for the profession, and know all too well the challenges of preventing illicit activities under the guise of massage. I have tremendous confidence that by engaging these attorneys in any clean-up bill that we have the ability to create a workable effective bill to suit the needs of the profession, local governments and the communities. Such engagement was missing in drafting SB 731 and AB 619.

Significant success was in El Dorado county which was requiring background checks and sheriff's permits of all certified professionals. Months of calls, emails, and letters later and the county counsel finally instructed the sheriff's department to exempt certified massage professionals and the finance department to issue business licenses to those who are self employed or employ only certified professionals to provide massage.

Reports from MultiState Associates have proved valuable in alerting us to committee hearing and introduction of new ordinances that we may not have become aware of otherwise. In one case I learned that a city was to require a background check of certified owners in an ordinance scheduled for a first reading in tow days. I was able to meet with the city attorneys to remove the provision. These attorneys contract with 14 cities and the opportunity to discuss provisions that will meet the needs of the other cities was invaluable.

Research projects:

Study of process for reviewing consumer complaints

Conclusion:

My benchmark for success is based on the intent of SB 731:

to “enable consumers to easily identify credible certified massage therapists; assure that certified massage therapists have completed sufficient training at approved schools; phase in increased education and training standards consistent with other states; assure that massage therapy can no longer be used as a subterfuge to violate subdivision (a) or (b) of Section 647 of the Penal Code; and to provide a self-funded nonprofit oversight body to approve certification and education requirements for massage therapists.”

While we have made considerable progress, we have a ways to go. How well AB 619 is implemented and how effectively will be the foundation not only for clean-up legislation but also for the Sunset review and legislation.

Jurisdiction	Drafting ordinance?
Berkeley	2009
Palmdale	(soon)
Gardena	complete
Downey	drafting new
Emeryville	drafting new
Ridgecrest	drafting new
Escondido	first reading
San Mateo County	first reading
Banning	new
Foster City	new
Lancaster	new
San Gabriel	new
Santa Clarita	new
Brentwood	new (Feb 2011)
Azusa	new Oct 2011
Lake Forest	no (keeping dual)
La Mirada	opening zoning
Del Mar	passed 9/12/11
Newport Beach	possibly
San Diego County	revising again
Dublin	soon
Alameda County	yes
Bakersfield	yes
Delano	yes
Folsom	yes
Irvine	yes
Long Beach	yes
Monterey Park	yes
Palo Alto	yes
Pasadena	yes
Pomona	yes
Redondo Beach	yes
Redwood City	yes
Roseville	yes
San Bernadino city	yes
San Carlos	yes
San Clemente	yes
San Diego City	yes

San Jose	yes
San Marcos	yes
Santa Fe Springs	yes
Thousand Oaks	yes
Chino	yes (soon)
Chino Hills	yes (soon)
Los Angeles County	yes (soon)
Millbrae	yes (soon)
Costa Mesa	yes-amending new ord.
South Pasadena	zoning
Torrance	zoning

Jurisdiction	Issue	Date reported	Status
Los Angeles County	background checks/ permit	May-11	resolved
Los Angeles County	establishment permit and fees	Apr-11	ongoing
Los Angeles County	drafting ordinance	May-11	awaiting Supervisor direction
Los Angeles County	still requires medical exam	May-11	resolved-(cmt gave up)
Los Angeles City	business license/employee outcall	Oct-10	unsure
Los Angeles City	establishment permit and CUP	May-11	mostly resolved
Los Angeles City	permit required- citations issued	May-11	resolved
San Diego County	Mueller school says needs background check	Dec-10	resolved
San Diego County	background checks/ permit	Dec-10	resolved
San Diego County	establishment permits	Dec-10	ongoing
Riverside City	background check for certified owner	Oct-11	ongoing
San Diego	oppressive dress code	Jul-11	ongoing-not critical
San Diego County	drafting ordinance	Nov-11	in progress
San Bernardino County	proposed moratorium, new zoning w/CUP	May-11	ongoing
San Bernardino County	use permit -	Nov-11	resolved
Santa Clara County	county reqd permit	Dec-11	unknown
Santa Clara County	no home occupation for massage	Dec-11	unknown
Santa Clara County	misdeemeanor citations for not registering certified staff	Sep-11	in progress
Santa Clara County	estab permit \$1200 new, \$980 renew	Oct-11	in progress
Alameda County	drafting ordinance	Jun-11	ongoing
Alameda County	moratorium	Jun-11	ongoing
San Diego city	permit required	Apr-11	resolved
San Diego city	background check of certified owner	Apr-11	resolved-
San Diego city	establishment permit	Apr-11	resolved -paige
San Diego city	showers required	Apr-11	resolved - paige
San Diego city	restrictive zoning	Sep-11	in queue
San Diego City	drafting ordinance	Oct-11	in progress
San Jose	no outcalls	Jun-11	in the queue
San Jose	drafting new ordinance	Jun-11	ongoing
Fresno county	background checks	Dec-10	unconfirmed
San Francisco	showers required	Dec-10	resolved
San Francisco	estab permit	Dec-10	stalled- city won't budge
San Francisco	estab.fees	Dec-10	stalled- city won't budge
San Francisco	outcall permit required	Dec-10	stalled- city won't budge
San Mateo County	drafting ordinance	Apr-10	ongoing
Stanislaus County`	permits, even of instructors	Jun-11	resolved
Fresno city	background checks	Mar-11	resolved
Long Beach	accessory use only	Dec-10	working with city
Long Beach	business license fees	Jun-11	resolved
Long Beach	employee zoning	Jun-11	resolved
Long Beach	drafting ordinance	Jul-11	ongoing
Long Beach	establishment fee for gym based massage	Aug-11	resolved
Sacramento	no home occupation (not confirmed if massage specific	Oct-11	checkingif only massage
Anaheim	establishment permit	Jun-11	in the queue
Bakersfield	permit required	Oct-10	unknown
Bakersfield	drafting ordinance	Sep-11	in progress
Riverside City	establishment permit	Jun-11	in the queue

Riverside City	over \$811 for establishment permit	Dec-11	ongoing
Riverside City	high establishment fee	Jun-11	in the queue
Riverside City	showers required/extra bathroom	Dec-11	ongoing
Riverside City	chair massage	Dec-11	ongoing
Chula Vista	requires city permit	Oct-11	in queue
Fremont	CUP? \$4100	Aug-11	in queue
Irvine	drafting ordinance	Feb? 2011	draft due soon
Irvine	no massage in hotel room	Aug-11	new report
Modesto	owner and manager need certification	Apr-10	in the queue
Glendale	CUP	unknown	resolved
Huntington Beach	no outcalls	early 2010	in the queue
Oceanside	no home occ (permits only massage)	Aug-11	new report- not confirmed
El Dorado	requiring permit	Apr-11	resolved
Rancho Cucamonga	establishment permit required	Dec-10	in the queue
Rancho Cucamonga	\$2600 CUP	Dec-10	in the queue
Santa Clarita/ LA county	background check	Oct-10	resolved
Santa Clarita/ LA county	showers required	Oct-10	resolved
Santa Clarita/ LA county	\$2100 establishment permit	Sep-11	ongoing
Palmdale	possible establishment, owner must be member of assn	Aug-11	resolved
Palmdale	will amend ordinance		
Palmdale	requiring business certification of ME new location	Aug-11	resolved
Pasadena	drafting ordinance, likely estab permit if non-certified owner	Jul-11	in the queue
Pasadena	CUP	May-10	in the queue
Pasadena	background check of certified owner	Dec-10	in the queue
Corona	refuses to renew business license unless large employer	Dec-10	unconfirmed
Torrance	drafting ordinance	Jun-11	ongoing participation
Torrance	moratorium	Sep-10	extended Aug 2011
Escondido	drafting ordinance - planning Nov reading	Jun-11	first reading
Lancaster	compliance certificate and fee	Mar-10	no recent activity
Lancaster	drafting ordinance	Mar-10	passed May 2010
Lancaster	establishment permit	May-10	in new ordinance
Lancaster	compliance permit required	May-10	in new ordinance
Elk Grove	massage permit required	early 2011	unverified
Orange - city of	W-2 employee biz license	Aug-11	resolved
Sunnyvale	background check and city permit	Aug-11	in queue
Sunnyvale	establishment permit	Aug-11	in queue
Thousand Oaks	establishment permit-citations	May-11	resolved
Thousand Oaks	drafting ordinance	Oct-11	planning
Simi Valley	moratorium	Nov-10	unknown
Simi Valley	drafting ordinance	Nov-11	in progress
El Monte	establishment permit fee	Nov-11	in queue
Concord	did not recognize certification	Aug-11	resolved
Santa Clara City	background check	Oct-10	resolved
Santa Clara City	establishment permit	Oct-10	resolved
Costa Mesa	establishment permit	Jul-11	ongoing
Costa Mesa	amending new ordinance	Jul-11	ongoing
Costa Mesa	no hotel massage	Jul-11	ongoing
Costa Mesa	moratorium	Jul-09	ended

Downey	restrictive zoning/ cup	Jun-11	ongoing
Downey	\$833 establishment permit	Oct-11	ongoing
Downey	drafting ordinance	Nov-11	in progress
West Covina	permit required	Nov-10	in the queue
Victorville	CUP	Oct-11	in progress
Norwalk	CUP	8/11/2011	resolved
Burbank	registration/permit?	Jun-11	in the queue
Berkeley	city application	Jan-11	in the queue
Berkeley	CUP	Apr-11	in the queue
Berkeley	establishment permit	Apr-11	in the queue
Ventura	taking permit fees	Dec-10	city will not budge
Richmond	CUP, establishment permit	Aug-11	new report
Richmond	background check and massage permit	Sep-11	resolved
Temecula	city permit	Mar-11	in the queue
Temecula	no outcalls	Mar-11	in the queue
Murrieta	permit required	Oct-10	in the queue
Mission Viejo	CUP	Oct-10	in the queue
Mission Viejo	establishment permit	Oct-10	in the queue
Mission Viejo	\$800 establishment fee	Oct-10	in the queue
Rialto	CUP - high fee	Dec-10	in the queue
Rialto	medical certificate	Dec-10	in the queue
Vista	compliance fees	Feb-11	in the queue
Vista	employee business license	Feb-11	resolved
Vacaville	establishment "supplemental" license	Aug-11	in queue
Westminster	permit required	May-10	in the queue
Westminster	police approval for business license as I.C.	May-10	in the queue
santa monica	restrictive zoning	Aug-11	new report
Santa Monica	owner exam on city code	Aug-11	new report
Santa Barbara	no chair massage	11/1/2011	in progress
Santa Barbara	establishment permit	11/1/2011	in progress
Newport Beach	CUP -	early 2011	resolved
Newport Beach	drafting ordinance	unknown	in the queue
Newport Beach	city exam	Aug-11	resolved
Chino	establishment issues	Oct-10	in queue
Chino	requires permit	Oct-10	in queue
Chino	plan to draft massage/zoning ord.	Apr-11	postponed, soon
san marcos	establishment permit	Oct-10	resolved in new ord.
san marcos	employee business licenses	8/6/2011	new report
san marcos	drafting ordinance	Oct-11	in progress
Lakewood	background check of certified owner	Feb-11	in queue
san leandro	possible permit required	Oct-10	in queue
Chino Hills	establishment permit	Oct-10	in queue
Chino Hills	drafting new ordinance	Apr-11	postponed, soon
Chino Hills	no outcalls	Aug-11	in queue
Lake Forest	technician permit	Nov-11	resolved
Lake Forest	establishment permit	Nov-11	resolved
Redwood City	Cup, high fee	Jan-11	in process
Redwood City	drafting ordinance	Jul-11	resolved
Redwood City	draft to deny CCMP's ability to work	Oct-11	resolved
Redwood City	no outcalls in draft	Oct 2011`	resolved
Bellflower	permit required	Oct-10	in queue
Bellflower	possible employee business license	Aug-11	verifying

Upland	forbids full massage in reflexology business	Nov-11	in progress
MountainView	background check	Feb-11	in queue
Mountainview	establishment permit & fees	Feb-11	in queue
Alameda city	requires city permit,	Sep-09	resolved
Union City	restrictive zoning	Aug-11	in queue
Redlands	CUP and fee	Oct-09	in queue
Redlands	permit required	Oct-09	in queue
Redlands	restrictive zoning	Aug-11	in queue
Milpitas	background checks	Sep-11	resolved
Folsom	drafting ordinance	Oct-11	ongoing
Turlock	establishment	Dec-09	in queue
Turlock	background check/ police permit	Nov-11	resolved
Pleasanton	city livescan and license fees	Aug-11	resolved
Yorba Linda	showers required	Nov-11	in progress
San Clemente	drafting ordinance	early 2011	in queue
San Clemente	restrictive zoning	Aug-11	in queue
San Clemente	no home occupation for massage	Aug-11	in queue
Redondo Beach	drafting ordinance	early 2011	in progress
Redondo Beach	plans to require a CUP	Nov-11	in progress
Camarillo	city permit and medical exam	Sep-11	resolved
Camarillo	no home or outcall massage	Jul-11	in queue
Camarillo	2 business license fees - one specific only to massage	Oct-11	in queue
Walnut Creek	city permit required`	Aug-11	resolved
Montebello	no massage businesses allowed	May-11	in queue
Palo Alto	drafting ordinance	May-11	almost complete
Palo Alto	permit required	May-11	ongoing
Monterey Park	restrictive zoning	Mar-11	resolved
Monterey Park	certified owner background check	Oct-11	resolved
Monterey Park	new ordinance	Oct-11	complete
San Ramon	incidental use; limited zoning	8/6/2011	in queue
Diamond Bar	CUP - resolved	May-11	resolved
Fountain Valley	establishment permit, CUP	10/1/2010	in queue
Fountain Valley	permit required/another report contradicts	Oct-10	in queue
Fountain Valley	extra restrooms	Aug-11	in queue
Arcadia	limited to 33% of business	May-11	in queue
Arcadia	only in med, chiro offices - 2mts max	May-11	in queue
Arcadia	\$10 registration fee W-2 employees	5/1/2011	in queue
Rocklin	establishment permit	Mar-11	in queue
Perris	variance	early 2011	in the queue
Cerritos	CUP and Town Center limitation	May-11	ongoing
Novato	higher business license fee	Aug 0211	in queue
Novato	permit required	Oct-10	resolved
Novato	restrictive zoning	Oct-10	in queue
Cathedral City	permit required	early 2011	in queue
Highland	difficult to get business license	Aug-11	in queue
Brentwood	city permit (registration by employee?)	Nov-11	resolved
Placentia	CUP	Oct-10	ongoing
Placentia	manager must be certified	Jun-11	ongoing
Placentia	accessory or medical only	Augn 2011	ongoing
Placentia	no independent contractors	Aug-11	resolved
Placentia	exam	Oct-10	resolved

Palm Desert	permit required	Dec-10	in queue
Palm Desert	zoning, accessory use	May-11	in queue
Yucaipa	permit required	May-11	in queue
La Mirada	new ordinance	Oct-11	second reading 10/25/11
La Mirada	CUP, also of holistic health businesses	Oct-11	will review/city to revise
Covina	moratorium	early 2011	in queue
Azusa	moratorium	May-11	ended
Dublin	background check,	May-11	resolved
Dublin	moratorium	May-11	resolved
Dublin	no outcalls	May-11	in queue
Palm Springs	zoning	Oct-10	in queue
Palm Springs	establishment permit	Oct-10	resolved
Palm Springs	dual business license fees	Sep-11	in progress
Palm Springs	city permit	Nov-11	in progress
San Luis Obispo	TB test required	Nov-11	resolved
Newark	no massage home occupation	Oct-10	in queue
Danville	background checks	May-11	in queue
Danville	moratorium	May-11	in queue
Danville	sheriff background checks	May-11	in queue
Rohnert Park	did not recognize certification	unknown	resolved
San Gabriel	permit required for certified owner	May-11	resolved
San Gabriel	CUP		resolved
San Gabriel	drafting new ordinance	May-11	passed
San Gabriel	Moratorium	May-11	ended
Rancho Palos Verde	permit required	May-11	ongoing
Lincoln	no outcalls	Jun-11	in queue
Campbell	registration fee	Jun-11	ongoing
Campbell	\$471 establishment fee	Sep-11	in queue
Campbell	additional business license for massage	Nov-11	in queue
Culver City	establishment and technician permit	Aug-11	ongoing
Pacifica	medical exam	Feb-11	Resolved
Pacifica	police permits	Mar-11	resolved
Pacifica	cup \$3700	Oct 2011`	resolved
Morgan Hill	moratorium	unknown	in queue
Monrovia	restrictive zoning	May-11	in queue
Monrovia	certified owner background check/\$1300	Jul-11	in queue
Monrovia	moratorium	May-11	in queue
Stanton	permit required	Oct-10	in queue
Dana Point	restrictive zoning	Aug-11	in queue
San Juan Capistrano	restrictive zoning	May-11	in queue
San Juan Capistrano	establishment permit	May-11	resolved
San Juan Capistrano	"business" permit required of employees	May-11	resolved
Beverly Hills	no cross gender massage	long ago	in queue
Beverly Hills	fees, massage work permit and livescan	8/1/2011	in progress
Temple City	refused information	May-11	in queue
Temple City	citation for not renewing establishment pemrit	Aug-11	in queue
La Verne	requires city permit - no fee	unknown	resolved
Pleasant Hill	permit required	Oct-10	in queue
Laguna Hills	permit required	May-11	in queue
Walnut	moratorium	Jul-11	in queue
Saratoga	non-cert. owner estab permit	Jun-11	ongoing

Goleta	registration fee	Oct-10	in queue
Los Gatos	variance/CUP	Oct-10	in queue
Los Gatos	employee business licenses	May-11	stalled-
Foster City	background check	Aug-11	in queue
Twentynine Palms	city therapist permit	Aug-11	resolved
Monterey City	permit required	Nov-10	in queue
San Carlos	new ordinance	Jul-11	ongoing
Los Altos	background, permit high fees & medical exams	Aug-11	resolved
Banning	moratorium	unknown	resolved
Desert Hot Springs	permit required	Oct-10	in queue
Belmont	business license fee \$2038	2000	in queue
Belmont	establishment fee \$3500	2000	in queue
South Pasadena	proposed moratorium, new zoning w/CUP	Jun-11	resolved
South Pasadena	Fee for ID badges	Jun-11	ongoing
South Pasadena	\$300 zoning fee for contractor for each location	Aug-11	new report
San Fernando city	certified owner background check/\$1300	Oct-11	in progress
Coronado	restrictive zoning	Oct-10	in queue
Calabasas	permit required	Oct-10	in queue
Agoura Hills	establishment permit, CUP	Aug-11	ongoing
Millbrae	new ordinance	Jun-11	postponed, communication
Lomita	massage permit	Nov-11	in progress
Pinole	no outcalls	unknown	in queue
Pinole	permit required- city interview	Oct-10	in queue
Santa Fe Springs	new ordinance	Oct-11	in progress
Artesia	employee business license	Jan-11	resolved
El Segundo	possible permit required	unknown	in queue
Albany	restrictive zoning	Oct-10	in queue
Rancho Mirage	business license for hospital volunteer	Aug-11	resolved
Carpinteria	not permitting cmp to do outcall -	May-11	ongoing- stalled
Malibu	no home or outcall massage	Aug-11	ongoing
Auburn	no outcalls	Oct-10	in queue
Half Moon Bay	possible permit required	Oct-10	in queue
Los Alamitos	refused business license	Feb-11	in queue
Scotts Valley	possible permit required	Oct-10	in queue
Lindsay	new ordinance- favorable zoning	Oct-11	support
Sierra Madre	CUP, fee	May-11	in queue
Emeryville	livescan and 500 hours	Sep-11	resolved
Emeryville	requiring permit	Oct-10	resolved
Corte Madera	background check,	Oct-10	in queue
Corte Madera	restrictive zoning	Oct-10	in queue
Taft	city permit required	Sep-11	resolved
Taft	establishment permit	Sep-11	in queue
Calimesa	requires permit	Oct-10	in queue
Escalon	high fee permit	Oct-10	in queue
Escalon	required permit	Oct-10	resolved
Escalon	required CE's	Oct-11	in progress
Del Mar	showers for clients and staff	Jul-11	in queue

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California Massage Therapy Council (CAMTC) Assumptions and Notes for 2012 Budget

Revenue

- **Number of new applications deposited** - Based on combining multiple extrapolations with intuition and smell test we estimate 750 new applications per month (in 2010 we are averaging 1,000 per month). That should give us 9,000 additional applications. Assuming 1,000/mo for November and December, we will end up with a cumulative total of 45,594 new applicants by the end of 2012. We recommend keeping the fee structure as is.
- **Certificates Issued** - Based on 85 % of applications received 90 days prior to the month being counted since most applications are assumed to take 90 days to process. Example - January would be 85% of the total received in October 2011; February would be November 2011 etc.
- **Renewals-Applied/Approved** - Based on the monthly total of the applicant expiration dates in the database. We assumed the re-certification rate would start at 73% in January (in September and October 2011 we averaged 79%), then gradually decline until hitting 65% in September, then remaining at that level indefinitely.
- **Deferred Current/Prior Years** - Current year deferred is applications received plus renewals received times \$150 x 35% divided by 24 months.
Deferred prior years 35% of applications received in 2010 & 2011.
- **Denied Applications**- Denied applications are based on 5% of the total application received 10 months prior to the month stated. It is assumed it take approximately 10 months for an applicant to get through the PSD process. Example-January 2012 is 5% of the total applications received in March 2011.
- **Purged/Revoked/Suspended/Cancelled/Nullified** - The numbers shown on the budget months include only those numbers of what we expect to purge. Revoked, suspended, cancelled and nullified are a small number and cannot be estimated based on a sound assumption. Purged applicants are based on 2% of the total applications received 12 months prior to the month. Example – January 2012 is 2% of the total applications received in January 2011.
- **Hearing Fees** - Based on the number of hearings that were scheduled for 2011 and anticipated change in 2012.
- **Miscellaneous Fees** -Based on prior year history.

Operating Expenses

- **Board & Committee Expenses** - Based on holding quarterly in person meetings.
- **Outreach/Marketing** - In order to achieve the projected numbers of new and renewal applications marketing support will be necessary. While previously we focused on associations' members, in 2012 we will focus on massage schools' alumni; massage businesses/spas owners and managers as well as consumers. The total 2012-outreach budget is approximately half of 2011:
 - Design, printing and mailing projects - \$48,000
 - Media relations- \$9,000
 - Marketing database development- \$9,000
 - American Massage Conference - \$7,800
 - Website upgrade- \$6,000
- **General Administrative**- A cost reduction of approximately 20% in comparison to 2011 mid year budget, mainly due to a reduction of almost 70% in database development.
- **Executive Staff**- Executive function was reduced by 16% from what was budgeted for this category at the beginning of 2011. An annual contingency of \$41,400 was established in the event that additional resources will become necessary. Possible additional resources may include, but are not limited to, travel, office rent and temporary assistance for administrative and marketing projects. No funds may be spent from this category without prior Board approval.
- **Professional Standards Division**- Compared to the 2011 budget, which was updated in July, this category shows savings of 17%, mainly because of \$53,000 reduction in clerical staff (after adding a 3% raise in April and implementation of benefits consistent with proposed employee manual) and savings of \$145,000 in legal costs.
- **Staff General Expenses**- Payroll tax based on projected cost.
- **Professional Services**- Expenses associated with legal challenge to local government was eliminated all together (\$68,000 savings), AMG's fee will be cut by \$45,000 and general counsel expense was cut by \$28,000.
- **Total Operating Expenses**- Operating expenses (before miscellaneous contingencies) were cut by 10%. Per the Board policy, which was adopted on September 15, 2011, a miscellaneous contingency item was established. We recommend setting that amount to be equal to 3% of operating expenses. Upon the authorization of the Chair, the CEO is authorized to approve purchases of goods and services for the amount up to the budgeted amount in the miscellaneous/contingency item. No payee will be paid more than \$5,000 from this item in the fiscal year unless pre-approved by the Board. The CEO will notify the Board within two business days by email of any expenditure pursuant to this section.
- **Operating Surplus**- A \$22,000 surplus will produce a modest reduction of the negative equity on the balance sheet. That amount will increase to \$150,000 in case none of the contingency items will be used.

CAMTC PROPOSED BUDGET 2012

	January 2012	February 2012	March 2012	April 2012	May 2012	June 2012	July 2012	August 2012	September 2012	October 2012	November 2012	December 2012	TOTAL 2012	Approved Budget	2012/2011 Variance	% Variance	Approved Budget	2012/2011 Variance	% Variance
REVENUE														7/20/2011			1/18/2011		
Number of new applications deposited	750	750	750	750	750	750	750	750	750	750	750	750	9,000	11,529	(2,529)	-21.94%	10,800	(1,800)	-16.67%
New Application Fees Recognized (27% of \$150)	\$ 30,375	\$ 30,375	\$ 44,550	\$ 43,740	\$ 30,375	\$ 48,720	\$ 30,375	\$ 30,375	\$ 30,375	\$ 30,375	\$ 30,375	\$ 30,375	\$ 410,385	\$ 466,923	\$ (56,538)	-12.11%	\$ 437,400	\$ (27,015)	-6.18%
Certificates Issued	984	765	765	638	638	638	638	638	638	638	638	638	8,256	9,741	(1,485)	-15.24%	9,180	(924)	-10.07%
Certificates Recognized (38% of \$150)	\$ 56,088	\$ 43,605	\$ 43,605	\$ 36,366	\$ 36,366	\$ 36,366	\$ 36,366	\$ 36,366	\$ 36,366	\$ 36,366	\$ 36,366	\$ 36,366	\$ 470,592	\$ 555,237	\$ (84,645)	-15.24%	\$ 523,260	\$ (52,668)	-10.07%
Renewals-Applied/Approved	977	1241	1597	622	456	571	624	1112	1021	781	1272	766	11,039	2,187	8,852	404.76%	2,187	8,852	404.76%
Renewals Recognized (65% of \$150)	\$ 95,232	\$ 121,025	\$ 155,687	\$ 60,606	\$ 44,469	\$ 55,692	\$ 60,818	\$ 108,430	\$ 99,562	\$ 76,113	\$ 124,025	\$ 74,656	\$ 1,076,314	\$ 217,841	\$ 858,473	394.08%	\$ 217,840	\$ 858,474	394.08%
Deferred Current / Prior Years																			
Deferred Current Year (35% of \$150 /24)	\$ -	\$ 2,887	\$ 4,243	\$ 2,110	\$ 1,748	\$ 2,000	\$ 2,114	\$ 3,183	\$ 2,984	\$ 2,458	\$ 3,533	\$ 2,425	\$ 29,683	\$ 74,714	\$ (45,031)	-60.27%	\$ 60,483	\$ (30,800)	-50.92%
Deferred Prior Yrs	\$ 51,723	\$ 51,532	\$ 49,758	\$ 46,957	\$ 45,497	\$ 44,572	\$ 43,312	\$ 41,812	\$ 38,935	\$ 36,339	\$ 34,215	\$ 31,730	\$ 516,382	\$ 725,367	\$ (208,985)	-28.81%	\$ 725,368	\$ (208,986)	-28.81%
Denied Applications	55	54	58	60	35	57	69	53	45	45	38	38	607	987	(380)	-38.50%	1,080	(473)	-43.80%
Denied Applications Recognized (73% of \$150)	\$ 6,023	\$ 5,913	\$ 6,351	\$ 6,570	\$ 3,833	\$ 6,242	\$ 7,556	\$ 5,804	\$ 4,928	\$ 4,928	\$ 4,161	\$ 4,161	\$ 66,467	\$ 108,076	\$ (41,610)	-38.50%	\$ 118,260	\$ (51,794)	-43.80%
Purged/Revoked/Sus/Cancelled/Nullified	18	14	22	22	23	24	14	23	28	21	18	18	245	968	(723)	-74.69%	1,800	(1,555)	-86.39%
Purged Applications Recognized (73% of \$150)	\$ 1,971	\$ 1,533	\$ 2,409	\$ 2,409	\$ 2,519	\$ 2,628	\$ 1,533	\$ 2,519	\$ 3,066	\$ 2,300	\$ 1,971	\$ 1,971	\$ 26,828	\$ 105,996	\$ (79,169)	-74.69%	\$ 197,100	\$ (170,273)	-86.39%
Hearing Fees	\$ 3,600	\$ 3,600	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 37,200	\$ -	\$ 37,200	100.00%	\$ -	\$ 37,200	100.00%
Miscellaneous Fees	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 24,000	\$ 21,087	\$ 2,913	13.81%	\$ 10,800	\$ 13,200	122.22%
Total Fee Revenue	\$ 243,412	\$ 258,869	\$ 308,603	\$ 200,758	\$ 166,805	\$ 198,219	\$ 184,074	\$ 230,487	\$ 218,215	\$ 190,878	\$ 236,645	\$ 183,684	\$ 2,657,850	\$ 2,275,241	\$ 382,609	16.82%	\$ 2,290,511	\$ 367,339	16.04%
Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
Total Other Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,273	\$ (1,273)	-100.00%	\$ 1,200	\$ (1,200)	-100.08%
TOTAL REVENUE	\$ 243,412	\$ 258,869	\$ 308,603	\$ 200,758	\$ 166,805	\$ 198,219	\$ 184,074	\$ 230,487	\$ 218,215	\$ 190,878	\$ 236,645	\$ 183,684	\$ 2,657,850	\$ 2,276,514	\$ 381,336	16.75%	\$ 2,291,711	\$ 366,139	15.98%
OPERATING EXPENSES																			
Board & Committee Expenses																			
Board Travel /Committee	\$ -	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ -	\$ 8,000	\$ 12,702	\$ 4,702	-37.02%	\$ 24,000	\$ (16,000)	-66.67%
Facility/Banquet	-	2,500	-	-	2,500	-	-	2,500	-	-	2,500	-	10,000	17,513	7,513	-42.90%	15,000	(5,000)	-33.33%
Printing /Supplies/Postage		175	-	-	175	-	-	175	-	-	175	-	700	803	103	-12.83%	-	700	100.00%
Conference Calls	50	50	50	50	50	50	50	50	50	50	50	50	600	698	98	-14.04%	1,200	(600)	-50.00%
Total Board & Committee Expenses	\$ 50	\$ 4,725	\$ 50	\$ 50	\$ 4,725	\$ 50	\$ 50	\$ 4,725	\$ 50	\$ 50	\$ 4,725	\$ 50	\$ 19,300	\$ 31,716	\$ 12,416	-39.15%	\$ 40,200	\$ (20,900)	-51.99%

CAMTC PROPOSED BUDGET 2012

	January 2012	February 2012	March 2012	April 2012	May 2012	June 2012	July 2012	August 2012	September 2012	October 2012	November 2012	December 2012	TOTAL 2012	Approved Budget	2012/2011 Variance	% Variance	Approved Budget	2012/2011 Variance	% Variance
Outreach/Marketing																			
Communications & Promotion	\$ 5,250	\$ 5,250	\$ 13,050	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 70,800	\$ 67,483	\$ (3,317)	4.92%	\$ 123,200	\$ (52,400)	-42.53%
Public Relations	750	750	750	750	750	750	750	750	750	750	750	750	9,000	7,214	(1,786)	24.76%	30,000	(21,000)	-70.00%
Contingency	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00%	-	700	100.00%
Total Outreach/Marketing	\$ 6,000	\$ 6,000	\$ 13,800	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 79,800	\$ 74,697	\$ (5,103)	6.83%	\$ 153,200	\$ (73,400)	-47.91%
General Administrative																			
Office Supplies	\$ 1,042	\$ 1,042	\$ 1,042	\$ 1,042	\$ 1,042	\$ 1,042	\$ 1,042	\$ 1,041	\$ 1,042	\$ 1,041	\$ 1,041	\$ 1,041	\$ 12,500	\$ 9,127	\$ (3,373)	36.96%	\$ 19,500	(7,000)	-35.90%
Office Rental - Sacramento	3,801	3,801	3,801	3,801	3,801	3,801	3,801	3,801	3,801	3,801	3,920	3,920	45,850	45,398	(452)	1.00%	43,632	2,218	5.08%
Office Furniture	-	-	-	-	-	2,500	-	-	-	-	-	-	2,500	3,822	1,322	-34.59%	800	1,700	212.50%
Printing/Copying	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500	18,000	18,881	881	-4.67%	21,000	(3,000)	-14.29%
Records Scanning	-	-	-	36,000	-	-	-	-	-	-	-	-	36,000	47,634	11,634	-24.42%	9,500	26,500	278.95%
Postage/Mailing	650	650	650	650	650	650	650	650	650	650	650	650	7,800	7,515	(285)	3.79%	12,000	(4,200)	-35.00%
Telephone/Fax	100	100	100	100	100	100	100	100	100	100	100	100	1,200	1,089	(111)	10.19%	9,000	(7,800)	-86.67%
Dues/Subscriptions-Software/Licenses	2,985	555	555	3,355	555	555	555	555	555	555	555	555	11,890	21,696	9,806	-45.20%	14,000	(2,110)	-15.07%
Insurance-D&O/E&O/GL	1,338	1,338	1,338	1,338	1,338	1,338	1,338	1,338	1,338	1,338	1,338	1,338	16,056	13,731	(2,325)	16.93%	9,500	6,556	69.01%
Banking/credit card fees	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	25,200	20,038	(5,162)	25.76%	19,985	5,215	26.09%
Staff Travel	-	250	-	-	250	-	-	250	-	-	250	-	1,000	1,291	291	-22.54%	1,000	-	0.00%
Certification/Materials/Printing/Mailing	7,300	7,300	7,300	7,300	7,300	7,300	7,300	7,300	7,300	7,300	7,300	7,300	87,600	88,147	547	-0.62%	38,000	49,600	130.53%
Database Maintenance	462	462	462	462	462	462	462	462	462	462	462	462	5,544	8,232	2,688	-32.65%	3,240	2,304	71.11%
Database Development	1,850	2,960	1,850	2,960	1,850	2,960	1,850	2,960	1,850	2,960	1,850	2,960	28,860	93,191	64,331	-69.03%	20,500	8,360	40.78%
Amortization Expense												2,669	2,669	5,338	2,669	-50.00%	2,669	-	0.00%
Miscellaneous	100	100	100	100	100	100	100	100	100	100	100	100	1,200	4,687	3,487	-74.40%	5,400	(4,200)	-77.78%
Total General Administrative	\$ 23,228	\$ 22,158	\$ 20,798	\$ 60,708	\$ 21,048	\$ 24,408	\$ 20,798	\$ 22,157	\$ 20,798	\$ 21,907	\$ 21,166	\$ 24,695	\$ 303,869	\$ 389,817	\$ 85,948	-22.05%	\$ 229,726	\$ 74,143	32.27%

CAMTC PROPOSED BUDGET 2012

	January 2012	February 2012	March 2012	April 2012	May 2012	June 2012	July 2012	August 2012	September 2012	October 2012	November 2012	December 2012	TOTAL 2012	Approved Budget	2012/2011 Variance	% Variance	Approved Budget	2012/2011 Variance	% Variance
Executive Staff																			
Senior Management Team	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 22,500	\$ 270,000	\$ 279,008	\$ 9,008	-3.23%	\$ 392,000	(122,000)	-31.12%
Senior Staff-Contingency-Requires BOD Approval	-	-	-	4,600	4,600	4,600	4,600	4,600	4,600	4,600	4,600	4,600	41,400	-	-	100.00%	84,000	(42,600)	-50.71%
Benefit Allowance	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	66,000	65,084	(916)	1.41%	-	66,000	100.00%
Off Site - Office Rental	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	1,333	15,996	15,202	(794)	5.22%	-	15,996	100.00%
Vacation Expense	731	731	731	731	731	731	731	731	731	731	731	731	8,772	8,871	99	-1.12%	-	8,772	100.00%
Travel & Meetings	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000	30,109	109	-0.36%	43,550	(13,550)	-31.11%
Communications	420	420	420	420	420	420	420	420	420	420	420	420	5,040	8,048	3,008	-37.38%	9,600	(4,560)	-47.50%
Supplies	100	100	100	100	100	100	100	100	100	100	100	100	1,200	1,164	(36)	3.09%	1,600	(400)	-25.00%
Equipment	500	-	500	500	500	-	-	500	-	500	500	500	4,000	8,942	4,942	-55.27%	600	3,400	566.67%
Phone (land Line/DSL)	200	200	200	200	200	200	200	200	200	200	200	200	2,400	1,437	(963)	67.01%	1,560	840	53.85%
Miscellaneous	100	100	100	100	100	100	100	100	100	100	100	100	1,200	2,840	1,640	-57.75%	600	600	100.00%
Total Executive Staff	\$ 33,884	\$ 33,384	\$ 33,884	\$ 38,484	\$ 38,484	\$ 37,984	\$ 37,984	\$ 38,484	\$ 37,984	\$ 38,484	\$ 38,484	\$ 38,484	\$ 446,008	420,705	\$ (25,303)	6.01%	533,510	\$ (87,502)	-16.40%
Professional Standards Division																			
Management	\$5,150	\$5,150	\$5,150	\$5,305	\$5,305	\$5,305	\$5,305	\$5,305	\$5,305	\$5,305	\$5,305	\$5,305	\$ 63,195	\$ 63,584	\$ 389	-0.61%	\$ 69,600	\$ 6,405	-9.20%
Application Review Staff	9,000	9,000	9,000	9,130	8,990	8,852	8,713	8,573	8,435	8,296	8,157	8,017	104,163	91,816	(12,347)	13.45%	87,360	16,803	19.23%
Clerical	11,528	11,528	11,528	11,517	11,161	10,804	10,448	10,092	9,156	9,380	8,486	8,667	124,295	177,269	52,974	-29.88%	92,100	32,195	34.96%
Field Investigations	998	998	998	1,014	999	983	968	953	937	921	906	891	11,566	23,539	11,973	-50.86%	20,160	(8,594)	-42.63%
Employee Benefits (Health/Dental/Vac/Sick)	-	-	-	3,255	3,255	3,255	3,255	3,255	3,255	3,255	3,255	3,255	29,295	-	(29,295)	100.00%	-	29,295	100.00%
Supplies	100	100	100	100	100	100	100	100	100	100	100	100	1,200	1,185	(15)	1.27%	480	720	150.00%
Cell Phones	225	225	225	225	225	225	225	225	225	225	225	225	2,700	2,637	(63)	2.39%	1,500	1,200	80.00%
Travel	250	250	1,200	250	250	1,200	250	250	1,200	250	250	1,200	6,800	4,085	(2,715)	66.46%	3,000	3,800	126.67%
Conference Calls	850	850	850	850	850	850	850	850	850	850	850	850	10,200	8,290	(1,910)	23.04%	7,200	3,000	41.67%
Dept Meetings	-	-	450	-	-	450	-	-	450	-	-	450	1,800	657	(1,143)	173.97%	600	1,200	200.00%
Equipment	250	-	250	-	250	-	250	-	250	-	250	-	1,500	696	(804)	115.52%	600	900	150.00%
Legal Assistance - Denials/Litigation	47,000	47,000	47,000	21,000	20,260	19,520	18,779	18,039	17,298	16,061	15,343	14,625	301,925	546,930	245,005	-44.80%	374,000	(72,075)	-19.27%
Legal - In - House	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	120,000	-	(120,000)	100.00%	-	120,000	100.00%
Legal Defense - Contingency	833	833	833	833	833	833	833	833	833	833	833	837	10,000	47,282	37,282	-78.85%	92,004	(82,004)	-89.13%
Investigations (SSA)	3,800	3,800	3,800	3,800	3,800	3,800	3,800	3,800	3,800	3,800	3,800	3,800	45,600	50,132	4,532	-9.04%	60,000	(14,400)	-24.00%
Court Record Fees	270	270	270	270	270	270	270	270	270	270	270	270	3,240	1,487	(1,753)	117.89%	1,800	1,440	80.00%
Appeals+ Denials Printing/Supplies/Mailing	650	650	650	650	650	650	650	650	650	650	650	650	7,800	8,147	347	-4.26%	6,000	1,800	30.00%
Miscellaneous	40	40	40	40	40	40	40	40	40	40	40	40	480	597	117	-19.60%	600	(120)	-20.00%
Total Professional Standards Division	\$ 90,944	\$ 90,694	\$ 92,344	\$ 68,239	\$ 67,238	\$ 67,137	\$ 64,736	\$ 63,235	\$ 63,054	\$ 60,236	\$ 58,720	\$ 59,182	\$ 845,759	\$ 1,028,333	\$ 182,574	-17.75%	\$ 817,004	28,755	3.52%
Staff General Expenses																			
Insurance (Workers' Comp)	\$ 539	\$ 539	\$ 539	\$ 575	\$ 570	\$ 566	\$ 561	\$ 556	\$ 546	\$ 546	\$ 537	\$ 536	\$ 6,610	\$ 2,005	\$ (4,605)	229.68%	\$ 4,400	\$ 4,398	50.23%
Payroll Taxes (Exec Staff and PSD)	6,040	6,040	6,040	6,418	6,335	6,252	6,169	6,087	5,924	5,922	5,791	5,756	72,774	56,312	(16,462)	29.23%	48,000	24,774	51.61%
Payroll Services (all staff)	125	125	125	125	125	125	125	125	125	125	125	125	1,500	1,403	(97)	6.91%	1,500	-	0.00%
Total Staff General Expenses	\$ 6,704	\$ 6,704	\$ 6,704	\$ 7,118	\$ 7,030	\$ 6,943	\$ 6,855	\$ 6,768	\$ 6,595	\$ 6,593	\$ 6,453	\$ 6,417	\$ 80,884	\$ 59,720	\$ (21,164)	35.44%	\$ 53,900	26,984	50.06%
Professional Services																			
Accounting/Audit	-	-	7,800	200	500	500	-	-	500	-	-	500	\$ 10,000	\$ 11,625	\$ 1,625	-13.98%	\$ 8,000	\$ 2,000	25.00%
Application Processing	60,000	60,000	60,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000	675,000	685,000	10,000	-1.46%	720,000	(45,000)	-6.25%
Legal challenge to cities	-	-	-	-	-	-	-	-	-	-	-	-	-	26,515	26,515	-100.00%	68,000	(68,000)	-100.00%
Legal general counsel & routine	7,500	9,500	7,500	7,500	9,500	7,500	7,500	9,500	7,500	7,500	9,500	7,500	98,000	126,361	28,361	-22.44%	72,000	26,000	36.11%
Total Professional Services	\$ 67,500	\$ 69,500	\$ 75,300	\$ 62,700	\$ 65,000	\$ 63,000	\$ 62,500	\$ 64,500	\$ 63,000	\$ 62,500	\$ 64,500	\$ 63,000	\$ 783,000	\$ 849,501	\$ 66,501	-7.83%	\$ 868,000	\$ (85,000)	-9.79%
Sub-total Operating Expenses	\$ 228,310	\$ 233,165	\$ 242,880	\$ 243,299	\$ 209,525	\$ 205,522	\$ 198,923	\$ 205,869	\$ 197,481	\$ 195,770	\$ 200,048	\$ 197,828	\$ 2,558,620	\$ 2,854,489	\$ 295,869	-10.37%	\$ 2,695,540	\$ (136,920)	-5.08%

CAMTC PROPOSED BUDGET 2012

	January 2012	February 2012	March 2012	April 2012	May 2012	June 2012	July 2012	August 2012	September 2012	October 2012	November 2012	December 2012	TOTAL 2012	Approved Budget	2012/2011 Variance	% Variance	Approved Budget	2012/2011 Variance	% Variance
Miscellaneous Contingency	\$ 6,849	\$ 6,995	\$ 7,286	\$ 7,299	\$ 6,286	\$ 6,166	\$ 5,968	\$ 6,176	\$ 5,924	\$ 5,873	\$ 6,001	\$ 5,935	\$ 76,759	\$ -	\$ (76,759)	100.00%	\$ -	\$ -	100.00%
TOTAL OPERATING EXPENSES	\$ 235,159	\$ 240,160	\$ 250,166	\$ 250,598	\$ 215,811	\$ 211,688	\$ 204,891	\$ 212,045	\$ 203,405	\$ 201,643	\$ 206,049	\$ 203,763	\$ 2,635,379	\$ 2,854,489	\$ 219,110	-7.68%	\$2,695,540	\$ (60,161)	-2.23%
OPERATING SURPLUS / (DEFICIT)	\$ 8,252	\$ 18,709	\$ 58,437	\$ (49,840)	\$ (49,005)	\$ (13,469)	\$ (20,817)	\$ 18,442	\$ 14,810	\$ (10,765)	\$ 30,596	\$ (20,079)	\$ 22,471	\$ (577,975)	\$ 600,446	-103.89%	\$ (403,829)	\$ 426,300	-105.56%

CASH FLOW PROJECTIONS - 2012

CASH FLOW PROJECTIONS - 2012													
Cash Flow from Operations													
Cash Received	\$ 264,611	\$ 304,292	\$ 357,019	\$ 210,740	\$ 185,914	\$ 203,180	\$ 211,066	\$ 284,315	\$ 270,673	\$ 234,598	\$ 308,308	\$ 232,355	\$ 3,067,068
Cash Expenses	\$ (235,159)	\$ (240,160)	\$ (250,166)	\$ (250,598)	\$ (215,811)	\$ (211,688)	\$ (204,891)	\$ (212,045)	\$ (203,405)	\$ (201,643)	\$ (206,049)	\$ (203,763)	\$ (2,635,379)
Total Cash Flow from Operations	\$ 29,452	\$ 64,132	\$ 106,852	\$ (39,858)	\$ (29,897)	\$ (8,508)	\$ 6,175	\$ 72,270	\$ 67,267	\$ 32,954	\$ 102,258	\$ 28,592	\$ 431,689
Cash Flow from Financing													
Other												\$ (2,669)	\$ (2,669)
Total Cash Flow from Financing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,669)	\$ (2,669)
	(estimate)												
Starting Cash	\$ 704,000	\$ 733,452	\$ 797,584	\$ 904,436	\$ 864,578	\$ 834,681	\$ 826,173	\$ 832,348	\$ 904,618	\$ 971,885	\$ 1,004,839	\$ 1,107,097	\$ 1,016,647
Ending Cash	\$ 733,452	\$ 797,584	\$ 904,436	\$ 864,578	\$ 834,681	\$ 826,173	\$ 832,348	\$ 904,618	\$ 971,885	\$ 1,004,839	\$ 1,107,097	\$ 1,133,020	\$ 1,445,667

Ending Cash
\$ 1,445,667

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FROM BYLAWS OF CALIFORNIA MASSAGE THERAPY COUNCIL

ARTICLE V. BOARD OF DIRECTORS

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

Directors serving terms, which will end in February 2012:

Guy Fuson
Paul Schwinghamer
Bob Benson
Deborah Tuck
Ben Drilings
Mark Dixon
Mike Callagy
Mike Sheps
Joe Bob Smith
Roberta Rolnick

Proposed amendments for 2012 clean-up language

December 7, 2011

To: CAMTC Board of Directors

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

Introduction: California State Business and Professions Code Section 4600 et seq. remains in effect until January 1, 2015. At that time the law is repealed unless a new statute deletes or extends that date. This occurs via what is known as the Sunset process, which all regulatory boards undergo periodically.

In 2012 CAMTC will begin preparation of the Sunrise Survey to submit to the Joint Committee on Business, Professions and Economic Development, the committee that has oversight over CAMTC, with the expectation that a bill extending the Sunset date will be introduced in 2013.

Bill Gage, Chief Counsel for this committee, has advised CAMTC senior staff that the appropriate timing for substantive changes to the law is at Sunset.

This year, as the second year of the two year session, would be more appropriate for legislation to clean-up vague or conflicting sections of the existing law, to address unintended consequences of either SB731 or AB 619, or to add needed amendments that are best not postponed.

The bill can be introduced as either a committee bill or as a bill with another author (legislator) and sponsor. SB 412 was a committee bill, and then reintroduced the following year as SB731 with the late Sen. Oropeza as author and AMTA-CA as sponsor. AB 619 was authored by Assemblywoman Haldeman and again sponsored by AMTA-CA.

Committee clean-up bills have the influence of the committee chair behind them. Generally they are expected to be fairly non-controversial. Having another legislator author a bill may permit greater flexibility in provisions. However, at this time there is no association or other group with a paid lobbyist planning to sponsor a bill. Without its' own lobbyist, CAMTC senior staff would shoulder significant responsibility for advocacy.

At this time, senior staff does not have a recommendation for pursuing either a committee or other authored bill. If the Board approves pursuit of amendments to the law in 2012, staff will need to evaluate the best strategic plan.

Proposed Amendments for a 2012 clean-up bill:

Provisions approved previously by CAMTC for AB 619 which were not included in the bill:

1. Authorization for CAMTC to require passing of an approved exam by an applicant who attended a school from which CAMTC does not accept transcripts.
Rationale: Will save considerable CAMTC resources if hearings are avoided. Saves the applicant significant time waiting for review and hearing.
2. Specifying that the certificate and ID card are the property of CAMTC and shall be surrendered upon suspension or revocation.
Rationale: standard practice for suspended or revoked certifications and licenses
3. Authorization for law enforcement or a local government agency to provide information to CAMTC regarding a certificate holder or applicant including but not limited to the status of a local permit, disciplinary actions, criminal activity or unprofessional conduct, police reports and declarations of conduct.
Rationale: The city attorney of one major city does not believe that local governments have the authority to provide information to CAMTC, resulting in approval of applicants who would otherwise be denied
4. Addition to the grounds for denial or discipline of an infraction substantially related to the practice of massage.
Rationale: It is common to charge relevant crimes as infractions
5. Deletion of Portal E for instructors approved by BPPVE
6. Rationale: BPPE no longer approves instructors.
7. Authorization for CAMTC to conduct reasonable inspections of an applicant or certificate holders' place of work or school.
Rationale: Local government request most often, since they can no longer charge for establishment permits. Will strengthen CAMTC's ability to investigate applicants or schools under existing policies of the Professional Standards Division.

New Proposals for 2012 bill:

8. Define "reasonable health & safety"
Rationale:
 - a) City attorney request
 - b) Currently one county is proposing a \$400 annual Environmental Health fee that only applies to food, housing and land use programs, and programs such as water, medical, and hazardous waste.
9. Equality of tiers.

Rationale: at least one city is refusing to allow CMP's to do outcall massage, claiming that it is a health and safety issue

10. Provide clarity as to how local ordinances apply the following:.

Section 4612 (b)(2) (B) Nothing in this section shall preclude a city, county, or city and county from including in a local ordinance a provision that requires a business described in paragraph (1) to file copies or provide other evidence of the certificates held by the persons who are providing massage services at the business.

Rationale: city attorney/ law enforcement request for extent of the filing and possibility of cost recovery.

11. Consideration of the legality and desirability of adding to reasons for revocation a finding is made that would have justified denying the application in the first case.

Rationale: It is not unusual to receive information after issuing a certification that would have resulted in a denial if known prior to approval.

12. Owner/ operator background check can be 10 years and include live scan and criminal background check and consequences should the background investigation reveal offenses substantially related to the operation of a massage business

Rationale: Several city attorneys interpret Section 4612 (e) as prohibiting checking 10 years history or including a criminal background check. As one city attorney noted "The provision does not say a **criminal** background check. The new law states that "the background check may consist of an **application**"--- it does not state that a city can require **fingerprints** from the owner of a massage establishment in order to run a criminal background history." The law does not currently allow a city or county to prevent such a person from opening or operating a massage business.

13. More specificity and flexibility on business license fees.

Rationale: City Request. Currently most cities have multiple rates for professionals. Also would allow for fees that are less than other professions are charged:

Current wording: *4612 (b) (3) A city, county, or city and county may charge a massage business or establishment a business licensing fee, provided that the fee shall be no different than the fee.....*

*Change to 4612 (b) (3) A city, county, or city and county may charge a massage business or establishment a business licensing fee, provided that the fee shall be no more **than** the fee...*

15. Based on legal review, consider adding to grounds for immediate suspension of certification acts of unprofessional conduct based on substantial evidence in sworn officer declaration,

Rationale: Suggested by Director of PSD. Allows CAMTC to suspend based on the declaration and move forward with the revocation procedure. This would suspend the person while the notification and hearing process proceeds. The evidence received would have to rise to our revocation level before the suspension would take effect.

14. Define "Operator" as someone who owns **or manages** a business.

Rationale: City request to be able to investigate a person who has substantial authority over the operation of the establishment.

15. 4612 (7) – what is relevant information for a business license application?

Rationale: city request for clarification

16.. State that education can be 250 hours or the credit unit equivalent", "500 hours or the credit unit equivalent."

Rationale: The US Department of Education has issued new rules for recognizing school credits issued. Currently CAMTC converts credits to hours but some states have recognized in rules that they will accept both. A school representative has suggested that CAMTC do the same to avoid confusion regarding student financial aid.

17. Require that the certified professional provide their full name and certification # to the public, CAMTC or law enforcement upon request

Rationale: The public has a right to know who their massage therapist is and whether they are certified. In one case, an employer refused to inform CAMTC staff of the full name (and certification status) of a certified professional who had received a complaint for sexual assault. Without verifying his name and whether certified, no investigation could take place. In another, a client asked for a receipt with the name and certification number of the massage therapist. The massage therapist refused.

18. Consideration of allowing local ordinances to restrict the ability of a new massage business to open for a period of one year (or more) in any location in which a massage business has been closed for criminal activity.

Rationale: City request

19. Require that the ID card be in the possession of the therapist while providing massage

Rationale: City request – the certificate itself does not have a photo.

20. Deletion or modification of Portal G for approval based only on passing an approved exam with no proof of education. (Separate agenda item and report)

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California Massage Therapy Council (CAMTC)
Waiver of Filing Fee

Applicants or certificate holders with gross monthly income of less than the specified Indigence Guidelines below are entitled to a waiver of filing fees. If you believe that you meet these requirements, please complete this form and submit it, along with all supporting documentation, by scanning and emailing this signed form and all supporting documentation to camtc@amgroup.us or by mailing this signed form and all supporting documentation to One Capitol Mall, Suite 320, Sacramento, CA 95814.

Name: _____

Address: _____

Drivers License Number (or State ID): _____ Date of Birth: _____

CAMTC ID or Certificate Number: _____

Number of Persons in Household: _____ Gross Monthly Income: _____

I hereby swear under penalty of perjury that the forgoing is a true and correct statement.

Signature of Applicant or Certificate Holder

Indigence Guidelines

Persons in household	Indigence guideline (per month)
1	\$1,134.38
2	1,532.30
3	1,930.21
4	2,328.13
5	2,726.05
6	3,123.96
7	3,521.89
8	3,919.81

For families with more than 8 persons, contact CAMTC

*Individuals evidencing total amount of income for waiver of filing fees will need to submit tax returns such as 1099 or W2 form from the previous tax year. Please provide documents of government assistance if applicable.

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MEMORANDUM

TO: Ahmos Netanel, CEO, CAMTC
Beverly May, Director of Governmental Affairs, CAMTC

FROM: Bernadette Murray, Government Relations Chair, AMTA-CA
Terry McHale and Jennifer Tannehill, Aaron Read & Associates

DATE: Tuesday, November 08, 2011

RE: Posting meeting materials/bylaws change

Thank you for taking time to meet and discuss several items of interest for AMTA-CA. The meeting was very productive and positive and lays a great foundation for us as we move forward in our work together. One item we discussed at the meeting was the need for CAMTC Board meeting materials and proposed policy changes to be posted on the CAMTC website prior to Board meetings.

CAMTC is already successfully posting meeting dates and agendas on the website with enough notice time for people to attend, which is very beneficial. In order for people to have full participation and be adequately informed it would be very helpful to post materials the board will consider in making policy changes. Similarly, each bureau, board and commission within the Department of Consumer Affairs posts the meeting materials and language to rule or policy changes prior to hearings so the public is informed and may participate. Like the CAMTC, many of these boards meet less than monthly.

We understand that posting this information requires a change to the CAMTC bylaws. Your willingness to have an open process and consider this change is excellent and will be very useful for AMTA-CA members and the public alike.

AMTA-CA is requesting the CAMTC Board adopt the following language change to the bylaws in Section 6...

(d)Notice.

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

(2) Notice of proposed policy changes shall be posted on the Council's website at least 10 days before the meeting. The notice shall include the language of the proposed policy change and instructions by which the public may submit comments on the proposed policy change for consideration by each director.

This bylaws change will allow adequate information to be available to certificate holders, applicants and the public for participation in the policy making process, a process which greatly affects how massage professionals are certified to work in California. The intent of this suggested bylaws change is to provide a formal process for public comment on rule or policy changes in a manner that is not unduly burdensome or costly for CAMTC to implement.

Again, thank you for the positive discussion at our recent meeting. Your willingness to consider making more information available for public participation is very encouraging. This minor change to the bylaws will set a positive tone for those wanting to participate in the policy making process, a process that greatly impacts the massage profession, and the careers of many. Thank you for considering this bylaws change.

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CAMTC proposed strategic priorities for 2012

1. Operations
 - a. Improve applicants and certificate holders experience
 - i. Responsiveness- all inquiries to receive accurate and friendly response within two business days
 - ii. New applications to be turned around within 45 days from the time applications are complete
 - iii. Shortening the denial process from 10 to 5 months
 - iv. Simplify the application process as much as possible
 - b. Evaluate management adequacy and explore options to correct deficiencies
2. Work toward a permanent resolution to the challenge of fraudulent schools
3. Initiate cleanup legislation with full cooperation of all stakeholders (associations, schools, local government and CPCA). Start preparing for sunset legislation.
4. Viability- meeting budgetary milestones in coming year (9,000 new applicants and 11,000 recertification applications)
5. Local Government- Assure the uniform implementation of state law by all cities and counties by keeping the momentum of collaboration with local government officials

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CAMTC GOVERNMENT RELATIONS LIAISON REPORT

SIXTH ANNUAL MEETING OF THE FEDERATION OF STATE MASSAGE THERAPY BOARDS (FSMTB)

October 13-15, 2011

REDONDO BEACH CA

PRESENTED BY MARK W. DIXON

Called to order at 8:15am by President Kevin Snedden

Delegates from 32 states and the Territory of Puerto Rico

CAMTC Chair Dixie Wall representing the Council

AMTA National Executive Director, Deputy Executive Director, Director of Government Relations

AMTA National President-Elect

Representatives of American Massage Therapy Educators

Event Hospitality Coordination by Joe Bob Smith, including Seated Massage during the meeting for participant

Minutes of previous meeting approved

PRESIDENT'S REPORT FSMTB President Kevin Snedden

Welcomed participants and distinguished guests, 33 Delegates from 32 states and Puerto Rico

41 of the 44 regulated states are FSMTB **member**

Special thanks and recognition to CAMTC for assistance with hotel relocation at last minute, with special appreciation for its handling of hospitality set-up, site visit and coordination with the hotel by Joe Bob Smith

President Snedden's constant pre-occupation is with quality management, guided by The Seven Habits of Highly Successful People by Stephen Covey. The Federation's primary goal is nationwide uniformity in state licensing, which is easy portability for massage therapists.

This is Kevin's final year as president, and he is fully pleased and satisfied with the accomplishments of the Federation during his term.

Treasurer's Report FSMTB Treasurer Susan Beam

98% of \$4.3 million Gross Income derived from MBLEx

Net Income \$1.4 million

7 grants to states with financial challenges

Contributions to FSMTB are tax-deductible

All Directors are unpaid volunteers

FSMTB repaid initial start-up loan 27 months before the final payment was due

Presentation by consultant Don Scarrow, Senior Partner of firm handling FSMTB's finances.

People interact one-on-one daily with FSMTB portfolio and their supervision is very closely monitored by senior management. FSMTB provides the blueprint of goals and Don handles execution. No more CD's and non-diverse portfolio. 84% is with short-term bonds so the funds can be moved around without penalty or loss. 84% invested with short-term bonds and other inflation protection bonds allow easy movement of funds and it is moved regularly as called for.

Service is also available to state boards.

Government Relations Report Sally Hacking is a Government Relations consultant with 24+ years' experience serving: AMTA National and Chapter organizations, other national associations, certification boards (NCBTMB); and currently is FSMTB Director of Government Relations.

Massage is regulated in 43 states, D.C. and the Territory of Puerto Rico. Of the seven unregulated states, three are actively seeking state licensure (ID, KS, MN) two have expressed in seeking state regulation (AK and OK).

The GR function of FSMTB is to keep its eyes and ears open. Sally receives updates on new and pending legislation as they occur, plugged in 24/7/365 to NETSCAN, as it is not uncommon for final changes in legislation to occur in the wee hours (there is some question whether Sally ever closes both eyes at the same time). She maintains and monitors all State Rule development and amendments. The secret of knowing what to do is knowing what's happening as it occurs. When something is picked up the response and notification of FSMTB stakeholders is nearly instantaneous.

STATE AUTHORITY The State's authority is ultimate, conveyed to its agencies; civil service positions (CO is an exception).

EXAMS MBLEx is the favored exam in most states, as it is specific to the purpose of licensing massage and bodyworkers. Examples of certification programs are the NCBTMB's exams and NCCAOM. FSMTB

NCBTMB's NESL is the exam as for certification but it does not meet certification requirements. It is possible for a practitioner to 'convert' successful completion of the NESL by meeting requirements. It's not possible to do that with MBLEx.

SCHOOLS Check with your local authority RE the state's responsibility. It's not a good idea to depend upon another entity's listings, but a good concept to use all information resources available to state agencies.

There is currently no way to determine their legitimacy; extensive investigation is required after discovery of suspicious transcripts and diplomas. Many states are not equipped to accomplish this. Each state is different, requiring a different approach. Some can vet some schools; some don't. The question is *How do we get authority to create a repository of all schools?* When offending schools are listed, the immediate question is *Is this transcript up to certification by the Federation?* Currently no one has the authority to certify schools, including certification boards. Whether the Federation will eventually certify schools when licensing states remains an open question. Currently the FSMTB is a group of regulators and not certifiers of schools. As time passes there will be uniformity of requirements. Groups like COMTA accredits schools. It's being explored.

HUMAN TRAFFICKING AND HR 2830 Does not focus on massage therapy. Opposition language includes suggesting posting requirements and locations.

POLARIS PROJECT A movement to educate states about schools. AMTA is leading its definition and development. To be clear, their mission is not public protection, rather **To serve the members through the art, science and practice of massage**. The language in the House Resolution is the same as in seven states currently fighting human trafficking (HT). Defining and upgrading massage education is a very good idea, as it will help to create a clear distinction between massage therapy and HT. This should be left to state governments – provided the legislation is focused on HT and not the persecution of the massage profession. Current reference to our profession is in the Spa and Massage Parlor, an unfortunate term we are trying to eliminate, as it is used as a pejorative. They don't refer to 'Chiropractic Parlors, Medical Parlors,' etc.

COMMENT – GEORGIA DELEGATE *Spas are the most popular place for cover-up of prostitution and HT. The regulation must be changed. The more we allow the words Massage and Parlor to be coupled, the more we will be stifled in the realization of ALL our goals. It is critical to separate the two industries*

Missouri is one of the most active areas for HT as it is central, allowing cartels to move people with ease around the country. In the Hospitality Industry, few employers do not monitor or often even know about their status.

Further, 'Establishment' is often associated with HT, and is not consistently used or understood. Other professions don't use or are referred to as establishments. They have their own names and a clearer universal definition of our businesses is called for.

The goal is the removal of massage therapy regulation from HR2830 altogether.

A group working toward this end is the Alliance of MassageTherapy Educators, led by Rick Rosen.

This work is a major FSMTB member benefit.

FEDERATION OF ASSOCIATIONS OF REGULATION BOARDS (FARB) FSMTB Executive Director Deborah Persinger is a FARB member. The organization comprises many industries.

PROFESSIONAL LICENSING REPORT An independent bi-monthly newsletter covering development and trends in professional licensing and regulation with special attention to testing and professional discipline. Will be sent to all FSMTB member boards by email.

DELEGATE REPORTS From Delegates Present

SUMMARY

The national educational requirement is 500 hours or more (except CA). Size of state boards averages less than ten; none has more than 13. Most states require or accept the exams of the NCBTMB and the MBLEx. Most states require continuing education for renewal of licenses or certificates. Few states have more than 25 massage schools. There is universal concern about: human trafficking, unlicensed practitioners, illicit use of massage as a front.

REPORTS

WV BOARD: Five (Three LMT, One Chiropractor, One public); BUDGET: \$125k; LICENSES: 1186; MINIMUM HOURS: 500; SCHOOLS: 6; APPLICATIONS YTD: 164. Won a legal proceeding against a licensee. MAJOR CONCERN: Main insurance carrier in WV trying to discontinue its coverage.

WA BOARD: Five (4 LMTs on the board, who must come from Board approved schools); BOARD APPROVAL OF SCHOOLS; STAFF: One; BUDGET: \$2mm, of which the Board receives an allotment for operating funds; MINIMUM HOURS: 500; SCHOOLS: 200+; LICENSES: 11,648; MAIN CONCERNS: Prostitution, HT, unlicensed practitioners. AMTA helped with legislation. Practitioners must display license at place of business and have it available for inspection whenever working off site. Must have license number on all advertising. LEA are communicating and collaborating well with state board, have made a huge investment in HT abatement.

VA BOARD (Department of Health Professions, Board of Nursing): 13 (Has no massage therapists; supported by five-member massage therapy advisory board); MINIMUM HOURS: 500; CERTIFICATE HOLDERS: 5959 (VA does not license, issues certificates); APPLICATIONS/YEAR 1200; ESTABLISHMENTS: Does not regulate establishments – no numbers available; Recently accepted MBLEx.

TX NO BOARD: Licensing Group of State; BUDGET FY 2010: \$2mm in collections, \$791k appropriated; MINIMUM HOURS: 500; LICENSES: 28,745; Approx 2000. Recommends online applications and renewal; MAJOR CONCERNS: Unlicensed massage ESTABLISHMENTS: 818; SCHOOLS: 58; APPLICATIONS/YEAR:

TN BOARD: Seven seats, five present today (five LMT, two consumers); MINIMUM HOURS: 500; LICENSES: 4512; SCHOOLS: 27; STAFF: Three Full-Time one Part-Time; YTD APPLICATIONS: 654; ESTABLISHMENTS: 1452; NEW ESTABLISHMENTS THIS YEAR: 243; APPLICATION PROCESSING TIME: Six weeks; RENEWAL: Requires 25 CEU hours in two years, including two hours in TN law and two in Ethics. Current legislative body prevents consideration before 2013; FUTURE: Placing rates on website; database accessible to the entire state; BOARD BEST PRACTICES: Networking nationwide

SD BOARD: Five; BUDGET: \$50K; LICENSES: 750; MINIMUM HOURS: 500 MAJOR CHALLENGES: Unlicensed practitioners, some HT, not much

SC BOARD: Five; MAIN ISSUES: Licensing massage businesses, Online CEUs – Should they accept? What education is valid, what is not? Now regulated by the new Director of Labor and Licensing. LEA collaboration has been hit or miss.

PR BOARD: Five, appointed by Health Department; BUDGET: \$10k/year; FSMTB has done much to educate its members; Use the Spanish language MBLEx, which they helped to develop; Many U. S. workers come down; BIGGEST ISSUE: Started licensing actively – 300 this year (at this time last year there were four); Each application takes 30 minutes to review.

PA BOARD: 11; BUDGET: 42k; LICENSES: 3162; APPLICATIONS: 4075; FIRST ISSUED: 01/2011; MINIMUM HOURS: 600; SCHOOLS: 51; EXAMS ACCEPTED: NESL, NCETM, NCETMB, MBLEx; SCHOOLS: 13; CEU APPROVAL SOURCE: 1. NCB approved providers 2. CE's offered or sponsored by state licensed schools 3. AMTA or ABMP sponsored CE's 4. Board approved programs; ESTABLISHMENTS: Does not license establishments, only therapists; Board Meets monthly, mostly to review applications (requires 15 minutes to review and approve); Have online renewal; \$65.00 application fee covers the first two years; MAJOR ISSUE: Enforcement of site regulations; Two Public Seats have been open for a year and they need help; There are 6000 AMTA and ABMP members in State + the board is working on finding out why so few are licensing; Expecting a flood of applications at year end, as the grandfathering clause ends 12/31; SCOPE OF PRACTICE DEFINITION has gone nowhere; it was deemed to expand our scope beyond the law and it is now left to the law within its language.

OR BOARD: Seven-member self-funded State Agency; BUDGET: \$800K; LICENSES: 7000; MINIMUM HOURS: 500; EXAM: Mantatory State Practical Exam plus accept NCETM, NCETMB, MBLEx; ALLOW: Education, CEU and Experience to qualify; PASSED BILL 2011 to exempt: Polarity, Trager, Bowen; Facilities must be owned by a LMT or be licensed by the Board; Transcripts are accepted with clock hours, allows reimbursement by Federal Government, moving toward online renewal 100% LEA check; moving toward a more collaborative relationship with LEA; Reviewing Scope of Practice language, still looking at issues regarding exemptions; MEDICARE RECIPIENTS: 6000; reaching out to educate them about receiving massage therapy

OH BOARD (State Medical Board of OH):12, No Massage Therapists on Board, though there is a seven-member Massage Therapists' Committee; LICENSES: 11,842; MINIMUM HOURS: 750; STAFF: 79; BUDGET: \$9.2MM allocated for FY12 (July 1, 2011 - June 30, 2012) for Board operations; nine professions regulated by Medical Board; this agency funded by licensing fees; no general revenue funds provided to agency; MAJOR ISSUES: Inadequate resources; Continuing to work on school acceptance and adding CEU to raise the bar; LEGISLATION: In process to accept MBLEx, which will be a momentous change

NM BOARD: Five; LICENSES: 3401, consistent for last 4-5 years; MINIMUM HOURS: 650; STAFF: Three; SCHOOLS: 19; PROCESSING TIME TO REVIEW AND APPROVE: Two weeks; EXAMS: NCTM and MBLEx; MAJOR CONCERNS: Unlicensed practitioners and HT. Working closely with LEA to collaborate; have closed down two fronts for prostitution. License must be displayed on wall and ID Card carried on person. In school applications, catching red flags and out-of-state massage therapists.

NH BOARD: Three; STAFF: Three FT, One PT; MINIMUM HOURS: 750; LICENSES: 2300; BUDGET: \$263,800; Busy again with legislation. House bill would remove the ability of the State to regulate 12 professions. Now making licenses voluntary, which the Board considers the result of a dismal compromise.

NV BOARD: Eight, including five FT Staff; BUDGET: \$750k; MINIMUM HOURS: 500; NEW LICENSES/YR: 600; Accepts MBLEx; ESTABLISHMENTS: 1100; MAJOR CONCERNS: HT, City Health Board requires carry of Health Card, Inoculations – same for health workers. Good relationship with LEA: the Board works with intraagency Vice Force and Southern PDs, sharing the common goal of eliminating illicit parlors. Wants to take over Establishment Licensing and is investigating multi-level MT licensing, including Medical Massage Therapy.

ND BOARD: Three Massage Therapists; STAFF: Two part-time, does 99% of the licensing; BUDGET: \$35 – 40K; ESTABLISHMENTS: 648; LICENSES: 600; SCHOOLS: Last year: five; Now: two, each on opposite sides of the state, which makes it difficult for folks to go to school; AVERAGE APPLICATION PROCESSING TIME: 24 hours; If additional work is necessary to follow up the application the charge is \$10, ACCEPT: NCETMB but not MBLEx; MINIMUM HOURS: 750; State Board approves CEUs for renewal; LEGISLATIVE WORK; Working closely with the AMTA and the FSMTB; Not able to mention 'energy work' in the law

NC BOARD: Four of seven are filled; BUDGET: \$670k, need more money; MINIMUM HOURS: 500; LICENSES: 7500; APPLICATIONS/YEAR: 600; ACCEPTS: MBLEx; Starting a Jurisprudence Technology learning exercise; STAFF: Share one full-time person

MS INDEPENDENT BOARD; BUDGET: \$200K; STAFF: One full-time, one part-time; MINIMUM HOURS: 700; LICENSES: 1050; SCHOOLS: 7; Do not license establishments but can regulate and inspect them; Online renewal working well, as is online applications of massage instructors

MO BOARD: Seven authorized, four presently; BUDGET: \$300k; LICENSES: 4512; MINIMUM HOURS: 500; ESTABLISHMENTS: 1058; SCHOOLS: 13; STAFF: 1 FT Licesure Tech, Share ED w/ another agency; LICENSURE LEVELS: Student, Provisional, Full; APPLICATION PROCESSING TIME: Depends upon type of application submitted

MI LICENSING: None at present; Still in formative stage; Hoping for public hearing in 2012

MT BOARD: Functions as the Business Standards Division of the Department of Labor; BUDGET: \$81k; LICENSES: 1347; MINIMUM HOURS: 500; EXAMS: NCETM, NCETMB, MBLEx; ESTABLISHMENTS: Number unknown; do not licence; Things are good as they get up and running. Have a limited way of allowing exemptions – many categories want to me, few are. That needs to be clarified before grandfathering goes away.

MD BOARD: Massage regulated by Dept. of Insurance. There has been an increase in online renewals.

MA BOARD: Five of 11 Board Members [3 Licensed Massage Therapist, 2 Consumer Members, 5 Chiropractors, 1 VACANT] seven positions filled – three massage therapists, one public member; State Division of Professional Licensing; STAFF: Shared with Allied Health Department; LICENSES: 7500; ESTABLISHMENTS: Register and license 1400; MINIMUM HOURS: 650; EXAM and CEUs: None, though language is being drafted for each; MAJOR ISSUES: Unlicensed practitioners; HT; The State wants to know if the MBLEx provides accommodations for physically limited persons;

LA BOARD: Seven; STAFF: Three; HOURS: 500; LICENSES: 2500; BUDGET: \$458,300; ESTABLISHMENTS: 300; SCHOOLS: 21; MINIMUM HOURS: 500; PROCESSING TIME: One day; EXAMS: NCBTMB, MBLEx; NCCOAM; REQUIRES; CEU; Currently recovering from fiscal mismanagement and disruption; Online application helps very much – XLNT feedback;

KY BOARD: Seven, approved by Governor; BUDGET: \$120.7k; MINIMUM HOURS: 600; APP. TURNAROUND: Six weeks; STAFF: One; LICENSES: 2320 (if expired 90 days+ must reapply); SCHOOLS: 18 (four do not have Certificate of Good Standing); ESTABLISHMENTS: Board does not regulate; EXAM: MBLEx, NCBTMB, Ohio State Licensing Exam, New York State Licensing Exam, and others as approved by the Board; REQUIRES: CEU

IN BOARD: Five (Three LMT, Two Consumer); STAFF: Five PT; BUDGET: \$170k; MINIMUM HOURS: 500; LICENSES: 4140; App. Turnaround: Seven – Ten days; EXAMS: MBLEX, NCETM, NCBTMB, NBCA;

GA BOARD: Five; BUDGET: None (funding managed by Secy. of State); STAFF: 3 shared with other boards; MINIMUM HOURS: 500; CEU: 12 hrs/year required (NCBTMB is only CEU provider accepted); RENEWAL: Online; SCHOOLS: 22; AVERAGE APPLICATION PROCESSING TIME: 60 days; LICENSES: 6000; ACCEPT: MBLEx, NCB and NESL; MAJOR CONCERNS: HT, Education, Portability

FL BOARD: Seven; BUDGET: The Medical Quality Assurance Trust Fund is allotted by the Legislature a Budget Appropriation to the MQA TF as a whole and does not differentiate between professions.

FL (Cont.)

However, the actual costs (including Unlicensed Activity) to the massage profession for FY10-11 is \$4,411,340. MINIMUM HOURS: 500; STAFF: Three Management, who serve other boards; LICENSES: 32,610; ESTABLISHMENTS: 10,942; SCHOOLS: 265 ; APPLICATIONS RECEIVED AS OF 7/31/11: 4621; ONLINE APPLICATIONS working very well

DC BOARD: Five seats, three filled; LICENSES: 800; STAFF: Two; EXAMS: MBLEx, NCBTMB; Has mandatory nationwide background check

DE BOARD: Seven; LICENSES: 2400 (half CMT, half LMT; SCHOOLS: Eight; MAJOR CONCERN: Getting rid of two-tier credentialing

CA BOARD: 17 with three open; BUDGET: \$2.29MM, self-funded; VOLUNTARY CERTIFICATION; CERTIFICATES: 25,500+; MINIMUM HOURS (TWO PORTALS): CMT 500, CMP 250; CCMP 100 w/ time to obtain more, expires 1/1/12; SCHOOLS: 250+; MAJOR CONCERNS: Developing improved collaboration with LEA, fraudulent schools

AR BOARD: Seven, with six MTs, one public member who is an attorney w/ AF office; BUDGET: \$152k; STAFF: Two FT, One PT; MINIMUM HOURS: 500; LICENSES: 2700; SCHOOLS: 18; CONTINUING EDUCATION: Required; Criminal background check for renewal or upgrade; Good relationship w/ LEA; Moving toward online applications

AZ BOARD: Three professional, two public; BUDGET: \$394k; STAFF: Seven; MINIMUM HOURS: 700; EXAMS: NCBTMB, MBLEx; CONTINUING EDUCATION: 25 hours/two years; SCHOOLS: 39; MAJOR CONCERNS: Influx of non-English speakers, HT, difficulties w/ accepting OOS schools

PRESENTER: Dale Atkinson, FSMTB General Counsel, also Counsel for AAUSB, ASWB, ARBO, ACPE, JRCERT, ICFEB, NABP, NABPF, FARB, FCLB, NCBTMB

The reader's indulgence is needed on this report, as the Presenter gave a rapid-fire rundown of all the things he's concerned with across the nation. The author did his best.

REGULATORY ISSUES

All boards are moving from voluntary to mandatory licensing. Legal defensibility = validity and reliability. Is the examination legally defensible? An exam must be valid from a legal aspect, not just psychometric validity. The Board will be sued if there is a problem with the exam they accept or require. Who determines the number of times an applicant can sit for the Board exam? Should we place pass/fail results on the website? It's not up to the Board how well an applicant did; their concern should only be, "Did the applicant pass?" Data can be misused by schools to attract students.

RE entry to practice issues: How can Boards assess the clinical skill and knowledge of a MT seeking to restore an inactive license after two years out of practice?

CAUTIONARY TALES

Cited several summaries in which he sued or defended cases involving the groups he represents.

FEDERAL REGULATION - States cannot sue other state governments in Federal Court, they can only do it in state court. State's rights are guaranteed by the 10th Amendment.

Urged us to walk and talk like regulators, not massage therapists or members of industry.

CONFLICT OF INTEREST After the last discussion, do we really need to address this issue? Know when to recuse yourself when a vote comes up that may place you – and your organization in a bulls-eye. Don't make yourself a target.

DEREGULATION Mismanagement of funds led to the financial crisis at the State level; Self-funded organizations don't need to be concerned about it. Don't make yourself a target; if you walk and talk like a regulator you won't.

LICENSURE vs. CERTIFICATION A Standard Operating Procedure or a National Exam regulating schools including vetting of instructors, etc. to produce a uniform nationwide mandatory regulation. Keep your Mission Statement in mind with everything you do. Licensing is through a government agency that protects the title and practice; certification is from an unregulated NGB and protects the title only, is private sector driven.

DIFFERENCE FROM A PROFESSIONAL ASSOCIATION OR PRIVATELY HELD COMPANY

We deal with regulatory issues, Associations work for the profession or their customers first, and their primary concern is not with public protection. Keep this difference in mind.

ELIGIBILITY FOR LICENSURE

*"Accredited" education – Institutional is different from Programmatic; Know the difference Proof of completion – Transcripts are directly from the school, can be electronic

* Examination

* Good moral character – Arrests, charges, convictions; Pardons, expungements; 'Ever been convicted?' Disregard for morality in one area can be grounds for suspension in any other; The applicant must say 'yes'

* There are objections to birthdate, height & weight, etc. for use as identifiers on grounds of 'profiling'

* It's much easier to deny than it is to revoke a license. License cannot be denied to an undocumented immigrant, but there are legal ways to determine whether one is in the country illegally and not allowed to work (i.e., LiveScan or SSN required) END OF ATKINSON PRESENTATION

Additional presentations were given on the FSMTB Strategic Plan and on the Security measures employed to ensure the integrity of on-site testing centers. The MBLEx is now offered in Spanish. A call for Subject Matter Expert Volunteers was made, with an overview of the process.

The meeting concluded with a Delegate Forum and the annual election of officers and a farewell by outgoing FSMTB President Kevin Snedden.