

**AGENDA  
BOARD OF MASSAGE THERAPY  
FULL BOARD MEETING  
301 SOUTH PARK AVENUE, HELENA, MT  
BASEMENT CONFERENCE ROOM, B-7  
February 22, 2010  
4:00 PM TO CONCLUSION**

This agenda is subject to change up to 3 working days before the meeting. For the most accurate agenda, please consult the web site <http://massagetherapists.mt.gov>. Go to the left hand menu and click on the option for board meeting information.

**Americans with Disabilities Act**

The Department of Labor & Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the Board office prior to the proposed meeting date for further information.

**CALL TO ORDER:**

**PUBLIC COMMENT STATEMENT/PRIVACY STATEMENT:**

In accordance with 2-3-103(1), MCA, the Board will hold a public comment period. Please note that Open Forum is the public's opportunity to address the Board on any topic that is not already on the agenda for this meeting. While the Board cannot take action on the issues presented, the Board will listen to comments and may ask the issue be placed on a subsequent agenda for possible action by the Board. The Chairperson of the Board will determine the amount of time allotted for public comment.

Decision on whether to hold a meeting in executive session is in the discretion of the Presiding Chair pursuant to Section 2-3-203 MCA.

**REVIEW AND APPROVE AGENDA/ESTABLISH QUORUM:**

**REVIEW AND APPROVAL OF MINUTES:  
1/22/10 BOARD MEETING**

**FINANCIAL REPORT:**

**PRESENTATION OF ITEMS BROUGHT FORWARD FROM RULES COMMITTEE FOR BOARD REVIEW AND ACTION:**

**CORRESPONDENCE:  
Elaine Doll Regarding Ayurveda**

**MESSAGE LISTINGS IN YELLOW PAGES:**

**TECHNICAL NOTE IN FISCAL NOTE ATTACHED TO HB662:**

**NEXT MEETING:**

**ADJOURNMENT:**

**BOARD OF MASSAGE THERAPY  
MINUTES OF FULL BOARD MEETING  
301 SOUTH PARK AVE, ROOM B-7  
HELENA, MONTANA 2:00 P.M.  
1/25/2010**

**AMERICANS WITH DISABILITIES ACT:**

The Department of Labor and Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the Board Office prior to the proposed meeting date for further information.

**EXECUTIVE SESSION:** The decision on whether to hold a meeting in executive session is at the discretion of the Presiding Officer pursuant to Section 2-3-203 MCA.

**CALL TO ORDER:** Chairman Michael Eayrs called the meeting to order at 2:30 P.M.

**Members Present:**

Michael Eayrs, Professional Member, Chair  
Nick Soloway, DC, LAC Health Care Member, Vice-Chair  
Grace Bowman, Public Member  
Deborah Kimmet, Professional Member  
Stacy Baird, Professional Member

**Staff Present:**

Cheryl Brandt, Program Manager  
Tyler Moss, Board Counsel  
Traci Collett, Unit 1 Supervisor

**Others Present:**

Susan Carlson, Rules Committee Member

**REVIEW OF AGENDA:** The agenda was reviewed and a quorum was established.

**Motion:** Grace Bowman **moved** to approve the agenda as distributed. Dr. Soloway seconded. **Motion Carried.**

**PUBLIC COMMENT STATEMENT:**

In accordance with 2-3-103(1), MCA, the Board will hold a public comment

period. Please note that Open Forum is the public's opportunity to address the Board on any topic not on the current agenda. While the Board cannot take action on the issues presented, the Board will listen to comments and may ask that the issue be placed on a subsequent agenda for possible Board action. The Chairperson of the Board will determine the amount of time allotted for public comment.

**APPROVAL OF MINUTES:**

The minutes of the December 7, 2009 Full Board meeting were discussed. Deb Kimmet had some corrections to the minutes.

**Motion:** Dr. Soloway **moved** to approve the December 7, 2009 minutes as amended. Grace Bowman seconded. **Motion Carried.**

The minutes of the January 5, 2010 conference call were reviewed.

**Motion:** Deb Kimmet **moved** to approve the January 5, 2010 minutes as presented. Dr. Soloway seconded. **Motion Carried.**

**FINANCIAL REPORT:**

The Program Manager presented the financial report for the period covering July 1, 2009 through December 31, 2009. With 50% of the year completed, the Board has collected 0% of its projected income and expended \$16,108.03 which is 36% of its appropriation for the year. The Board will collect no income until the proposed rules are adopted setting the fees.

**ITEMS BROUGHT FORWARD FROM RULES COMMITTEE FOR BOARD REVIEW AND ACTION:**

**ENDORSEMENT RULE:**

The endorsement rule was being brought back to the Full Board for discussion due to the rushed discussion on the 1/5/2010 conference call.

**Motion:** Deb Kimmet **moved** to reconsider the decision on the endorsement rule passed by the Board at the last meeting and open discussion on the draft endorsement rule recommended by the Rules Committee. Dr. Soloway seconded the motion. **Motion Carried.**

**Motion:** Deb Kimmet **moved** to accept the endorsement rule draft recommended by the Rules Committee this morning including the change to the language "two letters attesting to the good moral character of the applicant submitted directly to the Board office by individuals who are not the applicant's family members". Dr. Soloway seconded. **Motion Carried.**

**BOARD-APPROVED PROGRAM CURRICULUM GUIDELINES:**

The draft approved by the Rules Committee this morning was reviewed.

**Motion:** Dr. Soloway **moved** to notice the rules with the changes discussed by the Rules Committee this morning adding the word "guideline" or "guidelines" after the word curriculum wherever it is used in the rule and that the 200 hours of massage and bodywork must be "in class and instructor supervised". Deb Kimmet seconded. **Motion Carried.**

**SCHOOL-SANCTIONED ACTIVITIES:**

The draft prepared by Board Counsel was again reviewed.

**Motion:** Stacy Baird **moved** to notice this definition of school-sanctioned activities as a proposed rule. Deb Kimmet seconded. **Motion Carried.**

**SUPERVISION AS USED IN 37-33-404, MCA:**

Board Counsel presented draft language on supervision for the members to review. Failure of a licensed massage therapist to appropriately supervise a student will be discussed along with the Unprofessional Conduct Rules.

**Motion:** Grace Bowman **moved** to notice as a proposed rule Board Counsel's supervision draft. Dr. Soloway seconded. **Motion Carried.**

**LEGISLATIVE WISH LIST 2011:**

The members discussed that since the Board was just being established; there would probably not be any suggested legislative changes for 2011.

Board Counsel mentioned that the Board statute 37-33-501(2) uses unfortunate language stating that a massage therapist whose license has "lapsed and has not been revived" may not purport to be a massage therapist. All other Boards under 37-1-141, MCA are allowed to practice for 45 days after the renewal date and are not considered to be practicing without a license when their license is lapsed.

**Motion:** Deb Kimmet **moved** that Board Counsel draft a rule to address this issue for discussion by the Rules Committee. Grace Bowman seconded. **Motion Carried.**

Timelines regarding the licensing process depend on the adoption of the proposed rules. The members discussed the rule-making process and the cost involved. They decided to hold the rules passed today and combine them with what is decided at the February 22, 2010 meeting.

**POSTING BOARD MEMBER ADDRESSES/EMAILS ON WEBSITE:**

Board members have the ability to have their personal information posted on the website if desired. Those members wanting their information posted will contact the Program Manager in writing with the information to be posted.

**PUBLIC COMMENT:**

Susan Carlson had issues to bring to the Board's attention under Public Comment.

1) A rule addressing that applications for licensure cannot be denied due to sexual orientation based on the good moral character requirement was suggested. Board Counsel discussed language that could be brought to the Rules Committee.

2) A Cosmetology inspector was reportedly making comments in beauty shops as to the rules massage therapists were going to have to follow. The Program Manager reported that Division Administrator, Jack Kane, has spoken to both cosmetology inspectors and reminded them that their jurisdiction concerns only barbers and cosmetologists.

3) Some individuals believed that the Grandfathering clause did not require an applicant to be at least 18 years of age. Upon review, it was determined that it is a requirement for licensure by grandfathering.

**NEXT MEETING:**

The next meeting will be a brief Full Board meeting February 22, 2010 at 4:00 P.M. There will be a full Board conference call March 9, 2010 at 12:00 P.M. to address the rule comments.

**ADJOURNMENT:**

Dr. Soloway **moved** that the meeting be adjourned at 4:04 P.M. Deb Kimmet seconded. **Motion Carried.**

**SUBMITTED BY: Cheryl Brandt, Program Manager**

**APPROVED BY:**

**DATE APPROVED:**

BOARD OF MASSAGE THERAPY	FISCAL YEAR 2009/2010								
	BUDGET	YTD EXP	JULY	AUG	SEPT	OCT	NOV	DEC	JAN
<b>INCOME</b>	<b>\$65,000.00</b>								
508001 APP		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508002 APP		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508003 APP		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,004.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,500.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,100.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,101.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508200 REN		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,202.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,201.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$508,206.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509299 OVERPMT		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5512033 ACCOM TAX		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
545066 LATE FEE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
\$545,606.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
551051 DUP WALL CERT		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
551058 LIC VERIFICATION		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
520938 LISTS		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
551052 DUP LIC FEE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
*****	*****	*****	*****	*****	*****	*****	*****	*****	*****
<b>TOTAL INCOME</b>	<b>\$65,000.00</b>	<b>\$0.00</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FINES/GEN. FUND		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
% Elapsed Time YTD		<b>58%</b>							
% of Income Collected		0%							
*****									
<b>EXPENSES</b>									
<b>PERSONAL SERVICES</b>	<b>\$20,920.00</b>								
1100 SALARIES	\$15,522.50	\$6,014.89							
		\$6,014.89	\$0.00	\$238.61	\$207.59	\$754.87	\$863.86	\$2,226.00	\$1,723.96
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1100 LONGEVITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1102 OVERTIME	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1301 PER DIEM	\$1,600.00	\$1,000.00							

BOWMAN		\$300.00	\$0.00	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$100.00
SOLOWAY		\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.00	\$50.00	\$0.00
BAIRD		\$200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.00	\$50.00	\$50.00
KIMMET		\$200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.00	\$50.00	\$50.00
EAYRS		\$150.00	\$0.00	\$0.00	\$0.00	\$0.00	\$100.00	\$50.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1399 GENERAL	\$0.00	\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1400 EMP BENEFITS	\$3,797.50	\$1,789.74	\$0.00	\$76.03	\$65.90	\$239.95	\$274.31	\$522.42	\$611.13
1499 GENERAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
*****	*****	*****	*****	*****	*****	*****	*****	*****	*****
TOTAL PERSONAL SERV.	\$20,920.00	\$8,804.63	\$0.00	\$314.64	\$273.49	\$994.82	\$1,738.17	\$2,948.42	\$2,535.09
<b>OTHER SERVICES</b>									
2102 CONSUL&PROF SER	\$3,000.00	\$0.00							
COURT REPORTER		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2106 LEGAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2127 Other Legal Costs-RULE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2136 IT CONSULTING		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2145 FOOD EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2165 TEMP SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2169 NON-PROFIT -EXAM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2181 DATA NETWORK/NON	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2186 WASTE DISPOSAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2187 RECORDS STORAGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2190 PRINTING/P&G	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2191 PRINTING/OTHER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2193 PHOTO POOL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
*****	*****	*****	*****	*****	*****	*****	*****	*****	*****
TOTAL OTHER SERV.	\$3,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>SUPPLIES &amp; MATERIALS</b>									
2205 FOOD	\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2212 PHOTO & REPROD	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2225 BOOKS & REF MAT	\$0.00	\$0.00							

		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>ZZ31 ID CARDS</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>ZZ36 CENTRAL STORES</b>	\$0.00	\$3.59	\$0.00	\$0.00	\$0.00	\$0.00	\$3.59	\$0.00	\$0.00
<b>2241 OFFICE SUPPLIES</b>	\$0.00	\$80.17	\$0.00	\$4.77	\$0.00	\$72.97	\$0.00	\$0.00	\$2.43
<b>2280 PROGRAM EXP</b>		\$70.65	\$0.00	\$0.00	\$0.00	\$6.45	\$64.20	\$0.00	\$0.00
<b>ZZ45 MINOR SOFTWARE</b>	\$0.00	\$68.00	\$0.00	\$0.00	\$0.00	\$0.00	\$68.00	\$0.00	\$0.00
*****									
<b>TOTAL SUPPLIES</b>	<b>\$1,500.00</b>	<b>\$222.41</b>	<b>\$0.00</b>	<b>\$4.77</b>	<b>\$0.00</b>	<b>\$79.42</b>	<b>\$135.79</b>	<b>\$0.00</b>	<b>\$2.43</b>
<b>COMMUNICATIONS</b>									
<b>Z304 POSTAGE</b>	\$4,000.00	\$0.00							
		\$21.32	\$0.00	\$0.00	\$14.25	\$0.00	\$0.00	\$7.07	\$0.00
<b>US POSTMASTER</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>62305 UPS</b>		\$126.21	\$0.00	\$0.00	\$0.00	\$0.00	\$52.43	\$0.00	\$73.78
<b>TELE MOVE</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Z370/85/87-TELEPHONE</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
*****									
<b>TOTAL COMMUNICATIONS</b>	<b>\$4,000.00</b>	<b>\$147.53</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$14.25</b>	<b>\$0.00</b>	<b>\$52.43</b>	<b>\$7.07</b>	<b>\$73.78</b>
<b>TRAVEL</b>									
<b>INSTATE</b>	\$2,873.00								
<b>Z401 PERSONAL CAR</b>		\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Z402 COMM TRANSP</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Z404 MOTOR POOL</b>		\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Z405 OTHER</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

<b>2406 IN-STATE NO RECEIPT LODGE</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2408 LODGING</b>		\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2410 OVERNIGHT MEALS</b>		\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>OUT-OF-STATE</b>									
<b>2411 PERSONAL CAR</b>	\$0.00	\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2412 COMMERCIAL AIR</b>		\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2415 OUT-STATE OTHER</b>	\$0.00	\$0.00							
<b>2418 LODGING</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2419 CAR RENTAL</b>		\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2430 MEALS OVERNIGHT</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

2419 CAR RENTAL	\$0.00	\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2430 MEALS OVERNIGHT		\$0.00							
2485 NON EMP OOS COM TRAN		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2486 NON EMP IN-STATE COM AIR		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2488 IN STATE OTHER		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2489 NON EMP IN ST MILES		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
BOWMAN		\$523.60	\$0.00	\$0.00	\$0.00	\$0.00	\$523.60	\$0.00	\$0.00
BAIRD		\$46.20	\$0.00	\$0.00	\$0.00	\$0.00	\$30.80	\$15.40	\$0.00
KIMMET		\$401.50	\$0.00	\$0.00	\$0.00	\$0.00	\$266.20	\$135.30	\$0.00
EAYRS		\$638.00	\$0.00	\$0.00	\$0.00	\$0.00	\$429.00	\$209.00	\$0.00
CARLSON		\$564.30	\$0.00	\$0.00	\$0.00	\$0.00	\$280.50	\$283.80	\$0.00
ROMANELLI		\$125.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$125.40	\$0.00
SOLOWAY		\$4.40	\$0.00	\$0.00	\$0.00	\$0.00	\$2.75	\$1.65	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2490 NON EMP IN ST MEALS		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
BOWMAN		\$113.25	\$0.00	\$0.00	\$0.00	\$32.25	\$75.00	\$0.00	\$6.00
BAIRD		\$6.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$0.00	\$0.00
KIMMET		\$17.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$11.00	\$0.00
EAYERS		\$57.00	\$0.00	\$0.00	\$0.00	\$0.00	\$34.00	\$23.00	\$0.00
SOLOWAY		\$12.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6.00	\$6.00	\$0.00
CARLSON		\$70.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35.00	\$35.00	\$0.00
ROMANELLI		\$12.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2492 NON-EMP OS MEAL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2493 NON-EMP OS LODGE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2497 NON- EMP IN ST LODGE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
BOWMAN		\$258.73	\$0.00	\$0.00	\$0.00	\$83.39	\$175.34	\$0.00	\$0.00
CARLSON		\$171.06	\$0.00	\$0.00	\$0.00	\$0.00	\$83.39	\$87.67	\$0.00
*****	*****	*****	*****	*****	*****	*****	*****	*****	*****
<b>TOTAL TRAVEL</b>	<b>\$2,873.00</b>	<b>\$3,020.44</b>	\$0.00	\$0.00	\$0.00	\$115.64	\$1,953.58	\$945.22	\$6.00
2512 STORAGE	\$0.00	\$0.00							
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

<b>2810 MEETING ROOMS</b>		\$0.00								
		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
*****										
<b>TOTAL RENT</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
*****										
<b>2701 REPAIR &amp; MAINTENAN</b>	<b>\$0.00</b>	<b>\$0.00</b>								
62701 Bldg & Grounds		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
*****										
<b>TOTAL REPAIR &amp; MAINTEN</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
*****										
<b>OTHER EXPENSES</b>										
2801 DUES	\$12,892.00	\$0.00								
FED of ND PHYSICIANS		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FARB		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2802 SUBSCRIPTIONS	\$0.00	\$0.00								
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2809 REGIS. FEES	\$0.00	\$0.00								
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2811 REWARDS	\$0.00	\$0.00								
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2827S HEARING EXAMINER		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2827T LEGAL	\$0.00	\$8,098.75	\$0.00	\$0.00	\$0.00	\$2,327.50	\$1,282.50	\$2,802.50	\$1,686.25	
2882	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
62866 FEE COLL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2822 FED EX	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2889 AGENCY INDIRECT	\$0.00	\$570.52	\$0.00	\$0.00	\$42.99	\$72.72	\$83.20	\$200.91	\$170.70	
*****										
<b>TOTAL OTHER EXP</b>	<b>\$12,892.00</b>	<b>\$8,669.27</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$42.99</b>	<b>\$2,400.22</b>	<b>\$1,365.70</b>	<b>\$3,003.41</b>	<b>\$1,856.95</b>	
*****										
<b>EQUIPMENT</b>										
3112 EQUIPMENT	\$94.00	\$0.00								
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
*****									
TOTAL EQUIPMENT	\$94.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
=====									
TOTAL EXPENSES	\$45,279.00	\$20,864.28	\$0.00	\$319.41	\$330.73	\$3,590.10	\$5,245.67	\$6,904.12	\$4,474.25
DIVISION TOTALS		\$20.50							
IT TOTALS		\$0.61							
BUREAU TOTALS		\$12.95							
REMAINING APPROPRIATION		\$24,380.66							
% of Elapsed Time		58%							
% of Expenses YTD		46%							
*****									
BEGINNING CASH BALANCE		\$0.00	\$0.00	\$0.00	(\$319.41)	(\$650.14)	(\$4,240.24)	(\$9,485.91)	(\$16,108.03)
INCOME		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FY 09 PREPAID EXP		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
FY 09 FYE ADJUST		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
BAD CHECK COLLECTION		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSE		(\$20,864.28)	\$0.00	(\$319.41)	(\$330.73)	(\$3,590.10)	(\$5,245.67)	(\$6,904.12)	(\$4,474.25)
DIVISION EXPENSE		(\$20.50)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$20.50)
IT EXPENSE		(\$0.61)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.61)
BUREAU EXPENSE		(\$12.95)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$12.95)
BAD CHECK		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ACCRUED EXPENSES		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PRIOR YEAR EXP.DEDUCT		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PRIOR YEAR REVENUE ADJUST.		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
VOUCHERS PAYABLE		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$282.00	(\$282.00)
=====									
ENDING CASH BALANCE		(\$20,898.34)	\$0.00	(\$319.41)	(\$650.14)	(\$4,240.24)	(\$9,485.91)	(\$16,108.03)	(\$20,898.34)

**Brandt, Cheryl**

---

**From:** blissfulayurveda@gmail.com  
**Sent:** Sunday, February 07, 2010 9:33 AM  
**To:** DLI BSD Massage Therapists  
**Subject:** ayurveda

**Name:** Elaine Doll

**email:** blissfulayurveda@gmail.com

**subject:** ayurveda

**message:** Good day! I am currently practicing ayurveda in Bozeman, MT. I have been practicing here for 3 years since schooling in California. there is a bodywork component of this profession called pancha karma. Ayurveda is not currently requiring licensure on a state or national level. There is a national association that is in the process of trying to get a license requirement in place. I'm curious about what the requirement would be for my business in MT. with this upcoming shift. Thank you for your response. Blessings - Elaine

and guided to the department’s website to review the notices. Printing and mailing is estimated to be \$1,100. Total costs for rule notification is \$1,100 in FY 2010.

5. The department estimates there will be 500 applicants for licensure.
6. Implementation of HB 662 will require a 0.20 FTE to administer the program with 500 licensees. Total personal services costs would be \$6,885. Indirect costs paid to the department are 10% of personal services or \$689. The total annual cost would be \$7,574.
7. Operating costs are estimated to be \$1,650 for each year of the biennium (\$425 estimated cost for supplies, \$400 printing charges for applications, licenses and renewal notices; \$400 for postage; \$425 for phone and communication expenses).
8. It is assumed there will be 500 new applications for licensure received in FY 2010. Application fees will be set commensurate with cost.
9. 2.5% inflation factor is applied to costs in the 2013 biennium.

	<u>FY 2010</u> <u>Difference</u>	<u>FY 2011</u> <u>Difference</u>	<u>FY 2012</u> <u>Difference</u>	<u>FY 2013</u> <u>Difference</u>
<b><u>Fiscal Impact:</u></b>				
FTE	0.20	0.20	0.20	0.20
<b><u>Expenditures:</u></b>				
Personal Services	\$8,385	\$8,385	\$8,595	\$8,810
Operating Expenses	\$24,263	\$10,173	\$10,427	\$10,688
<b>TOTAL Expenditures</b>	<u>\$32,648</u>	<u>\$18,558</u>	<u>\$19,022</u>	<u>\$19,498</u>
<b><u>Funding of Expenditures:</u></b>				
State Special Revenue (02)	\$32,648	\$18,558	\$19,022	\$19,498
<b>TOTAL Funding of Exp.</b>	<u>\$32,648</u>	<u>\$18,558</u>	<u>\$19,022</u>	<u>\$19,498</u>
<b><u>Revenues:</u></b>				
State Special Revenue (02)	\$32,648	\$18,558	\$19,022	\$19,498
<b>TOTAL Revenues</b>	<u>\$32,648</u>	<u>\$18,558</u>	<u>\$19,022</u>	<u>\$19,498</u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
State Special Revenue (02)	\$0	\$0	\$0	\$0

**Technical Notes:**

1. Section 4(5)(a): The list of areas exempted in (5)(a) are subject to a limitation, whereby the exemption applies only if the individual is "recognized or meets the established requirements" of an organization or credentialing agency. The board's rulemaking authority (Section 5) should expressly include authority to designate which organizations and credentialing agencies it will recognize in order for a person to be eligible for an exemption. Alternatively, the bill could identify another way to determine which organizations and credentialing agencies qualify as being able to establish qualifications which make a person eligible for an exemption.

\_\_\_\_\_  
*Sponsor's Initials*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Budget Director's Initials*

\_\_\_\_\_  
*Date*



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2011 Biennium

<b>Bill #</b>	HB0662	<b>Title:</b>	License massage therapists
<b>Primary Sponsor:</b>	Arntzen, Elsie	<b>Status:</b>	As Introduced

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns   |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts           | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<b>Expenditures:</b>				
State Special Revenue	\$32,648	\$18,558	\$19,022	\$19,497
<b>Revenue:</b>				
State Special Revenue	\$32,648	\$18,558	\$19,022	\$19,497
<b>Net Impact-General Fund Balance:</b>	\$0	\$0	\$0	\$0

#### Description of fiscal impact:

The costs associated with creation and administration of a massage therapist's license and meeting costs associated with a five member board.

### FISCAL ANALYSIS

#### Assumptions:

1. The board will have two two-day meetings and two conference calls per fiscal year. Board member per diem for each year of the biennium will be \$1,500. Board member mileage reimbursement for each year of the biennium will be \$2,750. Meal reimbursement for each year of the biennium will be \$460. Lodging reimbursement for each year of the biennium will be \$823.90. Total travel costs will be \$5,534 for each year of the biennium.
2. Legal will spend 4 hours preparing for each meeting and then attend both days of meetings for a total of 40 billable hours @ \$95 per hour = \$3,800 for each year of the biennium
3. The department will propose rules to implement the statute.
4. There will be a minimum of 25 pages for the rule proposal notice, 10 pages for the adoption notice, 20 administrative rule pages \$50 per page for a cost of \$2,750. It is estimated there will be 100 hours of attorney time to write the rules and prepare the rule notice at \$95 per hour for a cost of \$9,500. The cost of the rule hearing is estimated to be \$740. The total cost of rule making \$11,990 in FY 2010.
4. Interested parties will need to be notified of the proposed rules, the hearing and adoption of the rules. It is estimated there will be 50 interested parties and 500 prospective licensees who will be notified by postcard