

Dear Senate Labor and Commerce Committee Members,

I am writing to encourage you to pass a concurrent resolution that repeals Executive order 127, an order that seeks to dissolve the Alaska State Board of Massage and send its duties to the Department of Commerce, Community and Economic Development, Division of Corporations, Professional and Business Licensing. This board is comprised of six members, five of whom are massage therapists, and one is a public member. These members are strictly volunteers, which is a cost savings to the State of Alaska.

The current Board structure serves the interest of public safety and without the Board oversight the increased likelihood of the illegal sex trafficked individuals will increase.

1. The department's absorption of the Board's duties, by newly trained or inexperienced license examiners, increases the likelihood of sex trafficked individuals or sex offenders obtaining a valid massage therapy license.
2. Increase in government costs due to the newly hired staff, equipment, and associated costs required to perform the duties of the current volunteer Board, as well as:
 - a. Increased application processing time if the department assumes the duties;
 - b. Lack of expertise identifying fraudulent applications; and,
 - c. Less personnel to research fraudulent schools.
3. The importance of the Board oversight ensures massage therapists possess the skills, abilities, and knowledge to provide a safe and legitimate healthcare service.
4. Board licensure is not simply an arbitrary credential; it is recognized in the healthcare industry and has many benefits including:
 - a. Greater Legitimacy.
 - b. Job opportunities.
 - c. Greater online visibility.
 - d. Networking opportunities; and,
 - e. Continuing education requirements.
5. Board members are experts in their field and volunteer their time and train peers with historical knowledge, and they are quick to identify fraudulent applications and deny applications seeking to place sex trafficked individuals in our state.
6. Without a Board and being a self-funded program, licensees will most certainly see their fees increase.

Please support a concurrent resolution and repeal Executive Order 127.

Thank you for your consideration.

Sincerely,


Cheri Zepp

Konrad Jackson

From: Cherri Bell <commonredpoll@gmail.com>
Sent: Monday, January 29, 2024 9:56 PM
To: Senate Labor and Commerce
Subject: Repeal executive order 127 (please)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Senate Labor and Commerce Committee Members,

I am writing to encourage you to pass a concurrent resolution that repeals Executive order 127, an order that seeks to dissolve the Alaska State Board of Massage and send its duties to the Department of Commerce, Community and Economic Development, Division of Corporations, Professional and Business Licensing. These massage board members are strictly volunteers, which is not a big cost to the State of Alaska.

1. Transferring all of the board duties to the division would be a large amount of extra work for that employee. There is no sane way one person can do everything the board does in addition to their own responsibilities. This may require the hiring of a second person or paying to consult some massage therapist who would be charging their hourly rate. This is a scenario that would not save money or be efficient. Since we are self funded, this will mean much higher licensing fees.
2. Increase in government costs due to the newly hired staff, equipment, and associated costs required to perform the duties of the current volunteer Board, as well as:
 - a. Increased application processing time if the department assumes the duties;
 - b. Lack of expertise identifying fraudulent applications; and,
 - c. Less personnel to research fraudulent schools.
3. The importance of the Board oversight ensures massage therapists possess the skills, abilities, and knowledge to provide a safe and legitimate healthcare service.
4. Not having a board could lead to insurances refusing to do third party reimbursement. Many therapists have benefited from being able to bill or give receipts for reimbursement from insurance. This is likely to diminish many small businesses that are important for the economy in Alaska.
5. Board members are experts in their field and volunteer their time and train peers with historical knowledge, and they are quick to identify fraudulent applications and deny

applications seeking to place sex trafficked individuals in our state. This makes the licensing examiner's job much easier as well as helping to keep people safe.

Please support a concurrent resolution and repeal Executive Order 127.

Thank you for your consideration.

Cherri Bell, LMT
Secretary, AMTA Alaska Chapter

Konrad Jackson

From: Christy McMurren <christym907@gmail.com>
Sent: Monday, January 29, 2024 5:46 PM
To: Senate Labor and Commerce
Subject: EO 127, 129, 130

Follow Up Flag: Follow up
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I read, again, about Gov Dunleavy's executive orders to change or eliminate certain boards, etc. I am hopeful that you will examine these orders with all due diligence. I contacted a friend who is a massage therapist and a friend who is a hairdresser. Neither of them knew anything about this and both are concerned what this change would mean for their profession. I am not of the opinion that just because the state can "save" money, that that is an automatic good thing. We cannot "save" our way to prosperity.

Christy McMurren
Anchorage

Konrad Jackson

From: Ed Toal <edtoal@gmail.com>
Sent: Tuesday, January 30, 2024 2:44 PM
To: Sen. Jesse Bjorkman
Subject: EO 127

Follow Up Flag: Follow up
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Dear Senator Bjorkman,

I am writing to voice my support for EO 127 which dissolves the Alaska Board of Massage Therapists. I am a practicing massage therapist and can vouch for how problematic this board has been. Many people have had their livelihoods harmed by the petty actions of some board members. I believe the massage professional will be better served by state government employees rather than volunteers who bring their professional jealousy and prejudice into what should be an administrative function.

Thank you,

Ed Toal LMT
Anchorage

Jill Motz

9448 E. Twenty Meter Circle
Palmer, Alaska 99645
907-727-2596

Senate Labor and Commerce Committee

Juneau, Alaska 99801

January 23, 2024

Dear Senators,

I write to you today regarding Executive Order 127, which was issued by Governor Dunleavy on January 16, 2024. As the immediate past Board Chair for the State Board of Massage Therapists, I believe I can uniquely speak to the impact of this EO on therapists, businesses and the public.

The practice of Massage Therapy has undergone a rapid change in the last decade, and specifically in the State of Alaska since Licensing began in 2015. The evolution of massage therapy from an “alternative” therapy into science based, peer reviewed mainstream therapy has been exciting to be part of. Since the state began licensing therapists there has been a rapid rise in wages and a greater position of power over our careers. Indeed, Alaska currently has one of the highest incomes for Massage therapists in the US. This is largely due to the ongoing efforts by the Board of Massage Therapists to make sure that the current scope of practice, code of ethics, education and training requirements keep up with changes in the profession as it continues to evolve. EO 127 would dissolve the Board, leaving state employees with little to no knowledge of the profession to make decisions regarding investigations, education, scope and oversight. The profession needs peers who understand what this job entails.

The effect on small businesses in Alaska if EO 127 goes unchallenged would be substantial. Currently therapists can directly credential with insurance companies- something that is highly unusual in the profession. The growth of clinics and the rise of qualified providers available to the public is important to both the health of our community members as well as the robustness of our business diversity, both of which would not be possible without authentic oversight of the licensing program. There can be no true oversight of Massage Therapy if state employees are simply processing paperwork. Having served on this board for the last 7 years, I can tell you with authority that it has never been my experience that the State has had sufficient staffing, who have been in their jobs for long enough to have a true understanding of the ins and outs of Boards, even less when it comes to specific professions. I could offer at least a dozen examples of times that the State Board did an immense amount of volunteer work based on the direction of the Division only to find that it was, in fact, not legal or allowed to be done in the way the Division originally advised. This move will not create a more efficient government. It will, in fact, increase frustration, difficulty in obtaining a license and will absolutely cost licensees more since the division will have to pay for the professional opinions they now get for free from the four

therapists who volunteer their time to serve on the Board.

While I believe the previous examples are reason enough to ask the Governor to reconsider and rescind EO 127, it is this final reason that is most heart-wrenching. Removal of Board oversight absolutely WILL result in increased human trafficking. We could argue the semantics of if this EO is in the best interest of “efficiency” or not but at the end of the day, this EO will have a human toll.

The State of Alaska has spent the last decade working on some level, to combat human trafficking. From a practical standpoint the State Board of Massage Therapists has actively worked on Task Forces, both national and state based, listening and responding to the needs of the public and profession. In 2018 the State Board worked with the legislature to create registration for Massage Establishments at the bequest of the FBI. This was done to help close loopholes in state law that allows human trafficking business owners to escape responsibility for the acts done on their premises. This would never have been possible if administrators were just pushing paperwork. It is this invested, dynamic and passionate advocacy that will die if EO 127 goes unchallenged and the human component of the board is dissolved.

As a former board member I can tell you the people who are trafficking victims never stop. I have personally tabled dozens of applications because the application just didn't pass scrutiny. Every application for a license that is reviewed by a professional expert is an opportunity to prevent someone from being victimized. I do not believe a licensing examiner, their supervisors or even the Commissioner can truly rise to the level of what the 4 therapists who serve on the board can catch.

From a personal standpoint, I once sat and listened to a human trafficking survivor talk about how they were locked in a “massage room” where they were forced to perform acts that, at one point, made the young woman vomit during her recounting. They were raped, abused and forced to perform illegal services all while being held captive in that same room. These are the people who will be hit hardest by EO 127 and it is this impact that concerns me the most. You have the power to negate this harm to Alaskans,

I urge you, for the health of our communities, our businesses, our profession and our most vulnerable citizens, to do what you can to oppose the implementation of EO 127.

Jill Motz

Alaska American Massage Therapy Association Board Member
Government Relations Chair
Recent State of Alaska Board of Massage Therapists Chair

Dear Senator,

I'm writing today to talk about why the Board of Massage Therapists is important.

I am a single mom. After being a stay at home mother for 20 years, raising 4 kids here in Alaska to adulthood, I found myself divorced and on my own with a toddler and very little skills in the workforce. On a whim, I decided to enter school for Therapeutic Massage here in Anchorage. I cleaned homes, I cleaned toilets and rotted food from broken freezers to help pay for rent. My son spent his days with his grandmother while I was in school. I was 42. The second oldest in my class. I aced my classes and was nominated a valedictorian.

But what I really am most proud of is that I have created a very good life for both me and my son. I am a successful business owner in Anchorage, Alaska. Massage is my only source of income. For the first time in my entire life, I was able to purchase a brand new car. And I hope in the next 3 years, to buy a home. I flew to Juneau in December just to watch a play! I have more financial freedom now than I ever had.

All of that might be in jeopardy. Why you might ask? My main clientele are medical insurance clients, Veterans and Motor Vehicle Accident victims. My license, which is backed by a BOARD of my peers, fellow Massage Therapists allows me to be able to be an autonomous health care provider. If the board disappears, it's highly likely that many insurance companies will no longer cover our services.

This affects MY income, my business, my livelihood. The one I worked very hard to achieve. As I approach 50 years old, I really would rather not start over with another career.

But this is not just about me but the thousands of clients across the state that will no longer have insurance coverage and might not be able to afford it otherwise. Maybe you view Massage as a luxury but for many people with chronic issues, it keeps them out of the hospitals longer, it keep them off the pain meds longer. Massage also assists with surgical repairs and shortens the recovery time. We work with Physical Therapists and other health care professionals to get our clients back to optimal health. All of these are COST SAVINGS for not only the patient but the insurance companies as well.

I see that Gov. Dunleavy said in the Executive Order, that these decisions were to make things more efficient. But I have serious issues with that statement. Everything that was inefficient about licensure was due directly to the office staff in Juneau not doing their jobs in a timely, efficient manner. The state jobs have been chronically understaffed so I fail to see how adding more work to the desks of overworked people will be "more efficient".

And lastly, let's talk about that elephant in the room. Human Trafficking.

Over the past few years, the volunteer members of the Board of Massage Therapists have worked diligently to establish and enforce rules and regulations for Massage Establishments to help prevent and combat the Human Trafficking crisis we have here in Alaska. Will this all be for naught if the Board is dissolved and random office workers are assigned the task of reviewing applications when they know nothing about our profession?

Yes, I am very worried about what losing the Board of Massage Therapists will mean. It could change nothing. But it could change everything.

Please vote to VETO the Executive Order 127 and keep the Board Of Massage Therapy in place.

Sincerely,

Tammy Gifford, LMT and Registered Voter.



TLC Massage Therapy

Traci K. Gilmour, LMT

(907) 209-2371

AK License #102012

I appeal to you for your support to repeal Executive Order 127, an order that seeks to dissolve the Alaska Board of Massage and refer its duties to the Department of Commerce, Community and Economic Development, Division of Corporations, Professional and Business Licensing. I believe this will lead to decreased efficiency by Division staff, increased licensing fees and little to no oversight of those who work with the Massage program.

Massage Licensing, through its Board, serves to ensure an educated Therapist, Client/Patient base and work in the best interest of Public Safety and Protection. A Regulatory Board is tasked with creating Scope of Practice, Ethics and Regulations so therapists can better serve a public who may not understand how to differentiate a legitimate licensed business from an Illicit Day Spa where women and men are sex trafficked. This Board, in eight years of existence, has approved over 1400 licenses for legitimate therapists who have completed educational programs within and outside of the State of Alaska. Likewise, the Board has denied licensing to applicants who are Trafficked, engaged in prostitution as proven by their National Background Check, and/or seek to continue trafficking and prostitution in our great state. If this Executive order is allowed to become law our program loses Oversight, Advocacy and Accountability. I cannot see how this move will increase efficiency.

Oversight –

A lack of oversight by Board members will result in decreased efficiency by Licensing Examiners, primarily when fraudulent applications are received. Board members, through training and research, possess the ability to identify fraud and schools that do not exist or haven't been verified as approved institutions but are used as a front for human trafficking. Lack of oversight can also mean that less applications are approved, to the end that applicants are denied a License due to lack of training by Occupational Licensing Examiners; reduced outreach to applicants for more information can happen. Outreach to institutions and states with reciprocity will be necessary and time wasted as opposed to having a Board Member answer questions quickly because they already have done the legwork. Hastily or incorrectly processed applications can lead to increased costs of Investigations and legal fees due to increased complaints should a practice of illicit massage be approved by an untrained eye. Being a Self-Funded program, licensees will most certainly see their fees increase across the board.

Board members are experts in their field, volunteer their time and train peers with historical knowledge gained by being seated on a Board. Board members hold 4 year seats, understand and are quick to identify fraudulent applicants and deny applications seeking to place Sex Trafficked individuals in our state. This knowledge serves the interest of Public Safety. While Board Members can step down at any time this has been untrue in most cases. Board members are passionate about their volunteer work and ensuring our profession gains respect and legitimacy.

High Turnover of CPBL Division Staff leads to processing delays and increased costs of Specialized Training each time a new Licensing Examiner is hired or an educated examiner is moved to another program. The Board was created In 2015, since then they have seen 9 OLEs oversee the program. Difficulty hiring and retaining full time employees has led to a backlog of applications and lack of knowledge of our program. Should Executive Order 127

be allowed to become law, licensees and applicants lose their direct line of support by a Board that has their best interest in mind. State Employees may not have the time to do more than push papers through.

Accountability -

Board members oversee many aspects of Licensing, including viewing Financials as they pertain to Massage Licensing. The Board has the opportunity to have a Finance Officer present to the Board quarterly. The board is able to ask questions about expenses, most importantly, a Division-suggested increase in Licensing Fees. The Board of massage has successfully advocated to keep licensing fees stable in several instances.

A Legislative Audit Committee audits the Division and the Board's activities between Sunset recommendations. The Board has received positive feedback from the Legislative Audit committee. Should this Board be dissolved, this licensing program will no longer be audited and Division will not be accountable to the Legislators. Missteps have been identified by this committee and have been rectified. Had there been no audit, many things would have gone unnoticed.

Advocacy -

Board members engage in countless volunteer hours of research, outreach to peer states and organizations and attend conferences to gain knowledge and stay abreast of changes in, and threats to, our profession all at their own cost or reimbursable expenses. Should the Executive Order become law this would no longer happen. It is certain that sooner or later an OLE would need to reach out to a Licensee for expertise. In this case, the Department would need to pay Massage therapists for this expertise at current fees set by the therapist.

This is a young board which has educated administrators and the public over the past eight years what it means to be a Licensed Massage Therapist. There are many misunderstandings about our profession and we have sought to educate anyone and everyone about the health benefits of massage. We would like to continue that education in the interest of public protection.

Thank you for your consideration.