



**TELECONFERENCE/VIRTUAL  
MESSAGE THERAPY AND BODYWORK THERAPY AFFILIATED  
CREDENTIALING BOARD**

**Virtual, 4822 Madison Yards Way, Madison  
Contact: Valerie Payne (608) 266-2112  
June 2, 2020**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of March 17, 2020 (4-11)**
- C. Conflicts of Interest**
- D. Introductions, Announcements and Recognition**
  - 1) Charisma Townsend – Massage Therapist & Body Worker Member (NOMINATED – Will Replace: Krizenesky) – 7/1/2023
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Board Updates
  - 2) Board Members – Term Expiration Dates
  - 3) Wis. Stat. s 15.085 (3)(b) – Biannual Meeting with the Medical Examining Board
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rule Matters – Discussion and Consideration**
  - 1) Scope Statement: MTBT 2, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses **(12-14)**
  - 2) Pending or Possible Rulemaking Projects
    - a. MTBT 4, Relating to Requirements for Renewal and Reinstatement
    - b. MTBT 5, Relating to Unprofessional Conduct
- H. Public Agenda Item Requests – Discussion and Consideration**
  - 1) Entry-Level Massage Education Delivery **(15)**
- I. COVID-19 – Discussion and Consideration**
  - 1) Massage Practice Guidelines During Emergency

J. Federation of State Massage Therapy Boards (FSMTB) Matters – Discussion and Consideration

K. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislative and Policy Matters
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

L. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

M. Deliberation on DLSC Matters

- 1) **Stipulations, Final Decisions and Orders**
  - a. 18 MAB 012 – Kris A. Brownell, L.M.T. **(16-22)**
- 2) **Administrative Warnings**
  - a. 17 MAB 021 – E.G.M. **(23-24)**

N. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters

- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

R. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

**ADJOURNMENT**

**NEXT DATE: SEPTEMBER 1, 2020**

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 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**MASSAGE THERAPY AND BODYWORK THERAPY  
AFFILIATED CREDENTIALING BOARD  
March 17, 2020**

**PRESENT:** Robert Coleman, Jr., Jaime Ehmer (*via Skype*), Carla Hedtke (*via Skype*), Elizabeth Krizenesky (*arrived via Skype at 9:12 a.m.*), Jeff Miller (*arrived via Skype at 9:12 a.m.*), Gregory Quandt, Ramona Trudeau (*arrived via Skype at 9:09 a.m.*)

**STAFF:** Valerie Payne, Executive Director; Jameson Whitney, Board Legal Counsel; Dale Kleven, Administrative Rules Coordinator; Megan Glaeser, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Robert Coleman, Jr., Chairperson, called the meeting to order at 9:08 a.m. A quorum was confirmed with four (4) members present.

**ADOPTION OF AGENDA**

**MOTION:** Robert Coleman, Jr. moved, seconded by Gregory Quandt, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**Amendments to the Minutes**

- Correct any instances of “Jamie Ehmer” to “Jaime Ehmer”

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to approve the Minutes of December 3, 2019 as amended. Motion carried unanimously.

**INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION**

**Charisma Townsend – Massage Therapist and Body Worker Member (NOMINATED – Will Replace: Krizenesky) – 7/1/2023**

**MOTION:** Robert Coleman, Jr. moved, seconded by Jeff Miller, to recognize and thank Elizabeth Krizenesky for her years of service to the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and the State of Wisconsin. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Chairperson*

**NOMINATION:** Carla Hedtke nominated Robert Coleman, Jr. for the Office of Chairperson.

**NOMINATION:** Gregory Quandt nominated Jeff Miller for the Office of Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

Roll Call Vote (Coleman): Coleman-yes; Ehmer-yes; Hedtke-yes; Krizenesky-yes; Miller-yes; Quandt-no; Trudeau-yes.

Robert Coleman, Jr. was elected as Chairperson by unanimous roll call vote.

***Vice Chairperson***

**NOMINATION:** Betsy Krizenesky nominated Jaime Ehmer for the Office of Vice Chairperson.

**NOMINATION:** Robert Coleman, Jr. nominated Jeff Miller for the Office of Vice Chairperson.

Valerie Payne, Executive Director, called for nominations three (3) times.

Roll Call Vote (Ehmer): Coleman-no; Ehmer-no; Hedtke-no; Krizenesky-yes; Miller-no; Quandt-no; Trudeau-no.

Roll Call Vote (Miller): Coleman-yes; Ehmer-yes; Hedtke-yes; Krizenesky- no; Miller-yes; Quandt-yes; Trudeau-yes.

Jeff Miller was elected as Vice Chairperson by unanimous roll call vote.

***Secretary***

**NOMINATION:** Gregory Quandt nominated Jaime Ehmer for the Office of Secretary.

Valerie Payne, Executive Director, called for nominations three (3) times.

Jaime Ehmer was elected as Secretary by unanimous voice vote.

<b>2020 ELECTION RESULTS</b>	
<b>Chairperson</b>	Robert Coleman, Jr.
<b>Vice Chairperson</b>	Jeff Miller
<b>Secretary</b>	Jaime Ehmer

**Appointment of Liaisons and Alternates**

<b>2020 LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	Robert Coleman, Jr. <i>Alternate: Gregory Quandt</i>
<b>Office of Education and Examinations Liaison(s)</b>	Carla Hedtke <i>Alternate: Gregory Quandt</i>
<b>Monitoring Liaison(s)</b>	Jaime Ehmer <i>Alternate: Ramona Trudeau</i>

<b>Professional Assistance Procedure (PAP) Liaison(s)</b>	Carla Hedtke <i>Alternate: Gregory Quandt</i>
<b>Legislative Liaison(s)</b>	Carla Hedtke <i>Alternate: Ramona Trudeau</i>
<b>Travel Liaison(s)</b>	Jaime Ehmer <i>Alternate: Gregory Quandt</i>
<b>Website Liaison(s)</b>	Gregory Quandt <i>Alternate: Robert Coleman, Jr.</i>
<b>Administrative Rules Liaison(s)</b>	Jaime Ehmer <i>Alternate: Ramona Trudeau</i>
<b>Screening Panel</b>	Robert Coleman, Jr., Carla Hedtke, Gregory Quandt <i>Alternate: Jaime Ehmer, Jeff Miller</i>

**Delegation of Authorities**

***Document Signature Delegations***

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

**MOTION:** Jaime Ehmer moved, seconded by Robert Coleman, Jr., in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

***Delegated Authority for Urgent Matters***

**MOTION:** Gregory Quandt moved, seconded by Jeff Miller, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

***Delegation to Chief Legal Counsel Due to of Loss of Quorum***

**MOTION:** Robert Coleman, Jr. moved, seconded by Gregory Quandt, to delegate the review of disciplinary cases to the Department’s Chief Legal Counsel due to lack of/loss of quorum. Motion carried unanimously.

### ***Monitoring Delegations***

**MOTION:** Jeff Miller moved, seconded by Robert Coleman, Jr., to adopt the “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” as presented in the March 17, 2020 agenda materials. Motion carried unanimously.

### ***Credentialing Authority Delegations***

#### **Delegation of Authority to Credentialing Liaison**

**MOTION:** Robert Coleman, Jr. moved, seconded by Gregory Quandt, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them except that potential denial decisions shall be referred to the full Board for final determination. Motion carried unanimously.

#### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

### ***Delegated Authority for Application Denial Reviews***

**MOTION:** Gregory Quandt moved, seconded by Jeff Miller, that the Department’s Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Board’s designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

### ***Pre-Screening Delegation to Open Cases***

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

### *Pre-Screening Delegation to Close Cases*

**MOTION:** Gregory Quandt moved, seconded by Elizabeth Krizenesky, to delegate pre-screening decision making authority to the DSPS screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

### *Voluntary Surrenders*

**MOTION:** Robert Coleman, Jr. moved, seconded by Carla Hedtke, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

### *Office of Education and Examination Delegation(s)*

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to delegate authority to the Office of Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously.

### *Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies*

**MOTION:** Carla Hedtke moved, seconded by Ramona Trudeau, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

### *Optional Renewal Notice Insert Delegation*

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

### *Legislative Liaison Delegation*

**MOTION:** Jeff Miller moved, seconded by Gregory Quandt, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

### *Travel Delegation*

**MOTION:** Robert Coleman, Jr. moved, seconded by Gregory Quandt, to delegate authority to the Travel Liaison to approve any board member travel. Motion carried unanimously.

### **ADMINISTRATIVE RULE MATTERS**

#### **Adoption Order: CR 19-101 – MTBT 5 Relating to Unprofessional Conduct**

**MOTION:** Elizabeth Krizenesky moved, seconded by Ramona Trudeau, to approve the Adoption Order for Clearinghouse Rule CR 19-101, relating to unprofessional conduct. Motion carried unanimously.

#### **Adoption Order: CR 19-102 – MTBT 4 Relating to Requirements for Renewal and Reinstatement**

**MOTION:** Jeff Miller moved, seconded by Jaime Ehmer, to approve the Adoption Order for Clearinghouse Rule CR 19-102, relating to requirements for renewal and reinstatement. Motion carried unanimously.

### **PUBLIC COMMENTS**

**MOTION:** Elizabeth Krizenesky moved, seconded by Jeff Miller, to acknowledge that the Board does not object to necessary steps that are permitted by administrative rule regarding in-person versus online education taken in response to the COVID-19 emergency. Motion carried unanimously.

**MOTION:** Jeff Miller moved, seconded by Robert Coleman, Jr., to delegate authority to the Board's Education Liaison(s) and to the Chairperson to respond to questions and approve or deny any proposed responses to the COVID-19 emergency pertaining to online versus in-person education. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Robert Coleman, Jr., Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Robert Coleman, Jr.-yes; Jaime Ehmer-yes; Carla Hedtke-yes; Elizabeth Krizenesky-yes; Jeff Miller-yes; Gregory Quandt-yes and Ramona Trudeau-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:58 a.m.

### **CREDENTIALING MATTERS**

#### **Wenping Ma, Application #650609**

**MOTION:** Robert Coleman, Jr. moved, seconded by Carla Hedtke, to deny the Massage Therapist or Bodywork Therapist License application of Wenping Ma. Reason for

Denial: Failure to provide adequate proof of educational requirements, specifically student clinic requirement, pursuant to MTBT 3.01(5)(d). Motion carried unanimously.

**Yuhua Wang, Application #654084**

**MOTION:** Jeff Miller moved, seconded by Jaime Ehmer, to deny the Massage Therapist or Bodywork Therapist License application of Yuhua Wang. Reason for Denial: Failure to provide adequate proof of educational requirements, specifically student clinic requirement, pursuant to MTBT 3.01(5)(d). Motion carried unanimously.

**DELIBERATION ON DLSC MATTERS**

**Stipulations, Final Decisions and Orders**

***17 MAB 017 – Jing Zhang, L.M.T.***

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jing Zhang, L.M.T., DLSC Case Number 17 MAB 017. Motion carried unanimously.

**Case Closings**

***18 MAB 020 – J.M.H.***

**MOTION:** Robert Coleman, Jr. moved, seconded by Gregory Quandt, to close DLSC Case Number 18 MAB 020, against J.M.H., for No Violation. Motion carried unanimously.

***19 MAB 005 – S.L.***

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to close DLSC Case Number 19 MAB 005, against S.L., for No Violation. Motion carried unanimously.

**RECONVENE TO OPEN SESSION**

**MOTION:** Gregory Quandt moved, seconded by Robert Coleman, Jr., to reconvene in Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:27 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,  
IF VOTING IS APPROPRIATE**

**MOTION:** Jaime Ehmer moved, seconded by Carla Hedtke, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote).*

**DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES**

**MOTION:** Gregory Quandt moved, seconded by Jaime Ehmer, to delegate ratification of examination results to DSPS staff and to delegate and ratify all licenses and certificates as issued. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Robert Coleman, Jr. moved, seconded by Gregory Quandt, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:49 a.m.

DRAFT

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Dale Kleven Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>5/21/20</b> Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  <b>Massage Therapy and Bodywork Therapy Affiliated Credentialing Board</b>			
4) Meeting Date:  <b>6/2/20</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Administrative Rule Matters – Discussion and Consideration</b> <b>1. Scope Statement: MTBT 2, Relating to Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses</b> <b>2. Pending and Possible Rulemaking Projects</b> <b>a. MTBT 4, Relating to Requirements for Renewal and Reinstatement</b> <b>b. MTBT 5, Relating to Unprofessional Conduct</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:  1. Under prior law, the spouse of a service member could obtain a temporary reciprocal credential granted by DSPS or a board attached to DSPS. 2019 Wisconsin Act 143 expanded the availability of a reciprocal credential to include service members, former service members, and the spouses of former service members. The Act also provides that a reciprocal credential granted to a service member, former service member, or the spouse of a service member or former service member expires on the same renewal date as the credential that corresponds to the reciprocal credential, and that the reciprocal credential may be renewed by paying the applicable fee and satisfying the requirements that apply to renewing the corresponding credential. Also, under the Act, DSPS or a board attached to DSPS may promulgate rules necessary to implement the Act.			
11) <b>Authorization</b>			
Signature of person making this request <b><i>Dale Kleven</i></b>		Date <b><i>May 21, 2020</i></b>	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

# STATEMENT OF SCOPE

## Massage Therapy and Bodywork Therapy Affiliated Credentialing Board

**Rule No.:** Chapter MTBT 2

**Relating to:** Reciprocal credentials for service members, former service members, and their spouses

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):**

None.

**2. Detailed description of the objective of the proposed rule:**

The objective of the rule is to implement 2019 Wisconsin Act 143.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

2019 Wisconsin Act 143 entitles service members, former service members who were discharged within the prior four years under conditions other than dishonorable, and spouses of service members or former service members to obtain a credential if the person resides in Wisconsin and is in good standing with the governmental authorities in every jurisdiction outside Wisconsin that have granted the individual a credential that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board. The license may be renewed indefinitely.

This proposed rule will update ch. MTBT 2 to implement 2019 Wisconsin Act 143.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.085 (5) (b), Stats., provides that an affiliated credentialing board, such as the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board, “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains . . .”

Section 440.09 (5), Stats., provides that “[t]he department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

60 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Service members, former service members, and spouses of service members or former service members applying for a license to practice massage therapy or bodywork therapy.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

There is no existing or proposed federal regulation that addresses massage therapy or bodywork therapy licensure.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule is likely to have minimal or no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Dale Kleven, (608) 261-4472, DSPSAdminRules@wisconsin.gov

Approved for publication:

Approved for implementation:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date Submitted

\_\_\_\_\_  
Date Submitted



## PUBLIC AGENDA REQUEST FORM

### Instructions:

1. Fill out this form, and then save to your device.
2. Return to the "[Suggest an Agenda Item](#)" page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed "Public Agenda Request" form and send.

First Name: Jeffrey

Last Name: Montoya

Association/Organization: \_\_\_\_\_

Address Line 1: [REDACTED] \_\_\_\_\_

Address Line 2: \_\_\_\_\_

City: Milwaukee

State: WI

Zip: 53203

Phone Number: ([REDACTED]) [REDACTED]-[REDACTED]

Email: [REDACTED]

Subject: Entry-Level Massage Education Delivery

Issue to Address: According to the EAP, online or blended learning may not be part of entry-level message education. Jameson Whitney, legal counsel for DPS, stated at the 3/17/20 Affiliated Credentialing Board Meeting that the current Wisconsin Statutes and Administrative Rules, Particularly, Chapter MTBT 3, do not forbid online delivery of education The Technical Colleges in Wisconsin have incorporated online delivery of entry-level message education into at least one program with great results, The DPS have issued licenses to their students who have learned in this manner.

I would like the Board to clarify this issue, instruct the EAP to allow for online/blended learning for entry-level message therapy training in Wisconsin and clarify the Board has and will license students who graduate from an approved school which includes blended instruction.