



CAMTC Board of Directors Meeting

March 15, 2011

Radisson Los Angeles Airport Hotel

6225 West Century Blvd.

Los Angeles, CA

OPEN SESSION MINUTES

In attendance

Directors: Bob Benson, Pamela Blackburn, Mark Dixon, Ben Drillings, Guy Fuson, Keith Grant, Michael Marylander Beverly May, Roberta Rolnick, Michael Schroeder, Paul Schwinghamer, Joe Bob Smith, Dixie Wall

Directors Absent: William Armour, Judi Calvert, Michael Sheps

Staff: Ahmos Netanel, CEO; Jill Epstein, COO, Rick McElroy, Director of Professional Standards Division

General Counsel: Jill England

1. Call to Order/Welcome

Chairman May called the meeting to order at 9:40am.

2. Seating new Board Members

Chairman May reported that Mike Callagy, Deputy Chief of Police for the City of San Mateo, has been appointed to the CAMTC Board of Directors as the representative from the League of Cities. Mr. Callagy was not in attendance and, thus, not formally seated.

Previously, Director Mike Schroeder was tasked with making recommendations for categories of possible Board representation. Mr. Schroeder reported that he believes Mr. Rich Ratkelis should be added to the Board, and will discuss this possible new seat at the next Board meeting.

3. Chairman Report

Chairman May reviewed the rules of debate as a reminder for the Board.

Ms. May noted that this was her last meeting and spoke of her appreciation for the trust and support she received over the past 14 months. Various Board members and staff spoke about Ms. May's immense contributions to the industry and assured Ms. May that the organization is more effective as a result of her leadership.

Ms. May reviewed her thoughts on a nominating committee for future elections.

Motion (1): May/Schroeder – Whereas the Board has historically held uncontested elections for officers; And whereas it is desirable to have interested Board members identified prior to the annual election of officers; And whereas Board members are best suited to choose qualified candidates and prepare a slate of candidates that will be supported by the Board; Therefore, I move that a Nominating Committee be created each year, appointed by the Chairman and consisting of 2 Board members who do not plan to run for office, to prepare a slate of candidates.

Motion APPROVED, 12-0, May abstained

In conclusion, Ms. May noted that she hopes that there could be more detailed written reports submitted in advance of Board meetings instead of presentations. She believes this will allow the Board to spend the meeting time discussing policy, while still giving the Board the opportunity to have open discussion on any items in the reports.

4. Approval of Minutes

Motion (2): Rolnick/Dixon – Approve the January 18, 2011 minutes, confirming Beverly May abstained on page 6.

Motion APPROVED, 13-0

5. Election of Officers

Motion (3): Dixon Schwinghamer – Nominate Dixie Wall to serve as Chairman

Motion (4): Schwinghamer/Schroeder – Nominate Mark Dixon to serve as Vice Chairman

Motion (5): Rolnick/Smith – Nominate Mike Marylander to serve as Treasurer

Motion (6): Drillings/Benson – Nominate Roberta Rolnick to serve as Secretary

Declared elected by acclamation. New officers will be seated at the end of the March 15, 2011, meeting.

6. Re-Assessing Committees

In a continuing effort to move the Board from an operational Board to a governing/policy Board, and in response to the fact that the existing Committees were no longer functioning as Committees, the Board discussed the dissolution of all existing Committees. The Board acknowledged the 3 current Committee Chairs for all their work.

Motion (7): May/Dixon - Dissolve the Credentials Committee; Dissolve the PPLG Committee; Dissolve the Outreach Committee and appoint Roberta Rolnick to serve as Outreach

Liaison and Mark Dixon as Government Relations Liaison to the CEO to assist with decisions on communication and marketing strategies.

Motion APPROVED, 13-0

Director Paul Schwinghamer noted that he would like to have the “liaison” role defined for all Board liaison positions.

Motion (8): May/Schroeder – Create a CAMTC Audit Committee to be responsible for the oversight of audits and for the selection of an independent accounting firm.

Motion APPROVED, 13-0

Motion (9): May/Schroeder: Treasurer Mike Marylander appointed as Chair of the Audit Committee; Chair will populate the Committee.

Motion APPROVED, 13-0

7. CEO Report/Treasurer Report/PPLG Report/Outreach Report

Marketing Update - CEO Ahmos Netanel reported that the outreach/marketing efforts will be aimed at increasing applications. Six articles have been submitted to various massage publications written by members who can speak to the specific audiences. AMBP sent postcards to members who had not yet applied for CAMTC certification and will initiate a tell-a-friend campaign in coming weeks. A mailing to nationally certified massage therapists who have not yet applied will be sent shortly. Brochures are being printed to use at outreach events and to distribute at schools. Posters are being printed to send to schools. Facebook ads are currently running and early results show they are effective and cost-efficient. Future marketing plans include a video to show to graduating students and to post on You Tube and a CAMTC brochure aimed at employers.

Relationships with other organizations – Mr. Netanel presented at the Thai Consulate and is scheduled to present at the AMTA annual conference. Mr. Netanel and PSD Director Rick McElroy presented to the largest cities and Board members of the CA Police Chiefs Association.

Executive Management Composition – Mr. Netanel noted that the current trend is for cities and counties to require CAMTC certification. He also noted that certificate holders continue to have issues with cities and that he cannot be responsive enough on his own. Mr. Netanel recommended that CAMTC hire a Director of Government Relations to assist with the flow of local government issues.

Finances – Treasurer Michael Marylander noted that he is concerned with the number of new applications and the trend this is forecasting.

Auditor’s Report - Mr. Netanel presented the auditor’s report and noted that the auditor has serious concerns about the predicted deficit in 2011.

Motion (10): Schroeder/Rolnick – Accept and approve the “Independent Auditor’s Report” for 2010 as presented, with one correction to footnote #6, page 11 of the Financial Statements (year should be 2015).

Motion APPROVED, 13-0

Motion (11): Rolnick/Dixon – Review the auditor’s “Internal Control Communication” recommendation regarding budgeted loss and fees.

Substitute Motion: Schroeder/Smith – Task CEO and Treasurer to go back to auditor and ask her to revise the 3rd paragraph under budgeted loss in the “Internal Control Communication”; If she is unwilling to do so, management response will be to disagree and provide projections to substantiate reasons for disagreeing.

Substitute motion APPROVED, 12-0, May abstained

Motion (12): Schroeder/Wall – Approve all remaining management responses in auditor’s “Internal Control Communication” except with regard to “Employee Handbook” and “Election to Influence Legislation”.

Motion APPROVED, 12-0, May abstained

Motion (13): Schroeder/Smith – Management agrees with auditor’s recommendation to develop an Employee Handbook, but it must be carefully drafted so it does not make changes to employees’ at-will status; General Counsel is authorized to draft the handbook.

Motion APPROVED 12-0, May abstained

Motion (14): Schroeder/Rolnick - Task Treasurer and General Counsel to speak with the auditor to determine: what percentage of activities would constitute lobbying, whether CAMTC needs to file and what are the implications of filing the form 5768.

Motion APPROVED, 12-0, May abstained.

Motion (15) May/Benson – 2010 Treasurer and 2010 Chairman to review the form 990 before filing and the full Board to be provided a copy of the final version before filing.

Motion APPROVED, 12-0, May abstained.

Outside Management Requirements – Mr. Netanel reviewed the issue with the growing backlog of applications to be entered into the database and noted this was correlated to the fees paid to AMG. At the current fee level, CAMTC can expect to continue to see a backlog in data entry of applications.

Motion (16): Schroeder/Rolnick - Request AMG to modify the management contract to specify staffing levels and to require prior written approval from CAMTC before any changes in staffing

levels. Request AMG to reinstate a data entry staffperson at the current AMG monthly fee of \$55,000.

Motion APPROVED, 12-0, May abstained.

Motion (17) – Schroeder/Wall – In the event that AMG declines to provide previous staffing levels as stated for \$55,000 in Exhibit A of AMG’s staffing level proposal, CAMTC will modify fees to \$60,000 per month and have the CEO research other management options.

Motion APPROVED, 11-0, Grant and May abstained

Legislative Update – Mr. Netanel reported that AMTA is sponsoring clean-up legislation and he is working as an advisor to the bill’s sponsor.

Mr. Schroeder reported that a bill has been proposed to require police departments to share all arrest notifications and to provide information on where those arrested went to school and also to make it illegal to sell fake transcripts.

Motion (18) Schroeder/Benson – Endorse the Correa Senate bill for passage in the California legislature.

Motion APPROVED 13-0.

Mr. Schroeder added that he will be meeting with the new head of Control and Immigration, who has made human trafficking a top priority.

IT Update - Mr. Netanel reported that he approved an unbudgeted expense of \$4,000 to address a security issue with the online application.

Motion (19) Benson/Grant – Ratify action taken by CEO to fix online application security issue.

Motion APPROVED, 11-0, May abstained (Schroeder not present for vote)

Legal update - Mr. Netanel noted that he has requested a refund of the Manat law firm retainer as the issue for which they were retained to assist has been resolved. Mr. Netanel expects a refund of \$10,000.

8. Director of PSD – Update

Director Rick McElroy reported that there is great positive impact from the outreach meetings he conducts with Mr. Netanel. He noted that the in-person meetings provide law enforcement with a clear understanding of CAMTC work and corrects many misconceptions.

Mr. McElroy commented that the PSD staff has become bifurcated into a meetings team (to review files of new applicants or certificate holders with subsequent arrests) and a hearings team (to adjudicate cases where proposed denial or propose revocation letters have been issued). He believes the process has become more efficient and manageable and commended his team and

Special Counsel Alison Siegel for their good work. Mr. McElroy made a plea for salary raises for some of his key staff.

9. Executive Staff Reviews and Compensation Policy

Motion (20): Schroeder/Smith – Adopt the draft March 2, 2011, Compensation Policy.

Motion APPROVED, 12-0, May abstained.

Motion (21): Schroeder/Smith – Adopt the Senior Staff Annual Evaluation procedure.

Motion APPROVED, 12-0, May abstained.

Motion (22): Schroeder/Grant – Appoint Dixie Wall as Chair of Review Committee and populate the Committee.

Friendly Amendment – Schroeder/Grant - Board members to return the evaluation forms within a week of receipt to allow General Counsel adequate time to compile the results.

Motion APPROVED, 12-0, May abstained.

10. Requests for Expedited Processing

Chairman May noted that there have been requests by applicants to pay additional fees to expedite an application. Ms. May noted that this is logistically not possible since applications must wait for outside pieces before they can be processed. In addition, she noted that all applicants are hoping for a quick review. Ms. May recommended that the Board not consider any fee-based expedited processing.

11. Closed session with CAMTC legal counsel pursuant to Gov Code Section 11126(e)

The Board went into closed session at 1:45pm and returned to open session at 2:10pm.

12. Fee Increase

Chairman May noted that CAMTC fees are significantly lower than other states and cities and that the Board should continue to consider raising fees to cover future costs. Director Schwinghamer noted the idea of a “special assessment”.

Motion (23): May/Benson – Staff to determine the actual costs of issuing replacement ID/certificate and the costs associated with issuing an upgrade ID/certificate. Staff to consider fixed costs as well as staff time.

Motion APPROVED, 13-0

13. 2011 Priorities and Reconciliation with Budget

Motion (24): Schroeder/Smith – Adopt CAMTC proposed priorities as presented.

Friendly Amendment – Rolnick/Schwinghamer – Move “Review and Optimize Management/Operations Systems” to the #2 slot.

Substitute Amendment – May/Rolnick – Classify the priorities into themes and prioritize as follows:

1. Viability (#1, 4, 12 – attract a minimum of 13,000 initial applications and 80% recertification rate, assure financial viability of CAMTC, boost outreach)
2. Operations/Staff (#7,8,10- improve customer service, streamline management/operations, restructure and expand senior staff team)
3. Local Government (#2, 3 – be responsive to certificate holders’ municipal challenges, assure uniform implementation of state law by local governments)
4. Legislation (#5, 9 – form collaborative relationships with CPCA and major cities, support clean-up legislation and monitor other legislative initiatives)
5. Schools (#6 – keep addressing challenges with fraudulent school practices)
6. FSMTB (#11 – support FSMTB annual conference in CA in October, 2011)

Motion FAILED, 5-7, May abstained

Motion (25): Smith/Wall – Classify the priorities into themes and prioritize as follows:

1. Viability
2. Local Government
3. Operations/Staff
4. Legislation
5. Schools
6. FSMTB

Motion APPROVED, 12-0, May abstained.

Director Bob Benson added that running a solid PSD operation is integral to many of the other stated priorities.

14. Reduced waiting period for re-application

Motion (26): Dixon/Schroeder – Reduce waiting period for re-application from 2 years to 1 year after effective date of denial.

Motion APPROVED, 11-0, May and Schwinghamer abstained.

Mr. Netanel noted he will work with staff to notify the 2000 people who have already been denied.

15. COO Report

CCMP Compliance Stats – COO Jill Epstein reviewed the statistics for those people who have reached the one-year anniversary of CCMP status. She also noted that the 4 transcripts have not been accepted based on the clarified CCMP requirements that went into effect on February 1 and the files are incomplete until/unless a new, acceptable transcript is submitted.

IT Report - Ms. Epstein reported that much of the data in searches is now on Live Tables instead of being stored on a webserver, which dramatically increases security. Ms. Epstein transferred the domain name “camassagetherapy.org” from ABMP ownership to CAMTC ownership and pointed hits to that site to camtc.org. Ms. Epstein set up mozypro.com to back up

CAMTC files from staff computers. She also noted that she added a feature to the website that invites members of the public, school personnel, government officials to provide contact info to get CAMTC alerts.

Upgrades – Applicants who submit multiple transcripts and are approved at a lower level than expected are now getting a 90-day upgrade letter giving them 90 days to provide proof of the education that was not accepted. So far, 13 people have submitted insufficient proof for the upgrade and will receive PDL-Upgrade in June or July.

Recertification Status – Ms. Epstein has continued to work with the database vendor on the re-certification application and automated process. General counsel is drafting language for the application. The goal is to be functional by May, 2011, to allow the September, 2011 certificate holders ample opportunity to submit payment and complete an online application for re-certification.

Portal D modification – Ms. Epstein contacted BPPE and confirmed that they no longer “authorize” massage instructors and any massage instructor that was authorized by BPPVE had expired in June. Director Bob Benson and Chairman May directed Ms. Epstein to remove that part of Portal D that allows for CMP certification to “authorized massage instructors at an approved school” since that option no longer exists.

BPPE - Ms. Epstein provided an example of how she connected a police department with BBPE on a school-related issue that was outside of CAMTC’s jurisdiction.

PSD- Ms. Epstein reviewed the figures for recent proposed denial letters and for hearings held. She noted that Director Bob Benson did a great job at looking at the big PSD picture and developed a very useful budgeting tool for 2012.

990 Tax Form – Ms. Epstein reported that she has spent considerable time compiling data and answering questions for the auditor. She noted she is waiting for the remainder of Board members to submit their average amount of hours worked on CAMTC business in 2010.

Transition – Ms. Epstein noted that, per her letter of resignation, her last day will be April 8, 2011. She is preparing a transition document to summarize tasks that need to be delegated to others. She will be in Sacramento 2 more times before her final day. The Board asked Ms. Epstein to draft a memo on her staffing thoughts for a self-managed business model.

16. Definition of Massage

Chairman May presented some sample language for CAMTC to consider when crafting a definition of massage.

Motion (27): Schwinghamer/Rolnick – Form a Committee to determine if CAMTC should have a definition of massage and, if so, to propose a definition of massage for CAMTC purposes. Appoint Keith Grant as Chair and have Chair populate Committee with broad stakeholder representation.

Motion APPROVED, 12-0; (Schroeder not present for vote).

17. Future Meetings

Motion (28): Schroeder/Schwinghamer – Hold a telephonic Board meeting at 9:30am on April 6, 2011, for the purpose of discussing personnel matters including funding of new positions and compensation for existing positions.

Motion APPROVED, 12-0, May abstained.

Next in-person Board meeting will be Thursday, June 2, 2011. Location to be determined.

Board members were asked to save the dates of October 14-15 for the FSMTB annual conference at the Marriott, Manhattan Beach. CAMTC will not be hosting a symposium in conjunction with this event.

18. Seating of new Board members

Deborah Tuck was seated as the new AMTA representative to the Board, replacing Beverly May.

19. Adjournment

The meeting was adjourned at 4:55pm.

Minutes Approved June 2, 2011

Roberta Rolnick, Secretary