



Douglas A. Ducey  
Governor

# Arizona State Board of Massage Therapy

*"Protecting the Public,  
Serving the Industry"*

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## OPEN SESSION MINUTES FOR MEETING OF THE ARIZONA STATE BOARD OF MASSAGE THERAPY

Held on Friday, January 31, 2020

At: Office of the Arizona State Board of Massage Therapy  
1740 W. Adams Street, Board Room #C, Phoenix, Arizona 85007

### Board Members

Victoria Bowman, LMT, Chairwoman  
Mlee Clark, LMT, Vice-Chairwoman  
Nicholas L. McLain  
John Ortega  
Kevin Ramsey, LMT

### **I. CALL TO ORDER**

Chairwoman Bowman called the Board's meeting to order at 9:00 a.m.

### **II. ROLL CALL**

The following Board members were present: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

Present among Board staff include: Executive Director Tom Augherton, Senior Investigator Andrew White, Licensing Administrator Tony Wilcox, Minutes Administrator Andrea Cisneros, and Assistant Attorney General (AAG) Sabrina Khan.

### **III. CALL TO THE PUBLIC**

Legislative and Regulatory Affairs Program Manager Christine Hooper of the American Massage Therapy Association addressed the Board during the Call to the Public regarding the Federation of State Massage Therapy Boards' Human Trafficking Report.

### **IV. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503**

There were no Conflicts of Interest declared by Board members at the start of the Board's meeting.

### **V. REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES**

A. Discussion and approval of the Massage Board Open Minutes from the December 16, 2019 monthly meeting.

**MOTION: Vice-Chairwoman Clark moved for the Board to approve the December 16, 2019 Massage Board Open Minutes.**

**SECOND: Mr. Ortega**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

## **VI. BRIEFING BY REPRESENTATIVES FROM THE FEDERATION OF STATE MASSAGE THERAPY BOARDS (FSMTB)**

Executive Director Debra Persinger, PhD, Director Tom Ryan, and Director of Government Relations Lorena Haynes provided the Board with a presentation regarding Human Trafficking and Detecting License Fraud.

## **VII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

### **A. Formal Hearing(s)**

(1) Vacant

### **B. Formal Interview(s)**

(1) 20-121 Salgado, Joshua

Mr. Salgado and Complainant AS appeared before the Board for the Formal Interview.

**MOTION: Vice-Chairwoman Clark moved for the Board to enter into Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).**

**SECOND: Mr. Ramsey**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

The Board entered into Executive Session at 10:56 a.m.

The Board returned to Open Session at 11:06 a.m.

No legal action was taken by the Board during Executive Session.

**MOTION: Chairwoman Bowmann moved for the Board to issue a Non-Disciplinary CE Order to address miscommunication on the part of the Respondent. Within six months, the Respondent shall complete 8 hours of Board staff pre-approved live, in-person CE in business practices with communication. The CE hours shall be in addition to the CE hours required for renewal of licensure.**

**SECOND: Mr. McClain**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

### **C. Orders for Board Approval**

(1) 20-115 Li, Shu Ling

(2) 20-116 Jones, Rodyon

**MOTION:** Vice-Chairwoman Clark moved for the Board to approve the proposed orders in agenda items C(1) and C(2) as the Findings of Fact, Conclusions of Law and Order accurately reflect the Board's decision in case numbers 20-115 and 20-116.

**SECOND:** Chairwoman Bowmann

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, and Mr. McLain. The following Board members voted against the motion: Mr. Ortega and Mr. Ramsey.

**VOTE:** 3-yay, 2-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

D. Investigation Review File(s)

(1) 20-130 Yang, Limin

**MOTION:** Mr. Ortega moved for the Board to accept the proposed Consent Agreement for Surrender of Licensure.

**SECOND:** Chairwoman Bowmann

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

(2) 20-131 Zhang, Jing

**MOTION:** Vice-Chairwoman Clark moved for the Board to accept the proposed Consent Agreement for Surrender of Licensure.

**SECOND:** Mr. Ortega

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

(3) 20-119 Han, Tiffany

**MOTION:** Chairwoman Bowmann moved for the Board to continue this case to a future meeting date after completion of the criminal matter.

**SECOND:** Mr. Ortega

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

(4) 20-120 Zhang, Shimon

Ms. Zhang was present with Attorney Matthew Liszewski and Interpreter Zhaning Lei during the Board's consideration of this matter.

**MOTION:** Mr. Ortega moved for the Board to offer the Respondent a Consent Agreement to pay a fine in the amount of \$150 for failure to notify the Board of the arrest and conviction within ten days pursuant to statute, to be paid within 60 days.

**SECOND:** Vice-Chairwoman Clark

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. Ortega, and Mr. Ramsey. The following Board member voted against the motion: Mr. McClain.

**VOTE:** 4-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

(5) 20-137 Sampson, Christopher

Complainant MM was present during the Board's consideration of this matter.

**MOTION:** Mr. Ramsey moved for the Board to accept the proposed Consent Agreement for surrender of licensure.

**SECOND:** Mr. Ortega

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

E. Application Review

(1) Denton, Jeffrey

Mr. Denton was present during the Board's consideration of this matter.

**MOTION:** Mr. Ortega moved for the Board to grant licensure.

**SECOND:** Mr. McClain

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

(2) Wang, Chun

Ms. Wang was present with Attorney Cary Lackey during the Board's consideration of this matter.

**MOTION:** Vice-Chairwoman Clark moved for the Board to grant licensure.

**SECOND:** Chairwoman Bowmann

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.

**VOTE:** 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.

**MOTION PASSED.**

(3) Chen, Hong Yan

**MOTION:** Chairwoman Bowmann moved for the Board to grant licensure.

**SECOND:** Mr. Ramsey



**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

(4) Gasca, Olga

Ms. Gasca was present during the Board's consideration of this matter.

**MOTION: Chairwoman Bowmann moved for the Board to grant licensure.**

**SECOND: Mr. Ortega**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Mr. McLain, Mr. Ortega, and Mr. Ramsey. The following Board member voted against the motion: Vice-Chairwoman Clark**

**VOTE: 4-yay, 1-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

#### **VIII. EXECUTIVE DIRECTOR'S REPORT**

- A. Update on proposed rules pending before the Governor's Regulatory Review Council (GRRC)

#### **IX. DISCUSSION ON LICENSEE PHOTO IDENTIFICATION CARDS**

#### **X. SUMMARY OF CURRENT EVENTS**

#### **XI. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MASSAGE BOARD AGENDAS**

The Board discussed agendaizing for a future meeting a discussion item relating to documents received from GRRC.

#### **XII. NEXT ARIZONA MASSAGE BOARD MEETING DATE**

- A. Monday, February 24, 2020 at 9:30 a.m.  
At: The Arizona State Boards & Commission Building  
1740 W. Adams, Phoenix, Arizona 85007, Hearing Room C

#### **XIII. MOTION TO ADJOURN**

**MOTION: Vice-President Clark moved for adjournment.**

**SECOND: Mr. Ortega**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain, Mr. Ortega, and Mr. Ramsey.**

**VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse, 0-absent.**

**MOTION PASSED.**

The Board's meeting adjourned at 12:24 p.m.

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Tom Aughterton, Executive Director