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Governor



Arizona State Board of Massage Therapy

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Open Session Minutes Meeting of the Arizona State Board of Massage Therapy

Monday, November 27, 2023
Held via videoconferencing

Board Members

Angela M. Reiter, LMT, BC – Chair
Bailey S. DeRoest – Vice-Chair
Michael K. Tapscott, LMT

I. CALL TO ORDER

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

II. ROLL CALL

The following Board members participated in the virtual meeting: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

ALSO PRESENT

The following Board staff and Assistant Attorney(s) General participated in the virtual meeting: Executive Director Tom Aughterton, Investigator David Elson, Licensing Specialist Paul Schuldt and Licensing Administrator Tony Wilcox. Assistant Attorneys General ("AAG") Jeanne Galvin and Casey Hutchison also participated in the virtual meeting.

III. CALL TO THE PUBLIC

No individuals addressed the Board during the Call to the Public.

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

None.

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

Approval of State Board Regular Meeting Minutes for June 26, 2023, July 10, 2023 and September 25, 2023.

MOTION: Chairwoman Reiter moved for the Board to approve the Meeting Minutes for October 23, 2023.

SECOND: Mr. Tapscott

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

VI. PRESENTATION SPEAKER

Mr. Steve Mortel, 360 Strategies – Arizona Legislative policy issues

VII. BOARD CHAIR COMMENTS TO BOARD MEMBERS & STAFF

- A. Update on the State Board’s Industry Advisory Group
- B. Briefing by IA group member Stephanie Rodriguez on CAMTC regular group virtual call regarding CA massage program.
- C. Discussion, review and possible direction to staff regarding language in A.R.S. § 32-926 regarding unlicensed massage performed under a chiropractor license.

MOTION:

SECOND:

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

The Board entered into Executive Session at 9:35 a.m.

The Board returned to Open Session at 9:48 a.m.

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

MOTION: Mr. Tapscott moved for the Board to draft a letter to the Chiropractor Board and Association clarifying the Massage Therapy Board’s position on the use of massage therapy and that it should only be utilized and performed by licensed massage therapists, and that the Board eagerly awaits their response and stance on this subject matter.

SECOND: Chairwoman Reiter

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

VIII. CONTINUING EDUCATION (“CE”) CREDITS FOR BOARD MEETING ATTENDANCE

MOTION: Mr. Tapscott moved for the Board to allow 6 hours of online CE to be fulfilled by attending regularly scheduled Board meetings.

SECOND: Vice-Chairwoman DeRoest

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

IX. ARIZONA STATE LICENSING DIGITAL; REMINDER OF BOARD LICENSING PROCEDURES

X. ARIZONA MESSAGE BOARD 2024 ANTI-HUMAN TRAFFICKING LEGISLATION

XI. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

A. Formal Hearing(s)

(1) 23-044 Jiafeng Wang MT-26684

This item was continued to the Board’s next meeting.

(2) 23-018 Lisha Bao LMT-27615

This item was continued to the Board’s next meeting.

B. Formal Interview(s)

Vacant.

C. Investigative Review(s) – to include possible cease and desist order and/or referral to local law enforcement.

(1) 23-099 Willie Bryant MT-19611

The Respondent and HA participated in the virtual meeting during the Board’s consideration of this matter.

MOTION: Chairwoman Reiter moved for dismissal.

SECOND: Mr. Tapscott

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

D. License Application(s) Requiring Board Review

(1) 23-094 Mark Perkins

MOTION: Chairwoman Reiter moved that based upon the information presented at this meeting and contained in the investigation report, upon meeting all licensure requirements and entering into a Consent Agreement for a Letter of Concern, the Board shall grant the license.

SECOND: Vice-Chairwoman DeRoest

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

(2) 23-102 Aaliyah Jefferson

MOTION: Chairwoman Reiter moved for the Board to table this matter for further investigation to coordinate with law enforcement.

SECOND: Mr. Tapscott

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

(3) 23-101 Shi Ping Peterson MT-15508 (expired)

MOTION: Chairwoman Reiter moved for the Board to grant the license provided that all licensure requirements have been met by the applicant.

SECOND: Vice-Chairwoman DeRoest

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Vice-Chairwoman DeRoest and Mr. Tapscott.

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

MOTION PASSED.

E. Disciplinary Monitoring Updates

Vacant.

XII. REPORT BY BOARD INVESTIGATOR

Senior Investigator David Elson

XIII. EXECUTIVE DIRECTOR'S REPORT

State Board operations update: Board's database conversion status, website expiration, and license processing levels.

XIV. DISCUSSION, REVIEW AND PROPOSALS FOR POSSIBLE BOARD AGENDA ITEMS FOR ACTION FOR FUTURE STATE MEETINGS

- Discussion regarding body sculpting and other equipment being used in massage therapy to affect soft tissue and whether or not this is regulated by this Board.

The next Board meeting date:

Monday, January 22, 2024 at 9:00 a.m.; to be held via videoconference.

XIII. ADJOURNMENT

The Board's meeting adjourned at 12:06 p.m.