



Douglas A. Ducey  
Governor

# Arizona State Board of Massage Therapy

*"Protecting the Public,  
Serving the Industry"*

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

Held on Monday, November 25, 2019

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

### Board Members

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

### I. CALL TO ORDER

Chairwoman Bowmann called the Board's meeting to order at 9:31 a.m.

### II. ROLL CALL

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

Present among Board staff include: Executive Director Augherton, Senior Investigator Andrew White, Licensing Administrator Tony Wilcox, Minutes Administrator Andrea Cisneros, Assistant Attorney General (AAG) Sabrina Khan, and AAG Beth Campbell was present for independent legal advice on the Hearing case.

### III. CALL TO THE PUBLIC

There were no individuals that addressed the Board during the Call to the Public portion of the meeting.

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

Conflicts of interest declared by Board members appear beneath the matter(s) referenced and are identified in the form of recusals.

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

- A. Discussion and approval of the Massage Board Open Minutes from the August 26, 2019 Board Meeting.
- B. Discussion and approval of the Massage Board Open Minutes from the October 28, 2019 Regional Board Meeting.

**MOTION:** Vice-Chairwoman Clark moved for the Board to approve the minutes of August 26, 2019, and October 28, 2019.

**SECOND:** Mr. Ramsey

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

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

**MOTION PASSED.**

**C. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

**A. Formal Hearing(s)**

(1) 19-154 Saganuma, Kailoa

Mr. Kailoa was not present during the Board's consideration of this matter. AAG Khan was present on behalf of the State. AAG Campbell was present for independent legal advice.

**MOTION: Vice-Chairwoman Clark moved for the Board to find that the State has demonstrated by a preponderance of the evidence the factual allegations in the Complaint and to adopt these allegations as the Board's Findings of Fact.**

**SECOND: Mr. Ortega**

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

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

**MOTION PASSED.**

**MOTION: Vice-Chairwoman Clark moved for the Board to find that the Findings of Fact constitute a violation of the statutes and/or rules set forth in the Complaint and adopt the alleged violations as the Board's Conclusions of Law.**

**SECOND: Mr. Ramsey**

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

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

**MOTION PASSED.**

**MOTION: Vice-Chairwoman Clark moved for the Board to issue an Order for license revocation.**

**SECOND: Mr. Ortega**

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

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

**MOTION PASSED.**

**C. Formal Interview(s)**

(1) 19-177 Farino, Michael

Mr. Farino was present with Attorney Joseph Hamby. Complainant TO was present with Attorney David Shapiro.

**MOTION: Vice-Chairwoman Clark moved for the Board to issue a Non-Disciplinary Order to complete 16 hours of in-person, pre-approved Continuing Education (CE) for draping, communication, and ethics. The CE hours shall be in addition to the hours required for license renewal.**

**SECOND: Chairwoman Bowmann**

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

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

**MOTION PASSED.**

(2) 20-113 Cox-Pitt, Sirena

Ms. Cox-Pitt was present without legal counsel during the Board's consideration of this case.

**MOTION: Mr. Ortega moved for dismissal.**

**SECOND: Vice-Chairwoman Clark**

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

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

**MOTION PASSED.**

D. Removal from Probation

(1) 19-130 Boyle, Robert

Mr. Ramsey was recused from this case. Mr. Boyle was present during the Board's consideration of this matter.

**MOTION: Chairwoman Bowmann moved for the Board to terminate the Probation.**

**SECOND: Mr. Ortega**

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

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

**MOTION PASSED.**

D. Investigation Review File(s)

(1) 20-119 Han, Tiffany

(2) 20-120 Zhang, Shiman

**MOTION: Chairwoman Bowmann moved for the Board to continue item numbers 1 and 2 and have the matters return to the Board within a reasonable timeframe.**

**SECOND: Vice-Chairwoman Clark**

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

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

**MOTION PASSED.**

(3) 20-121 Salgado, Joshua

Mr. Salgado was present without legal counsel during the Board's consideration of this case.

**MOTION: Mr. Ramsey moved for the Board to proceed to Formal Interview in this case.**

**SECOND: Mr. Ortega**

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

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

**MOTION PASSED.**

(4) 20-123 Ruiz, Jessica

Ms. Ruiz was present without legal counsel during the Board's consideration of this case.

**MOTION: Mr. Ortega moved for dismissal.**

**SECOND: Mr. McClain**

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

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

**MOTION PASSED.**

a. Application Review

(1) Kirschenbaum, Gregory

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

**MOTION: Mr. Ortega 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. McClain, 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: Mr. Ortega 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. McClain, Mr. Ortega, and Mr. Ramsey.**

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

**MOTION PASSED.**

**MOTION: Chairwoman Bowmann moved for the Board to rescind approval of licensure in this case and continue the matter until the pending criminal case has been concluded.**

**SECOND: Mr. Ortega**

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

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

**MOTION PASSED.**

(3) Cheng, Yayu

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

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

**SECOND: Vice-Chairwoman Clark**

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

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

**MOTION PASSED.**

(4) Deng, Chao Feng

Ms. Deng 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, Vice-Chairwoman Clark, Mr. McClain, Mr. Ortega, and Mr. Ramsey.**

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

**MOTION PASSED.**

(5) Zhang, Dayan

Ms. Zhang 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, Vice-Chairwoman Clark, Mr. McClain, Mr. Ortega, and Mr. Ramsey.**

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

**MOTION PASSED.**

**E. EXECUTIVE DIRECTOR'S REPORT**

A. Agency Operations

**F. SUMMARY OF CURRENT EVENTS**

No action was taken by the Board under this Agenda item.



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

The Board directed staff to place the following item on a future Agenda for further discussion:

The noted increase of individuals applying for Arizona licensure who are coming from California with a history of criminal charges involving prostitution that are ultimately pled down to disorderly conduct.

**X. NEXT ARIZONA MASSAGE THERAPY BOARD MEETING DATE**

Monday, December 16, 2019 at 9:30 a.m.

At: The Arizona State Boards & Commission Building  
1740 W. Adams, Phoenix, Arizona 85007, Hearing Room C

**XI. MOTION TO ADJOURN**

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

**SECOND:** Mr. Ortega

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

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

**MOTION PASSED.**

The Board's meeting adjourned at 12:22 p.m.

A handwritten signature in black ink, appearing to read "Tom Augherton".

Tom Augherton, Executive Director