

Douglas A. Ducey
Governor



Arizona State Board of Massage Therapy

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

Monday, December 6, 2021
Held via videoconferencing

Board Members

Angela M. Reiter, LMT, BC – Chair
Myriah Mhoon – Vice-Chair
Bailey S. DeRoest
Michael K. Tapscott, LMT
Vacant, Public Member

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 Mhoon, Ms. DeRoest and Mr. Tapscott.

ALSO PRESENT

The following Board staff and Assistant Attorney(s) General participated in the virtual meeting: Executive Director Tom Augherton, Investigator David Elson, Licensing Specialist Paul Schuldt, Licensing Administrator Tony Wilcox and Minutes Administrator Andrea Cisneros. Assistant Attorney General ("AAG") Seamus Monaghan also participated in the virtual meeting. AAG Monique Coady participated in the virtual meeting to provide the Board with independent legal advice on the hearing matter(s) as stated herein.

III. CALL TO THE PUBLIC

KD spoke during the Call to the Public and stated her concerns regarding LMT Timothy Williams.

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

None.

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

- A. Discussion and approval of the Massage Board Open Minutes from the November 22, 2021 monthly meeting.

MOTION: Chairwoman Reiter moved for the Board to approve Open Minutes from the Board's November 22, 2021 monthly meeting.

SECOND: Mr. Tapscott

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

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

MOTION PASSED.

VI. REVIEW, DISCUSSION AND POSSIBLE ACTION ON CHANGES TO CURRENT BOARD POLICIES AS LISTED BELOW:

- A. LMT Continuing Education ("CE") hours may all be taken virtually, and a total of 3 hours each year can be granted as CE hours by registering at, and attending, a three-hour Board meeting. Board grants a total of 6 hours toward biennial licensing, for attending 2 Board meetings.

MOTION: Chairwoman Reiter moved for the Board to change its current policy to allow LMT CE hours to be taken virtually, and a total of 3 hours each year can be granted as CE hours by registering at, and attending, a three-hour Board meeting. Board to grant a total of 6 hours toward biennial licensing, for attending two Board meetings.

SECOND: Mr. Tapscott

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

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

MOTION PASSED.

- B. Board instruct staff when reviewing re-licensure applicants, prior to automatic licensure, to submit for Board review when history includes previous felony convictions, including after statute of limitations has passed.

MOTION: Chairwoman Reiter moved for the Board to instruct staff when reviewing re-licensure applicants, prior to automatic licensure, to submit for Board review when history includes previous felony convictions, including after statute of limitations has passed, following receipt of a new inked fingerprint card for an updated criminal background check.

SECOND: Vice-Chairwoman Mhoon

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

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

MOTION PASSED.

VII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

A. Formal Hearing

(1) Timothy Williams, 22-123, MT License #15826

AAG Monaghan participated on behalf of the State. AAG Coady participated to provide the Board with independent legal advice. Mr. Williams was not present during the Board's consideration of this matter.

MOTION: Chairwoman Reiter moved for the Board to postpone this matter to its December 20, 2021 meeting.

SECOND: Ms. DeRoest

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

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

MOTION PASSED.

B. Formal Interview

Vacant.

C. Investigative Review File(s) – And ratification of previous motion from 11/22/2021

(1) 21-110 Faulstich, Stephen MT#22301

MOTION: Chairwoman Reiter moved for the Board to rescind the prior motion and remand this matter back to Investigative Review.

SECOND: Vice-Chairwoman Mhoon

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

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

MOTION PASSED.

MOTION: Chairwoman Reiter moved for the Board to proceed to Formal Interview in this matter based on the potential violations of law and factual allegations as outlined in the investigative report.

SECOND: Mr. Tapscott

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

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

MOTION PASSED.

D. License Request

Vacant.

VIII. BOARD TO REVIEW, DISCUSS WITH PRESENTERS AND TAKE POSSIBLE ACTION REGARDING PRESENTATION BY SERGEANT MIKE WALTER WITH THE PHOENIX POLICE DEPARTMENT HUMAN EXPLOITATION & TRAFFICKING UNIT, AND MARK DOTY, THE MCCAIN INSTITUTE, RE: HUMAN TRAFFICKING IN ARIZONA.

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

- Providing trigger warning disclosure and caution when dealing with anything graphic.
- Establishing a mechanism for the Board to partner with law enforcement for human trafficking month in January of 2022.

The next Board meeting date:

Monday, December 20, 2021 at 9:00 a.m.; to be held via videoconference

X. ADJOURNMENT

The Board's meeting adjourned at 11:02 a.m.