

Douglas A. Ducey  
Governor



# Arizona State Board of Massage Therapy

1740 W. Adams, Suite 3401  
Phoenix, Arizona 85007

Email: [info@massageboard.az.gov](mailto:info@massageboard.az.gov)  
Website: [www.massageboard.az.gov](http://www.massageboard.az.gov)

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

Monday, December 20, 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 9:01 a.m.

### **II. ROLL CALL**

The following Board members participated in the virtual meeting: Chairwoman Reiter, Vice-Chairwoman Mhoon and Ms. DeRoest. The following Board member was absent: 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 regarding her complaint involving 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 December 6, 2021 monthly meeting.

**MOTION: Chairwoman Reiter moved for the Board to approve Open Minutes from the Board's December 6, 2021 monthly meeting.**

**SECOND: Ms. DeRoest**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

**VI. 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 enter into Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).**

**SECOND: Vice-Chairwoman Mhoon**

This motion was withdrawn.

**MOTION: Chairwoman Reiter moved for the Board to postpone this matter to its January 2022 meeting.**

**SECOND: Vice-Chairwoman Mhoon**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.**

**MOTION PASSED.**

- B. Formal Interview

Vacant.

- C. Investigative Review File(s)

(1) 21-133 Hernandez, Adrian MT License #22-123

Mr. Hernandez and Complainant BH participated in the virtual meeting during the Board's consideration of this matter.

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

**SECOND: Chairwoman Reiter**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

The Board entered into Executive Session at 9:26 a.m.  
The Board returned to Open Session at 9:34 a.m.  
No legal action was taken by the Board during Executive Session.

**MOTION: Vice-Chairwoman Mhoon moved for the Board to summarily suspend the license based on the finding that the public health, safety and welfare imperatively requires emergency action by the Board pursuant to A.R.S. §§ 32-4254(B) and 41-1092.11(B).**

**SECOND: Ms. DeRoest**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

**MOTION: Chairwoman Reiter moved for the Board to rescind its previous motion.**

**SECOND: Vice-Chairwoman Mhoon**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

**MOTION: Chairwoman Reiter moved for the Board to accept the preliminary Findings of Fact and Conclusions of Law based on the information contained in the investigative report and summarily suspend the license based on the finding that the public health, safety and welfare imperatively requires emergency action by the Board pursuant to A.R.S. §§32-4254(B) and 41-1092.11(B).**

**SECOND: Ms. DeRoest**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

(2) 22-120 Peck, Charles MT License #22-120

Mr. Peck participated in the virtual meeting during the Board's consideration of this matter.

**MOTION: Chairwoman Reiter moved for the Board to accept the preliminary Findings of Fact and Conclusions of Law based on the information contained in the investigative report and summarily suspend the license based on the finding that the public health, safety and welfare imperatively requires emergency action by the Board pursuant to A.R.S. §§32-4254(B) and 41-1092.11(B).**

**SECOND: Ms. DeRoest**

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

**VOTE: 3-yay, 0-nay, 0-abstain, 0-recuse, 1-absent.  
MOTION PASSED.**

- D. Massage Therapy License Application(s) Requiring Board Review  
Vacant.

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

- Consideration to add photos to licenses
- Potential conflicts that could arise by offering resources for counseling for complainants
- Possible educational presentations regarding sexual abuse and trauma
- Possible mandate to require designation of CEs in ethics for license renewals

The next Board meeting date:

Monday, January 24, 2022 at 9:00 a.m.; to be held via videoconference

**X. ADJOURNMENT**

The Board's meeting adjourned at 10:06 a.m.