



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

Tuesday, May 25, 2021
Held virtually online

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 9:30 a.m.

II. ROLL CALL

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

ALSO PRESENT

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

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

No conflicts were declared by any members.

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

A. Discussion and approval of the Massage Board Open Minutes from the April 26, 2021 monthly meeting.

MOTION: Vice-Chairwoman Clark moved for the Board to approve the Open Minutes from the April 26, 2021 monthly meeting.

SECOND: Mr. Ramsey

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 was absent: Mr. McClain.

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

VI. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

A. Formal Hearing

Vacant.

B. Formal Interview

(1) 21-128 Shan, Danny

Mr. Shan and Attorney Michael Goldberg participated in the virtual meeting during the Board's consideration of this matter.

MOTION: Mr. Ramsey moved for the Board to offer the licensee a Consent Agreement for voluntary surrender of licensure. If not signed within 20 days, the matter shall proceed to Formal Hearing for license revocation based on the factual allegations as set forth in the investigative report, including A.R.S. § 32-4253(A)(18) for aiding and abetting a person not licensed in this State, and the testimony heard today.

SECOND: Mr. Ortega

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

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

MOTION PASSED.

C. Investigative Review

(1) 21-140 Kane, Zane

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

MOTION: Mr. Ortega moved for dismissal.

SECOND: Mr. Ramsey

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

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

MOTION PASSED.

(2) 21-141 Stewart, Ty'amber

Complainant BB participated in the virtual meeting during the Board's consideration of this matter.

MOTION: Vice-Chairwoman Clark moved for the Board to offer the licensee a Consent Agreement for voluntary surrender of licensure. If not signed within 20 days, the matter shall proceed to Formal Interview based on the potential violations of law and the factual allegations as set forth in the investigative report and the testimony heard today.

SECOND: Chairwoman Bowmann

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

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

MOTION PASSED.

(3) 21-157 Dellosa, Jeremy

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

MOTION: Chairwoman Bowmann moved for the Board to postpone this matter to its June 2021 meeting.

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 was absent: Mr. McClain.

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

MOTION PASSED.

D. License Request

Vacant.

VII. BUSINESS OWNER/MANAGER LICENSEE, DUTY TO REPORT

VIII. EXECUTIVE DIRECTOR'S REPORT

A. Request of Board for designation of the Arizona Delegate to the 2021 Federation of State Massage Boards ("FSMTB") Annual Meeting in Charlotte, NC on October 7-9, 2021.

MOTION: Chairwoman Bowmann nominated Mr. Ramsey to serve as Arizona Delegate to the 2021 FSMTB Annual Meeting.

SECOND: Mr. Ortega

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

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

MOTION PASSED.

IX. SUMMARY OF CURRENT EVENTS



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

The Board directed staff to agendize the following discussion topics for a future meeting:

- Update under the Executive Director's Report relating to the COVID-19 Waiver of CE and communications with the Governor's Office.
- Update from Mr. Ramsey regarding the recent FSMTB membership forum and the topic of hybrid education programs.
- Tools and resources available to individuals seeking therapists with specialty/advanced education.

XI. NEXT ARIZONA MASSAGE BOARD MEETING DATE

A. Monday, June 28, 2021 at 9:00 a.m. *(to be held via video conferencing)*

XII. MOTION TO ADJOURN

The Board's meeting adjourned at 11:13 a.m.

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

Tom Augheron, Executive Director