



Arizona State Board of  
Massage Therapy  
“Protecting the Public’s Health”

1740 West Adams, Suite 3401  
Phoenix, Arizona 85007  
P: (602)542-8604  
E: [info@massageboard.az.gov](mailto:info@massageboard.az.gov)  
W: <https://massagetherapy.az.gov>

Douglas A. Ducey,  
Governor

## OPEN SESSION MINUTES

### December 17, 2018

Members of the Arizona State Board of Massage Therapy (“Board”) held a meeting at 9:32 a.m. on Monday, December 17, 2018 at the Board’s office in Boardroom C, 1740 West Adams Street, Phoenix, Arizona 85007. No executive sessions were held.

#### BOARD MEMBERS:

Earl Duskey, LMT ..... Board Chairperson and Therapist Member  
Victoria Bowmann, LMT..... Board Vice-Chairperson and Therapist Member  
William “Bill” Beard ..... Public Member  
Mlee Clark, LMT ..... Therapist Member  
John Ortega. .... Public Member

#### STAFF AND ASSISTANT ATTORNEY(S) GENERAL PRESENT:

Ryan P. Edmonson..... Executive Director  
Michael Raine, Esq. .... Assistant Attorney General  
Mary DeLaat-Williams, Esq. .... Assistant Attorney General, Independent Legal Advisor  
Andrew White ..... Board Investigator  
Tony Wilcox ..... License Administrator  
April Romero ..... Administrative Assistant II

#### GUEST(S) PRESENT AND/OR PARTICIPATING:

Garnet Adair, LMT ..... American Massage Therapy Association, Arizona Chapter  
Terrel Cork, LMT ..... Respondent – Case 19-109  
Tiffany Harris..... Witness – Case 19-109  
Vanessa Glover ..... Witness – Case 19-109  
Complainant ..... Case 19-112  
David Shapiro, Esq ..... Complainant’s Attorney – Case 19-112 & 19-113  
Complainant ..... Case 19-113

**OPEN SESSION**

The meeting was called to order at 9:32 a.m. by Earl Duskey. The following order of business was then considered:

**CALL TO THE PUBLIC**

No one from the public wished to address the Board.

**DECLARATION OF CONFLICTS OF INTEREST**

No new conflicts were declared.

**REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES**

Discussion and approval of the Open Session Minutes from the November 26, 2018 board meeting

A motion was made by Bill Beard, seconded by Mlee Clark and passed unanimously to approve the Open Session Minutes from the November 26, 2018 board meeting.

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

Formal Hearing(s)

File No. 19-109; Cork, Terrel

Terrel Cork was present and represented himself. Michael Raine was present and appeared on behalf of the State. Mary DeLaat-Williams was present to provide independent legal advice to the Board.

The State withdrew its motion to deem the allegations as admitted under A.R.S. § 32-4254(H) for failure to respond; then submitted two exhibits, which were admitted by the Board. The State presented its case in chief without witness testimony. The respondent presented his case in chief.

Per the Board's request, the State called, as a witness, Tiffany Harris, Massage Envy complaint manager to answer questions from the Board. Per the Board's request, the State called, as a witness, Vanessa Glover, Massage Envy location manager to answer questions from the Board.

After discussion, a motion was made by Victoria Bowmann, seconded by Mlee Clark and passed unanimously to find that the State failed to prove, by a preponderance of the evidence, the factual allegations with the exception of paragraph 1, in the Complaint and Notice of Hearing.

A motion was made by Victoria Bowmann and seconded by Bill Beard to dismiss the remaining allegations. The motion passed 5 – 0 with the following roll call vote:

Mlee Clark – Aye

Bill Beard – Aye

Victoria Bowmann – Aye

Earl Duskey – Aye

John Ortega – Aye

*The Board took a break from 10:48 a.m. – 11:00 a.m.*

File Nos. 19-112 and 19-113; Berk, Lane

Lane Berk was not present. Michael Raine was present and appeared on behalf of the State. Mary DeLaat-Williams was present to provide independent legal advice to the Board.

The State filed a motion to deem the allegations as admitted under A.R.S. § 32-4254(H) for failure to respond.

A motion was made by Bill Beard, seconded by Mlee Clark and passed unanimously to deem the allegations in the Complaint and Notice of Hearing as admitted.

A motion was made by Victoria Bowmann, seconded by Bill Beard and passed unanimously to adopt the Factual Allegations, the Allegations of Unprofessional Conduct and the Parties and Jurisdiction from the Complaint and Notice of Hearing as the Findings of Fact and Conclusions of Law.

A motion was made by Victoria Bowmann and seconded by Mlee Clark to revoke the respondent's massage therapy license. The motion passed 5 – 0 by the following roll call vote:

Mlee Clark – Aye  
Bill Beard – Aye  
Victoria Bowmann – Aye  
John Ortega – Aye  
Earl Duskey – Aye

Investigation File(s)

File No. 19-118; Castro, Sergio

Sergio Castro was not present. Andrew White provided a summary of the investigation, which included allegations of sexual assault.

A motion was made by Victoria Bowmann and seconded by Bill Beard to offer a Consent Agreement for the surrender of the respondent's massage therapy license and if not accepted within 10 days from the date offered to proceed to file a Complaint and Notice of Hearing. The motion passed 5 – 0 with the following roll call vote:

Mlee Clark – Aye  
Bill Beard – Aye  
Victoria Bowmann – Aye  
John Ortega – Aye  
Earl Duskey – Aye

File No. 19-119; Ryska, David

David Ryska was not present. Andrew White provided a summary of the investigation, which included allegations of sexual assault.

A motion was made by Bill Beard and seconded by John Ortega to offer a Consent Agreement for the surrender of the respondent's massage therapy license and if not accepted within 10 days from

the date offered to proceed to file a Complaint and Notice of Hearing. The motion passed 5 – 0 with the following roll call vote:

Mlee Clark – Aye  
Bill Beard – Aye  
Victoria Bowmann – Aye  
John Ortega – Aye  
Earl Duskey – Aye

Unlawful Use of the Massage Therapy Designation and/or Unlawful Practice

File No. 19-121; Chen, Siwei (A1 Foot Relexology)

File No. 19-122; Deng, Sarah (G & D Relexology)

File No. 19-124; “Maggie” (Happy Feet Reflexology)

File No. 19-125; Cuo, Linda Kim (QC Reflexology)

File No. 19-126; Tate, Cherissa (Sedona Wellness Spa)

File No. 19-127; Mai, Ling Mon (YoYo’s Foot Massage)

File No. 19-128; Zhao, Angela (AJ Reflexology)

None of the respondents were present. Andrew White summarized the investigations and explained that each respondent has since made corrections to comply with statutes.

A motion was made by Victoria Bowmann, seconded by Bill Beard and passed unanimously to accept the respondents’ responses and close the files.

File No. 19-123; Armstrong, Jon

Jon Armstrong was not present. Andrew White summarized the investigation. The State recommended the Board consider filing an injunction.

After discussion, a motion was made by Bill Beard, seconded by Mlee Clark and passed unanimously to direct the Assistant Attorney General to file an injunction in superior court against the respondent for practicing massage therapy and advertising as a massage therapist without an active Arizona license.

File No. 19-129; Rudolph-Rouse, Traci

Traci Rudolph-Rouse was not present. Andrew White summarized the investigation.

After discussion, a motion was made by Victoria Bowmann, seconded by Bill Beard and passed unanimously to direct the Assistant Attorney General to file an injunction in superior court against the respondent for practicing massage therapy and advertising as a massage therapist without an active Arizona license.

Application(s) for Massage Therapy School(s) Recognition

Cypress Hill Institute – Santa Cruz, CA

A motion was made by Victoria Bowmann, seconded by Mlee Clark and passed unanimously to approve Cypress Hill Institute as a Board-recognized school.

**EXECUTIVE DIRECTOR'S REPORT**

The Board reviewed agency operations with Ryan P. Edmonson, including potential board meeting dates for the 2019 calendar year.

**SUMMARY OF CURRENT EVENTS**

Ryan P. Edmonson informed the Board that he was offered and accepted a position as the Executive Director of the Arizona State Board of Dental Examiners.

**DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTRUE MEETING AGENDAS**

Ryan P. Edmonson suggested setting a telephonic meeting to discuss the Board's options for hiring a new executive director.

A motion was made by Victoria Bowmann, seconded by Mlee Clark and passed unanimously to set a telephonic board meeting within a week to discuss the Board's options for hiring a new executive director.

**NEXT BOARD MEETING DATE**

Monday, January 28, 2019

**ADJOURNMENT**

A motion was made by Victoria Bowmann, seconded by Bill Beard and passed unanimously to adjourn at 11:56 a.m.