

Katie Hobbs  
Governor



# Arizona State Board of Massage Therapy

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

Monday, February 27, 2023  
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, Ms. DeRoest and Mr. Tapscott. The following Board member was absent: Vice-Chairwoman Mhoon.

### **ALSO PRESENT**

The following Board staff and Assistant Attorney(s) General participated in the virtual meeting: Executive Director Tom Aughterton, Investigator David Elson, Licensing Specialist Paul Schuldt and Licensing Administrator Tony Wilcox. Assistant Attorney General ("AAG") Seamus Monaghan participated in the virtual meeting.

### **III. CALL TO THE PUBLIC**

Michelle Cordero, Education Director, ASIF Massage Education, addressed the Board during the Call to the Public requesting issuance of new provisional licenses similarly to the manner in which renewal licenses are currently issued despite an applicant's inability to obtain a fingerprint clearance card at this time.

Janet Cuppage addressed the Board and questioned how the Board planned to address the current licensing delays, particularly for new graduates.

Noelle Wallwork spoke during the Call to Public and echoed the other members' comments regarding concerns relating to current licensing delays involving the inability for applicants to obtain fingerprint clearance cards.

Judy Stahl also addressed the Board during the Call to the Public and stated her appreciation for the Board and its mission to protect the public, and also spoke in support of the Board working in conjunction with applicants to address licensing concerns.

Brett Bigelow addressed the Board during the Call to the Public stating his concerns relating to the pendency of his license application.

Christy Hutchinson, Regional Manager, Elements Massage, spoke during the Call to the Public stating concerns regarding current licensing delays and how they have impacted their business and its ability to grow with new therapists that she stated are desperately needed.

**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 January 23, 2023 and February 6, 2023.

**MOTION: Chairwoman Reiter moved for the Board to approve the Open Minutes from January 23, 2023.**

**SECOND: Ms. DeRoest**

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

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

**MOTION PASSED.**

**VI. CHAIR'S REPORT**

- A. Industry Issues Briefing by Mr. Kevin Snedden, Director of Industry Relations, Federation of State Massage Therapy Boards; Q & A from Board Members

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

**A. Formal Interview(s)**

Vacant.

**B. Formal Hearing(s)**

Vacant.

**C. Investigative Review(s) – to include possible cease and desist order and/or referral to local law enforcement.**

- (1) 23-016 Steven Hall LMT #13094 (Revoked)

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

**MOTION: Chairwoman Reiter moved for the Board to issue a Cease and Desist Order for the practice of massage therapy based on the information presented and contained in the investigative report, and to refer this matter to local law enforcement.**

Chairwoman Reiter rescinded her motion to allow KW an opportunity to address the Board.

**MOTION: Chairwoman Reiter moved for the Board to issue a Cease and Desist Order for the practice of massage therapy based on the information presented and contained in the investigative report, and to refer this matter to local law enforcement.**

**SECOND: Mr. Tapscott**

Mr. Tapscott requested the motion be amended to include that the Board recommend law enforcement follow up on this matter in strongest way possible. Chairwoman Reiter accepted the friendly amendment.

**AMENDED MOTION: Chairwoman Reiter moved for the Board to issue a Cease and Desist Order for the practice of massage therapy based on the information presented and contained in the investigative report, and to refer this matter to local law enforcement while recommending that law enforcement follow up on this matter in the strongest way possible.**

**SECOND: Ms. DeRoest**

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

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

**MOTION PASSED.**

**D. License Application(s) Requiring Board Review**

(1) 22-230 Anna Hwang

**MOTION: Mr. Tapscott moved for the Board to deny the license based on the applicant's failure to respond to the Board's multiple requests to appear before the Board to discuss the application**

**SECOND: Chairwoman Reiter**

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

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

**MOTION PASSED.**

(2) 22-259 Xue Wang

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

**SECOND: Ms. DeRoest**

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

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

**MOTION PASSED.**

(3) 22-210 Tyler Federowicz

**MOTION: Ms. DeRoest moved for the Board to grant licensure based on the applicant having met all requirements.**

**SECOND: Mr. Tapscott**

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

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

**MOTION PASSED.**

**E. Review of Probation Status and Compliance**

(1) 22-101 Jan Meade LMT #13081

**MOTION: Chairwoman Reiter moved for the Board to ratify Board staff's decision to terminate the Probation.**

**SECOND: Mr. Tapscott**

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

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

**MOTION PASSED.**

**X. REVIEW AND DISCUSSION ON ANNUAL BOARD MEMBER TRAINING**

Presented by AAG Monaghan

**XI. BOARD INVESTIGATOR REPORT**

- A. Board review, discussion and possible action on the monthly investigative activity report by State Board Investigator David Elson, detailing the current status of submitted administrative case investigations.

**XII. EXECUTIVE DIRECTOR'S REPORT; BOARD REVIEW, DISCUSSION & POSSIBLE INSTRUCTION TO STAFF.**

- A. Update on State Board database conversion to Thentia.
- B. Update on Auditor General Performance Sunset Audit; six-month follow-up.
- C. Board policy of license issue dates corresponding to date of submission and 24-month renewal, replacing use of license birth date as expiration renewal date. (As directed by the Auditor General's Office in the Board Sunset Performance Audit in 2022)
- D. The Board initial state license application procedure, beginning with digital or physical receipt of a completed and submitted application, fee payment, and inked FD-258 Federal Fingerprint Card, generating a confirmation letter, and itemizing any deficiencies of required materials.
- E. Update on State Fiscal Year 2024 Budget Request to OSPB and Governor's Budget request package to Legislature.

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

- Voluntary certification in California vs licensure by reciprocity in Arizona.
- Discussion regarding concerns raised relating to current licensing processes.

The next Board meeting date:

Monday, March 27, 2023 at 9:00 a.m.; to be held via videoconference.

**IX. ADJOURNMENT**

The Board's meeting adjourned at 11:31 a.m.