

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, June 26, 2023
Held via videoconferencing

Board Members

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

I. CALL TO ORDER

Chairwoman Reiter called the Board's meeting to order at 9:03 a.m.

II. ROLL CALL

The following Board members participated in the virtual meeting: Chairwoman Reiter, Vice-Chairwoman and Mr. Tapscott. The following Board member was absent: Ms. DeRoest.

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") Jeanne Galvin also participated in the virtual meeting.

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

Mr. Tapscott was recused from Case No. 23-035A.

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

- A. Approval of State Board Regular Meeting Minutes for May 22, 2023
- B. Approval of State Board Regular Meeting Minutes for March 27, 2023

Repeating Board vote for parliamentary procedure correction.

MOTION: Chairwoman Reiter moved for the Board to approve the State Board Regular Meeting Minutes for May 22, 2023.

SECOND: Mr. Tapscott

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

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

MOTION PASSED.

MOTION: Chairwoman Reiter moved for the Board to approve the State Board Regular Meeting Minutes for March 27, 2023.

SECOND: Mr. Tapscott

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

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

MOTION PASSED.

VI. RE-ADDOPTION OF STATE MESSAGE BOARD POLICY: Providing the discretionary authority for the Board's Executive Director to close investigative cases without Board agendaing and action. (Tape of 12.22.22 Board meeting failed; minutes were incomplete to include that prior Board approval motion and Board roll call vote).

MOTION: Chairwoman Reiter moved for the Board to grant discretionary authority for the Board's Executive Director to close investigative cases without Board agendaing and action.

SECOND: Vice-Chairwoman Mhoon.

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

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

MOTION PASSED.

VII. CLARIFICATION POINTS OF LICENSING PROCEDURES

Board review and discussion.

VIII. CHAIR'S REPORT

Presentation by Ms. Mai Lin Petrine, JD, Director of Legal & Regulatory Affairs, FSMTB, The Unfortunate Intersection, Between Human Trafficking & Illicit Enterprises Posing as Massage Businesses.

IX. PROPOSED BOARD POLICY LANGUAGE SPECIFYING STATE MASSAGE LICENSE DURATION

Board discussion and possible action on DRAFT Board policy language.

- A. Compliance with the Arizona Auditor General’s Office finding, contained in the Board’s sunset performance audit, requires a specific State Massage Board policy specifying that a license shall be issued for a period of not more than twenty-four (24) months, and the Board’s practice used since 2003, of licensing applicants by birthday for issuance date and expiration date, be discontinued. (Procedure ended, November, 2022).

X. 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) 23-044 Jiafeng Wang MT-26684

Attorney Joy Hong and the Respondent participated in the virtual meeting during the Board’s consideration of this matter. Complainant MW also participated in the virtual meeting.

D. License Application(s) Requiring Board Review

(1) 23-035A LaShunda Jackson Topps

Mr. Tapscott was recused from this matter. The Board continued this matter to its next meeting due to lack of quorum.

(2) 23-042A Marissa Greig

E. Disciplinary Monitoring Updates

Vacant.

XI. REPORT BY BOARD INVESTIGATOR

- A. Monthly status report of incoming complaints to the State Board and investigations being processed with law enforcement.

XII. EXECUTIVE DIRECTOR'S REPORT

A. Board Operations Updates:

- (1) Update status of the Board's database conversion with vendor Thentia, hiring of Project Director to represent Board;
- (2) Update status of Arizona Auditor General's Six-Month Follow-up report;
- (3) Status of proposed Board fee licensing increases by Governor's Budget Office;
- (4) Question by Board member Tapscott regarding returned materials by Board for failed applications;
- (5) Board member meeting per diem payments.

XIII. DISCUSSION, REVIEW AND PROPOSALS FOR POSSIBLE BOARD AGENDA ITEMS FOR ACTION FOR FUTURE STATE MEETINGS

The next Board meeting date:

Monday, July 31, 2023 at 9:00 a.m.; to be held via videoconference.

XIV. ADJOURNMENT

The Board's meeting adjourned for lack of a quorum at 11:24 a.m.