

Douglas A. Ducey
Governor



Arizona State Board of Massage Therapy

Tom Aughterton
Executive Director
1740 W. Adams, Suite 3401
Phoenix, Arizona 85007
Email: info@massageboard.az.gov
Website: www.massageboard.az.gov

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

Monday, April 25, 2022
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 9:06 a.m.

II. ROLL CALL

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

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 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

None.

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

- A. Discussion and approval of the Massage Board Open Minutes from the March 28, 2022 monthly meeting.

MOTION: Chairwoman Reiter moved for the Board to approve Open Minutes from the Board's March 28, 2022 monthly meeting.

SECOND: Ms. DeRoest

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

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

MOTION PASSED.

VI. CHAIR'S REPORT

- A. *Presentation by Ms. Sandy Fritz MS, BCTMB, CMBE: "Employment Misclassifications & the International; Consortium on Manual Therapies Conference."*

VII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

- A. Formal Hearing(s)

Vacant.

- B. Formal Interview

Vacant.

- C. Investigative Review File(s) – Including possible acceptance of proposed consent agreement.

1. 22-124 Wen Ding, MT-17196

The Respondent was 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: 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.

The Board entered into Executive Session at 9:56 a.m.

The Board returned to Open Session at 10:11 a.m.

No legal action was taken by the Board during Executive Session.

MOTION: Ms. DeRoest moved for the Board to continue this matter to the Board's May 2022 meeting to allow the applicant an opportunity to take the English proficiency examination and submit the results to the Board as required in order to meet the qualifications for Arizona licensure.

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. 22-180 Nga Tu

MOTION: Chairwoman Reiter moved for the Board to continue this matter to the Board's May 2022 meeting and invite the Respondent to appear before the Board for questioning.

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. 22-195 Diane Dodge

MOTION: Chairwoman Reiter moved for the Board to issue a Cease and Desist Order and make a criminal referral.

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.

4. 22-127 Turoci, Christina

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: 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.

The Board entered into Executive Session at 10:35 a.m.

The Board returned to Open Session at 10:47 a.m.

No legal action was taken by the Board during Executive Session.

MOTION: Mr. Tapscott 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 abstained: Vice-Chairwoman Mhoon.

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

MOTION PASSED.

D. License Application(s) Requiring Board Review

Vacant.

VIII. REVIEW, DISCUSSION AND POSSIBLE ACTION RELATING TO LEGISLATIVE UPDATE REGARDING HB 2438 MASSAGE THERAPIST; FINGERPRINTING; WEBSITE INFORMATION

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

- Possible reinstatement of requirement for in-person continuing education.
- Possible requirement to designate 3 hours of continuing education required for renewal of licensure regarding the topic of ethics.
- Board policy and requirements relating to working with minors.

The next Board meeting date:

Tuesday, May 17, 2022 Special Meeting at 9:00 a.m.; to be held via videoconference.

Monday, May 23, 2022 Regular Meeting at 9:00 a.m.; to be held via videoconference.

X. ADJOURNMENT

The Board's meeting adjourned at 10:58 a.m.