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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 27, 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 12:00 p.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 participated in the virtual meeting. AAG Carrie Smith also participated in the virtual meeting to provide the Board with independent legal advice on the hearing matters as indicated herein.

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 April 25, 2022, May 17, 2022 and May 23, 2022 monthly and special meetings.

MOTION: Chairwoman Reiter moved for the Board to approved the April 25, 2022, May 17, 2022 and May 23, 2022 monthly and special meetings.

SECOND: Mr. Tapscott

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. Status report on HB2438 – Now Chapter Law 281 related to changes to the Massage Board's statutes.

VII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

- A. Formal Hearing(s) and/or Review and Possible Acceptance, Modification or Rejection of Proposed Consent Agreement

(1) 21-145 Hee Yang MT #17196

AAG Monaghan participated in this matter on behalf of the State, AAG Smith participated to provide the Board with independent legal advice, and Attorney Charles Hover participated on behalf of the Respondent.

MOTION: Mr. Tapscott moved for the Board to rescind the Order for Summary Suspension and accept the proposed Consent Agreement for Civil Penalty and Continuing Education ("CE"). Respondent shall complete no less than 3 hours of CE in ethics and shall pay a Civil Penalty in the amount of \$500.

SECOND: Vice-Chairwoman Mhoon

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.

(2) 22-115 Jonathan David Riggs MT #13639

AAG Monaghan participated in this matter on behalf of the State. AAG Smith participated in this matter to provide the Board with independent legal advice.

MOTION: Chairwoman Reiter moved for the Board to deny the petition to a later date and proceed to Formal Hearing in this matter at the Board's next regular meeting on July 25, 2022.

SECOND: Mr. Tapscott

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.

B. Formal Interview

(1) 22-148 Mi Cramer, MT #13631

MOTION: Chairwoman Reiter moved for the Board to offer the Respondent a Consent Agreement for Voluntary Surrender of Licensure. If the Respondent declines or does not respond within 30 days, the matter shall proceed to Formal Hearing based on the potential violations of law and factual allegations as contained in the investigative report.

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.

C. Investigative Review(s) – Including possible acceptance of proposed consent agreements.

(1) Vacant.

D. License Application(s) Requiring Public Board Review

(1) 22-180 Nga Tu

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, Vice-Chairwoman Mhoon, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

(2) 22-198 Katelyn Janik

The Applicant participated in the virtual meeting during the Board's consideration of this matter.

MOTION: Ms. DeRoest moved for the Board to grant licensure.

SECOND: Chairwoman Reiter

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.

(3) 22-208 Dallas Johnson

MOTION: Chairwoman Reiter moved for the Board to postpone this matter to its next regular meeting on July 25, 2022 and to invite the Applicant to appear before the Board for questioning.

SECOND: Mr. Tapscott

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.

(4) 22-206 Jengxia Li

MOTION: Chairwoman Reiter moved for the Board to deny the license based on the Applicant's failure to meet basic requirements for Arizona licensure.

SECOND: Vice-Chairwoman Mhoon

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.

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

The next Board meeting date:

Monday, July 25, 2022 at 9:00 a.m.; to be held via videoconference.

IX. ADJOURNMENT

The Board's meeting adjourned at 1:06 p.m.