



Douglas A. Ducey  
Governor

# Arizona State Board of Massage Therapy

*"Protecting the Public,  
Serving the Industry"*

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## OPEN SESSION MINUTES FOR MEETING OF THE ARIZONA STATE BOARD OF MASSAGE THERAPY

**On Monday, July 26, 2021  
Held virtually online**

### Board Members

Victoria Bowman, LMT, Chairwoman  
Mlee Clark, LMT, Vice-Chairwoman  
Nicholas L. McLain  
John Ortega

### **I. CALL TO ORDER**

Chairwoman Bowman called the Board's meeting to order at 9:00 a.m.

### **II. ROLL CALL**

The following Board members were present: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain and Mr. Ortega.

### **ALSO PRESENT**

Present among Board staff include: Executive Director Tom Augherton, Senior Investigator Andrew White, Licensing Administrator Tony Wilcox, Licensing Administrator Kathy Rich, Minutes Administrator Andrea Cisneros, and Assistant Attorney General (AAG) Seamus Monaghan. AAG Monique Coady participated in the virtual meeting to provide the Board with independent legal advice on the hearing matter(s) as stated 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**

There were no Conflicts of Interest declared by Board members at the start of the Board's meeting.

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

A. Discussion and approval of the Massage Board Open Minutes from the June 28, 2021 monthly meeting.

**MOTION:** Mr. McClain moved for the Board to approve the Open Minutes from the June 28, 2021 monthly meeting.

**SECOND:** Vice-Chairwoman Clark.

**VOTE:** The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark and Mr. McLain. The following Board member was absent: Mr. Ortega.

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

## **VI. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

### **A. Formal Hearing**

(1) 21-157 Dellosa, Jeremy

Mr. Dellosa did not participate in the virtual meeting during the Board's consideration of this matter. AAG Monaghan participated on behalf of the State and AAG Coady participated to provide the Board with independent legal advice.

**MOTION: Chairwoman Bowmann moved for the Board to accept the proposed Consent Agreement for Surrender of Licensure and vacate the Formal Hearing in this matter.**

**SECOND: Mr. McClain**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain and Mr. Ortega.**

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

**MOTION PASSED.**

### **B. Formal Interview**

(1) 21-141 Stewart, Ty'Amber

Ms. Stewart and Complainant BB participated in the virtual meeting during the Board's consideration of this matter.

**MOTION: Vice-Chairwoman Clark moved for the Board to offer a disciplinary Consent Agreement for One Year Practice Restriction prohibiting the performance of lymphatic massage until certified and proof of certification has been received by the Board. The matter shall return to the Board in 6 months for an update on the licensee's progress. If not signed within 20 days, the matter shall proceed to Formal Hearing.**

**SECOND: Mr. McClain**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain and Mr. Ortega.**

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

**MOTION PASSED.**

### **C. Investigative Review**

(1) 21-159 Robinson, Tysie

Ms. Robinson and Complainant JJ participated in the virtual meeting during the Board's consideration of this matter.

**MOTION: Vice-Chairwoman Clark moved for the Board to continue this matter to the August 2021 meeting to obtain the records and photos submitted by the complainant.**

**SECOND: Mr. McClain**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark, Mr. McLain and Mr. Ortega.**

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

**MOTION PASSED.**



(2) 21-163 Sailor, James

Mr. Sailor and Complainant HG participated in the virtual meeting during the Board's consideration of this matter.

**MOTION: Vice-Chairwoman Clark moved for the Board to proceed to Formal Interview in this matter based on the potential violations of law and factual allegations as set forth in the investigative report.**

**SECOND: Chairwoman Bowmann**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark and Mr. Ortega. The following Board member was absent: Mr. McClain.**

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

**MOTION PASSED.**

(3) 21-167 Hernandez, Philip

Mr. Hernandez was not present during the Board's consideration of this matter. Complainant RP participated in the virtual meeting.

**MOTION: Chairwoman Bowmann moved for the Board to offer a Consent Agreement for \$100 Civil Penalty and completion of 12 CE hours in business practices, communication and ethics. A minimum of 4 CE hours shall be designated to ethics. The Civil Penalty and CE must be paid/completed by December 14, 2021. If not signed, the matter shall proceed to Formal Interview based on the potential violations of law and the factual allegations as set forth in the investigative report.**

**SECOND: Vice-Chairwoman Clark**

**VOTE: The following Board members voted in favor of the motion: Chairwoman Bowmann, Vice-Chairwoman Clark and Mr. Ortega. The following Board member was absent: Mr. McClain.**

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

**MOTION PASSED.**

D. License Request

Vacant.

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

**VIII. NEXT ARIZONA MASSAGE BOARD MEETING DATE**

A. Monday, August 23, 2021 at 9:00 a.m. *(meeting to be held via video conferencing)*

**IX. ADJOURNMENT**

The Board's meeting adjourned at 11:19 a.m.

A handwritten signature in black ink, appearing to read "Tom A.", written over a horizontal line.

Tom Augherton, Executive Director