

Katie Hobbs
Governor



**Arizona State
Board of
Massage
Therapy**

1740 W. Adams, Suite 3401
Phoenix, Arizona 85007

E: info@massageboard.az.gov
W: www.massageboard.az.gov

**PUBLIC MEETING NOTICE
ARIZONA STATE BOARD OF MASSAGE THERAPY
Monday, June 26, 2023
9:00 a.m. MST**

To join the recorded and archived
video meeting, *click this link:*

<https://meet.google.com/fpy-dgxc-gwq>

To join by phone, dial +1 510-939-0439
and enter this PIN: 979 735 082#

Pursuant to Arizona Revised Statute ("A.R.S.") § 38-431.02, notice is hereby given to the members of the Arizona State Board of Massage Therapy ("Board") and to the general public, that the Board will hold a meeting open to the public on **June 26, 2023, Monday, at 9:00 a.m. MST**. The meeting will be held digitally online. [One or more members, of the Board, may participate in the meeting by telephonic communications].

The meeting is open to the public. However, during the course of the meeting, the Board, upon a majority vote of a quorum of the members, may, when necessary, hold an executive session pursuant to A.R.S. § 38-431.03(A)(3) as indicated on the Board's Agenda. The executive session is not open to the public.

Information concerning the Board's Agenda, including a copy of the Agenda and any amendments, can be obtained at the Board's office, through the Board's website at <https://massagetherapy.az.gov/board-meetings> or by contacting Board staff at info@massageboard.az.gov. The Agenda is subject to change up to 24 hours prior to the meeting. Agenda items are noted by number and letter for convenience and reference. The Board may address the agenda items in any order within the time frame indicated, and may set over matters to a later time when necessary. The Board reserves the right to change the order of the agenda items, except for matters set for a specific time.

Title 2 of the Americans with Disabilities Act prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Board staff at info@massageboard.az.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE BOARD OF MASSAGE THERAPY

Tom Aughterton, Executive Director

June 19, 2023

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

Katie Hobbs
Governor



Arizona State Board of Massage Therapy

1740 W. Adams, Suite 3401
Phoenix, Arizona 85007

Email: info@massageboard.az.gov
Website: www.massageboard.az

Ms. Angela M. Reiter, LMT, BC Chair

Ms. Myriah Mhoon - Vice Chair

Ms. Bailey S. De Roest

Mr. Michael K. Tapscott, L M T

Vacant, Public Member

June 26, 2023 at 9:00 a.m. MST

Board Meeting Agenda

(Meeting conducted online, recorded and archived)

Ammended 06/22/2023 at 3:12 PM

► Arizona licensees attending this full Board meeting may apply for 3 hours of continuing education (CE) credit, once biennially, using temporary sign-in link provided at State Board website before the meeting.

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click this link:**

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NOTE: The Chair of the Arizona State Board of Massage Therapy (“Board”) reserves the right to change the order of items published on this agenda, except for public hearings set for a specific time. During the Board meeting, and upon a vote of the majority of a quorum, the Board may go into Executive Session to obtain legal advice from the Board’s attorney(s) pursuant to Arizona Revised Statute (“A.R.S.”) § 38-431.03(A)(3) on any items listed on the agenda. All meeting attendees whose presence is not required in an Executive Session may remain in the board meeting room when the Board withdraws to chambers for an Executive Session. Any and all legal action by Board members will only take place in Open Session.

In accordance with the Open Meeting Law, the Board has a civility policy that prohibits any type of disorderly conduct that disrupts the Board from carrying out its business. Individuals found violating this policy will be asked to modify their behavior and act civilly, and if the disorderly conduct continues, the person may be removed from the virtual meeting.

The Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations, such as sign language interpreters. Requests should be made as early as possible to allow time to arrange the accommodation. This document is available in alternative format upon request.

I. CALL TO ORDER – Chair

II. ROLL CALL – Staff

III. CALL TO THE PUBLIC – Chair

Pursuant to A.R.S. § 38-431.01(H), the Board may make an open call to the public during a public meeting, subject to reasonable time, (three minutes), place, and manner restrictions, to allow individuals to address this public body on any issue within the jurisdiction of the public body. However, Members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. The Board, however, may ask staff to review a matter or may ask that a matter be put on a future agenda.

IV. DECLARATION OF BOARD MEMBER CONFLICTS OF INTEREST, PER A.R.S. § 38-503 – Chair

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

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 today, June 26, 2023, for parliamentary procedure correction.

Audio recordings of Board meetings available online at State Board website;

<https://massagetherapy.az.gov/>

VI. RE-ADOPTION OF STATE MESSAGE BOARD POLICY: Providing the discretionary authority for the Board's Executive Director to close investigative cases without Board agendaizing 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). *Original Posting:*

(XII. REVIEW, DISCUSSION AND POSSIBLE ACTION ON EXPANDED EXECUTIVE DIRECTOR AUTHORITY FOR INVESTIGATIVE CASE DISMISSAL, AS RECOMMENDED BY THE ARIZONA AUDITOR GENERAL IN 2022; SUNSET BOARD PERFORMANCE AUDIT. – Chair)

**VII. CLARIFICATION POINTS OF LICENSING PROCEDURES – Board Chair
Board, Review & Discussion**

VIII. CHAIR’S REPORT – Chair Introduction of Guest Presenter

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.*

Board Q & A and possible discussion.

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 – Chair

Upon a vote of the majority of a quorum, the Board may go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

A. Formal Interviews

Vacant

B. Formal Hearings

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

D. License Application(s) Requiring Public Board Review

- (1) 23-035A LaShunda Jackson Topps, Applicant
- (2) 23-042A Marissa Greig, Applicant

E. Disciplinary Monitoring Updates

Vacant

**XI. REPORT BY BOARD INVESTIGATOR: Senior Investigator David Elson
Board Discussion & Review**

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

**XII EXECUTIVE DIRECTOR'S REPORT - Tom Aughterton
Board Discussion & Review**

- 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 re: returned materials by Board for failed applications; Board Member meeting per diem payments.

**XIII. DISCUSSION, REVIEW AND PROPOSING POSSIBLE BOARD ACTION
ITEMS FOR FUTURE STATE MEETING AGENDAS – Chair, Board
members**

The next monthly State Massage Board meeting date:

■ **Monday, July 31, 2023 at 9:00 a.m., held digitally.**

XIV ADJOURNMENT – Chair

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