

Douglas A. Ducey
Governor



Arizona State Board of Massage Therapy

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Executive Director
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Public State Board Members

Bailey S. DeRoest

Vice Chair Myriah Mhoon

Industry State Board Members

Chair Angela M Reiter, LMT, BC

Michael K. Tapscott, LMT

NOTICE OF MEETING

ARIZONA STATE BOARD OF MASSAGE THERAPY

February 28, 2022, Monday, 9:00 a.m. Meeting to be digital; online.

To join the video meeting, click this link:

<https://meet.google.com/fpy-dqxc-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 **February 28, 2022, Monday, at 9:00 a.m.** The meeting will be held digital; 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

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

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Website: www.massageboard.az.gov

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

Amended 02/25/22 at 8:30am

Monday, February 28, 2022 at 9:00 a.m. **Board Meeting Agenda** *(Meeting to be digital; online)*

DUE TO THE CURRENT COVID-19 CRISIS AND, PURSUANT TO CURRENT RECOMMENDATIONS, IT IS ENCOURAGED THAT ANY PERSON WHO WISHES TO ATTEND THE STATE BOARD MEETING PARTICIPATE VIA VIDEOCONFERENCE. A PERSON WISHING TO ATTEND DIGITALLY MAY:

Join the video meeting, 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 meeting.

I. CALL TO ORDER – Chair

II. ROLL CALL – Executive Director

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 the 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 CONFLICTS OF INTEREST – A.R.S. § 38-503 – Chair

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

A. Discussion and approval of the Massage Board Open Minutes from the January 24, 2022 monthly meeting.

VI. CHAIR’S REPORT (Scheduled to begin no sooner than 9:15 a.m.)

Review, discussion and possible action relating to the following items:

A. Presentation by LMT Laura Allen regarding general standards of practice and ethics in the massage therapy industry.

VII. 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 Hearing(s)

1. Case No. 22-133; Adrian Hernandez, MT Lic. #24483
2. Case No. 21-163; James Sailer, MT Lic. #16208
3. Case No. 21-106; Alphonso Rodgers, MT Lic. #07324

B. Formal Interview

1. Vacant.

- C. Investigative Review File(s) – Including possible acceptance of proposed consent agreement.
 - 1. Case No. 22-115; Jonathan Riggs, MT Lic. #13639
 - 2. Case No. 22-131; Joshua Finley, MT Lic. #24766

- D. License Application(s) Requiring Board Review
 - 1. Vacant.

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

IX. REVIEW AND DISCUSSION OF A.R.S. § 32-4222(E) AND A.A.C. R4-15-201(C) REGARDING MASSAGE THERAPY LICENSING QUALIFICATIONS AND REQUIREMENTS AS IT RELATES TO ENGLISH LANGUAGE PROFICIENCY – Michael K. Tapscott, LMT

X. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MASSAGE BOARD AGENDAS – Chair
The next Board meeting date:
Monday, March 28, 2022 at 9:00 a.m.; to be held via videoconference

XI. ADJOURNMENT – Chair

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