



Douglas A. Ducey
Governor

Arizona State Board of Massage Therapy

***“Protecting the Public,
Serving the Industry”***

Tom Aughterton
Executive Director
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Victoria Bowmann LMT, Chair
Mlee Clark LMT, Vice Chair
Kevin Ramsey LMT,
John Ortega, Public Member
Nicholas L. McLain, Public Member

NOTICE OF MEETING OF THE ARIZONA STATE BOARD OF MASSAGE THERAPY

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 **Monday, February 24, 2020, at 9:00 a.m.** The meeting will be held in **Boardroom C** located at 1740 West Adams Street, Phoenix, Arizona 85007. [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 calling the Board’s office at 602.542.8604. 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 602.542.8604. Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE BOARD OF MASSAGE THERAPY

Posted: February 04, 2020

<https://massagetherapy.az.gov/board-meetings>
<https://publicmeetings.az.gov/arizona-public-meetings>

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Tom Aughterton, Executive Director



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NOTICE & AGENDA FOR REGULAR SESSION MEETING OF THE ARIZONA STATE BOARD OF MASSAGE THERAPY

Scheduled to begin at 9:00 a.m. on Friday, February 24, 2020

At: 1740 W. Adams Street, Board Room #C, Phoenix, Arizona 85007

Agenda amended 2/20/20 at 4:00 p.m.

Notice is hereby given to the general public and to the members of the Arizona State Board of Massage Therapy (Board), that the Board will hold a regular meeting open to the public at the Board's offices located at 1740 W. Adams St., Suite 4000, Phoenix, Arizona. A.R.S. § 38-431.02. The Board, upon a majority vote of a quorum of members, may hold an Executive Session on any of the listed agenda items to obtain legal advice. A.R.S. § 38-431.03(A)(3). All meeting attendees whose presence is not required in an Executive Session may remain in the Board Room when the Board withdraws to chambers for an Executive Session. Any and all legal action by the Board will only take place in Open Session.

The Chair of the Arizona State Board of Massage Therapy reserves the right to change the order of items published on this Agenda, except for public hearings set for a specific time.

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.

THE BOARD WILL CONSIDER, DISCUSS AND MAY TAKE ACTION ON ANY AGENDA ITEM

Board Members

Victoria Bowmann, LMT, Chairwoman
Mlee Clark, LMT, Vice-Chairwoman
Nicholas L. McLain
John Ortega
Kevin Ramsey, LMT

If you need to speak to a member of Board staff regarding an item on the Board's Agenda, please contact the Board's Office at (602) 542-8604.

GENERAL BUSINESS

I. CALL TO ORDER – 9:00 a.m.

Victoria Bowmann, LMT, Chair

II. ROLL CALL

Andrea Cisneros, Board Minutes Administrator

III. CALL TO THE PUBLIC

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 instruct its staff to review a matter or may as that a matter be put on a future agenda.

(Information detailing the "Call to the Public" is provided for attendees at the rear of the Board Room, as well as copies of the Board's monthly meeting Agenda.)

IV. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

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

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

- A. January 31, 2020 Regular Session Meeting
- B. February 06, 2020 Regular Session Meeting
- C. Executive Session Minutes, December 16, 2019
- D. Executive Session Minutes, January 31, 2020
- E. Executive Session Minutes, February 6, 2020 at 4:25 p.m.
- F. Executive Session Minutes, February 6, 2020 at 4:37 p.m.

VI. BOARD ELECTION OF OFFICERS

- A. Nomination and Election of Board Chair
- B. Nomination and Election of Board Vice-Chair

VII. REVIEW, DISCUSSION, AND POSSIBLE ACTION OF THE BOARD'S 2019 FIVE-YEAR REGULATORY REVIEW OF ARIZONA ADMINISTRATIVE CODE (A.A.C.), TITLE 4, CHAPTER 15, ARTICLES 1-4 BEFORE THE GOVERNOR'S REGULATORY REVIEW COUNCIL (GRRC).

- A. Presentation and Discussion by the Arizona Massage Board Task Force 2019 Five-Year Rule Committee Chair, Maura Concordia, Regarding the Board's 2019 Five-Year Regulatory Review Submission to GRRC and Possible Amendments.
- B. Presentation and Discussion of the Arizona Massage Therapy Association's Position, by Legal Counsel Greg Harris and Steve Moortel, Regarding the Board's 2019 Five-Year Regulatory Review.

- C. Board Review, Discussion, and Possible Action Regarding Proposed Amendments to A.A.C., Title 4, Chapter 15, Articles 1-4.

VIII. EXECUTIVE DIRECTOR'S REPORT – DISCUSSION, CONSIDERATION AND POSSIBLE ACTION

Tom Augherton, Executive Director

Presentation and Discussion by Laura B. Embleton, National Government Relations Director, Associated Body Work & Massage Professionals, on current state legislation impacting massage industry regulation. Presentation and Discussion by James Specker, National Government Relations Director, American Massage Therapy Association (AMTA), on current state legislation impacting massage industry regulation.

IX. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

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

A. LICENSE DENIAL FORMAL HEARING(S) 10:00 A.M. – REVIEW, DISCUSSION AND POSSIBLE ACTION PURSUANT TO A.R.S. § 32-4254

Assistant Attorney General

(1) 20-150; Jeffrey Denton

(2) 20-151; Olga Gasca

(3) 20-152; Jie Li

B. REQUEST FOR PROBATION TERMINATION

(1) 19-163; Gabriel Houseal, Lic. #MT-19171.

C. INVESTIGATION REVIEW FILES – REVIEW, DISCUSSION AND POSSIBLE ACTION

(1) 20-138; Joseph Anthony Higgins, Lic. #MT-24304.

(2) 20-140; Samuel Ramon Cartes, Lic. #MT-18590.

(3) 21-141; Dulce Krisna Villaescusa, Lic. #MT-23625.

(4) 20-143; Jack Gerald Rogerson, Lic. #MT-01531.

D. REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING CONTINUING THE FORMAL INTERVIEW IN CASE NO. 20-125 AND POSSIBLE CONSOLIDATION WITH CASE NO. 20-143.

(1) Jack Rogerson Lic. #MT-01531

E. APPLICATION REVIEW

(1) Yoha Wan Heo

(2) Xiaoyan Ma

X. LICENSEE PHOTO IDENTIFICATION CARDS – REVIEW AND DISCUSSION

(requested by Ms. Mlee Clark, LMT, Vice-Chair; tabled, rescheduled from January 31, 2020 Board meeting).

- A. Presentation by company representatives Ms. Denise Daly and Mr. Tim Orscheid of Colorid Solutions, on approved State Contract Vendor contract for Photo ID Licensing Cards, *(via teleconference call)*.

XI. SUMMARY OF CURRENT EVENTS

By law, the Summary of Current Events is limited to summarizing recent occurrences pertaining to the field of Massage Therapy. The Board cannot propose, discuss, deliberate or take legal action on any matter under this Agenda Item unless it is properly noticed for legal action.

XII. ITEMS FOR FUTURE MASSAGE BOARD AGENDAS – DISCUSSION AND POSSIBLE ACTION

XIII. NEXT ARIZONA MASSAGE BOARD MEETING DATE

Monday, March 30, 2020 at 9:30 a.m.

At: The Arizona State Boards & Commission Building

1740 W. Adams, Phoenix, Arizona 85007, Hearing Room C

XIV. ADJOURNMENT

Motion by Board Member

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

Tom Augherton, Executive Director