



Douglas A. Ducey
Governor

Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

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Earl E. Duskey LMT, Chair ~ Victoria Bowmann LMT, Vice Chair
Board Member Mlee Clark, LMT
Board Member John Ortega
Vacant Board seat, 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, July 29, 2019, at 9:30 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: July 8, 2019

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

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

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Industry Board Members

Earl E. Duskey LMT, Chair ~ Victoria Bowmann LMT, Vice Chair;
Mlee Clark, LMT

Public Board Member John Ortega

Vacant Public Board Member

Arizona Assistant Attorney General

Mr. Michael Raine

July 29, 2019, 9:30 a.m. Board Meeting Agenda

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

NOTE: The Chair of the Arizona State Board of Massage 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 will only take place in open session.

I. CALL TO ORDER, Chair

II. ROLL CALL, Board 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, 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. (*Information detailing the “Call to the Public” is provided for attendees at the rear of the Board room, as well as copies of the monthly Board agenda*).

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

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

- A. Discussion and approval of the Massage Board Open Session Minutes from the June 24, 2019 meeting.

VI. BOARD PRESENTATION ON ARIZONA TRADE SCHOOL CLOSURES, STUDENT TUITION PROTECTION; BY MR. KEVIN LA MOUNTAIN, PRIVATE POST SECONDARY EDUCATION BOARD STAFF, (<https://ppse.az.gov>).

VII. CONSENT CALENDAR

- A. Recommendation by staff to grant Arizona massage license for the following temporary license holder:
1. Mr. Steven Van Shubert, Temporary License issued by Staff on 6.27.2019. Request for permanent Arizona license from Board as a Canadian citizen.
- B. Recommendation by staff for the filing of injunction in Superior Court against the following cases detailing unlawful use/unlawful practice of massage license:
1. Case #19-168, Castro, Sergio
 2. Case #19-160, Kristen Dangerfield
- C. Recommendation by staff to adopt the following policy:
1. “Payment of Annual Leave for Non-separating Employees”

VIII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

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)
Pursuant to A.R.S. § 32-4254, the Board will hold a formal hearing to review, discuss and take possible action for the following file(s):
1. Case #19-149, Johnston, Susan
 2. Case #19-153, Grayson, Jean Pierre
- B. Investigation Review File(s)
Board to review, discuss and take possible action on investigation files.
1. Case #19-175, Woodward, Suzanne
 2. Case #19-177, Farino, Michael
 3. Case #19-178, Slattery, Jared
- C. Request to Remove from Probationary Status
1. Case #17-119, Heisler, Adam

- D. Application Review
1. Joseph, Aaryn; (Criminal History)
 2. Mills, Anthony; (Warrant)
 3. Van Hoey, Sarah; request for an economic necessity fee waiver as a non-first-time applicant.
- IX. SELECTION OF A BOARD MEMBER DELEGATE FOR THE FSMTB 2019 ANNUAL MEETING. DISCUSSION AND APPROVAL OF BOARD REPRESENTATIVE. DIRECTION TO STAFF.**
- X. ASSISTANT ATTORNEY GENERAL'S REPORT ON THE LEGAL COMPLIANCE ANALYSIS OF LEGISLATIVE-ENACTED HB 2569**
- XI. EXECUTIVE DIRECTOR'S REPORT**
Executive Director to provide an update and/or summary on the following items: the listed items are subject to Board discussion and may result in action by the Board.
- A. Budget Update/Quarterly beginning in 2020
 - B. Agency Operations
- XII. SUMMARY OF CURRENT EVENTS**
By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.
- XIII. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MESSAGE BOARD AGENDAS, Chair**
- XIV. NEXT ARIZONA MESSAGE BOARD MEETING DATE**
- A. Monday, August 26, 2019; 9:30 a.m., 1740 W. Adams Street, Board Room #C, Phoenix, Arizona 85007
- XV. MOTION TO ADJOURN, Chair**