

Katie Hobbs
Governor



Arizona State Board of Massage Therapy

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Open Session Minutes Meeting of the Arizona State Board of Massage Therapy

Monday, September 25, 2023
Held via videoconferencing

Board Members

Angela M. Reiter, LMT, BC – Chair
Bailey S. DeRoest
Michael K. Tapscott, LMT

I. CALL TO ORDER

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

II. ROLL CALL

The following Board members participated in the virtual meeting: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

ALSO PRESENT

The following Board staff and Assistant Attorney(s) General participated in the virtual meeting: Executive Director Tom Aughterton, Investigator David Elson, Licensing Specialist Paul Schuldt and Licensing Administrator Tony Wilcox. Assistant Attorney General ("AAG") Jeanne Galvin also participated in the virtual meeting.

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

None.

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

Approval of State Board Regular Meeting Minutes for June 26, 2023 and July 10, 2023.

VI. ELECTION OF STATE BOARD OFFICERS

Nominations for State Board Officer, Vice-Chair, discussion and roll call vote.

MOTION: Mr. Tapscott nominated Ms. DeRoest for Vice-Chair.

SECOND: Chairwoman Reiter

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

VII. NOMINATION & APPOINTMENT OF ARIZONA BOARD DELEGATE TO FSMTB NATIONAL ANNUAL MEETING September 28-30

Approval of State Board Regular Meeting Minutes for June 26, 2023 and July 10, 2023.

MOTION: Ms. DeRoest moved to nominate Chairwoman Reiter as the Board's delegate to FSMTB National Annual Meeting.

SECOND: Mr. Tapscott

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

VIII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

A. Formal Interview(s)

Vacant.

B. Formal Hearing(s)

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

Attorney Joy Hong participated in the virtual meeting on behalf of the Respondent during the Board's consideration of this matter.

MOTION: Chairwoman Reiter moved for the Board to proceed to Formal Hearing in this matter based on the information presented and contained in the investigative report.

SECOND: Ms. DeRoest

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

(2) 23-015 Seth Bradley MT-06975P

MOTION: Chairwoman Reiter moved for the Board to dismiss this matter.

SECOND: Ms. DeRoest

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

(3) 23-059 Kathryn Bortle MT-15516

Attorney Mandi Karvis participated in the virtual meeting on behalf of the Respondent during the Board's consideration of this matter.

MOTION: Chairwoman Reiter moved for the Board to accept the proposed Consent Agreement for \$400 Civil Penalty.

SECOND: Mr. Tapscott

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

D. License Application(s) Requiring Board Review

(1) 23-053A Christine Lilly

The Applicant participated in the virtual meeting during the Board's consideration of this matter.

MOTION: Chairwoman Reiter moved for the Board to grant the license upon the Respondent meeting all requirements for licensure and entering into a Consent Agreement for One Year Probation. During the course of probation, Respondent shall be subject to on-site supervision as well as quarterly evaluations by her employer. Respondent shall not be self-employed during the probationary period. If the Consent Agreement is not signed within 30 days, the license shall be denied.

SECOND: Ms. DeRoest

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

E. Disciplinary Monitoring Updates

Vacant.

IX. PRESENTATION BY THE FSMTB, FOR REVIEW, DISCUSSION, AND POSSIBLE ACTION – Ms. Mai Lin Petrine, Director of Legal and Regulatory Affairs

- A. Primer on Massage Education Eligibility; Current FSMTB Policy, Annual Meeting Proposed Resolution for language change.
- B. Briefing on the Federation’s Continuing Education (CE) Registry

MOTION: Mr. Tapscott moved for the Board to direct staff to initiate procedures to amend A.A.C. R4-15-302 to add FSMTB to the NCBTMB designation and to begin the rule writing process.

SECOND: Chairwoman Reiter

VOTE: The following Board members voted in favor of the motion: Chairwoman Reiter, Ms. DeRoest and Mr. Tapscott.

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

MOTION PASSED.

X. REPORT BY BOARD INVESTIGATOR

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

XI. EXECUTIVE DIRECTOR’S REPORT

- A. Status Report on Board Operational Issues

Discussion, review and questions

- (1) Board’s database conversion to Thentia;
- (2) Processing times for Board licensing with DPS-issued clearance cards;
- (3) Massage Board proposed licensing fee increases;
- (4) Additional compliance work for Arizona Auditor General Sunset Performance Audit;
- (5) Reactivation of Board Industry Issues Advisory Panel.

XII. DISCUSSION, REVIEW AND PROPOSALS FOR POSSIBLE BOARD AGENDA ITEMS FOR ACTION FOR FUTURE STATE MEETINGS

- Announcement that HB 2012 will go into effect.

The next Board meeting date:

Monday, October 30, 2023 at 9:00 a.m.; to be held via videoconference.

XIII. ADJOURNMENT

The Board’s meeting adjourned at 10:57 a.m.