

1 **BEFORE THE ARIZONA STATE BOARD OF**
2 **MASSAGE THERAPY**

3 In the Matter of:

4 **SAGANUMA KAILOA**
5 Holder of License No. **MT-25248**

BOARD CASE NOS. 19-154

6 For the Practice as a Massage Therapist
7 In the State of Arizona

DECISION AND ORDER

8 **RESPONDENT**

9
10 On November 26, 2018, the Arizona State Board of Massage Therapy (“Board”) convened
11 to hold an Administrative Hearing in the above referenced matter. Saganuma Kailoa
12 (“Respondent”) did not appear and was not represented by legal counsel. Assistant Attorney
13 General Sabrina Kahn was present and represented the State. Assistant Attorney General,
14 Elizabeth Campbell, of the Licensing and Enforcement Section of the Attorney General’s Office,
15 appeared in person to provide independent legal advice to the Board. At issue was the State’s
16 Motion to Deem Allegations Admitted regarding the Complaint and Notice of Hearing in this
17 matter and the imposition of the appropriate disciplinary action(s) pursuant to A.R.S. § 32-128(F).
18 The Board, after considering the State’s Motion, granted the Motion to Deem the Allegations
19 Admitted and issued the following Findings of Fact, Conclusions of Law and Order (“Decision
20 and Order”):

21 **PARTIES AND JURISDICTION**

- 22 1. The Board is the duly constituted authority for licensing and regulating the practice
23 of massage therapy in the State of Arizona.
- 24 2. Respondent is the holder of license number MT-25248, which allows Respondent to
25 practice as a massage therapist in the State of Arizona.
- 26 3. Under A.R.S. § 32-4201, et seq., the Board possess jurisdiction over the subject
matter and over Respondent as a licensee of the Board.

1
2 **FINDINGS OF FACT**

3 **Case No. 19-154**

4 1. On March 17, 2019, Respondent provided massage therapy services to client CW
5 at NAMTI Massage Spa in Sedona, Arizona.

6 2. During the massage, Respondent made comments to CW that were of a sexual
7 nature, placed his hand directly on her vulva, and requesting that she permit him to digitally
8 penetrate CW's vagina.

9 3. Respondent Falsely told CW that digitally penetrating her vagina would provide
10 her therapeutic relief.

11 **CONCLUSIONS OF LAW**

12 1. The conduct and circumstances described above constitute grounds for discipline
13 pursuant to A.R.S. § 32-4253(A)(6) (engaging in any act or practice in violation of this chapter or
14 any board rule), as it relates to any alleged statute or rule violation asserted below.

15 2. The conduct and circumstances described above constitute grounds for discipline
16 pursuant to A.R.S. § 32-4253(A)(8) (committing an act of malpractice, gross negligence, or
17 incompetency).

18 3. The conduct and circumstances described in the above Findings of Fact constitute
19 grounds for discipline pursuant to A.R.S. § 32-4253(A)(10) (engaging in conduct that could harm
20 the public).

21 4. The conduct and circumstances described above constitute grounds for discipline
22 pursuant to A.R.S. § 32-4253(A)(13) (practicing or offering to practice beyond the scope of the
23 practice of massage therapy).

24 5. The conduct and circumstances described above constitute grounds for discipline
25 pursuant to A.R.S. § 32-4253(A)(14) (engaging in substandard care due to deliberate or negligent
26 conduct, whether or not it results in actual injury to a client).

1 DATED this 26th day of November, 2019

2 ARIZONA STATE BOARD OF MASSAGE THERAPY

3
4 By: 
5 Thomas Augherton, Executive Director

6 Original Decision and Order
7 filed this 26th day of November 2019 with the:

8 Arizona State Board of Massage Therapy
9 1740 West Adams Street, Suite 3401
10 Phoenix, Arizona 85007

11 Copy of the foregoing sent via
12 Regular and Electronic mail this
13 26th day of November 2019 to:

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18 Copy of the foregoing sent via
19 Electronic mail this 26th day of November 2019 to:

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By: 