

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, October 23, 2023  
Held via videoconferencing

### Board Members

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

### **I. CALL TO ORDER**

Chairwoman Reiter called the Board's meeting to order at 11:00 a.m.

### **II. ROLL CALL**

The following Board members participated in the virtual meeting: Chairwoman Reiter, Vice-Chairwoman 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 Attorneys General ("AAG") Jeanne Galvin and Casey Hutchison also participated in the virtual meeting.

### **III. CALL TO THE PUBLIC**

Michelle Cordero, Education Director, ASIF Massage Education, addressed the Board during the Call to the Public regarding concerns relating to the timeframes for processing of massage therapy license applications and asked that the Board aid with facilitating a movement to reach the necessary state government officials to permit hiring of additional staff to assist with processing of license applications.

**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, July 10, 2023 and September 25, 2023.

**MOTION: Chairwoman Reiter moved for the Board to approve the Meeting Minutes for June 26, 2023, July 10, 2023 and September 25, 2023.**

**SECOND: Mr. Tapscott**

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

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

**MOTION PASSED.**

**VI. BOARD CHAIR COMMENTS TO BOARD MEMBERS & STAFF**

- A. Summary Report of 2023FSMTB Annual Meeting in San Diego, CA
- B. Summary Report of the MTB Industry Issues Advisory Task Force
- C. Summary Report of HB 2012, Chapter Law 101, Laws of 2023

**VII. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

**A. Formal Interview(s)**

(1) 23-018 Lisha Bao LMT-27615

This item was continued to the Board's next meeting.

(2) 23-044 Jiafeng Wang MT-26684

This item was continued to the Board's next meeting.

**B. Formal Hearing(s)**

Vacant.

**C. Investigative Review(s) – to include possible cease and desist order and/or referral to local law enforcement.**

Vacant.

**D. License Application(s) Requiring Board Review**

(1) Luwana Webb – Expired MT-04294P

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 renewal upon the Respondent entering into a Consent Agreement for \$500 Civil Penalty. If the**

**Consent Agreement is not signed and Civil Penalty paid within 60 days, the license renewal will be denied.**

**SECOND: Mr. Tapscott**

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

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

**MOTION PASSED.**

(2) Kimberly Downing – MT-18266

**MOTION: Chairwoman Reiter moved for the Board to offer a Consent Agreement for \$800 Civil Penalty. If not signed within 60 days, a notice of charges will be issued.**

**SECOND:**

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

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

**MOTION PASSED.**

**E. Disciplinary Monitoring Updates**

Vacant.

**VIII. BOARD REVIEW OF DRAFT POLICIES & PROCEDURES FOR RESPONSE COMPLIANCE, FOLLOWING 2022 ARIZONA AUDITOR GENERAL SUNSET PERFORMANCE AUDIT**

**MOTION: Chairwoman Reiter moved for the Board to accept and adopt the complaint policy and procedures as presented and permit the Executive Director to create new operational policies and procedures, and report updates to the Board at its public meetings.**

**SECOND: Vice-Chairwoman DeRoest**

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

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

**MOTION PASSED.**

**IX. REPORT BY BOARD INVESTIGATOR**

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

**X. EXECUTIVE DIRECTOR'S REPORT**

A. Discussion, review and possible action on new Board policy to permit the Executive Director to create new operational policies and procedures, and report updates to the Board at the public meetings.

“Pursuant to A.R.S. § 32-4204(C)(7), the Board requests that the Executive Director oversee the development, approval, and implementation of all Board policies and procedures.”

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

- Discussion regarding clarifying A.R.S. § 32-4221 and A.R.S. § 32-4251, and compare to A.R.S. § 32-925 and A.R.S. § 32-926 as they relate to A.A.C. R4-7-1102(A).
- Possible increase to number of continuing education credits issued per renewal year for attending Board meetings.
- Report on concerns relating to Board funding, staffing and the filling of Board member vacancies.

The next Board meeting date:

Monday, November 27, 2023 at 9:00 a.m.; to be held via videoconference.

**XIII. ADJOURNMENT**

The Board's meeting adjourned at 1:00 p.m.