

BOARD MEMBERS:

Tree Allemang
 Kathleen Pilgreen
 Michael Smith
 Robin Graber
 April Whiting
 Joanne Leming
 Diane Huleva
 Sgt. Carmen Donegan



Nevada State Board
 of Massage Therapists
 1755 E. Plumb Lane Suite 252
 Reno, NV 89502
 Reno - Phone (775) 687-9955
 Las Vegas – Phone (702) 486-2212
 Fax (775) 786-4264

Email: nvmassagebd@state.nv.us

Website: <http://massagetherapy.nv.gov>

DRAFT MINUTES

The Nevada State Board of Massage Therapists (NSBMT) is scheduled to hold its regularly scheduled meeting;

DATE: **March 21, 2014**
TIME: **9:00 a.m. – 3:00 p.m.**

LOCATION: **VIDEO CONFERENCE LOCATIONS:**

Las Vegas Location
 Grant Sawyer State Office Building
 Attorney General's Office
 555 E Washington Ave Suite 4500
 Las Vegas, NV

Carson City Location
 Attorney General's Office
 100 N. Carson St. Mock Court Room
 Carson City, NV

The mission of the Nevada State Board of Massage Therapists is to, through licensing and regulating the practice of massage, protect the public health, safety and welfare by ensuring that only qualified competent Massage Therapy Practitioners are licensed in the State of Nevada. It is our goal to balance the needs of the public with those of Licensed Massage Therapists, through development, implementation, enforcement, and continued improvement in the areas of therapist education, public safety, boundaries and ethics, in compliance with the highest standards set forth within the Massage Therapy Profession.

Note: Public Comment Will Be Taken at the Beginning and the End of the Meeting.

9:15 a.m.

1. Public Comment

None

2. Roll Call of Board Members

Board Members Present: Tree Allemang, Michael Smith, April Whiting, Kathleen Pilgreen, Robin Graber, Diane Huleva, and Sgt. Carmen Donegan

Staff Present: Lisa Cooper-Executive Director, Christy Brunner-Executive Assistant, Cathy Betty-Administrative Assistant I, Lisa Alford-Administrative Assistant I, Angela Proehl-Field Inspector I, Jatasha “Nikki” Milliken-Field Inspector III, Louis Ling- Staff Council, Keith Marcher– Chief Deputy Attorney General

3. Citation Appeal (For Possible Action)

a. Laura Montiel

Keith Marcher, Chief Deputy Attorney General: Ms. Montiel has withdrawn her Citation Appeal. She has agreed to pay \$50.00 per month until the citation is paid off. She is also to work with Lisa (Cooper) to bring her website into compliance with Board statutes. The Board does not need to take any action since it has been withdrawn.

4. Renewal Review (For Possible Action)

a. Jie Duenas – present, Dan Winder, Attorney – present

Lisa Cooper, Executive Director: Ms. Duenas’ renewal is before you today due to providing false or misleading information to the Board. Ms. Duenas was arrested on May 6, 2013, which she did not disclose on her renewal form. We received her renewal form on August 22, 2013. It was incomplete and returned to her. We received it back in our office on September 9, 2013. She did not disclose the issue in Arizona. I am recommending that the Board deny her renewal and if she would like to reapply, she is free to at any time and she will need to undergo a background check with the reapplication.

Keith Marcher, Chief Deputy Attorney General: You have a couple of options. You have the renewal that you can deny and have her reapply. You can also listen to the testimony and make your decision.

Dan Winder, Attorney: Ms. Duenas is from China and English is her second language. On the application it asks if you have ever been arrested and she has never been arrested. She was given a citation in Arizona that was dismissed by the court. She was never found guilty of solicitation. When she was filling out her renewal application, she used an interpreter. I have advised her that although she was given just a citation, she should have answered the question about if she has ever been

arrested differently. It was just a misunderstanding due to the language barrier. She is willing to answer any questions about the incident. She is licensed in Arizona. She is asking that the Board excuse this oversight on her part and renew her license even if it is with some probationary conditions. We are asking that you just don't flat out deny it based on this form.

Lisa Cooper, Executive Director: Just for clarification purposes, she does currently have an Arizona license that will be going before the Board next week for discipline. She was issued a citation at the time that the Officers went back to the establishment. She was later brought in and fingerprinted.

Kathleen Pilgreen, Vice Chairperson: Am I mistaken in thinking that if we have any sort of contact with law enforcement, we need to report it to the Board?

Lisa Cooper, Executive Director: No, you are not mistaken on that.

Motion: Robin Graber made a motion to deny the renewal due to fraudulent information and she must submit fingerprints upon reapplying.

Second: April Whiting

Motion Carries Unanimously

5. Probation Termination (For Possible Action)

- a. Christopher Johnson – present

Lisa Cooper, Executive Director: Mr. Johnson's Probation Termination is before you today because he has completed the requirements of his probation. I am recommending termination of his probation.

Motion: Michael Smith made a motion to approve.

Second: Robin Graber

Motion Carries Unanimously

- b. George Golmassian – present, Jack Buchanan, Attorney – present

Lisa Cooper, Executive Director: Mr. Golmassian's Probation Termination is before you today because he has completed all of the requirements of his probation. I am recommending termination of his probation.

Motion: Robin Graber made a motion to approve.

Second: Tree Allemang

Motion Carries Unanimously

6. Application Review (For Possible Action)

a. Licenses Approved and Authorized by the Chairperson

Motion: Michael Smith made a motion to approve

Second: April Whiting

Motion Carries Unanimously

b. Review Application of Dan Meng – present, Kirk Kennedy, Attorney – present, Wai Mei Borgel, Interpreter - present

Lisa Cooper, Executive Director: Ms. Meng is before you today due to education that needs to be Board approved and criminal history that could not be administratively approved. She is requesting to be granted a license under NRS 640C.400.

Kirk Kennedy, Attorney: I was last here with Ms. Meng in 2011, and the issue was that the school that she attended in Texas was being investigated and for that reason, her application at that time was denied. She came back here on her own in 2012 and by that time the school in Texas had their license revoked. So we are here again in 2014 with new education. She has had no new arrests since the application in 2011. There's a case in California that has been expunged. She has gone to a new school here in Las Vegas called Fu Zu Ba. She appears on paper to meet all the requirements to be granted her license.

Robin Graber, Board Member: What is the status for Fu Zu Ba?

Lisa Cooper, Executive Director: They went back before the Commission on Post Secondary Education in February and they did receive their approved application for a permanent license.

Motion: April Whiting made a motion to approve the license

Second: Michael Smith

Motion Carries Unanimously

c. Review Application of Beth Ivy – not present

Lisa Cooper, Executive Director: Ms. Ivy's application is before you today due to education that was obtained from a school that has errors on the transcript. The school has closed. The only transcripts that are available have the start date after the end date. This information was provided by the Illinois Board of Education. She is requesting to be granted a license under NRS 640C.420 which is a transfer application so there are no fingerprints.

Michael Smith, Board Secretary/Treasurer: You can see that she paid the tuition.

Louis Ling, Board Council: It all appears to be consistent except for the apparent typos and the lack of a signature. You won't be able to get any further information on the school.

Motion: Michael Smith made a motion to approve
Second: April Whiting

Motion Carries Unanimously

d. Review Application of Elizabeth Lee – present

Lisa Cooper, Executive Director: Ms. Lee's application is before you today due to education that was obtained from two schools that have been under investigation in California. They are no longer accepting transcripts from either school. San Diego Beauty College as of May 12, 2012 and Royal Irvine as of August 12th. Ms. Lee is requesting to be granted a license under NRS 640C.420 which is a transfer application and we have no fingerprints. Michael, I know you had a question about the portal that she got approved through. She was approved before the schools were removed. She's been certified for a long time. CAMTC is a certification not a license so there is no discipline. She has the certification, but if she applied today, they could not certify her because of her education.

Michael Smith, Board Secretary/Treasurer: We haven't accepted these two school's transcripts for a very long time.

April Whiting, Board Member: Are you working?

Elizabeth Lee, Applicant – I have been working off and on and taking care of my parents.

Motion: Robin Graber made a motion to deny based on lack of education
Second: Michael Smith

Motion Carries Unanimously

e. Review Application of Sam Xian – present

Lisa Cooper, Executive Director: Mr. Xian's application is before you today due to education that was obtained at Fu Zu Ba. The school's license was approved in February. He is requesting to be granted a license under NRS 640C.400. My recommendation is to approve the license.

Motion: April Whiting made a motion to approve
Second: Robin Graber

Motion Carries Unanimously

f. Review Application of Yan Li – present, Robert Bettinger, Attorney - present, Wai Mei Borgel, Interpreter - present

Lisa Cooper, Executive Director: Ms. Li is before you today due to education that was obtained from Fu Zu Ba. Ms. Li's application was before you in August of 2012 and was tabled for more information regarding her school. Ms. Li did not provide the

information, but instead pulled her application and went to school at Fu Zu Ba. She is requesting to be granted a license under NRS 640C.400.

Motion: Michael Smith made a motion to approve

Second: Robin Graber

Motion Carries Unanimously

g. Review Application of Timothy Jeffers – present

Lisa Cooper, Executive Director: Mr. Jeffers' application is before you today due to education that was obtained in California from Soma Therapy Institute where he did not complete a Massage Therapy Program. Mr. Jeffers did complete 84 hours at European Massage School in Nevada, however, eight of those hours of instruction were in Reflexology. Mr. Jeffers is requesting to be granted a license under NRS640C.420 which is a transfer license.

Robin Graber, Board Member: Why did you not complete the program at Soma Therapy Institute?

Timothy Jeffers, Applicant: I had moved around. Back when I was taking the classes it was a' la carte. It was back in 2000 and there wasn't a need for a diploma back then. The Anatomy and Physiology I have taken. When they sold the school, some of the records were lost. I am an EMT so I have no problem taking A&P.

Michael Smith, Board Secretary/Treasurer: When was the last time you gave a massage?

Timothy Jeffers, Applicant: A few weeks ago in California.

Lisa Cooper, Executive Director: Under NRS 640C.400, it says that you have to have completed a Massage Therapy Program. Just because you have transcripts doesn't mean that you have completed a program. You can't hodgepodge the education together. In the past, they take their transcripts to a school and the school looks at what they have and what they need and then they complete the program.

Motion: Diane Huleva made a motion to deny based on lack of a completed Massage Therapy Program

Second: Michael Smith

Motion Carries Unanimously

h. Review Application of Renata Gomes de Oliveira – present

Lisa Cooper, Executive Director: Ms. Gomes de Oliveira is before you today due to education that was obtained in California. She completed 362 hours at Diamond Light School of Massage and Healing Arts. She took her transcripts to the Bodhi Tree School to complete her Massage Therapy Program. She is requesting to be granted a license under NRS 640C.400 and she has done fingerprints.

Motion: Michael Smith made a motion to approve

Second: Tree Allemang

Motion Carries Unanimously

- i. Review Application of Katrina Barnes – not present

Lisa Cooper, Executive Director: Ms. Barnes' application is before you today due to education that was obtained in California. She attended Healing Hands School of Holistic Health. This school is not currently under investigation with the NCBTMB and is not on the list of schools with the CAMTC. She is requesting to be granted a license under NRS 640C.420, which is a transfer application.

Robin Graber, Board Member: Have we seen this school before?

Lisa Cooper, Executive Director: No.

Michael Smith, Board Secretary/Treasurer: I see that she obtained her certification through portal E and it says, "Conditional, requires CEU's". I have never seen that before and I am curious what that's about.

Motion: Diane Huleva made a motion to table until we can obtain more information about the continuing education required for Portal E. If it is okay, then it can be administratively approved

Second: Michael Smith

Motion Carries Unanimously

- j. Review Application of Ying Hua Piao – present, Wai Mei Borgel, Interpreter - present

Lisa Cooper, Executive Director: Ms. Piao's application is before you today due to education that was obtained in California. She attended Haines Career College which is on the CAMTC's list of not accepted schools. She also attended Los Angeles College. This school is not on the CAMTC's list with issues and it is not on the NCBTMB's list of schools under investigation. She is requesting to be granted a license under NRS 640C.400. Basically, I am telling you that we need to ignore the Haines Career College transcript and only go off of the Los Angeles College transcript.

Diane Huleva, Board Member: What are the lab hours on the transcript?

Lisa Cooper, Executive Director: Ms. Piao, on the Los Angeles College transcript, under anatomy and physiology there is 30 hours of theory and 30 hours of lab. What is the difference?

Ying Hua Piao, Applicant: They are in the same classroom when the teacher is instructing the class and we also do hands-on there.

Lisa Cooper, Executive Director: Board Members, the consensus in the North is that the A & P does not meet our standards. Also under transfer hours, they transferred hours from somewhere for professional practice.

Diane Huleva, Board Member: I am concerned that the transcript says that the start date is 5/6/2013 and the end date is 10/18/2013 but she graduated on 8/26/2013. It's very inconsistent.

Lisa Cooper, Executive Director: Based on this transcript, she starts a new class every two weeks. She did 60 hours between 5/6 and 5/20, but that's only two weeks.

Ying Hua Piao, Applicant: I don't know how they write it, but I had credit from my previous school, Haines College.

Kathleen Pilgreen, Vice Chairperson: We can't accept the transfer hours from Haines College.

Louis Ling, Board Council: Haines College credits cannot be recognized. The Board needs to make a recommendation to deny and she can reapply when she has education that complies with our law.

Motion: Robin Graber made a motion to deny based on the education does not meet the Board's requirements.

Second: Diane Huleva

Motion Carries Unanimously

- k. Review Application of Dong Yang – present, Dan Winder, Attorney – present

Lisa Cooper, Executive Director: Ms. Yang is before you today due to education that was obtained in California. Currently, Stanton University is not on the CAMTC's list but the school code was denied by the NCBTMB. Ms. Yang was issued a Cease and Desist on October 15, 2008 for practicing Acupressure without a Massage License. Ms. Yang was also issued a citation in June of 2012 and she has taken care of that citation. She is requesting to be granted a license under NRS640C.420 which is a transfer application so we do not have a background check on her.

Robin Graber, Board Member: Do we know why the school code was denied?

Lisa Cooper, Executive Director: Usually when the NCBTMB denies a school code it is because they did not meet the requirements set by the National Board. So, maybe the Board requested information - there's a lot of schools that didn't want to jump through those hoops and so they dropped their certification. It does not mean that there was fraudulent or misleading information or an investigation. If it was something like that, we would have that information.

Robin Graber, Board Member: She doesn't have any arrests or anything?

Lisa Cooper, Executive Director: We do not have that information because she did a transfer application so she didn't have to do the background.

Dan Winder, Attorney: I would just like to interject that the school she attended is not on the CAMTC's list. She is licensed in three other states.

Lisa Cooper, Executive Director: Mr. Winder, I think you may have misunderstood me. I am asking the Board to review her education and let me know if it meets our requirements as far as the ethics, anatomy and physiology, etc.

April Whiting, Board Member: I just want to make sure the applicant understands question number two on the application where it asks if she has ever been convicted of a felony or engaged in any of those activities.

Dan Winder, Attorney: I believe she understands. She has never been convicted of any of those.

Lisa Cooper, Executive Director: What about question number six then? Have you engaged in any of the activities below? We are asking if she has ever been arrested or convicted of prostitution or engaged in that activity.

Dan Winder, Attorney: There was a citation that was dismissed, but she was never convicted of solicitation or prostitution.

Robin Graber, Board Member: So, she did engage in one of the activities listed in question six.

Motion: Michael Smith made a motion to table the application and complete a background check and if the background is clear, she can be licensed administratively.

Second: April Whiting

Motion Carries Unanimously

I. Review Application of Frank Weilbacher – not present

Lisa Cooper, Executive Director: Mr. Weilbacher's application is before you today due to his education. He attended the Dahan Institute in Las Vegas. Dahan has closed its doors and sent all transcripts to the Nevada Commission on Post Secondary Education. There were no certificates of completion that were sent to the Commission and if they were, they were destroyed because they do not keep them. He is unable to obtain a certificate of completion. He is requesting to be granted a license under NRS 640C.400.

Diane Huleva, Board Member: If he graduated in 2001, has he ever applied for his license before?

Lisa Cooper, Executive Director: No, I don't think he has ever been licensed with us. Christy, has he been licensed with us before?

Christy Brunner, Executive Assistant: No, this is his first time applying.

Motion: Robin Graber made a motion to approve the license without restrictions

Seconded: Michael Smith

Motion Carries Unanimously

m. Review Application of Elvira Milan – present

Lisa Cooper, Executive Director: Ms. Milan's application is before you today due to education that was obtained in California at the Monterey Peninsula College. The school is not on the CAMTC's list of schools with issues and the school is not on the NCBTMB's list of schools under investigation. She is requesting to be granted a license under NRS 640C.400.

Michael Smith, Board Secretary/Treasurer: Is there some sort of calculation for translating the credits to hours?

Lisa Cooper, Executive Director: Unfortunately there is not. Nevada has an equation of one credit equals 15 hours, but other states vary.

Motion: Michael Smith made a motion to approve

Second: Robin Graber

Motion Carries Unanimously

n. Review Application of Qiong Wu – present

Lisa Cooper, Executive Director: Ms. Wu's application is before you today due to her education that was obtained from Fu Zu Ba School of Massage and Reflexology. The Nevada Commission on Post Secondary Education approved Fu Zu Ba for a permanent license in February of 2014. She is requesting to be granted a license under NRS 640C.400.

Motion: Robin Graber made a motion to approve

Second: Michael Smith

Motion Carries Unanimously

o. Review Application of Lihua Davidson – not present

Lisa Cooper, Executive Director: Ms. Davidson is before you today due to education that was obtained from East West Massage School in South Carolina. As of February 20, 2014, the South Carolina Commission of Higher Education has suspended the license of the school for several reasons listed in the letter in the package. Ms. Goodwin specifically looked at Ms. Davidson's school package at the time they were at the school doing a site visit. At the time, the school could not provide any evidence of Ms. Davidson ever attending the school. The school is located in a strip mall and

the actual suite can barely hold four or five people at one time. While they were doing their site inspection, they had 20 people enrolled and the building couldn't physically hold that many students and that's why they suspended the license.

Motion: Michael Smith made a motion to deny based on NRS 640C.700.1

Second: Robin Graber

Motion Carries Unanimously

- p. Review Application of Liping He – present, Jack Buchanan, Attorney - present, Wi Meng, Interpreter - present

Lisa Cooper, Executive Director: Ms. He's application is before you today due to criminal history that cannot be approved administratively. On June 28, 2009 Ms. He was arrested for solicitation of prostitution in the course of massage and was disciplined by the Board with a 45 day suspension and a \$2,000.00 fine. On November 3, 2012, Ms. He was again arrested for solicitation and Voluntarily Surrendered her license in lieu of other disciplinary action at the July 12, 2013 Board Meeting. She's requesting to be granted a license under NRS 640C.400. We did receive background and all of the information which is in the Board packet.

Jack Buchanan, Attorney: We did submit a statement. She acknowledges the incidents that have happened in her past. She has not had any new contact with law enforcement. She is very steadfast in wanting to come back before the Board and prove that she is very serious about obtaining and maintaining her license. She is a single mom with a son here in the Las Vegas area. This is her passion but her past is her past. She is willing to do whatever it takes including going back to school, which she did. She would be open to any restrictions that the Board would impose.

Michael Smith, Board Secretary/Treasurer: If we were to grant you a license, would you make sure that you would not work in a place where you might work with customers that might get you arrested?

Liping He, Applicant: I totally understand.

Motion: Robin Graber made a motion to grant a license with a two year probation and the following conditions: 1, 2, 4, 6, 8, 12, 13, 14, 15 and 16.

Second: April Whiting

Motion Carries Unanimously

- q. Review Application of Bryan Kirkland – present

Lisa Cooper, Executive Director: Mr. Kirkland is before you today due to criminal history that could not be administratively approved. We sent out the criminal history that was of concern for your review.

Sgt. Carmen Donegan, Board Member: Can you tell me about an incident that happened at Planet Hollywood with your ex-girlfriend?

Bryan Kirkland, Applicant: Yes. We were there. She was drinking and gambling. We got into an argument and they arrested me and sent her home.

Sgt. Carmen Donegan, Board Member: You got arrested for arguing, is that it?

Bryan Kirkland, Applicant: Yes. I had to do anger management classes, community service and volunteer work.

Sgt. Carmen Donegan, Board Member: Ok, so anger management, community service and volunteer work. In the report, it says they have surveillance video of you hitting her in the head and you had a high blood alcohol content. Was she your current girlfriend or ex-girlfriend?

Bryan Kirkland, Applicant: We were together.

Sgt. Carmen Donegan, Board Member: Can you tell me about the DUI you received in July?

Bryan Kirkland, Applicant: I got pulled over when I was coming home and I had some warrants. They dismissed the warrants as long as I took care of the DUI by this July.

Sgt. Carmen Donegan, Board Member: My concern is the problems that you are having are related to alcohol.

Bryan Kirkland, Applicant: I don't think it's a problem.

April Whiting, Board Member: Are you still drinking?

Bryan Kirkland, Applicant: Only socially.

Kathleen Pilgreen, Vice Chairperson: Lisa, on page six there is a red flag. Is that what we flagged or he did?

Lisa Cooper, Executive Director: That question should have been answered with a yes, so we flagged that.

Michael Smith, Board Secretary/Treasurer: There were a couple instances where you marked no on the application and based on your history you should have marked yes. Why did you mark no?

Bryan Kirkland, Applicant: Because they were misdemeanors.

Diane Huleva, Board Member: Carmen, on the background check I noticed that there are two different social security numbers. On page three it has one social security number and then if you go back seven more pages, it has a different social security number.

Sgt. Carmen Donegan, Board Member: It could be that he used a different social security number at one point. It doesn't necessarily mean he's lying about it. It seems to be that they figured out that it's the same person. Sometimes we get a different social security number because someone is intoxicated, or it's entered wrong, or they give it to us wrong and that's recorded so that it can match back to that person. Mr. Kirkland, do you have any idea why there are two social security numbers associated with your file?

Bryan Kirkland, Applicant: No. I only have one social security number.

Diane Huleva, Board Member: My main concern is that some of the questions on the application were not answered truthfully and it's a matter of public safety.

Motion: Diane Huleva made a motion to deny based on fraudulent information and reputation and character.

Second: April Whiting

Motion Carries Unanimously

- r. Review Application of Wipa Sutthiprapa – present

Lisa Cooper, Executive Director: Ms. Sutthiprapa's application is before you today due to criminal history that could not be approved administratively. She is requesting to be granted a license under NRS 640C.400. She did not disclose the information on her application.

Diane Huleva, Board Member: Did you receive probation in California and is it completed?

Wipa Sutthiprapa, Applicant: Yes and it's completed.

Sgt. Carmen Donegan, Board Member: I'd like to know about the arrest in Las Vegas from 2009.

Wipa Sutthiprapa, Applicant: I was doing massage and he asked me to do extras but I didn't do that.

Sgt. Carmen Donegan, Board Member: Did the person you gave the massage to ask for a sexual act and did you agree to do that for \$50.00?

Wipa Sutthiprapa, Applicant: No.

Sgt. Carmen Donegan, Board Member: So the detective lied?

Wipa Sutthiprapa, Applicant: Yes.

Sgt. Carmen Donegan, Board Member: The detective lied?

Wipa Sutthiprapa, Applicant: Yes.

Lisa Cooper, Executive Director: Have you ever used another name that's not disclosed on the application?

Wipa Sutthiprapa, Applicant: Yes, when I got divorced and became a citizen.

Lisa Cooper, Executive Director: So when you were arrested, it was in a different name which you did not disclose on the application.

Sgt. Carmen Donegan, Board Member: From what I understand, she gave a massage without a Massage License and agreed to perform a sex act for \$50.00. It was amended to Failure to Show License. In her affidavit she says that she was arrested when the police came in and arrested her for a \$20.00 tip. She said she didn't understand what was happening.

Lisa Cooper, Executive Director: How did she make a living from 2001 to 2013?

Wipa Sutthiprapa, Applicant: Reflexology.

Motion: Robin Graber made a motion to deny for failure to disclose the criminal history and the criminal activity itself

Second: Tree Allemang

Motion Carries Unanimously

s. Review Application of Ariana Ibarra – present

Lisa Cooper, Executive Director: Ms. Ibarra is before you today due to criminal history that could not be administratively approved. She is requesting to be granted a license under NRS 640C.400.

Ariana Ibarra, Applicant: I made a really bad decision. There is no excuse for what I did. I deeply regret what I did. I am asking for a second chance and I know that's difficult to grant. I am really regretful and I know what I did was wrong and I am apologetic for that. I have matured a lot since the incident.

Michael Smith, Board Secretary/Treasurer: Have you been employed since last year?

Ariana Ibarra, Applicant: Yes.

Michael Smith, Board Secretary/Treasurer: I mean have you been continuously employed? No one has let you go for stealing or anything like that?

Ariana Ibarra, Applicant: No, I was a server at Buffalo Wild Wings for five months and right now I am caring for my nephew.

Lisa Cooper, Executive Director: This is the second time Ms. Ibarra has been before the Board and we are hearing that she is regretful, but I would like to know, what did you do?

Ariana Ibarra, Applicant: I was in the office and I stole her phone and I made a terrible ten second decision and it was out of character. I made an awful decision.

Lisa Cooper, Executive Director: So before you go any further, you stole the phone and then what did you do?

Ariana Ibarra, Applicant: I told my brother that my boss had given it to me because he hadn't paid me. I asked him to figure out how much it was worth and sell it, which he did. He was arrested and went to juvenile hall. I did have him sell it on Craigslist.

Lisa Cooper, Executive Director: Thank you for admitting what you had done versus the last time you were before us.

Michael Smith, Board Secretary/Treasurer: Did you have to serve probation?

Ariana Ibarra, Applicant: I had to pay \$1,500 in fines, attend a petty larceny class and spend four days in jail.

Sgt. Carmen Donegan, Board Member: In the massage business, the client is trusting you. They relax and close their eyes and take off their wedding sets, and if there is a thief, they are easy victims.

Ariana Ibarra, Applicant: I understand that.

Motion: April Whiting made a motion to grant the license with a two year probation and the following conditions: 1, 2, 3, 4, 5, 6, 12, 13, 14, 15 and 16.

Second: Robin Graber

Motion Carries Unanimously

- t. Review Application of Robert Hughes – present

Lisa Cooper, Executive Director: Mr. Hughes' application is before you today due to criminal history that could not be administratively approved. He is requesting to be granted a license under NRS 640C.400. We do have fingerprints and I have provided you with an additional criminal history packet. Criminal history that is more than ten years old, we normally don't look at. We have had one other person that has been before our Board with the same conviction and our attorney at the time made me approve him because the criminal history was more than 10 years old. I do not feel that it is in the public's best interest for us to approve an application with old criminal history that may impact them and that's why I am bringing this before the Board.

Kathleen Pilgreen, Vice Chairperson: Louis, with the information that was provided, we can only ask about what has happened in the last ten years correct?

Louis Ling, Board Council: No. You have a responsibility to look at the character and determine who can be licensed. I have checked and for disciplinary action and denial of a license, we can only use convictions that are within the preceding ten years. So, you cannot deny the application based on anything that occurred more than ten years ago.

Motion: Robin Graber made a motion to go into a closed session

Second: Tree Allemang

Motion Carries Unanimously

Closed Meeting

Open Meeting

Motion: Michael Smith made a motion to grant the license with a two year probation and the following conditions: 1, 2, 6, 12, 13, 14, 15 and 16

Second: Diane Huleva

Motion Carries Unanimously

u. Review Application of Susel Sanchez-Frometa – present

Lisa Cooper, Executive Director: Ms. Sanchez-Frometa's application is before you today due to criminal history that could not be approved administratively and she did not disclose on her application. She is requesting to be granted a license under NRS 640C.400.

Susel Sanchez-Frometa, Applicant: I am from Cuba. I came here illegally and I came in to the Miami airport. There was not an arrest. It's a normal process for illegals. They took my fingerprints. The arrest says June 16th and I received my resident card with the same date.

Lisa Cooper, Executive Director: Basically for people who come here illegally and they are found to be here illegally, the deportation process begins. While the process was in the works, she was able to apply for her Temporary Resident Card and obtained it. She is legal now.

Motion: Robin Graber made a motion to approve the license

Second: April Whiting

Motion Carries Unanimously

v. Review Application of Karen Croucher – present

Lisa Cooper, Executive Director: Ms. Croucher is before you today due to criminal history that could not be approved administratively. She is requesting to be granted a license under NRS 640C.400 and we do have fingerprints on her.

April Whiting, Board Member: Can you tell us about the deep treatment you went through?

Karen Croucher, Applicant: I moved to Nevada in 2000 from California. My mom lives here and we kind of take care of each other. Within a year I had a DUI. I had gone out with friends and I was close to home and I put my flashers on because I couldn't drive. The Highway Patrol came up behind me asked me if I had been drinking and I said yes. They had me do some tests which I failed. At that time, I didn't know that I was about to succumb to the grips of addiction. I had never had a problem before and I was in denial for a long time because I hadn't been drinking for years and years. I went back to California and the addiction just seized me. I came back to Las Vegas and went into a residential treatment program called EOB. It was very effective. I did inpatient and outpatient. I have had years and years of contact with my counselor. I am an artist and Massage Therapy is an art. It has been almost 10 years now and when I can help someone by talking about it, I do.

Diane Huleva, Board Member: How long have you been clean and sober?

Karen Croucher, Applicant: Almost ten years.

Motion: Diane Huleva made a motion to approve the license

Second: Michael Smith

Motion Carries Unanimously

w. Review Application of Melissa Munoz – present

Lisa Cooper, Executive Director: Ms. Munoz is before you today due to criminal history that could not be approved administratively. She is requesting to be granted a license under NRS 640C.400 and she has completed fingerprints.

Sgt. Carmen Donegan, Board Member: I have a question. I read your statement and for the 2011 DUI you wrote that you were not guilty but the record I have says guilty. The date of the disposition is the same date as your letter.

Melissa Munoz, Applicant: I had been fighting it. I had taken medication for anxiety, but no alcohol. I just now told them that I wanted it closed so I can move on and get my license.

Sgt. Carmen Donegan, Board Member: So it's closed, but you do realize that it shows as guilty on your record?

Melissa Munoz, Applicant: I was not aware of that until now.

Michael Smith, Board Secretary/Treasurer: So, it was anxiety medication and not alcohol?

Melissa Munoz, Applicant: Right.

Sgt. Carmen Donegan, Board Member: Did you have any incidents after that?

Melissa Munoz, Applicant: My tire blew out and I was in a car accident and my eyes were blood shot and so they thought I had been drinking. They saw that the other DUI was still pending so they took me in but it ended up being dropped.

Michael Smith, Board Secretary/Treasurer: Any other issues?

Melissa Munoz, Applicant: I had a domestic violence with my boyfriend. He had pushed me and I slapped him. I called the cops and they arrested me. I had to pay fines.

Motion: Robin Graber made a motion to grant the license with a one year probation period and the following conditions: 1, 6, 9, 12, 13, 14, 15 and 16

Second: April Whiting

Motion Carries Unanimously

- x. Review Application of Gloria McCoy – present

Lisa Cooper, Executive Director: Ms. McCoy is before you today due to criminal history that could not be approved administratively. She is requesting to be granted a license under NRS 640C.400 and we have her fingerprints.

Kathleen Pilgreen, Vice Chairperson: Would you like to make a statement?

Gloria McCoy, Applicant: Yes I would. Prior to my sentencing in 2010, I attended a four and a half month drug rehab program through the Salvation Army which I successfully completed. In December, I was ordered to probation and drug court and I completed both of those successfully. I have to do at least two meetings per week. I recently retired from my Chair position at High Noon, which I had for about nine months. I have a sponsor that I talk to on a regular basis. I love massage and I excelled at all my classes and testing at school.

Motion: April Whiting made a motion to grant the license with a two year probation period and the following conditions: 1, 4, 6, 9, 12, 13, 14, 15 and 16

Second: Diane Huleva

Motion Carries Unanimously

7. Financial Report Discuss/Review/Approve Budget and Budget Items (For Possible Action)

- a. Year to Date Budget 07/2013 to 02/2014

Motion: Michael Smith made a motion to approve

Second: Diane Huleva

Motion Carries Unanimously

8. Discuss/Amend/Approve Board Meeting Minutes (For Possible Action)

- a. December 12-13, 2013 Board Retreat
- b. December 18, 2013 Workshop
- c. January 17, 2014 Board Meeting

Motion: Diane Huleva made a motion to approve the Minutes for a, b and c

Second: Robin Graber

Motion Carries Unanimously

9. Board Discussion Review/Approve/Deny (For Possible Action)

- a. Public Service Announcement Quotes
 - i. Brian Brown Photography
 - ii. Creative Concepts
 - iii. The Ohlmann Group

Lisa Cooper, Executive Director: These are the three that I got and they are all very different. Brian Brown is a photographer down in Vegas. He is very new and he's trying to break into the media business so his bid does not contain air time. Creative Concepts has air time and very little production costs. The Ohlmann group has a substantial amount of production cost with a substantial amount of air time. Brian Brown is in Las Vegas, Creative Concepts is in Reno and The Ohlmann Group is out of Illinois.

Diane Huleva, Board Member: I like Creative Concepts the best. They are a local company with a great reputation. My concern is that in order to do television, we need to be able to spend the money and the money that we have allotted for television is not enough. If it was radio, you have more media reach, like seven to eight times more reach. I think we need to go back to Creative Concepts and have them tell us the reaching frequency for television or radio. They can tell us, "You need \$60,000 to meet your goal." We have to figure out who our audience is.

Michael Smith, Board Secretary/Treasurer: Creative Concepts offered television and radio; they seem to be the most diversified.

Robin Graber, Board Member: Are we trying to reach the public?

Lisa Cooper, Executive Director: We have had several sexual assaults in the North and the South and we need make sure that we are educating the public so they know we are here to help.

Diane Huleva, Board Member: I don't agree with the June, July and August running dates. This is the year of politicals and we won't be able to get any bonuses from the media companies because they are going to be so saturated with ads. We need to make sure it is effective. We need to ask them what the best time is to do it to get the best value.

Lisa Cooper, Executive Director: November and December is too expensive because of the holidays. If we want to do something in May, we need to approve it today because our next Board Meeting isn't until June. I would be happy to meet with you and we can go over everything.

Motion: Michael Smith made a motion to approve Creative Concepts and start moving forward for the May schedule.

Second: Robin Graber

Motion Carries Unanimously

- b. Review/Approve Xerox Contracts
 - i. Reno Location
 - ii. Vegas Location

Lisa Cooper, Executive Director: We have replaced the copy machines in both locations.

Motion: Diane Huleva made a motion to approve

Second: Michael Smith

Motion Carries Unanimously

- c. Approve Travel for Angela Proehl to Attend Council on Licensure Enforcement & Regulation (CLEAR)

Lisa Cooper, Executive Director: I would like to send Angela to the CLEAR training next week.

Motion: Robin Graber made a motion to approve

Second: Diane Huleva

Motion Carries Unanimously

10. Review Inspection Numbers

Lisa Cooper, Executive Director: We have a new Inspector starting on March 31, 2014, so going forward our numbers should improve dramatically.

11. Public Comment

None

12. Future Agenda Items

Diane Huleva, Board Member: Can we get more lead time on receiving the information before the Board Meetings?

13. Adjournment No Later than 3:00 PM (For Possible Action)

1:51 p.m.

Note:

1. Items may be taken out of order
2. Items may be combined for consideration by the Public Body
3. Items may be pulled or removed from the Agenda at any time.
4. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

Public Comment Agenda Item: There is a time designated at the beginning of the meeting and the end of the meeting for Public Comment. Members of the general public may bring matters not appearing on this Agenda to the attention of the Board or make comment on specific Agenda Items. The Board may discuss the matters not on the Agenda, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future Agenda for action. In consideration of others who may also wish to provide Public Comment, please avoid repetition and limit your comments to no more than three (3) minutes.

Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the Board may refuse to consider Public Comment.

Accommodations: Nevada State Board of Massage Therapists will make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. Should special arrangements for the meeting be necessary, please notify the Nevada State Board of Massage Therapists in writing as soon as possible at:

NSBMT

Attn: Lisa Cooper
1755 E. Plumb Lane Suite 252
Reno, NV 89502

Or by phone
(775) 687-9955

The Agenda was posted at the following places:

Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV
Office of the Attorney General, 100 N. Carson Street, Carson City, NV
Office of the Attorney General, 5420 Kietzke Lane Ste 202, Reno, NV
Nevada State Board of Massage Therapists Website
Nevada State Board of Massage Therapists, 1755 E. Plumb Lane Suite 252, Reno, NV 89502