

**BOARD MEMBERS**  
April Whiting, Chair  
Diane Huleva, Vice Chair  
Deirdre Strunk, Secy/Treas.  
Robin Graber  
Margaret Westcamp  
Gayle Ferruccio  
Teresa Lopez  
Sergeant Ailee Burnett



**Nevada State Board  
of Massage Therapists**  
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**Website:** <http://massagetherapy.nv.gov>

## **Meeting Minutes**

### **NEVADA STATE BOARD OF MASSAGE THERAPISTS**

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**LOCATION:** Nevada Department of Transportation – Las Vegas  
123 E. Washington Avenue Building B Training Room  
Las Vegas, NV 89109

**VIDEOCONFERENCE:** Nevada Department of Transportation – Carson City  
1263 S. Stewart Street, Room 301  
Carson City, NV 89701

**DATE:** October 21, 2016

**TIME:** 9:00 a.m. PDST

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**Note: Public comment will be taken at the beginning and the end of the meeting.**

- 1. Call To Order at 9:06 am**
- 2. Roll Call of Board Members** - Board members present: Chair – April Whiting, Vice Chair – Diane Huleva, Secretary/Treasurer Deirdre Strunk, Robin Graber, Margaret Westcamp, Gayle Ferruccio, Teresa Lopez and Sergeant Ailee Burnett.
- 3. Public Comment** – Tawni Grubaugh, I am here speaking on behalf of the students enrolled in the massage therapy program at TMCC. After the students, have finished their education and have begun their career they are asking to be able to revisit some of the modality classes that they have previously taken during a two day crash course. This also serves as a refresher for some. They feel this will benefit them if they can obtain credit as a continuing education hours (CEHs).

**4. Formal Hearing (The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person.) (For Possible Action)**

- a. Jianping Wang Avellar – NVMT-C-1627 – Present, Michael Goudy, Attorney - Present

Keith Marcher, Board Counsel – I will recite the settlement agreement, as this case was once previously continued. This case involves testing with the Federation. What we would like to do is ask for another continuance one more time. Mr. Goudy is working with the Federation to get this resolved. The agreement is that Ms. Avellar would do a temporary voluntary surrender of the license pending resolution of this case or pending hearing. This will ensure she does not practice in Nevada until this can be resolved. Is that your understanding Mr. Goudy?

Michael Goudy, Attorney – It is. Thank you.

Motioned by Robin Graber to accept temporary voluntary surrender license and continue this case until a later time, seconded by Teresa Lopez, motion carries unanimously.

- b. Hanlan Chen Mott – NVMT-C-1630 – Present, William Mott, Husband – Present, Michael Goudy Attorney – Present

Keith Marcher, Board Counsel – Mr. Goudy and I have agreed on a settlement offer. The settlement offer is 60-day suspension of the license with \$2,750.00 fine with \$750.00 in costs. Is that your understanding Mr. Goudy?

Michael Goudy, Attorney – Yes, it is.

Keith Marcher, Board Counsel – I ask that you accept this agreement.

Motioned by Robin Graber to accept the offer of 60-day suspension with \$2,750.00 fine and \$750.00 in costs, seconded by Diane Huleva, motion carries unanimously.

- c. Miroslaw Rurka – NVMT-C-1637- Present, Konrad Rurka, Son/Interpreter – Present

Keith Marcher, Board Counsel – I would like to ask the Board if they would consider closing this meeting pursuant to NRS 241.033 to consider the alleged misconduct against Mr. Rurka.

Motioned by Diane Huleva to proceed into a closed session, seconded by Robin Graber, motion carries unanimously.

Motioned by Teresa Lopez to re-open the closed session, seconded by Deirdre Strunk, motion carries unanimously.

Motion by Robin Graber to find Mr. Rurka guilty of NRS 640C.700(4), seconded by Deirdre Strunk, motion carries unanimously.

Motion by Robin Graber to find Mr. Rurka guilty of NRS 640C.700(9), seconded by Teresa Lopez, motion carries unanimously.

Motion by Robin Graber to suspend Mr. Rurka's license for six months. Following the six-month suspension Mr. Rurka will complete a one year probationary term with the following conditions: 1, 2, 3, 4, 5, 6, 8, 12-16 and a \$500.00 fine plus any additional costs associated with this hearing. This motion is to protect the health, safety and welfare of the public in the State of Nevada. Seconded by Teresa Lopez, motion carries unanimously.

**5. Application Review (The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person.) (For Possible Action)**

a. Licenses approved and authorized by the Chairperson

Motion by Diane Huleva to approve, seconded by Robin Graber, motion carries unanimously.

b. Jing Wang – Not Present

Sandy Anderson, Executive Director - Ms. Wang's application is before you today due to education that cannot be approved administratively. Ms. Wang received her education in California. Ms. Wang's application was tabled on April 29, 2016 and June 24, 2016. CAMTC's review of Angeles College is still pending. Records were requested from the applicant and have not been provided. Ms. Wang is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Teresa Lopez to deny application due to NRS.640C.700(8), seconded by Diane Huleva , motion carries unanimously.

c. Courtney Nguyen- Not Present

Sandy Anderson, Executive Director - Ms. Nguyen's application is before you today due to education from California and potential criminal history that could not be approved administratively. Ms. Nguyen's application was tabled on April 29, 2016, June 24, 2016, and August 26, 2016 pending her attendance at a meeting. CAMTC has completed their evaluation of the Santa Ana Beauty College and has not added the school their list of approved schools. Records requested have not been provided. Ms. Nguyen is requesting to be granted a license under NRS 640C.420.

Motion by Teresa Lopez to deny application due to NRS.640C.700(8), seconded by Diane Huleva, motion carries unanimously.

d. Sarah Anderson – Present

Sandy Anderson, Executive Director - Ms. Anderson's application is before you today due to potential criminal history that could not be approved administratively. Ms. Anderson was tabled at the June 24, 2016 and August 26, 2016 meetings for failure to attend the meeting. Ms. Anderson is requesting to be granted a license under NRS 640C.700.

Motion by Diane Huleva to approve a probationary license for two years with the following conditions: 1, 4, 5, 6 – 2 years, 8, 9 – 2 years, 12-16, seconded by Teresa Lopez, motion carries unanimously.

e. Sam Lee – Present

Sandy Anderson, Executive Director - Mr. Lee's application is before you today due to education that cannot be approved administratively. Mr. Lee received his education in California. Aberdeen College is still under review by CAMTC. Mr. Lee is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Robin Graber to approve this application, seconded by Teresa Lopez, motion carries unanimously.

f. Yixin Zhang – Not Present

Sandy Anderson, Executive Director - Ms. Zhang's application is before you today due to education that cannot be approved administratively. Ms. Zhang received her education in California. Alhambra Medical University has not been approved by CAMTC and is not pending at this time. Ms. Zhang is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Teresa Lopez to approve this application, seconded by Robin Graber, motion carries unanimously.

g. Jianzhong Yan – Present, Moyi Tian, Translator - Present

Sandy Anderson, Executive Director - Mr. Yan's application is before you today due to education that cannot be approved administratively. Mr. Yan received his education in California. David's Academy of Beauty's application with CAMTC is pending. Mr. Yan is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Robin Graber to table this application, seconded by Teresa Lopez, motion carries unanimously.

h. Li Larente – Present, Wayne Logsdon, friend – Present

Sandy Anderson, Executive Director - Ms. Larente's application is before you today due to education that cannot be approved administratively. Ms. Larente received her education in California. Santa Ana Beauty College is not on CAMTC's approved or pending list. Ms. Larente is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Diane Huleva to deny this application due to NRS. 640C.700(7) based on the education not being approved, seconded by Teresa Lopez, motion carries unanimously.

i. Svetlana Tuttle – Not Present

Sandy Anderson, Executive Director - Ms. Tuttle's application is before you today due to education that cannot be approved administratively. Ms. Tuttle received her education in California. Santa Barbara Body Therapy Institute is on CAMTC pending list. Ms. Tuttle is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Robin Graber to approve this application, seconded by Teresa Lopez, motion carries unanimously.

j. Wan Fan – Not Present, Anthony Lai, Husband – Present

Sandy Anderson, Executive Director - Ms. Fan's application is before you today due to education that cannot be approved administratively. Ms. Fan received her education in California. Select Therapy Institute is not on CAMTC approved or pending list. Ms. Fan is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Robin Graber to approve this application, seconded by Deirdre Strunk, motion carries unanimously.

k. Mao Qing Xu – Not Present

Sandy Anderson, Executive Director - Mr. Xu's application is before you today due to education that cannot be approved administratively. Mr. Xu received his education in California. University of Western California is on CAMTC pending list. Mr. Xu is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Robin Graber to deny this application due to NRS. 640C.700(7) based on the education not being approved, seconded by Teresa Lopez, motion carries unanimously.

l. Mingyang Hu – Present

Sandy Anderson, Executive Director - Ms. Hu's application is before you today due to education that cannot be approved administratively. Ms. Hu received her education in California. ZMS The Academy is not on CAMTC pending or approved list. Ms. Hu is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Diane Huleva to table this application until attendance records are provided, seconded by Gayle Ferruccio, motion carries unanimously.

m. Geng Yang – Not Present

Sandy Anderson, Executive Director - Mr. Yang's application is before you today due to education that cannot be approved administratively. Mr. Yang attended Health Fitness Education & Massage Therapy in Texas. Mr. Yang is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motion by Gayle Ferruccio to deny this application due to NRS.640C.700(8), seconded by Teresa Lopez, motion carries unanimously.

n. Hyea Yoon Kim – Present, Sam Lee, Interpreter – Present

Sandy Anderson Executive Director - Ms. Kim's application is before you today due to potential criminal history that could not be approved administratively. Ms. Kim attended Aberdeen College in California. Aberdeen is currently on CAMTC pending list. Ms. Kim is requesting to be granted a license under NRS 640C.700.

Motioned by Teresa Lopez to deny this application for a submitted fraudulent application NRS640C.700 (1), seconded by Margaret Westcamp, motion carries unanimously.

o. Yanxia He – Present, David Salmon, Attorney – Present, Moyi Tain, Interpreter – Present

Sandy Anderson, Executive Director - Ms. He's application is before you today due to potential criminal history that could not be approved administratively. Ms. He is requesting to be granted a license under NRS 640C.700.

Motion by Diane Huleva to approve this application, seconded Gayle Ferruccio, motion carries unanimously.

p. Christine Welke – Present

Sandy Anderson, Executive Director - Ms. Welke's application is before you today due to potential criminal history that could not be approved administratively. Ms. Welke

attended South Bay and California Healing Arts College. California Healing Arts is on CAMTC pending list. South Bay is CAMTC approved. Ms. Welke is requesting to be granted a license under NRS 640C.700.

Motion by Teresa Lopez to approve a probationary license for one year with the following conditions: 1, 4, 5, 6 - one year, 12-16, seconded by Diane Huleva, motion carries unanimously.

q. Mark Farris – Present

Sandy Anderson, Executive Director - Mr. Farris' application is before you today due to potential criminal history that could not be approved administratively. Mr. Farris is requesting to be granted a license under NRS 640C.700.

Gayle Ferruccio recused herself.

Motion by Robin Graber to approve the application with no restrictions, seconded by Deirdre Strunk, motion carries unanimously.

r. Robert Kloehn – Present

Sandy Anderson, Executive Director - Mr. Kloehn's application is before you today due to potential criminal history that could not be approved administratively. Mr. Kloehn is requesting to be granted a license under NRS 640C.700.

Gayle Ferruccio recused herself.

Motion by Diane Huleva to approve the application with no restrictions, seconded by Teresa Lopez, motion carries unanimously.

s. Phensri Walker – Not Present

Sandy Anderson, Executive Director - Ms. Walker's application is before you today due to education that cannot be approved administratively. Ms. Walker received her education in California. Evons Beauty College is on CAMTC pending list. Ms. Walker is requesting to be granted a license under NRS 640C.420. A background check was completed.

Motioned by Diane Huleva to table this application until attendance records are received, seconded by Margaret Westcamp, motion carries unanimously.

**6. Discussion and possible action regarding financial reports and budgetary approvals (For Discussion and Possible Action).**

a. 2017 Budget vs. Actual Expenses

Budget reports were not received by Board members prior to the meeting.

Diane Huleva requested that they be discussed at the next Board meeting.

b. Request by ITEC for Executive Director to attend meeting in Florida

ITEC is requesting Sandy Anderson to attend a meeting in Florida. If Sandy is unable to attend, ITEC will be able to arrange a meeting in Las Vegas.

c. Maintenance contract for license card printer \$2,250

Harry's Business Machines' has supplied NSBMT a potential warranty agreement. This agreement of \$2,250.00 will include warranty for one year to service our car printer; however it will not cover replacement parts. The Board has requested staff to look into other vendors in order to keep costs down.

d. Contract for scanning and shredding of old documents

This 2 year contract for scanning and shredding old documents cannot exceed \$6,000.00. In order to adhere to the State of Nevada retention schedule, all files and documents will be stored electronically.

Motion by Diane Huleva to approve contract with High Desert Microimaging for scanning and shredding services, seconded by Teresa Lopez, motion carries unanimously.

**7. Discuss, amend and approve Board meeting minutes from August 26, 2016. (For Discussion and Possible Action)**

Motion by Diane Huleva to approve with changes discussed, seconded by Gayle Ferruccio, motion carries unanimously.

**8. Inspection Team Report (For Discussion)**

Christy Brunner, Moses Haynes and Sandy Anderson attended CLEAR. Moses Haynes passed his Basic training course with a 90%. Christy Brunner passed her next level of training with an A. Board members were advised that the reports received at Board meetings do not really reflect the amount of work each inspector completes on a daily basis. The numbers provided only reflect the number of inspections completed. The team is working to compile statistics that should prove more beneficial.

**9. FARB/FSMTB Report (For Discussion)**

Board members attended FARB. Sandy explained that FARB was a benefit to all board members that attended. Colleen Platt and Sandy were able to discuss items as they came up. Teresa Lopez explained that she received a lot of good information while attending FARB.



As a result of attending the meeting additional policy changes will be made to improve efficiency and compliance.

Sandy thanked the Board for allowing her to attend FSMTB. She believes NSBMT should remain members of FSMTB. Sandy was able to speak with Executive Directors and Chairman from other Boards from around the Country. There are Boards that are licensing Reflexologists and some that have chosen not too. There are Boards working to allow Structural Integrationist be a separate licensure. Being able to speak with all the different agencies and people was truly wonderful. These other agencies also are having the same issues that our Board is experiencing. POLARIS presented training about trafficking. There is a training being developed to assist staff with catching fraudulent transcripts, diplomas, social security numbers and other items associated with applications. The Board may contact POLARIS regarding potentially trafficked applicants.

**10. Discussion and possible action regarding the acceptance of some classes from massage therapy programs being allowed to be repeated after licensure for continuing education hours. (For Discussion and Possible Action)**

Some licensees have been denied or not allowed to submit duplicate courses for CEH that have been previously submitted.

Motion by Diane Huleva to move forward with having Legal Counsel Review the current Continuing Education requirements with potential of adding additional language to the regulations, seconded by Teresa Lopez, motion carries unanimously.

**11. Discussion and possible action regarding the meeting minutes and NRS 241.035 (1)**

Currently meeting minutes are transcribed, with some summation. However we are requesting to go to summarized minutes. Reducing the volume and streamlining the process.

Motion by Diane Huleva to move forward with summarized meeting minutes, seconded by Teresa Lopez, motion carries unanimously.

**12. Public Comment**

Brett Borneneier, Public – Addressed why the Board allows applicants that cannot speak English. He wanted to know how if the test is only provided in English or Spanish, applicants passing the test if they cannot speak English or Spanish. He also was enthusiastic about the idea of re-taking courses or classes and getting credit for them.

April Whiting, Board Chair – Thank you to all the staff in the office.

**13. Adjournment No Later than 4:30 PM (For Possible Action)**

Meeting adjourn at 4:00 pm - Motioned by Gayle Ferruccio, seconded by Margaret Westcamp, motion carries unanimously.

**Notes:**

- 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 or to obtain a copy of the supporting materials for this meeting, please notify the Nevada State Board of Massage Therapists in writing as soon as possible at:

NSBMT Attn: Sandy Anderson  
1755 E. Plumb Lane, Suite 252  
Reno, NV 89502  
Or by phone (775) 687-9955

Persons wishing to obtain a copy of the supporting materials for this meeting may contact Sandy Anderson at 775-687-9955. The supporting materials are located at the Board's office, address listed above.

The Agenda was posted at the following places: Grant Sawyer Building, 555 E. Washington Avenue, Las Vegas, NV; Nevada State Library, 100 South Stewart Street, Carson City, NV; Attorney General's Office, 100 N. Carson Street, Carson City, NV; Nevada State Board of Massage Therapists Website; Nevada State Board of Massage Therapists, 1755 E. Plumb Lane Suite 252, Reno, NV 89502; Nevada Public Notice Website – [www.notice.nv.gov](http://www.notice.nv.gov)