

Nevada State Board of Massage Therapy

LOCATIONS:	Nevada Legislative Building – Carson City 401 South Carson Street, Suite 1214 Carson City, NV 89701
	Videoconference To: Grant Sawyer Building – Las Vegas 555 East Washington Avenue, Suite 4412 Las Vegas, NV 89101
DATE:	July 12, 2017
TIME:	9:00 a.m. PST

Meeting Minutes

Please Note: The Nevada State Board of Massage Therapy may 1) take agenda items out of order; 2) combine two or more items for consideration; or 3) remove an item from the agenda or delay discussion related to an item at any time. Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to attend the meeting. Please contact Sandy Anderson at 775.687.9951 (sjanderson@lmt.nv.gov), in advance, so that arrangements may be made. Public comment will be taken at the beginning and the end of the meeting. 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).

1. Call to order and roll call of Board Members – Board members present: Chair – April Whiting, Vice Chair – Diane Huleva, Secretary/Treasurer – Deirdre Strunk, Margaret Westcamp, Gayle Ferruccio, Teresa Lopez and Elisabeth Barnard.
2. Welcome new Board members Sergeant Cody Fulwiler with the Las Vegas Metropolitan Police Department and Elisabeth Barnard.

Sgt. Cody Fulwiler was not in attendance.

3. Public comment. (Discussion Only) Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.

No Public comment.

4. Formal Hearing for Fengjun Qin NVMT #8278 – NVMT-C-1702. (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)

Ms. Fengjun Qin was present, Tracy Xu, Interpreter for Ms. Qin was present, Cinema Greenberg, Legal Counsel for Ms. Qin was present. Asheesh S. Bholla, Board Counsel; Colleen Platt as Prosecutor.

Motioned by Deirdre Strunk findings of fact and the violations of law are to be true, seconded by Teresa Lopez. Motion carries unanimously.

Motioned by Gayle Ferruccio to assess the actual cost not to exceed \$1500.00 to be payable within 6 months from the date of order. Suspend Ms. Qin's license for 30 days, followed by two year probation, while enrolling within 30 days in an Ethics course at a school other than her previous massage program to be completed within 6 months from the date of order. Ethics must be taken in person (not online), and a background check to be completed every year during renewal, seconded by Teresa Lopez. Deirdre Strunk opposed. Motion carries.

5. Formal Hearing for Mingzhu He NVMT #5378 – NVMT-C-1703. (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)

Ms. He was not in attendance. Colleen Platt, Board Counsel, explained Ms. He agreed to a voluntary surrender in lieu of other discipline.

Motioned by Diane Huleva to accept settlement agreement, seconded by Teresa Lopez. Motion carries unanimously.

6. Election of Officers and discussion of Board Member roles and responsibilities. (For Discussion and Possible Action)

- a. Board Chair

Gayle Ferruccio nominates Diane Huleva for Board Chair, seconded by Elisabeth Barnard.

Teresa Lopez nominates April Whiting for Board Chair, seconded by Margaret Westcamp.

April Whiting – April shared how much she has enjoyed serving as Board chair and hopes to be able to continue moving forward with the reflexology business.

Diane Huleva – Diane thanked Gayle Ferruccio and expressed her continued willingness to serve the Board and take on any challenges moving forward.

Motion by Teresa Lopez for April Whiting as Board Chair, seconded by Margaret Westcamp.

Deirdre Strunk, Teresa Lopez, Margaret Westcamp, April Whiting vote yes.

Gayle Ferruccio, Elisabeth Barnard and Diane Huleva vote no. Motion carries.

- b. Board Vice Chair

Motioned by Teresa Lopez for Diane Huleva for Vice Chair, seconded by Deirdre Strunk. Motion carries unanimously.

c. Board Secretary/Treasurer

Motioned by Teresa Lopez for Deirdre Strunk for Secretary/Treasurer, seconded by Diane Huleva. Motion carries unanimously.

7. Discussion and possible approval of programs of massage therapy that the Board recognizes pursuant to NRS 640C.400 and application review of education completed by applicants who attended these programs. (For Discussion and Possible Action)

a. Review documentation for Bancroft School of Massage Therapy – Worcester, Massachusetts. (For Discussion and Possible Action)

Motioned by Teresa Lopez to approve this school, seconded by Deirdre Strunk. Motion carries unanimously.

b. Review application of Julie Rodrick (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. Rodrick's application is before you today due to education that cannot be approved administratively. Ms. Rodrick received her education in Massachusetts. Ms. Rodrick attended Bancroft School of Massage Therapy in Worcester, Massachusetts. Additional information has been requested. Ms. Rodrick is requesting to be granted a license under NRS 640C.400. A background check was completed.

Motioned by Teresa Lopez to approve this application, seconded by Diane Huleva. Motion carries unanimously.

c. Review documentation for Golden Bridge College – El Monte, California. (For Discussion and Possible Action)

Motioned by Teresa Lopez to deny this school, seconded by Gayle Ferruccio. Motion carries unanimously.

d. Review application of Shouyan Yu (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. Yu's application is before you today due to education that cannot be approved administratively. Ms. Yu received her education in California. Ms. Yu attended Golden Bridge College in El Monte, California. Golden Bridge's application with CAMTC is pending. Additional information has been requested. Ms. Yu is requesting to be granted a license under NRS 640C.400. A background check was completed.

Shouyan Yu was present, Qifan Chen, interpreter was present.

Motioned by Teresa Lopez to deny this application, seconded by Diane Huleva. Motion carries unanimously.

- e. Review application of Wenying Song (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. Song's application is before you today due to education that cannot be approved administratively. Ms. Song received her education in California. Ms. Song attended Golden Bridge College in El Monte, California. Golden Bridge's application with CAMTC is pending. Additional information has been requested. Ms. Song is requesting to be granted a license under NRS 640C.400. A background check was completed.

Motioned by Teresa Lopez to deny this application, seconded by Diane Huleva. Motion carries unanimously.

- f. Review documentation for Northwestern Health Science University – Bloomington, Minnesota (For Discussion and Possible Action)

Motioned by Diane Huleva to approve this school, seconded by Teresa Lopez. Motion carries unanimously.

- g. Review application of Nova O'Ryan (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. O'Ryan's application is before you today due to education that cannot be approved administratively. Ms. O'Ryan received her education in Minnesota. Ms. O'Ryan attended Northwestern Health Sciences University in Bloomington, Minnesota. Additional information has been requested. Ms. O'Ryan is requesting to be granted a license under NRS 640C.400. A background check was completed.

Ms. Nova O'Ryan was present.

Motioned by Deirdre Strunk to approve this application, seconded by Margaret Westcamp. Motion carries unanimously

- h. Review documentation for Cortiva Institute – Hoboken, New Jersey (For Discussion and Possible Action)

Motioned by Teresa Lopez to approve this school, seconded by Diane Huleva. Motion carries unanimously.

- i. Review application of Jessica Douglas (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. Douglas's application is before you today due to education that cannot be approved administratively. Ms. Douglas received her education in New Jersey. Ms. Douglas attended Cortiva Institute in Hoboken, New Jersey. Additional information has been requested. Ms. Douglas is requesting to be granted a license under NRS 640C.400. A background check was completed.

Ms. Douglas was not present.

Motioned by Teresa Lopez to approve this application, seconded by Elisabeth Barnard.
Motion carries unanimously.

- j. Review documentation for Cortiva Institute – Wall Township, New Jersey (For Discussion and Possible Action)

Motioned by Gayle Ferruccio to approve this school, seconded by Teresa Lopez.
Motion carries unanimously.

- k. Review application of Karly Matzen (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. Matzen's application is before you today due to education that cannot be approved administratively. Ms. Matzen received her education in New Jersey. Ms. Matzen has attended Somerset School of Massage DBA Cortiva Institute in Wall Township, New Jersey. Additional information has been requested. Ms. Matzen is requesting to be granted a license under NRS 640C.400. A background check was completed.

Karly Matzen was present

Motioned by Teresa Lopez to approve this application, seconded by Deirdre Strunk.
Motion carries unanimously.

- l. Review documentation for Sarasota School of Massage – Sarasota, Florida (For Discussion and Possible Action)

Motioned by Diane Huleva to approve this school, seconded by Teresa Lopez. Motion carries unanimously.

- m. Review application of Joseph Dowd (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Mr. Dowd's application is before you today due to education that cannot be approved administratively. Mr. Dowd received his education in Florida. Mr. Dowd attended Sarasota School of Massage in Sarasota, Florida. Additional information has been requested. Mr. Dowd is requesting to be granted a license under NRS 640C.400. A background check was completed.
Mr. Joseph Dowd was not present.

Motioned by Teresa Lopez to approve this application, seconded by Deirdre Strunk.
Motion carries unanimously.

- n. Review documentation for Everest Institute – Tigard, Oregon (For Discussion and Possible Action)

Motioned by Gayle Ferruccio to approve this school, seconded by Elisabeth Barnard.
Motion carries unanimously.

- o. Review application of Gina Callaway (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant – Ms. Callaway’s application is before you today due to education that cannot be approved administratively. Ms. Callaway received her education in Oregon. Ms. Callaway attended Everest Institute in Tigard, Oregon. Additional information has been requested. Ms. Callaway is requesting to be granted a license under NRS 640C.400. A background check was completed.

Motioned by Teresa Lopez to approve this application, seconded by Gayle Ferruccio.
Motion carries unanimously.

- p. Review documentation for Trinity College – San Jose, CA (For Discussion and Possible Action)

Motioned by Diane Huleva to approve this school, seconded by Deirdre Strunk.
Motion carries unanimously.

- q. Review application of Melissa Henke (For Discussion and Possible Action)

Tereza VanHorn, Executive Assistant - Ms. Henke’s application is before you today due to education that cannot be approved administratively. Ms. Henke received her education in California. Ms. Henke attended Trinity College in San Jose, California. Additional information has been requested. Ms. Henke is requesting to be granted a license under NRS 640C.400. A background check was completed.

Motioned by Teresa Lopez to approve this application, seconded by Diane Huleva.
Motion carries unanimously.

8. Termination of Probation

- a. Sarah Anderson NVMT #8290

Sandy Anderson, Executive Director - Ms. Anderson came before the Board on October 21, 2016. Ms. Anderson was granted a probation license for 2 years with the following conditions: 1, 4, 5, 6, 8, 9, 12-16. Ms. Anderson is requesting early termination of probation. It is my recommendation to terminate probation.

Ms. Anderson was not in attendance.

Motioned by Diane Huleva to grant early termination of probation, seconded by Deirdre Strunk. Motion carries unanimously.

- b. Tora Erb NVMT #8083

Sandy Anderson, Executive Director - Ms. Erb came before the Board on June 24, 2016. Ms. Erb was granted a probation license for 2 years with the following conditions: 1, 2, 6, 12-16. Ms. Erb is requesting early termination of probation. I do not recommend terminating probation at this time.

Ms. Erb was in attendance. Ms. Erb stated she has completed one year of her required two year probation. She is the most requested Massage Therapists in the clinic where she currently works. She has maintained her current job at Massage Envy since 2014. She brought a few letters of character to provide for her file. She has zero reports against her at this time. Ms. Erb's visitation schedule for her sister has increased to now include home visits.

Motioned by Diane Huleva to grant early termination of probation. No second. Motion fails.

Motioned by Deirdre Strunk to deny early termination, seconded by Teresa Lopez. Motion carries unanimously

c. Nancy Morris NVMT #7049

Sandy Anderson, Executive Director - Ms. Morris came before the Board on September 5, 2014. Ms. Morris was granted a probation license for 5 years with the following conditions: 1, 6, 9-16. Ms. Morris is requesting early termination of probation. It is my recommendation to terminate probation.

Ms. Morris was in attendance.

Motioned by Diane Huleva to grant early termination of probation, seconded by Teresa Lopez. Margaret Westcamp opposed. Motion carries.

d. Sonja Ramirez NVMT #7655

Sandy Anderson, Executive Director - Ms. Ramirez came before the Board on October 16, 2015. Ms. Ramirez was granted a probation license for 5 years with the following conditions: 1, 2, 4, 5, 6, 8, 9, 10, 12-16. Ms. Ramirez is requesting early termination of probation. It is my recommendation to terminate probation.

Ms. Ramirez was in attendance.

Motioned by Teresa Lopez to grant early termination of probation, seconded by Diane Huleva. Motion carries unanimously.

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

a. 2017 Budget vs. Actual Expenses (For Discussion)

Discussion was held. No action was taken.

b. 2018 Budget Review (For Discussion)

Diane Huleva requested Sandy Anderson to add travel for Board Members in the north to visit Las Vegas in order to visit a few locations with the inspection department.

c. Delegate and potential other attendees for the 2017 Federation of State Massage Therapy Boards (FSMTB) Annual Meeting in Tampa, Florida September 28, 2017 through September 30, 2017. (For Discussion and Possible Action)

Motioned by Teresa Lopez to select Sandy Anderson as delegate, seconded by Deirdre Strunk. Motion carries unanimously.

d. Attendance at the 2017 Federation of Associations of Regulator Boards (FARB) Regulatory Law Seminar in Savannah, Georgia October 5, 2017 through October 8, 2017. (For Discussion and Possible Action)

Nevada State Board of Massage Therapy will not attend FARB.

e. Technology upgrade for inspection team and Executive Director.

Motioned by Diane Huleva to approve up to \$15,000 for equipment upgrades, seconded by Deirdre Strunk. Motion carries unanimously.

10. Discuss, amend and approve Board meeting minutes for May 3, 2017. (For Discussion and Possible Action)

Motioned by Diane Huleva to approve meeting minutes, seconded by Teresa Lopez. Motion carries unanimously.

11. Inspection Team Report (For Discussion)

Discussion was held.

12. Discussion and review of legislation passed during the 2017 session of the Legislature that affects the Nevada State Board of Massage Therapy (For Discussion)

- a. 2017 Senate Bill 69
- b. 2017 Senate Bill 396
- c. 2017 Assembly Bill 19
- d. 2017 Assembly Bill 76
- e. 2017 Assembly Bill 179
- f. 2017 Assembly Bill 328
- g. Bills that applied to topical application of CBDs and their status

13. Discussion of possible proposed regulatory changes to NAC 640C, including the adoption of a regulation governing the imposition of administrative fines for citations issued pursuant to NRS 640C.755, adoptions of application and renewal fees for licensure as a massage

therapist and structural integrationist, and directing staff to hold a workshop. (For Possible Action).

Motioned by Diane Huleva to hold a workshop on August 16, 2017, seconded by Teresa Lopez. Gayle Ferruccio was not in attendance. Motion carries.

14. Approval of applications approved and authorized by the Chairperson. (For Possible Action)

Motioned by Diane Huleva to approve 140 new applications, seconded by Teresa Lopez. Gayle Ferruccio was not in attendance. Motion carries.

15. Discussion and possible action regarding looking to the future of the NSBMT and moving the main office down to Las Vegas. (For Discussion and Possible Action)

Discussion was held regarding relocating the main office to the Las Vegas area. Diane Huelva motioned to not move the office to Las Vegas at this time, seconded by Elisabeth Barnard. Margaret Westcamp opposed, Gayle Ferruccio was not in attendance. Motion carries.

16. Public Comment

David Otto – Thank you Board and Sandy Anderson from the AMTA Nevada Chapter. We appreciate the collaboration as we work together. As a licensee I agree with all the good things that are coming. Colleen Platt, you are breath of fresh air. You are not a wet blanket. Topicals for recreational use of marijuana are coming. I think the Board is wise to consider having a presence in Las Vegas with the addition of the establishments being regulated, there is going to be a lot more work down here and a face for the Board is needed.

Elisabeth Barnard – CAMTC sent an email recently. The email contained a survey regarding entry level therapists. They are requesting input from current licensed therapists. If you did not receive the email, please visit their website. Survey takes about 10-15 minutes to complete.

17. Adjournment no later than 4:30 PM (For Possible Action)

Motioned by Teresa Lopez to adjourn at 4:14 pm, seconded by Diane Huleva. Motion carries unanimously.

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.

Supporting material for this meeting may be requested from Sandy Anderson at 775.687.9955 (sjanderson@lmt.nv.gov) and is available at the Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, Nevada 89502.

In accordance with NRS 241.020, this public notice and agenda was posted on or before July 7, 2017, on the Nevada State Board of Massage Therapy website, <http://massagetherapy.nv.gov>, the State of Nevada's Public Notice Website, <https://notice.nv.gov>, and at the following locations:

Nevada State Board of Massage Therapy
1755 E. Plumb Lane, Suite 252
Reno, NV 89502

Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, NV 89101

Nevada State Library
100 South Stewart Street
Carson City, NV 89701

Nevada Attorney General's Office
100 N. Carson Street
Carson City, NV 89701
