



## Nevada State Board of Massage Therapy

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**LOCATIONS:** **Office of the Attorney General**  
100 North Carson Street, Mock Court Room  
Carson City, NV 89701

**Videoconference To:**  
**Grant Sawyer Building – Las Vegas**  
555 East Washington Avenue, Suite 4500  
Las Vegas, NV 89101

**DATE:** **January 23, 2019**

**TIME:** **9:30 a.m. PST**

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### **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](mailto: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. Meeting called to order at 9:32 am. Board members present: Chair – Diane Huleva, Secretary/Treasurer – Elisabeth Barnard, April Whiting, Margaret Westcamp, Teresa Lopez, Bob Oliver, Lorna Benedict, Nancy Zitko, Sgt. Mark Menzie, Executive Director Sandy Anderson, Deputy Attorney General Sophia Long, Senior Deputy Attorney General Sarah Bradley. Vice Chair Deirdre Strunk was not in attendance.
2. 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.

3. Formal Hearing for Manman Wang – NVMT #8350 – NVMT-C-1871. (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)

Manman Wang was not present. Kirk Kennedy, legal counsel was present.

April Whiting motioned to accept and approve Settlement Agreement, seconded Teresa Lopez. Motion carried unanimously.

4. Formal Hearing for Xiao Yan Wang – NVMT #404 – NVMT-C-1872. (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)

Xiao Yan Wang was present; Meng Wen Li, interpreter, was present; Kirk Kennedy, legal counsel was present.

Chair Diane Huleva accepted Complaint Notice of Hearing into evidence.

Lorna Benedict motioned to accept Stipulations to Facts and Violations of Law, seconded by Bob Oliver. Motion carried unanimously.

Lorna Benedict motioned to find Ms. Wang in violation of NRS.640C.700(4) and (9), seconded by April Whiting. Motion carried unanimously.

Lorna Benedict motioned to revoke Ms. Wang's license for a max of ten (10) years. No second. Motion failed.

Elisabeth Barnard motioned to suspend Ms. Wang's license for one (1) year, fine of \$2,000.00 due within six (6) months, ethics course at a school that she did not attend, costs not to exceed \$500.00 due within six (6) months, followed by a two (2) year probation with a background check at each year at Ms. Wang's expense. If arrested during suspension or probation term, immediately revoke license for ten (10) years, seconded by Teresa Lopez. Diane Huleva, Lorna Benedict, Nancy Zitko, April Whiting and Margaret Westcamp opposed. Motion failed.

April Whiting motioned to approve a six (6) month suspension, immediately followed by a four (4) year probation. A fine of \$1,000.00 plus costs not to exceed 500.00 with six (6) months to pay, ethics course to be completed within six (6) months, background check to be completed each year at Ms. Wang's expense. If arrested during probation term, license will be revoked, seconded by Margaret Westcamp. Teresa Lopez and Lorna Benedict opposed. Motion carried.

5. Formal Hearing Lai Min Li – NVMT #8251 – NVMT-C-1885. (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)

Lai Min Li was not present; Kirk Kennedy, legal counsel was present.

April Whiting motioned to approve Settlement Agreement, seconded by Teresa Lopez. Motion carried unanimously.

6. Formal Hearing Aihua Wang – NVMT #8552 – NVMT-C-1884. (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)

Item continued until March 27, 2019 Board Meeting.

7. Formal hearing Thomasina J. Cotton – NVMT #8542 – NVMT-S-1827. (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)

Thomasina J. Cotton was not present.

Sophia Long submitted into evidence the Compliant Notice of Hearing and advised the Board that per NRS.622A.350 the Board may proceed without Ms. Cotton in attendance. Executive Assistant, Tereza Van Horn was sworn in to confirm that Ms. Cotton was properly noticed at her current mailing address.

April Whiting motioned to accept that Ms. Cotton was properly and legally noticed, seconded by Margaret Westcamp. Motion carried unanimously.

Elisabeth Barnard motioned to accept the alleged facts and violations as true, seconded by Teresa Lopez. Motion carried unanimously.

Lorna Benedict motioned to approve a seven (7) month suspension until Ms. Cotton has completed forty-eight (48) hours of community service, twenty-six (26) weeks of Domestic Battery classes, and pay fine of \$470.00. Immediately following completion of terms, Ms. Cotton will have a probationary license for three (3) years with a background check every year at Ms. Cotton's expense. If Ms. Cotton does not complete the requirements, her license will be revoked for ten (10) years, seconded by Teresa Lopez. April Whiting opposed. Motion carried.

8. Discussion and review of Citation Appeals. (For Discussion and Possible Action)
  - a. Craig Soucy. (For Discussion and Possible Action)

Craig Soucy was not present.

April Whiting motioned to accept Mr. Soucy was properly and legally noticed, seconded by Lorna Benedict. Motion carried unanimously.

Chair Diane Huleva and Senior District Attorney General Sarah Bradley swore in Amy Jo Englehart. Ms. Englehart testified she visited Mr. Soucy once before for energy work. The energy work he had performed prior had worked, and she wanted a repeat. Mr. Soucy suggested a massage instead of energy work. Ms. Englehart visited his home to have a massage by Mr. Soucy. During the course of the massage Mr. Soucy did not properly cover her. After the massage Ms. Englehart wrote a letter to Mr. Soucy expressing how uncomfortable she was during the massage. Mr. Soucy responded to Ms. Englehart's letter stating he did not treat her any different than any other client. Sgt. Mark Menzie urged Ms. Englehart to file a police report.

Sarah Bradley questioned Compliance Investigator, Christy Brunner. Christy Brunner testified she reviewed Nevada State Board of Massage Therapy database to confirm that Mr. Soucy was not currently licensed, and a citation was issued to Mr. Soucy.

April Whiting motioned to uphold citation, seconded by Teresa Lopez. Motion carried unanimously.

9. 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. Review Application of Ming Zhu He. (For Discussion and Possible Action)

Ming Zhu He was present; Alex Young, interpreter was present; Kirk T. Kennedy was present.

Executive Assistant, Tereza Van Horn - 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.400 or 420 and is before you today for review under NRS 640C.700. Ms. He was previously licensed in Nevada and requested a voluntary surrender in lieu of other discipline in July of 2012. Ms. He attended Elbe Institute prior to the closure of Elbe Institute by the Commission of Postsecondary Education. Ms. He also attended Acupuncture and Massage Institute of America. This school is not approved by CAMTC.

Teresa Lopez motioned to approve a two (2) year probationary license with a background check every year at Ms. He's expense. If Ms. He is arrested during her probationary license, her license will be revoked for ten (10) years, seconded by Elisabeth Barnard. Motion carried unanimously.

Lorna Benedict this does not take away from the fact that Ms. He was arrested for solicitation and unprofessional conduct. Ms. He previously agreed to a voluntary surrender under the advisement of her legal counsel.

b. Review Application of Haili Chen. (For Discussion and Possible Action)

Haili Chen was present; Lawrence Litman, friend was present; Alex Young, Interpreter was present.

Executive Assistant, Tereza Van Horn - Ms. Chen's application is before you today due to potential criminal history that could not be approved administratively. Ms. Chen is requesting to be granted a reflexology license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700.

Lorna Benedict motioned to deny Ms. Chen's application and license due to NRS.640C.700(4)(7) and (10), seconded by Teresa Lopez. Motion carried unanimously.

c. Review Application of Kaitlin P. VanDyke. (For Discussion and Possible Action)

Kaitlin VanDyke was present.

Executive Assistant, Tereza Van Horn - Ms. VanDyke's application is before you today due to potential criminal history that could not be approved administratively. Ms. VanDyke is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700.

Teresa Lopez motioned to approve a license with no restrictions, seconded by April Whiting. Motion carried unanimously.

Elisabeth Barnard – We do not want to see you again Ms. VanDyke.

d. Review Application of Irish A. Scott. (For Discussion and Possible Action)

Irish Scott was present.

Teresa Lopez recused herself from the agenda item. Ms. Lopez is an instructor at the school Ms. Scott attended.

Executive Assistant, Tereza Van Horn - Ms. Scott's application is before you today due to potential criminal history that could not be approved administratively. Ms. Scott is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700. Ms. Scott was arrested in 2016 for solicitation of prostitution and resisting arrest.

Elisabeth Barnard motioned to approve a three (3) year probationary license; must work for an establishment and cannot perform outcall. During the probationary period a background check must be completed each year at Ms. Scott's expense. Employer must provide quarterly reporting. If arrested during probationary term, immediately revoke

license for ten (10) years, seconded by April Whiting. Teresa Lopez did not vote, Margaret opposed. Motion carried.

- e. Review Application of Rebecca M. Benitez-Perez. (For Discussion and Possible Action)

Rebecca Benitez-Perez was present.

Teresa Lopez recused herself from the agenda item. Ms. Lopez is an instructor at the school Ms. Benitez-Perez attended.

Executive Assistant, Tereza Van Horn - Ms. Benitez-Perez's application is before you today due to potential criminal history that could not be approved administratively. Ms. Benitez-Perez is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700.

Lorna Benedict, April Whiting and Margaret Westcamp were concerned it was too soon for Ms. Benitez-Perez to have a license. Due to violence issues with husband it was suggested to complete all court ordered discipline and return to the Board for an application review.

Sgt. Menzie suggested Ms. Benitez-Perez file a police report.

Margaret Westcamp motioned to keep the application open, Ms. Benitez-Perez to complete an updated background check and complete the required court ordered classes and return to the Board for a decision, seconded by Lorna Benedict. Teresa Lopez did not vote. Motion carried.

- f. Review Application of Renee Mandrake. (For Discussion and Possible Action)

Renee Mandrake was present.

Executive Assistant, Tereza Van Horn - Ms. Mandrake's application is before you today due to potential criminal history that could not be approved administratively. Ms. Mandrake is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700.

Teresa Lopez motioned to deny application for licensure. No second. Motion failed.

Teresa Lopez motioned to deny application for licensure based of NRS.640C.700, seconded by Margaret Westcamp. Bob Oliver and April Whiting opposed. Motion carried.

- g. Review Application of Davey D. Garrett. (For Discussion and Possible Action)

Davey Garrett was present.

Executive Assistant, Tereza Van Horn - Mr. Garrett's application is before you today due to potential criminal history that could not be approved administratively. Mr. Garrett is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700.

Teresa Lopez motioned to approve a 2 year probationary license. Mr. Garrett must work in a massage establishment with no outcall to be performed. Mr. Garrett must report employment to staff, seconded by Elisabeth Barnard.

h. Review Application of Pik Yuk Li. (For Discussion and Possible Action)

Pik Yuk Li was present; Fred Page, Attorney was present; Alison Jacobs, interpreter, was present.

Executive Assistant, Tereza Van Horn - Ms. Li's application is before you today due to potential criminal history that could not be approved administratively. Ms. Li is requesting to be granted a license under NRS 640C.400 or 420 and is before you today for review under NRS 640C.700. Ms. Li was previously licensed in Nevada. Ms. Li attended East-West Institute of Hand Therapy in California. East-West Institute of Hand Therapy is not an approved school with CAMTC. Ms. Li was previously denied a license in 2017 due to background issues.

Item tabled until March 27, 2019 Board meeting.

i. Review Application of Marie S. Graham. (For Discussion and Possible Action)

Item tabled until a later time.

10. Approval of applications approved and authorized by the Chairperson through December 31, 2018. (For Possible Action)

Elisabeth Barnard motioned to approve applications, seconded by April Whiting. Motion carried unanimously.

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

a. Discussion regarding the Fiscal Year 2018 Audit presented by Michael Coulson with Coulson & Associates. (For Discussion)

Item tabled until a later time.

b. Discussion and possible action regarding review of the Fiscal Year 2019 Budget verses Actual Year-To-Date. (For Discussion and Possible Action)

Item tabled until a later time.

- c. Discussion and possible action regarding the Fiscal Year 2020 Budget. (For Discussion and Possible Action)

Item tabled until a later time.

- d. Discussion and possible action regarding obtaining a Board credit card for Bianca Smith with a credit limit of \$3,000 for preauthorized spending approved in writing by the Executive Director or the Treasurer. (For Discussion and Possible Action)

Margaret Westcamp motioned to approve a credit card with a credit limit of \$3,000 for Bianca Smith, seconded by Teresa Lopez. Motion carried unanimously.

- e. Discussion and possible action regarding sending Bianca Smith to CLEAR NCIT Specialized Training in Austin, Texas April 7-11, 2019 including approximately \$1,700 travel and \$455 registration. (For Discussion and Possible Action)

April Whiting motioned to approve CLEAR training for Bianca, seconded by Lorna Benedict. Motion carried unanimously.

- f. Discussion and possible action regarding planning a Board Retreat for the Summer or Fall of 2019 including approval of increasing the budget to cover the costs of the meeting. (For Discussion and Possible Action)

Item tabled until a later time.

- g. Discussion and possible action regarding sending additional staff members to the FSMTB Executive Summit held April 18<sup>th</sup> and 19<sup>th</sup> in Cleveland, Ohio. Executive Director Anderson's travel is paid for by FSMTB. The cost for additional attendees will not exceed \$1,700 per attendee. (For Discussion and Possible Action)

Teresa Lopez motioned to approve Sandy Anderson, Tereza Van Horn, and Kimberly Buckingham to attend FSMTB Executive Summit, seconded by Lorna Benedict. Motion carried unanimously.

- 12. Discussion and possible Action regarding supporting the cohesiveness of the Board including increasing the budget for In-State Travel by \$750 per Board member per travel date and increasing Board Pay by \$150 per Board member per additional travel day beyond the date of the meeting. (For Discussion and Possible Action)

Item tabled until a later time.

- 13. Discuss, amend and approve Board meeting minutes. (For Discussion and Possible Action)
  - a. October 17, 2018



Teresa Lopez motioned to approve October 17, 2018 meeting minutes with corrections, seconded by Lorna Benedict. Motion carried unanimously.

b. November 7, 2018

April Whiting motioned to approve November 7, 2018 meeting minutes with corrections, seconded by Margaret Westcamp. Lorna Benedict was not present during vote. Motion carried.

14. Inspection Team Report. (For Discussion)

No discussion was held

15. Discussion and possible action regarding authorizing Chair Huleva, Executive Director Anderson, and Board Counsel Platt to represent the Board during the 2019 Session of the Nevada State Legislature. (For Discussion and Possible Action)

Teresa Lopez motioned to approve all parties to represent the Board during the 2019 Session of the Nevada State Legislature, seconded by Elisabeth Barnard. Motion carried unanimously.

16. Legislative Update including the current status of bills being tracked by the Executive Director and Board Counsel (see attached Exhibit A). (For Discussion and Possible Action)

Item tabled until a later time.

17. Discussion and possible action regarding the Nevada State Board of Massage Therapy Policies and Procedures. (For Discussion and Possible Action)

a. Review of recommended changes to policies approved on September 5, 2018

- i. 1.5.1 – Travel and Per Diem – including changes to clarify employee and board member compensation for travel after board business and whether the Board pays for the airfare if employee or board member goes into personal status after Board travel.

Item tabled until a later time.

- ii. 5.1.1 – Internal Control Monitoring and Evaluation

Item tabled until a later time.

- iii. 5.2.1 – Reserves Policy

Item tabled until a later time.

- iv. 8.1.1 – Board Compensation – including changes to add compensation for prep for meetings that do not have a board packet and clarification of compensation for travel related to business of the Board.

Item tabled until a later time.

- b. 7.1.1 – Workers’ Compensation

Item tabled until a later time.

- c. 10.2.1 – Description of Chairperson

Item tabled until a later time.

- d. 10.3.1 – Description of Vice Chairperson

Item tabled until a later time.

- e. 10.4.1 – Description of Secretary/Treasurer

Item tabled until a later time.

- f. 10.5.1 – Description of Executive Director

Item tabled until a later time.

- 18. Discussion and possible action regarding the usage of FSMTB’s Massage Therapy Licensing Database (MTLD). (For Discussion and Possible Action)

Item tabled until a later time.

- 19. Discussion regarding the Strategic Plan Strengths, Weaknesses, Opportunities and Threats (SWOT) as part of the Strategic Plan development to begin moving forward with setting goals. (For Discussion)

Item tabled until a later time.

- 20. Discussion and distribution of Board Member binders. (For Discussion)

Teresa Lopez, Margaret Westcamp, April Whiting, Nancy Zitko would like to have a printed copy of the binder. No motion needed.

- 21. Discussion and review of Public Officials Workshop attended by Secretary/Treasurer Barnard. (For Discussion)

Item tabled until a later time.

22. Discussion and possible action regarding modifying the existing complaint form. (For Discussion and Possible Action)

Item tabled until a later time.

23. Discussion and possible action regarding tracking of complaints by staff for reporting to the Board. (For Discussion and Possible Action)

Item tabled until a later time.

24. Discussion regarding CLEAR board training report. (For Discussion)

Item tabled until a later time.

25. Discussion regarding recommended future agenda items. (For Discussion)

26. Public Comment

Thomasina Cotton was present. No comment.

Denise Bolanos NVMT.6185 – Get notification to the licensees regarding meetings. Board members should have the background information to help save time/research during application reviews.

David Otto – You had a lot of hard or special cases today. With that said when has marijuana been ok? There are safety issues. Even though alcohol is legal, DUI is not. Operating or performing what we do, while under the influence is not legal.

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

Meeting adjourned at 4:21 pm.

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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](mailto:sjanderson@lmt.nv.gov)) and is available at the Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, Nevada 89502.

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In accordance with NRS 241.020, this public notice and agenda was posted on or before January 18, 2019, 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

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