



Nevada State Board of Massage Therapy

NOTICE OF PUBLIC MEETING

LOCATIONS:

Grant Sawyer Building – Las Vegas
555 East Washington Avenue, Suite 5100
Las Vegas, NV 89101

Videoconference To:

Capitol Building
101 North Carson Street, Old Assembly Chambers
Carson City, NV 89701

DATES and TIMES:

June 4-5, 2019

The Board meeting will commence at 9:30 a.m. on Tuesday June 4, 2019, continuing at 9:00 a.m. on Wednesday, June 5, 2019, until all Board business is completed.

Consent agenda items are shown in italics. The Consent Agenda contains matters of routine acceptance. The Board members may approve the consent agenda items as written or, at their discretion, may address individual items for discussion or change.

AGENDA

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).

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

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Email: nvmessagebd@state.nv.us Website: <http://massagetherapy.nv.gov>

the attention of the Board or make comment on specific Agenda Items. Public comment may also be taken at other such times as requested as long as the request that public comment will not interrupt ongoing Board business. 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. The Board reserves the right to limit public comment to three minutes.

Prior to the commencement and conclusion of a contested case or quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment (see NRS 233B.126). Please be aware that after the quasi-judicial Board has rendered a decision in the contested case and, assuming this happens before adjournment, the Board may entertain public comment on the proceeding at that time.

1. Call to order and roll call of Board Members.
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. The Board will not restrict comments based on viewpoint.
3. Discussion regarding the types of items that may be on the consent portion of the agenda with clarification provided by legal counsel. (For Discussion)
4. *Consent Agenda Items – Board members may choose to request any item listed below be pulled for discussion and possible action. Any items not pulled may be approved in a single motion to approve the consent agenda excluding pulled items. (For Discussion and Possible Action)*
 - a. *Approval of applications approved and authorized by the Chairperson through April 30, 2019 (see Exhibit A) (For Possible Action)*
 - b. *Discussion and possible action regarding review and acceptance of the Fiscal Year 2019 Budget versus Actual Year-To-Date. (For Discussion and Possible Action)*
 - c. *Discuss, amend and approve Board meeting minutes for March 27, 2019. (For Discussion and Possible Action)*
 - d. *Discussion and possible action regarding approval of massage therapy, reflexology, and structural integration programs meeting the criteria of NAC 640C (see Exhibit B) (For Discussion and Possible Action)*
 - e. *Discussion and possible action regarding approval of new agreement with Xerox under the NASPO contract for a copier in the Las Vegas office with no negative impact to the Board FY 2020 Budget or subsequent budgets. (For Discussion and Possible Action)*
 - f. *Discussion and possible action regarding approval of the Board Meeting Schedule for 2020. (For Discussion and Possible Action)*
 - g. *Discussion and possible action regarding approval of travel for James Thomas to attend the CLEAR NCIT Basic training in Minneapolis, Minnesota September 16th through September 18th, 2019 which is already included in the FY 2020 Budget. (For Discussion and Possible Action)*
 - h. *Discussion and possible action regarding paying an additional day of Board meeting preparation for the June 4 and 5, 2019 meeting due to the volume of documentation to be reviewed with a cost impact of \$1,350. (For Discussion and Possible Action)*

5. Strategic Plan and SWOT results including guidance from the Board to staff regarding primary focus and three (3) to five (5) action items for completion during Fiscal Year 2020. (For Discussion and Possible Action)
6. Discussion and possible action regarding the Nevada State Board of Massage Therapy Policies and Procedures. (For Discussion and Possible Action)
 - a. 1.1.1 Work Schedule Policy
 - b. 1.2.1 Leave and Overtime Policy
 - c. 1.3.1 Catastrophic Leave
 - d. 1.4.1 FMLA Policy
 - e. 2.1.1 Standards of Conduct
 - f. 2.2.1 Personal Appearance
 - g. 2.3.1 Ethical Behavior
 - h. 2.4.1 Possession Firearms and Dangerous Weapons
 - i. 2.5.1 Workplace Violence Prevention
 - j. 2.6.1 Alcohol and Drug Free Workplace
 - k. 2.7.1 Harassment
 - l. 3.1.1 Compensation and Performance Reviews
 - m. 3.2.1 Separation of Employment
 - n. 4.1.1 Board Issued Cellular Phone and Portable Device
 - o. 4.2.1 State Owned Computers and Information
 - p. 4.3.1 Use of State-Owned Motor Vehicles
 - q. 5.1.1 – Internal Control Monitoring and Evaluation updated and modified to comply with changes recommended by Governor’s Finance Office – Division of Internal Audits – Executive Branch Auditor Heather Domenici and administrative changes recommended by staff. Including formally adding \$5,000 signing authority for the Executive Director and \$10,000 signing authority for the Executive Director for unexpected expenses if approved by the Chair or the Treasurer.
 - r. 6.1.1 Board Responsibility for Records
 - s. 7.1.1 Workers’ Compensation
 - t. 9.1.1 Computer Software, Computers, E-Mail, and Voice Mail Usage
 - u. 9.2.1 Receiving Gifts
 - v. 10.1.1 Organizational Chart
 - w. 10.2.1 Description of Chairperson
 - x. 10.3.1 Description of Vice Chairperson
 - y. 10.4.1 Description of Secretary/Treasurer
 - z. 10.5.1 Description of Executive Director
7. Discussion and possible action regarding the performance evaluation of Executive Director Sandra Anderson including possible compensation review. (For Discussion and Possible Action)
8. 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 Coulson & Associates. (For Discussion)
 - b. Discussion and possible action regarding the Fiscal Year 2020 Budget including 3% cost of living adjustment for all staff. (For Discussion and Possible Action)
 - c. Discussion and possible action regarding all Board members being in the same location for meetings in FY 2020 with a cost impact of approximately \$3,750 per meeting and an estimated total impact of \$18,750. (For Discussion and Possible Action)
 - d. Discussion and possible action regarding planning a Board Retreat for the Summer or Fall of 2019. (For Discussion and Possible Action)
9. Discussion and possible action regarding guidance for the Executive Director and Legal Counsel when negotiating settlement agreements and discussion regarding the process of negotiating settlement agreements, including information provided by Gary Landry the Executive Director for the Nevada State Board of Cosmetology. (For Discussion and Possible Action)
 10. Discussion and possible action regarding options concerning Board legal representation including the Office of the Attorney General and private in-house or contract counsel, including discussion of the cost impacts associated with each option. (For Discussion and Possible Action)
 11. Discussion and possible action regarding Inspection Team Report and additional information requested as part of the regular reports to the Board. (For Discussion and Possible Action)
 12. Discussion and possible action regarding modifying the existing complaint form. (For Discussion and Possible Action)
 13. Discussion and possible action regarding tracking of complaints by staff for reporting to the Board. (For Discussion and Possible Action)
 14. Board Counsel Report including but not limited to: Introduction of Intern to Senior Deputy Attorney General Sarah Bradley; training regarding cases when respondent is not present and explanation of due process; and training regarding Board and staff authority and scope under NRS 640C. (For Discussion)
 15. Executive Director Report (For Discussion)
 16. 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 Liming Cao. (For Discussion and Possible Action)
 - b. Review Application of Regina M. Faustino. (For Discussion and Possible Action)
 - c. Review Application of Diana L. Herrera. (For Discussion and Possible Action)
 - d. Review Application of Russell D. Patton. (For Discussion and Possible Action)
 - e. Review Application of Hanmi N. Pounds. (For Discussion and Possible Action)

- f. Review Application of Jerica R. Sapp. (For Discussion and Possible Action)
 - g. Review Application of Qi Feng tabled from March 27, 2019. This item will remain tabled at the request of Qi Feng’s legal counsel. (For Discussion)
17. Discussion and review of Citation Appeal Craig Soucy. (For Discussion and Possible Action)
 18. Discussion regarding Las Vegas Office update. (For Discussion)
 19. Legislative update including the status of bills tracked by the Executive Director during the 80th Session of the Nevada State Legislature (see Exhibit C). (For Discussion)
 20. Appreciation of Service Acknowledgements (For Discussion)
 - a. April Whiting – 8 years
 - b. Deirdre Strunk – 4 years
 21. Discussion regarding recommended future agenda items. (For Discussion)
 22. 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. The Board will not restrict comments based on viewpoint.
 23. Adjournment no later than 4:30 PM (For Possible Action)

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 May 29, 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
