



Nevada State Board of Massage Therapy

NOTICE OF PUBLIC MEETING

MEETING AGENDA and NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

LOCATIONS:	Legislature 401 South Carson Street, Room 2134 Carson City, NV 89701
Videoconference To:	Grant Sawyer Building – Las Vegas 555 East Washington Avenue, Suite 4412 Las Vegas, NV 89101
DATES AND TIMES:	August 14, 2019 commencing at 9:00 a.m. August 15, 2019 Workshop commencing at 9:00 a.m.

The Board will conduct a meeting beginning Wednesday, August 14, 2019, at 9 a.m. and continuing on Thursday, August 15, 2019 at 9 a.m., or until the Board concludes its business. The Board will hold a Regulation Workshop during its meeting on Thursday, August 15, 2019. The Regulation Workshop will begin at 9:00 a.m. on Thursday, August 15, 2019.

Notice of a Public Workshop and Request for Comments for possible changes to Nevada Administrative Code, Chapter 640C related to the practice of massage therapy, reflexology, and structural integration; and/or amendments pertaining to revisions to NAC 640C.

The purpose of the workshop is to receive comments from all interested persons and to consider the review of the Nevada Administrative Code, Chapter 640C. Persons wishing to comment and participate in the workshop of the Nevada State Board of Massage Therapy may appear at the scheduled workshop August 15, 2019 at the locations above or may address their comments, data, views, or arguments, in written form to: The Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502 Attn: Sandy Anderson, or via email at sjanderson@lmt.nv.gov. In order for written submissions to be made available to members of the public at the workshop, all written submissions must be received in the Board Office by 5 p.m. on Thursday, August 8, 2019.

A copy of this Notice will be on file at the State Library, 100 N. Stewart Street, Carson City, Nevada. Additional copies of the notice will be available at the offices of the Board, Nevada State Board of

Massage Therapy, 1755 East Plumb Lane, Suite 252, Reno, Nevada 89502, Nevada State Board of Massage Therapy, 1621 East Flamingo Road, Suite 16A, Las Vegas, Nevada 89121, on Board's website massagetherapy.nv.gov, at notice.nv.gov, and on the State Legislatures website at <https://www.leg.state.nv.us/App/Notice/A/>.

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 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 Chair may limit public comment to three (3) minutes per person.

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. Introduction of new Board member(s) appointed by the Governor.
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. The Board will not restrict comments based on viewpoint. The opportunity for public comment will be available at the beginning and ending of each day of the meeting and during the open discussion period of the workshop on August 15, 2019.
4. Election of officers (For Possible Action)
 - a. Chair
 - b. Vice Chair
 - c. Secretary/Treasurer

5. Formal Hearing Jenny Hoang-Coursol – NVMT #8339 – NVMT-C-1828. (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)
6. Formal Hearing Li Jang – NVMT #5450 – NVMT-C-1904. (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)
7. Formal Hearing Wen Ji Sun – NVMT #1743 – NVMT-C-1905. (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)
8. Formal Hearing for Wei Geng – NVMT #8314 – NVMT-C-1906. (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)
9. Formal Hearing Meixiang Yang – NVMT #7696 – NVMT-C-1907. (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)
10. Formal Hearing Aihua Wang – NVMT #8552 – NVMT-C-1917. (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)
11. Voluntary Surrender for Eric Hall – NVMT #7942 – NVMT-C-1926. (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)
12. Formal Hearing Yuvadee Phumpachart – NVMT #5477 – NVMT-C-1930. (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)
13. Discussion and review of Citation Appeal Troy Stephenson. (For Possible Action). The Board may vote to uphold the citation or withdraw the citation after hearing arguments from Mr. Stephenson and receiving evidence from Board staff regarding the citation.
14. 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 Haili Chen. (For Possible Action)
 - b. Review Application of Qi Feng. (For Possible Action)
 - c. Review Application of Jianqin Wang. (For Possible Action)
 - d. Review Application of Xinpu Yan. (For Possible Action)
 - e. Review Application of Jiunan Yang. (For Possible Action)

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 remove individual items for discussion or change prior to approval of that item.

15. *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 Possible Action)*
 - a. *Approval of applications approved and authorized by the Chairperson through June 30, 2019 (see Exhibit A). (For Possible Action)*
 - b. *Discussion and possible action regarding review and acceptance of the Fiscal Year 2020 Budget versus Actual Year-To-Date. (For Possible Action)*
 - c. *Discuss, amend and approve Board meeting minutes for June 4th and 5th, 2019. (For Possible Action)*
 - d. *Discuss, amend and approve Board meeting minutes for July 3, 2019. (For Possible Action)*
 - e. *Discussion and possible action regarding approval of Massage Therapy Programs meeting the criteria of NAC 640C (see Exhibit B). (For Possible Action)*
 - f. *Discussion and possible action regarding approval of Policies and Procedures as amended at the June 4th and 5th, 2019 meeting of the Board. (For Possible Action)*
 - i. *1.1.1 Work Schedule*
 - ii. *1.2.1 Leave and Overtime*
 - iii. *1.3.1 Catastrophic Leave*
 - iv. *1.4.1 FMLA*
 - v. *2.1.1 Standards of Conduct*
 - vi. *2.2.1 Personal Appearance*
 - vii. *2.7.1 Harassment*
16. Discussion and possible action regarding review and acceptance of the Fiscal Year 2019 Year End Financial Statements and approval to send to Coulson and Associates for annual audit. (For Possible Action)
17. Discussion and possible action regarding approval of Executive Director to attend the Polaris National Strategy Convening on Ending Human Trafficking in the Illicit Massage Industry to be held in Washington, DC, October 2nd and 3rd with an out-of-state travel budgetary increase not to exceed \$2,800. (For Possible Action)
18. Discussion and possible action regarding sending a delegate to the FSMTB Annual Meeting to be held October 3rd through 5th in Atlanta at no cost as well as sending the Executive Director and another member of the Board and/or staff at a cost of \$2,700 per attendee. (For Possible Action)
19. Discussion and possible action regarding options available for the Board with regard to Unemployment Compensation. (For Possible Action)
20. Strategic Plan and SWOT results including guidance from the Board to staff regarding primary focus and three (3) to five (5) goals for implementation over the next three (3) to five (5) years. (For Possible Action)

21. Board Counsel report including training and discussion of ways to handling application reviews and potential disciplinary action or contingencies for new licensees with criminal history. Discussion regarding the audit of licensing boards conducted by the Governor's Office of Finance, Division of Internal Audit. (For Discussion)
22. Executive Director Report including but not limited to inspection team key indicators, investigations, Governor's Office of Finance, Division of Internal Audit Boards 1 and 2 Audits, SCR-6, and website activity and compliance with ADA requirements. (For Discussion)
23. Reflexology licensure status update. (For Possible Action)
24. Discussion and possible action regarding Nevada State Board of Massage Therapy Policies and Procedures. (For Possible Action)
 - a. 2.3.1 Ethical Behavior
 - b. 2.4.1 Possession Firearms and Dangerous Weapons
 - c. 2.5.1 Workplace Violence Prevention
 - d. 2.6.1 Alcohol and Drug Free Workplace
 - e. 3.1.1 Compensation and Performance Reviews
 - f. 3.2.1 Separation of Employment
 - g. 4.1.1 Board Issued Cellular Phone and Portable Device
 - h. 4.2.1 State Owned Computers and Information
 - i. 4.3.1 Use of State-Owned Motor Vehicles
 - j. 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.
 - k. 6.1.1 Board Responsibility for Records
 - l. 7.1.1 Workers' Compensation
 - m. 9.1.1 Computer Software, Computers, E-Mail, and Voice Mail Usage
 - n. 9.2.1 Receiving Gifts
 - o. 10.1.1 Organizational Chart
 - p. 10.2.1 Description of Chairperson
 - q. 10.3.1 Description of Vice Chairperson
 - r. 10.4.1 Description of Secretary/Treasurer
 - s. 10.5.1 Description of Executive Director
 - t. 10.6.1 Board Member Responsibilities
25. **August 15, 2019 at 9 a.m.:** Regulation workshop to review, update, and make changes to NAC 640C as needed to conform with recent legislative change and to ensure that its regulations are clear and up-to-date and may make changes with regard to licensing,

continuing education, massage establishments, standards of practice, and unprofessional conduct. A draft of proposed changes is available from the Board office by contacting sjanderson@lmt.nv.gov or visiting the Board's website at http://massagetherapy.nv.gov/About/Board_Meetings/Meetings/. Public comment is welcomed and appreciated during this agenda item. Public comment may be limited to three (3) minutes at the discretion of the Board Chair. (For Possible Action)

26. Discussion regarding recommended future agenda items. (For Discussion)
27. 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.
28. Adjournment not later than 4:30 PM each day of the meeting. (For Possible Action)

Notices:

Items may be combined for consideration by the Board. Items may be pulled or removed from the agenda at any time. Public comment will be taken at the beginning and at the end of the meeting. No vote may be taken upon a matter raised during public comment until the matter itself has been specifically included on a future agenda as an item upon which action may be taken. (NRS 241.020). The Chair may limit public comment to three (3) minutes per person.

The Nevada State Board of Massage Therapy may address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting. Interested persons may present oral and/or written comments at the time and place of the meeting, or written comments may be sent no later than **Thursday, August 8, 2019** to the following address: **Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502. To request supporting materials, please contact: Sandy Anderson, Executive Director at 775.687.9951 or via email: sjanderson@lmt.nv.gov supporting materials are also available at the Board's office and on the Board's website http://massagetherapy.nv.gov/About/Board_Meetings/Meetings/**

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.

Persons/facilities who want to be on the mailing list must submit a written request every six months to the Board. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Sandy Anderson at 775.687.9951 or sjanderson@lmt.nv.gov no later than 48 hours prior to the meeting.

Nevada State Board of Massage Therapy

Agenda – August 14 and 15, 2019

Page 7 of 7

In accordance with NRS 241.020, this public notice and agenda was posted on or before July 30, 2019, at the following locations:

http://massagetherapy.nv.gov/About/Board_Meetings/Meetings/

<https://notice.nv.gov>

<https://www.leg.state.nv.us/App/Notice/A/>

Nevada Attorney General – Carson City Office, 100 N. Carson St. Carson City, NV 89701

Nevada Attorney General – Las Vegas Office, 555 E. Washington Ave., Las Vegas, NV 89101

Nevada Legislature Building, 401 S. Carson Street, Carson City, NV 89701

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

Nevada State Board of Massage Therapy, 1621 E. Flamingo Road, Suite 16A, Las Vegas NV 89121

Nevada State Library and Archives, 100 N. Stewart St., Carson City, NV 89701