



Nevada State Board of Massage Therapy

NOTICE OF PUBLIC MEETING

MEETING AGENDA

LOCATIONS:

This meeting of the Nevada State Board of Massage Therapy will take place online via Zoom and is available via telephone. Persons wishing to participate in the meeting may connect to the meeting through the link below or telephone numbers below. Persons wishing to provide public comment during the meeting may use the links below and at the appropriate time, the Board Chair will call on persons wishing to make public comment.

Virtual access available by registering for this meeting online:

<https://us06web.zoom.us/j/82173853899?pwd=K3dVNDh1Y09jYnBJZ3oxQkFTSkdtUT09>

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 821 7385 3899

Password: 788395

SIP: 82173853899@zoomcrc.com

Telephonic access to this meeting available by dialing the number below based on the location closest to participant.

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

DATES AND TIMES:

August 10, 2022, commencing at 9:00 a.m.

Zoom sign-in available at 8:30 a.m.

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 for 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 limits public comment to three (3) 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. Mission Statement of the Nevada State Board of Massage Therapy – To protect the public health, safety, and welfare through effective massage therapy regulation. Insuring that qualified, competent, ethical practitioners are licensed.
3. Public comment – Members of the public who wish to participate in a public meeting may do so by providing public comment during the two designated public comment periods. Additionally, public comment options may include, without limitation, telephonic or email comment. 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 the meeting. (Discussion Only)
4. Acknowledgement of service and introduction of new Board members. (For Discussion)
 - a. Richard Fields – July 1 ,2020 through June 9, 2022
 - b. Karen Kramberg – May 2, 2021 through June 21, 2022
 - c. Introduction of Public Member appointed by the Governor.
 - d. Introduction of Board Member representing Washoe County
5. Election of Officers. (For Discussion and Possible Action)
 - a. Chair
 - b. Vice Chair

- c. Secretary/Treasurer
6. 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 Lei Wang. (For Discussion and Possible Action)
 - b. Review Application Edward T. Gao. (For Discussion and Possible Action)
 - c. Review Application Ashley A. Pedraza. (For Discussion and Possible Action)
 - d. Review Application Kendal L. Priestly. (For Discussion and Possible Action)
 - e. Review Application Shi Sheng. (For Discussion and Possible Action)
 - f. Review Application Jasminemarie B. Soller. (For Discussion and Possible Action)
 - g. Review Application Lihua Zhao. (For Discussion and Possible Action)
7. Hearings for failure to respond to the Board’s Inspection Team regarding outcall sanitation inspection compliance. (For Discussion and Possible Action)
 - a. Formal Hearing Michelle Advincula License Number NVMT.4616 – Case Number NVMT-OC-22045. (For Discussion and possible Action)
 - b. Formal Hearing Elizabeth I. Audannio License Number NVMT.7601 – Case Number NVMT-OC-22046. (For Discussion and possible Action)
 - c. Formal Hearing Xiaokun Cao License Number NVMT.10146 – Case Number NVMT-OC-22047. (For Discussion and possible Action)
 - d. Formal Hearing Jaline K. Castell License Number NVMT.9161 – Case Number NVMT-OC-22048. (For Discussion and possible Action)
 - e. Formal Hearing Marcus L. Greer License Number NVMT.6621 – Case Number NVMT-OC-22049. (For Discussion and possible Action)
 - f. Formal Hearing Malena Hansen License Number NVMT.7620 – Case Number NVMT-OC-22050. (For Discussion and possible Action)
 - g. Formal Hearing Joseph Himelstein License Number NVMT.10070 – Case Number NVMT-OC-22051. (For Discussion and possible Action)
 - h. Formal Hearing Chunmiao Hou License Number NVMT.9954 – Case Number NVMT-OC-22052. (For Discussion and possible Action)
 - i. Formal Hearing Julie C. Jadofsky-Lynch License Number NVMT.10214 – Case Number NVMT-OC-22053. (For Discussion and possible Action)
 - j. Formal Hearing Tisha M. Johnson License Number NVMT.2911 – Case Number NVMT-OC-22054. (For Discussion and possible Action)
 - k. Formal Hearing Joseph R. Maule License Number NVMT.5476 – Case Number NVMT-OC-22055. (For Discussion and possible Action)
 - l. Formal Hearing Trong H. Nguyen License Number NVMT.10239 – Case Number NVMT-OC-22056. (For Discussion and possible Action)
 - m. Formal Hearing Sol Renteria License Number NVMT.7774 – Case Number NVMT-OC-22057. (For Discussion and possible Action)
 - n. Formal Hearing Baoping Chen License Number NVRF.0078 – Case Number NVMT-OC-22059. (For Discussion and possible Action)
8. Formal Hearing Thomas W. Maher NVMT.1717 – Case Number NVMT-C-21086. (For Discussion and Possible Action)

9. Formal Hearing Hongying Xu-Rode License Number NVMT.8379 – Case Number NVMT-OC-22040. (For Discussion and Possible Action)
10. Formal Hearing Hong “Mi” Guo NVMT.343 – Case Number NVMT-C-22003. (For Discussion and Possible Action)
11. Formal Hearing Luis A. Gonzalez NVMT.11178 – Case Number NVMT-C-22016. (For Discussion and Possible Action)
12. Formal Hearing Yan Guan NVMT.9302 – Case Number NVMT-C-22018. (For Discussion and Possible Action)
13. Formal Hearing Hongqin Jiang NVMT.436 – Case Number NVMT-C-22021 (For Discussion and Possible Action)
14. Formal Hearing Marcus T. Truman NVMT.10048 – Case Number NVMT-C-22030 (For Discussion and Possible Action)
15. Formal Hearing Frank A. Lisa NVMT.10366 – Case Number NVMT-C-22036 (For Discussion and Possible Action)
16. Formal Hearing Bing An NVMT.10378 – Case Number NVMT-R-2213 (For Discussion and Possible Action)
17. Formal Hearing Sasha I. Wheelock NVMT.5878 – Case Number NVMT-R-2212 (For Discussion and Possible Action)
18. Citation Appeal Hongyu Wang. (For Discussion and Possible Action)
19. Citation Appeal for Jamie Thurman. (For Discussion and Possible Action)
20. Board Counsel report. (For Discussion and Possible Action)
 - a. General topics and training provided by Deputies Attorney General.
 - b. General topics and training provided by Board Counsel Colleen Platt.
21. Continuing education review for hours submitted by Bianca R. Smith NVMT.5514. (For Discussion and Possible Action)
22. Continuing education review for hours submitted by Sandra F. Atcheson NVMT.2626. (For Discussion and 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 address individual items for discussion or revisions.

23. *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 July 31, 2022 (see Exhibit A). (For Possible Action)*
 - b. Discussion and possible action regarding review and acceptance of the Fiscal Year 2022 Budget verses Actual through June 30, 2022. (For Possible Action)*
 - c. Discuss, amend, and approve Board meeting minutes for June 8, 2022. (For Possible Action)*
 - d. Discuss and possible action regarding approval of Massage Therapy Programs meeting the criteria of NAC 640C (see Exhibit B). (For Possible Action)*
24. Discussion and possible action regarding selection of the Board's delegate to the 2022 Federation of State Massage Therapy Boards (Federation) Annual Meeting October 18-20, 2022, in Charlotte, North Carolina. The delegate position travel expenses are paid by the Federation. (For Discussion and Possible Action)
 25. Discussion and possible action regarding sending additional attendees to the Federation Annual Meeting at a cost of \$2,700 per attendee. (For Discussion and Possible Action)
 26. Discussion and possible action regarding sending attendees to the FARB Regulatory Law Seminar in Renton, Virginia September 29 through October 1, 2022, at a cost of \$3,000 to \$4,000 per attendee (or have individuals participate virtually if available). (For Discussion and Possible Action)
 27. Discussion and possible action regarding the status of a potential national compact for massage therapy. (For Discussion and Possible Action)
 28. Discussion and possible action regarding possible changes to NRS 640C for the 2023 legislative session. (For Discussion and Possible Action)
 29. Discussion and possible action regarding possible changes to NAC 640C. (For Discussion and Possible Action)
 - a. Modify NAC 640C.050 to allow only the Massage and Bodywork Licensing Examination administered by the Federation of State Massage Therapy Boards. (For Discussion and Possible Action)
 - b. Modify NAC 640C.052 to adopt the Entry Level Analysis Project (ELAP) working group sponsored by 7 national massage therapy organizations recommendation of six hundred twenty-five (625) hours of education for entry level competency including
 - c. Modify NAC 640C.052 to increase regulation as it relates to education and standardizing education beyond the hours and the programs possibly with a limit on the number of hours per day in the foundational education program. Limiting the number of hours per day in an education program, to 8 clock hours with clock hour defined as 60 minutes with 50 minutes instruction and 10 minutes of break and require that students be given a 30-minute continuous break after either 4 or 6 hours of instruction. Other possibilities include limiting the time frame for completion of a program to no less than 4-6 months. (Info: full time is considered 160 hours per month 4 months would equal 640 hours maximum.)

- d. NAC 640C.052 (xxx) (xxx) Provide for inspection of clinics provided by educational programs and mandate passing inspection of the premises to make sure that the NRS/NAC are being followed the same as for licensed individuals.
 - e. NAC 640C.052 (xxx) (xxx) Include exposure to the inspection process for each student and validation of understanding of the requirements.
 - f. NAC 640C.052 (xxx) (xxx) mandate x hours of instruction on NRS/NAC 640C with a competency exam which will prepare students for the jurisprudence exam.
 - g. NAC 640C.100-140 requiring that continuing education pertain to the human body and not other species.
 - h. NAC 640C.410 add sexual harassment in the workplace. (Add sexual harassment in the workplace to unethical conduct as defined in NAC 640C.410.)
 - i. Modify NAC 640C.450 to include fines for not being properly licensed as a Nevada business with the Office of the Secretary of State and/or municipalities. (For Discussion and Possible Action)
 - j. Modify NAC 640C.450 to include fines for failure to comply with inspections including outcall inspections. (For Discussion and Possible Action)
 - k. Modify NAC 640C to include language for AB 330 of the 2021 legislative session. (For Discussion and Possible Action)
 - l. Modify NAC 640C to add regulations governing outcall inspections. (For Discussion and Possible Action)
 - m. Any additional modifications or recommendations provided by the public or the members of the board during discussion.
30. Discussion and possible action regarding publication of the Board’s Newsletter presented by the Newsletter Committee and discussion on how to proceed with publication and the Board’s recommendation for frequency including and authorization for approvals either before the Board or of the Chair and Legal Counsel. (For Discussion and Possible Action)
31. Executive Director Report including but not limited to: (For Discussion)
- a. Strategic Plan Key Indicators
 - i. Licensure and renewals
 - ii. Inspection Team calendar year-to-date key indicators
 - iii. Complaints and investigations calendar year-to-date key indicators
 - b. Financials, cash reserves, and anticipated upcoming expenditures
 - c. Other topics
 - i. Status of the Jurisprudence Exam
 - ii. Status of R128-20
 - iii. Technology
 - d. Board Training – Investigative Process presented by Investigator Brunner
32. Discussion and possible action regarding review of the continuing education approval forms used by the Board and the implementation of these documents into the database. (For Discussion and Possible Action)
33. Discussion and possible action regarding Board training and possible Board retreat during Fiscal Year 2023 including fiscal allocation for training not already approved in the budget. (For Discussion and Possible Action)

34. Other topics
35. Discussion regarding recommended future agenda items. (For Discussion)
36. Public comment.
37. Adjournment

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. Regarding public comment, no vote may be taken upon a matter raised under this agenda item 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 allow comment on individual agenda items at her discretion. Public comments are limited to three (3) minutes.

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 **Tuesday, August 9, 2022**, to the following address: **Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502**. **Supporting materials are available on the Board's website** http://massagetherapy.nv.gov/About/Board_Meetings/Meetings/ or by contacting **Sandy Anderson at 775.687.9951 or sjanderson@lmt.nv.gov or 1755 E Plumb Lane, Suite 252, Reno, NV 89502**. Documents provided to Board members during the meeting will be posted on the website after the meeting.

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.

In accordance with NRS 241.020, this public notice and agenda was posted on or before August 5, 2022, at the following locations:

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

<https://notice.nv.gov>

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