



Nevada State Board of Massage Therapy

NOTICE OF PUBLIC MEETING

DRAFT MEETING MINUTES

LOCATIONS:

This meeting of the Nevada State Board of Massage Therapy took place online via Zoom, or via telephone or by visiting 1755 E. Plumb Ln. Ste 254, Reno, NV 89502. Persons wishing to participate in the meeting were able connect to the meeting through the link below or telephone numbers below. Persons wishing to provide public comment during the meeting could use the links below and at the appropriate time, the Board Chair called on persons wishing to make public comment.

Virtual access was available for this meeting online:

<https://us06web.zoom.us/j/88576387430?pwd=bsbVDT1AXGsixo5Iob5S2udMvhcIMV.1>

Meeting ID: 885 7638 7430

Passcode: 246641

SIP: 88576387430@zoomcrc.com

Telephonic access to this meeting was 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 14, 2024, commenced at 9:08 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 were made to assist and accommodate individuals with disabilities who wish to attend the meeting by contacting Elisabeth Barnard at 775.687.9951 (ebarnard@lmt.nv.gov), in advance, so that arrangements may be made. Public comment was 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 was 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 was 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 desired, the matters may be placed on a future Agenda for action. In consideration of others who may also wish to provide public comment, repetition was avoided. The Board limited 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.

The Meeting was called to order 9:08 a.m. on August 14,2024 by Chair Rebecca Dorangricchia. Board members in attendance included Vice Chair Deirdre Strunk, Lorna Benedict, Rosemarie Mueller, Bill Schoen, Stephanie Tsanas, John Teng, Jenn Ty, Paula Wilber and Sgt. Antonio Scott with the Las Vegas Metropolitan Police Department participated telephonically. Additional attendees included Board Counsel Colleen Platt and Executive Director Elisabeth Barnard.

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.

Chair Dorangricchia read the mission statement into the record.

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)

Written public comment was received from Lisa Mihevc, licensee, was read into the record and copied below.

Dear Board Members,

I have been practicing massage for 29 years now. While getting my office inspected, I have been asking if the board would ever consider stopping the required Continuing Education hours needed to stay licensed for the seasoned practitioners. I have been told that this notion has come up with

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board members, so I am letting you know I am supporting this effort. Perhaps when you hit 15 years in the line of business you only need 6 hours. When you hit 20 years, none is required.

I love education, but after 29 years, I struggle to find affordable classes to take. They are time consuming, usually costly, tiring, and take away from the time and energy we could be spending with our clients.

What made me finally write this letter is that my lawyer client says she only needs 10 Continuing Education hours. So, massage therapists need more education than lawyers. Something to ponder.

Thanks for listening.

Lisa

Lisa Altrocchi Mihevc

4. Introduction of new Board members (For Discussion)
 - a. Jenn Ty – Clark County Licensee
 - b. Bill Schoen – Public Member
 - c. Sergeant Antonio Scott – Nonvoting advisory member

Chair Dorangricchia introduced and welcomed each of the new Board members.

5. Election of Officers (For Discussion and Possible Action)
 - a. Chair.
Strunk opened the floor for nominations. Strunk nominated Dorangricchia for Chair. Dorangricchia accepted the nomination. Strunk asked if there were any other nominations. No other nominations were made. Strunk moved to approve Dorangricchia as Chair. Seconded by Benedict. Motion carried.
 - b. Vice Chair
Dorangricchia opened the floor for nominations. Dorangricchia nominated Strunk for Vice Chair. Strunk accepted the nomination. Dorangricchia asked if there

were any other nominations. No other nominations were made. Dorangricchia moved to approve Strunk as Vice Chair. Seconded by Mueller. Motion carried.

c. Secretary-Treasurer

Dorangricchia opened the floor for nominations. Dorangricchia nominated Wilber for Secretary-Treasurer. Wilber accepted the nomination. Dorangricchia asked if there were any other nominations. No other nominations were made. Dorangricchia moved to approve Wilber as Secretary-Treasurer. Seconded by Strunk. Motion carried.

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 Matthew Benardis. (For Discussion and Possible Action)

Matthew Benardis was not present.

The application of Mr. Benardis was presented for review by the Board.

Motioned by Tsanas, to deny the application, seconded by Schoen. Motion carried.

b. Review Application Lennon Jay Gamallo Campania. (For Discussion and Possible Action)

Lennon Jay Gamallo Campania was not present.

The application of Mr. Gamallo Campania was presented for review by the Board.

Motioned by Strunk, to deny the application, seconded by Benedict. Motion carried.

c. Review Application Yaqin Zhang Villanueva. (For Discussion and Possible Action)

Yaqin Zhang Villanueva was present, along with her daughter, Rani Hossain, assisting with interpretation.

The application of Ms. Zhang Villanueva was presented for review by the Board.

Board members asked Ms. Zhang Villanueva questions about her background.

Motioned by Tsanas, to deny the application based on 640C.700, seconded by Schoen. Motion carried.

d. Review Application Sha’Rhod Williams. (For Discussion and Possible Action)

Sha’Rhod Williams was present.

The application of Mr. Williams was presented for review by the Board.

Tsanas moved to go into closed session. Seconded by Benedict. Motion carried.

Mr. Williams provided testimony and Board members asked him questions about his background.

Motioned by Schoen to return to open session. Seconded by Strunk. Motion carried.

Motioned by Schoen, to approve the application, seconded by Strunk. Motion carried.

e. Review Application Wenjuan Teng. (For Discussion and Possible Action)

Wenjuan Teng was present. The Board provided Mandarin interpreter Ming-Chih Lan at the applicant’s request. Ms. Teng also had friend, xxx, at her location to assist with interpretation.

The application of Ms. Teng was presented for review by the Board.

Motioned by Tsanas to go into closed session. Seconded by Wilber. Motion carried.

Ms. Teng provided testimony and Board members asked her questions about her background.

Strunk motioned to return to open session. Seconded by Mueller. Motion carried.

Schoen expressed concerns that she had not disclosed any of her history on her application.

Schoen motioned to deny the application. Seconded by Benedict. Motion carried with Mueller opposed.

f. Review Application Li Chen. (For Discussion and Possible Action)

Ms. Chen was present. Kirk Kennedy was present as her legal counsel, along with Maggie Chen as interpreter.

The application of Ms. Chen was presented for review by the Board.

Ms. Chen provided testimony and Board members asked her questions about her background. The Board encouraged her to improve her English, so that she could better communicate with English speaking clients.

Motioned by Strunk to approve the application and immediately place the license on probation for two (2) years, with the requirements to report all contact with law enforcement within 48 hours, to submit job offers to the staff for review, that her employer provide quarterly check-ins, that she submits to a background check in two years, at the licensee's expense. Seconded by Mueller. Motion carried with Schoen opposed.

g. Review Application Victoria Yang. (For Discussion and Possible Action)

Item continued to next available meeting.

7. Background Review Request per NRS 622.085 - Obdulio Recinos-Mejia (For Discussion and Possible Action) (The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person.) (For Discussion and Possible Action)

Item continued to next available meeting.

8. Review and possible approval of Voluntary Surrender in lieu of other discipline for Ernesto A. Jimenez NVMT.11287 – Case Number NVMT-C-24042. (For Discussion and Possible Action)

Deputy Attorney General Ostunio joined the meeting to present the Voluntary Surrender in lieu of other discipline for Ernesto A. Jimenez NVMT.11287.

Motioned by Tsanas to approve the Voluntary Surrender of NVMT.11287. Seconded by Strunk. Motion carried.

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.

9. *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, 2024 (see Exhibit A). (For Possible Action)*
- b. *Discussion and possible action regarding review and acceptance of the Fiscal Year 2024 Budget versus Actual through June 30, 2024. (For Possible Action)*
- c. *Discussion and possible action regarding review and acceptance of updated Fiscal Year 2025 Budget. (For Possible Action)*
- d. *Discussion and possible action regarding review and acceptance of Fiscal Year 2026 Budget. (For Possible Action)*
- e. *Discuss, amend, and approve Board meeting minutes for May 29, 2024. (For Possible Action)*
- f. *Discuss, amend, and approve Board meeting minutes for June 27, 2024. (For Possible Action)*
- g. *Discuss, amend, and approve Board meeting minutes for July 5, 2024. (For Possible Action)*
- h. *Discussion and possible action regarding updates to the list of substantially equivalent states listed on the website per Section 5 of LCB File No. R128-20. (For Possible Action)*
- i. *Discussion and possible action regarding approval of Massage Therapy Programs meeting the criteria of NAC 640C (see Exhibit B). (For Possible Action)*

Motioned by Strunk to approve item 9a, b, c, e, f, and g as presented., seconded by Wilber. Motion carried.

Item 9h. Additional states recently increased minimum education requirements. Staff recommended adding Colorado, Louisiana, and South Carolina to the list of substantially equivalent states. Motioned by Strunk to approve the additional jurisdictions as presented to the list of substantially equivalent states. Seconded by Wilber. Motion carried.

Items 9d and i were tabled.

10. Discussion and possible action to adopt the State of Nevada Department of Administration compensation tables. (For Discussion and Possible Action)

Barnard explained that the Board's current compensation tables, approved in June, are lower than the State compensation tables.

Motioned by Wilber to adopt the current State of Nevada Department of Administration compensation tables. Seconded by Benedict. Motion carried.

11. Discussion and Possible Action regarding continued printing of plastic ID card versions of licenses in addition to paper licenses. (For Discussion and Possible Action)

Barnard made the Board aware of recent issues with the Card ID printer, along with concerns about increasing costs of supplies, repairs, and possible replacement printers. The Board directed Barnard to explore other options, that may provide savings over the current printing process.

12. Discussion and possible action regarding approval of entering into contract with a CPA or Auditor to conduct the Board's Annual Audit of the Board's Financial Statements in the amount of up to \$30,000. (For Discussion and Possible Action)

Barnard explained that the firm that had performed the Board's audits in the past is no longer offering that service. Firms contacted so far are stating they charge up to \$30,000 for an entity the size of the Board, which exceeds the current approved budget amount.

Motioned by Dorangricchia to approve entering into a contract up to \$30,000 for the FY24 Audit. Seconded by Mueller. Motion carried.

13. Board Counsel report. (For Discussion)

Platt had nothing to report.

14. Executive Director Report. (For Discussion)
 - a. Strategic Plan Key Indicators
 - i. Licensure and renewals

Barnard shared that the Board update for the beginning of the month reflected the current license and renewal numbers.

- ii. Inspection Team calendar year-to-date key indicators
 - iii. Complaints and investigations calendar year-to-date key indicators

Investigator Brunner updated the Board on current inspection numbers, noting that Compliance Inspector Huffman has completed 96% of the inspections for the southern portion of the state. Complaints have been coming in from Metro recently and those complaints may have impacts on establishments.

- b. Other topics

Barnard shared about her recent visits to AMO Massage School, Fu Zu Ba School, and Northwest Carrer Colleges to address questions from current students in the massage therapy programs.

She also shared about a strategy session she was invited to participate in to help come up with tactics to interrupt the Illicit Massage Industry.

Additionally, Barnard updated the Board on a meeting all Executive Directors were invited to by the Department of Business & Industry regarding a possible bill for the next session to consolidate Boards under the newly formed Office of Boards, Commissions and Council Standards.

Barnard reviewed the investigation process for the new Board members.

c. Financials, cash reserves, and anticipated upcoming expenditures

Updates were provided to the Board on moving some money from the Money Market account to higher earning CD account. Additionally, the Xerox lease in the Las Vegas office far exceeds the current needs, staff is exploring purchasing a printer and relinquishing the leased equipment.

15. Discussion and Possible Action regarding future changes to NRS 640C for a bill draft request for the 2025 Legislative Session. (For Discussion and Possible Action)

The Board reviewed and provided feedback on proposed changes to NRS 640C and directed staff to seek some alternative options regarding the proposed oversight of schools.

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

Additional attendees for the FSMTB Annual meeting in early October will be added to the meeting agenda for September 11.

17. Acknowledgements of Service

- a. Bianca Smith
- b. Christine Garvey

Dorangricchia acknowledged the service provided by former Board Members Smith and Garvey and thanked them both for their years on the Board. Dorangricchia also recognized the service provided by Teng on the Board and congratulated him on being appointed to a second term by Governor Lombardo.

18. Public comment.

David Otto, NVMT.103, thanked the Board for posting the letter in support of IMpact on the website and noted that it may help other states in proposing the adoption of the language. He went on to thank the Board for their work today and noted the balance the Board manages to find in their discussions between protection of the public and not negatively impacting the profession.

Bianca Smith thanked the Board for their recognition of her service to the Board.

19. Adjournment

The meeting was adjourned at 3:19 pm.

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 13, 2024**, 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 Elisabeth Barnard at 775.687.9951 or ebarnard@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 Elisabeth Barnard at 775.687.9951 or ebarnard@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 9, 2024, 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