

MESSAGE THERAPY BOARD
Special Meeting
Thursday, March 3, 2005 at 10:00 a.m.
Toney Anaya Building - West Capitol Complex
2550 Cerrillos Road - Santa Fe, New Mexico

FINAL AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF AGENDA
- III. EXECUTIVE SESSION AND ACTION
 - A. MT Case #03-03-04A
- IV. ADJOURNMENT

MASSAGE THERAPY BOARD
Special Meeting
Thursday, March 3, 2005 at 10:00 a.m.
Toney Anaya Building - West Capitol Complex
2550 Cerrillos Road - Santa Fe, New Mexico

MINUTES

MEMBERS PRESENT: Kathleen Egenes, LMT and Chair
Ed Kaul, Public Member
Quinn Lopez, Public Member
Randy Barnes, LMT
W. D. "Peter" Lane, LMT

MEMBERS ABSENT: None

STAFF PRESENT: Carmen E. Payne, Board Director
Geraldine Mascarenas, Board's Complaint Manager

OTHERS PRESENT Betsy Sedillo, AAG Litigation Attorney

I. CALL TO ORDER

Chair Egenes called the Special Meeting of the Massage Therapy Board to order at 10:07 a.m. The meeting had been properly noticed and there was a quorum present to conduct business.

II. APPROVAL OF AGENDA

Mr. Lane **MOVED** for the Board to approve the agenda as presented. Mr. Barnes **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

III. EXECUTIVE SESSION AND ACTION

The Chair asked for a motion to enter into Executive Session. Mr. Lane **MOVED** for the Board to enter into Executive Session pursuant to Sections 10-15-1.H (1) and (3) of the Open Meetings Act, pertaining to the discussion of complaints, matters related to the issuance, suspension, renewal, or revocation of licenses and pending or threatened litigation. Mr. Barnes **SECONDED** the motion. A roll call vote was taken and Mr. Kaul, Mr. Barnes, Mr. Lopez, Mr. Lane and Ms. Egenes voted to enter into Executive Session. The motion was **PASSED**.

The tape recorder was turned off and the Board entered into closed session at 10:10 a.m.

At 10:15 a.m. the Board came out of Executive Session. The Chair stated that only matters related to agenda item III.A, MT Case #03-03-04A were discussed during Executive Session. The following action was taken in open session.

A. MT Case No. 03-03-04A

Mr. Lopez **MOVED** for the Board to issue an Order to Show Cause why the licensee's license shouldn't be revoked because of his violation of the Board's Order. Mr. Lane **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Mr. Lopez **MOVED** for the Board to approve the Hearing Officer's Report with the modifications discussed during Executive Session. Mr. Barnes **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Mr. Lane **MOVED** for the Board to **APPOINT** Mr. Willard H. Davis, Jr., Administrative Law Judge at the Regulation and Licensing Department, as the Hearing Officer. Mr. Lopez **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Ms. Egenes **MOVED** for the Board to **AUTHORIZE** Mr. Lopez to sign the Order to Show Cause on the Board's behalf. Mr. Barnes **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

V. ADJOURNMENT

Mr. Lane **MOVED** for the Board to adjourn the meeting. Mr. Lopez **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**. The time was 10:20 a.m.

Respectfully submitted by Carmen E. Payne, Board Director
Approved by the Board on June 24, 2005
Accepted by Kathleen Egenes, LMT and Board Chair, on June 24, 2005