



CALIFORNIA
MASSAGE THERAPY COUNCIL

One Capitol Mall, Suite 320 | Sacramento, CA 95814
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Sent and Posted: March 30, 2012

Notice and Agenda
Board of Directors Meeting
Tuesday, April 10, 2012
Teleconference Number:
1-877-366-0711, Pass code: 77085177#
9:00 a.m.

1. Call to order/Roll call
2. Clean-up legislation update, stakeholder concerns, current proposed language (Director of Governmental Affairs and Special Projects)
3. Implementation of documents' scanning project- board approval of budgetary impact (CEO)
4. Board members' attendance at the American Massage Conference (CEO)
5. Adjourn

*All agenda items are subject to discussion and possible action.
Requests for more information, or to make a request regarding a disability-related modification or accommodations for the meeting, please contact Sheryl LaFlamme at (916) 669-5336 or One Capitol Mall, Suite 320 Sacramento CA 95814 or via email at camtc@amgroup.us.*

Requests for disability-related modification or accommodation for the meeting should be made at least 48 hours prior to the meeting time. This notice and agenda is available on the Internet at <http://www.camtc.org>.



April 2, 2012

Proposed Amendments for a 2012 clean-up bill (approved by CAMTC Board 1.114.12 and 3.20.12):

1. Amend 4600 (e) to add definition of “Operator” as someone who owns or manages a business.
2. Amend sections 4601(b) (1)(B) and 4601 (c)(2)(A) to state that the education can be “250 hours or the credit unit equivalent”, “500 hours or the credit unit equivalent”.
3. Amend Section 4601 (c)(2)(B) to add a requirement that the person be qualified as CMP in addition to passing an approved exam
4. Amend 4601 (h) to state that the certificate and ID card are the property of CAMTC and shall be surrendered upon suspension or revocation.
5. Amend Section 4602 by adding subsection (d) and amend 4603 to add to grounds for interim suspension of certification, substantial evidence of sexual offences or felonies in sworn officer declarations.
6. Add Section 4602.5 (b) to provide authorization for law enforcement or a local government agency to provide information to CAMTC regarding a certificate holder or applicant, including but not limited to the status of a local permit, disciplinary actions, criminal activity or unprofessional conduct, police reports and declarations of conduct.
7. Add Section 4603 (d) to add to the grounds for denial or discipline of an infraction, municipal code violation or civil citation substantially related to the practice of massage.
8. Add Section 4603.7 to require that the ID card be in the possession of the therapist while providing massage and that he or she display only an original certificate.

9. Add Section 4603.8 to require that the certified professional provide their full name and certification # to the public, CAMTC or law enforcement upon request.
10. Amend Section 4612 (b)(3) to specify that business license fees can be no higher than that charged other professionals as defined under Corporations Code.
12. Amend Section 4612 (b)(7) to clarify that the information requested for a business license application shall be the same as that required of other individuals and professionals providing professional services as defined in subdivision (a) of Section 13401 of the Corporations Code.
13. Amend Section 4612 (e) to state that the owner/ operator background check can be 10 years and include live scan and criminal background check. If the owner background check results in findings of history relevant to owning or management of a massage business the provisions of Section 4612 (a) and (b) that apply to businesses in which everyone providing massage is certified do not apply.
14. Add Section 4613 (c) to clarify that the state law does not prohibit cities or counties from passing ordinances that restrict the ability of a new massage business to open in any location in which a massage business has been closed for criminal activity.



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April 2, 2012

Proposed Additional Amendments for a 2012 legislation

1. Amend 4612 (c) to hold the certified owner responsible for staff behavior even if not all are certified.

Explanation of need: To close a loophole in the current law that does not hold the certified owner responsible if not all massage professionals in the business are certified.

2. Amend Sections 4602 to allow for interim suspension after investigation by PSD based on substantial evidence of sexual offences or felonies in sworn victim declarations.

[Court](#)

Is the Laguna Beach Massage Envy Rubbing Women the Wrong Way?

By [R. Scott Moxley](#) Wed., Mar. 28 2012 at 8:43 AM

[Comments \(7\)](#) 

Categories: [Court](#), [Crime-in-y](#), [Main](#), [Moxley](#)

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Ahhhhh

A Laguna Beach **Massage Envy** masseur, who is already facing criminal and civil allegations that he sexually assaulted one woman, has been accused this month of molesting a second female customer.

According to a plaintiff identified only as "Jane Doe," masseur **Mark Pergil Valenzon** masturbated during her massage in a private room and "placed his erect penis on her head."

The alleged lewd conduct shocked Doe, who complained to management that she "never wanted to have Valenzon as her masseur ever again," according to the 16-page, May 20 lawsuit filed in **Orange County Superior Court**.

Several months after the incident, Doe discovered that Valenzon previously had been arrested for sexually assaulting another woman, who we'll call Jane Doe 1, at the same Laguna Beach Massage Envy in May 2011.

Newport Beach attorney **Scott J. Ferrell**, who represents both women, was incredulous in his recent legal brief.

"[The defendants'] actions are inexcusable," wrote Ferrell. "This lawsuit concerns another

incident of a woman's sexual assault by the same Massage Envy masseur whose attempted rape of a different woman at the same Massage Envy franchise location in Laguna Beach is the subject of the current litigation. These women placed themselves in the care of the Massage Envy franchise and were horrifically violated."

Ferrell also alleges that this Massage Envy staff erased Doe 2's complaint about Valenzon from its computer system in hopes of covering up its negligence, according to the lawsuit.

Massage Envy has faced similar lawsuits in Tustin; Seal Beach; Bethesda, Maryland; Austin, Texas; Salt Lake City, Utah; Draper, Utah and Kansas City.

The owners of the Laguna Beach massage business, **John and Barbara Meeks**, have not yet filed a formal response in court.

Superior Court Judge **Franz E. Miller** will manage the case and, if there is one, a trial.

Valenzon, who is out of custody on bail, faces two felony and one misdemeanor charges and has pleaded not guilty.

Court records show that his criminal case will have a pre-trial hearing on April 13.

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Tags:

[Barbara Meeks](#), [John Meeks](#), [lawsuit](#), [Mark Pergil Valenzon](#), [Massage Envy](#), [masturbation](#), [Orange County Superior Court](#), [Scott J. Ferrell](#), [sexual assault](#), [sexual molestation](#)

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- [Police & Fire](#),
- [Business](#)

Ick Factor: Massage Studio Accused of Rubbing Women the Wrong Way

Mark Pergil Valenzon, a Massage Envy masseur already facing sexual assault allegations, is accused of "plac(ing) his erect penis on (a client's) head."

- By [Rich Kane](#)
- [Email the author](#)
- March 28, 2012

[Email](#)

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[1 Comment](#)



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Last week, a customer of [Massage Envy](#) identified only as "Jane Doe" filed a 16-page lawsuit in Orange County Superior Court, alleging that one of the studio's masseurs, Mark Pergil Valenzon, sexually assaulted her.

Valenzon was previously arrested last year in a case involving another sexual assault that he allegedly made against a different female Massage Envy customer. After reports of Valenzon's arrest surfaced, Doe decided to come forward with her story and reported it to police and the Orange County District Attorney's office.

The details laid out in the suit are graphic. According to the brief, after Doe had stripped down to her underwear bottoms and lay face-down on the massage table ...

At first, the massage seemed to be progressing normally. However, at some point during the massage, Plaintiff heard Valenzon begin breathing heavily and heard him masturbating. Paralyzed in fear and disbelief, Plaintiff lay still on the massage table. Valenzon then placed his erect penis on Plaintiff's head and touched his erect penis on her bare side. In utter shock and disbelief, Plaintiff tried to convince herself that what she was experiencing was not actually happening. Unfortunately, Valenzon had, in fact, engaged in lewd, inappropriate, and unwanted touching.

The suit says that Doe informed the staff that she never wanted to use Valenzon as a masseur ever again. The Massage Envy staff noted her request in their computer, but allegedly ...

(W)hen Plaintiff requested a copy of her computer file at Massage Envy reflecting her directive to never have Valenzon as a masseuse, Plaintiff discovered that Massage Envy had altered her file and deleted the notation in an effort to cover any knowledge that Valenzon was a threat to his female clients.

Both women are represented by Newport Beach attorney Scott J. Ferrell, who didn't hold back in the brief that was filed.

"Defendants' actions are inexcusable," Ferrell wrote. "This lawsuit concerns *another* incident of a woman's sexual assault by the *same* Massage Envy masseur whose attempted rape of a different woman at the *same* Massage Envy franchise location in Laguna Beach is the subject of current litigation. These women ... were horrifically violated. Apparently this Massage Envy masseuse's modus operandi includes exposing himself when these vulnerable women lay prostrate during massage sessions and then sexually assaulting them."

The owners of the Laguna Beach Massage Envy studio, John and Barbara Meeks, are also named in the suit.

Massage Envy has also been named in other lawsuits involving rape and sexual assault in Tustin, Seal Beach, Maryland, Texas, Utah and Kansas City.

Related Topics: [Mark Pergil Valenzon assault](#), [john and barbara meeks](#), and [massage envy laguna beach](#)

----- Original Message -----

Subject: Re Licensee xxxxxxxx

From: xxxxxxxxxx

Date: Wed, March 14, 2012 4:24 pm

To: "ProfessionalStandardsDivision@camtc.org"

<ProfessionalStandardsDivision@camtc.org>

Dear Professional Standards Division of the California Massage Therapy Council,

I am writing to let you know about a sexual assault that one of your licensees committed against me on March 3, 2012 at the xxxxx Hotel in Pasadena, California. I had a massage treatment at the hotel and he committed "sexual battery" (police term) against me during the treatment. Specifically, he inappropriately touched my genitals including putting his fingers inside my vagina. I reported it to the xxxxx staff and he was immediately suspended pending an investigation (they assure me this will ultimately lead to his termination). I also reported it to the Pasadena Police Department (police report #xxxxxxx). I feel strongly that his massage license should be revoked since he is at very high risk of abusing the public's trust again. As traumatic as this incident was for me, next time it could be much worse. I would hate for another woman to experience what I have gone through these past two weeks.

The name of the massage therapist is below. His massage license number is also below. I found this information on your website.

xxxxxxxxxxxxxxx

Certification # xxxxxx

Thank you for your time and attention to this matter.

Sincerely,

xxxxxxxxxxx, M.D.

Emergency Physician

Board Member - Travel Expense AMC

	Airfare	Airport Park	Hotel	Milage	PerDiem/71 per day	Taxi	Total
Mark	\$ -	\$ -	\$ 281.25	\$ 90.00	\$ 213.00		\$ 584.25
Roberta	\$ -	\$ -	\$ 421.88	\$ 230.00	\$ 213.00	\$ -	\$ 864.88
Judy	\$ 350.00	\$ -	\$ 421.88	\$ -	\$ 213.00	\$ 50.00	\$ 1,034.88
Keith	\$ 275.00	\$ 55.00	\$ 421.88	\$ -	\$ 213.00	\$ 50.00	\$ 1,014.88
Elna	\$ -	\$ -	\$ 421.88	\$ 130.00	\$ 213.00	\$ -	\$ 764.88
Deb	\$ 250.00	\$ -	\$ 281.25		\$ 213.00	\$ 50.00	\$ 794.25
Christian	\$ -	\$ -	\$ 421.88	\$ 130.00	\$ 213.00	\$ -	\$ 764.88

TOTAL \$ 5,822.90