



State of Arizona
Janice Brewer – Governor

Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

1400 West Washington • Suite 300 • Phoenix, AZ 85007 • Telephone 602-542-8604 • FAX 602-542-8804
Dennis Beye, LMT; Victoria Bowmann, LMT; John Ortega, Public Member
Diane Pruetz, Public Member; Earl Duskey, LMT; Craig Runbeck, ND, Executive Director

MINUTES BOARD MEETING

January 23, 2012 10:00 a.m.
1400 West Washington St, B1
Phoenix, AZ 85007

1. Call to Order by Presiding Officer

Mr. Beye, Chair, called the meeting to order at 10:09 am.

A. Roll call of Board members was done to establish a quorum to conduct the meeting.

Board Members present: Dennis Beye, Chair, LMT
Victoria Bowmann, LMT, Vice Chair
John Ortega, Public Member
Earl Duskey, LMT
Diane Pruetz, Public Member

B. Acknowledgement of presence of Board staff and legal counsel.

Assistant Attorney General: Elizabeth Campbell
Asst. Attorney General
Solicitor General Office: Chris Munns

Board Staff present: Kathleen Phillips, Deputy Director
Stan Conger, Investigations
Angela Covarrubias, Administrative Assistant

2. Call to the Public.

None

3. Discussion, Consideration and Possible Action on Consent Agenda

(Any item under consent may be removed for independent discussion and action by a Board Member.)

A. Approval of Minutes: November 28, 2011 board meeting

B. Approval of 154 Massage Therapy Application(s) 11/18/2011 – 1/13/2012

Abaraca, Ricardo
Alegre-Fernandez, Angela
Anguiano, Amber
Antaya, David
Asay, Cari
Avery, Kayla
Axmaker, Brandon
Barclay, Michael
Baron, Triveni
Barretto, Geriann
Barrow, Madelon
Baxter, Danette

Benjamin, Michelle
Benway, Karena
Berg, Elissa
Bingham, Mark
Boshnjaku, Kreshnik
Brown, Michael
Burns, Joshua
Butler, Savannah
Coburn, Adam
Colucci, Richard
Costello, Jessica
Cybulski, Joshua

Davis, Beverly
Davis, Kira
Delloso, Jeremy
Dewar, Megan
Donofrio, Thomas
Drinkwater, Erich
Dufour, Lorna
Dugan, Kacie
Edwards, Kwincy
Ellerman, Ann
Everett, Shannon
Fackrell, Denise

Fountain, Stephanie
 Fritter, Colin
 Gantenbein, Sarah
 Garduno, Anna
 Gates, Dawn
 Gavelli, Angela
 Gebreyohannes, Semeon
 Gerhart, Erica
 Gonzalez, Christina
 Goodwin, Jorden
 Goyette, Meghan
 Gregory, Leilani
 Guffey, Michael
 Hammond, Cynthia
 Hansen, Barbara
 Haugen, Linda
 Henderson, Jennifer
 Henricus, Mala
 Hester, Tasia
 Hobbs, Jonathan
 Holmes, Kimberly
 Horn, Anthony
 Hurst, Kerrie
 Huser, Jean
 Irby, Bryant
 Jackson, Kate
 Jeffers, Mable
 Jennings, Heather
 Kansky, Susan
 Kavena, Marchelle
 King, Robin
 Knight, Meredith
 Kral, Kelley
 Kunkle, Sarah
 Kyaw, Nang
 Kytte, Carey
 Lansford, Leonila
 Laval, Sabra
 Lawson, Bianka
 Lee, A Cheryl

Lehman, Julie
 Levanduski, Anna
 Lewis, Delores
 Lopez, Martina
 Lucy, Carl
 Marlow, George
 Marsala, Tyler
 Martens, Stephanie
 Martin, Brette
 Martin, James
 Martinez, Ralph
 McBride, Todd
 Meagher, Nancy
 Medlin, Andrea
 Melero, Thera
 Meza, Christina
 Middleton, Kathryn
 Miller, Melissa
 Moon, Alexander
 Orines, Emily
 Ortega, Michelle
 Ortmeier, Jon
 Owens, Brent
 Pacheco, Tanya
 Pagliarulo, Anthony
 Parker, Robert
 Parry, Bret
 Passmore, Destiny
 Pearce, Ross
 Perry, Angela
 Polk, Csara
 Polsue, Amanda
 Quinbell, Cheryl
 Quinonez-Ireland, Maria Luisa
 Quintero, Thalia
 Ray, Bryon
 Rebenstorf, Kaitlin
 Rex, Marcy
 Ricalde-Shummon, Maria
 Robinson, Victoria

Robles, Samuel
 Rode, Dorena
 Rodriguez, Victoria
 Rogers Jr., Sherman
 RonQuillo, Davis
 Rynd, Cheryl
 Sanchez, Andrew
 Sandusky, Garrett
 Scattergood, Hakem
 Schorey, Michelle
 Schussel, Zachary
 Siqueiros, Ashley
 Sisson, Catherine
 Skelnik, Ping
 Snow, Melissa
 Sorensen, Lisa
 Sprinzl, Leanne
 Staggers, Daniel
 Stopke, Jamie
 Suriano, Joanne
 Taber, Nicole
 Taylor, Robert
 Teliha, Alicia
 Tovarez, Jessica
 Town, Nichole
 Trevino, Alexandria
 Upton, Emily
 Valdez, Hector
 Verdejo, Marissa
 Warren, MaryAnn
 Washington, Ronald
 Wassom, Jonathan
 Webster, Kelsie
 Welch, Samantha
 White, Catherine
 Whitney, Andrea
 Wilford, Nancy
 Zareczny, David

C. Approval of Out of State Massage Schools

MA	DoveStar Inst - closed	128 Main St #AB	Carver
NH	DoveStar Inst - closed	50 Whitehall Rd	Hookset
NH	DoveStar Inst - closed	PO Box 5115	Manchester
TN	Middle Tennessee Inst of Therapeutic Massage-closed	394 W Main St A-2	Hendersonville
CA	Nova Inst of Health Tech - Closed	12449 Putnam St	Whittier

MOTION: Ms. Pruetz moved to approve (A), (B), and (C) as presented
 Ms. Bowman seconded the motion.

VOTE: Ayes – 5
 Nays – 0

4. Discussion, Consideration and Possible Action of Regulatory Matters

A. Formal Hearings

1. Ying Liu Case #10-113 MT-00392P Expired: 06/06/2011
Ms. Liu was not present at the Board meeting.

Ms. Campbell made her opening statement stating that according to the notice received from Mesa Municipal Court for Case 2009058654 on Ms. Liu that stated an original sentence was imposed for violations of A.R.S. § 13-3214(A) and Mesa City Code 5-12-9(A)(5) and (A)(7). Ms. Liu was affirmed in Superior Court for the violation of prostitution which is a violation according to A.R.S. 32-4254(G) and Ms. Campbell advised the Board to Revoke her license.

MOTION: Ms. Pruetz moved to adopt the factual allegations as the finding of facts.
Ms. Bowman seconded the motion.

VOTE: Ayes – 5
Nays - 0

MOTION: Ms. Pruetz moved to adopt the alleged violations as the conclusions of law.
Mr. Ortega seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Bowman moved to accept the finding of fact according to A.R.S. §32-42-54(G) and revoke Ms. Lui's license.
Ms. Pruetz seconded the motion.

Roll Call Vote Ms. Bowman - Ayes
Mr. Ortega - Ayes
Mr. Duskey - Ayes
Chair Beye - Ayes
Ms. Pruetz - Ayes
Nays – 0

C. Consent Agreement

1. Gloria Garbaciak MT-02161P Expired: 09/15/2011

Ms. Phillips presented this case to the Board. Ms. Gabaciak pleaded guilty in Maricopa County and as part of the plea agreement she agreed to sign a consent agreement to surrender her Massage Therapy license for a period of five years.

MOTION: Ms. Bowman moved to accept the plea agreement.
Ms. Pruetz seconded the motion.

Roll Call Vote Mr. Duskey – Ayes
Mr. Ortega – Ayes
Ms. Bowman – Ayes
Ms. Pruetz - Ayes
Chair Beye - Ayes

Nays – 0

D. Request for review of Board Order

1. Keith Nisly MT-01542P Revoked: 01/13/2012

Ms. Campbell, Assistant Attorney General addressed the Board regarding a letter that was received from Mr. Nisly, by the Board office was postmarked a week later than the allowed thirty days to appeal a Board action.
No action was taken or needed on this case.

B. Investigative reviews

1. Sarah Lopez Case #11-109 MT-11600 Expires: 09/18/2012

Ms. Lopez was present with her attorney, Ann Bishop, to address the Board.
Mr. Conger, Investigator, summarized this case for the Board.
The complainant EB was present to address the Board regarding her complaint.

MOTION: Ms. Pruetz moved to dismiss the alleged violations against Ms. Lopez
Ms. Bowman seconded the motion.

VOTE: Ayes – 5
Nays – 0

Chairman Beye called for a break at 11:12 am.
The Board returned to Regular Session at 11:17 am.

4. A. Formal Hearings

2. Robrina Cole Case #11-111 MT-07578 Expires: 09/17/2012

Ms. Cole was present to address the Board. She was not represented by an attorney.
Ms. Campbell made her opening statement. This case was brought before the Board according to
7/21/11 Minute Entry in Maricopa County Superior Court Case No. 2011-105280.

MOTION: Mr. Duskey moved to adopt the factual allegations as the finding of facts.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays - 0

MOTION: Ms. Bowman moved to adopt the alleged violations as the conclusions of law.
Mr. Ortega seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Bowman moved for disciplinary action against Ms. Cole. License No. MT-01542P is placed
on Probation until the Superior Court ordered probation is completed. By 7-21-2012 Ms. Cole is
required to complete a six hour course on Business Procedures and Ethics. The course is in
addition to the continuing education hours required by A. R. S. § 32-4225(E) and shall be
preapproved by the massage therapy staff. Ms. Cole is required to appear before the Board to be
released from probation.
Ms. Bowman seconded the motion.

Roll Call Vote Ms. Bowman - Ayes
Mr. Ortega - Ayes
Mr. Duskey - Ayes
Chair Beye - Ayes
Ms. Pruetz - Ayes
Nays – 0

Chairman Beye called for a break at 12:14 pm.
The Board Meeting reconvened at 12:22 pm.

B. Investigative reviews

2. Jayne Beebe Case #11-114 MT-10909 Expires: 01/12/2013

Ms. Beebe was present to address the Board.
Mr. Conger, Investigator, summarized this case for the Board.

MOTION: Ms. Pruetz moved to dismiss the alleged violations against Ms. Beebe
Ms. Bowman seconded the motion.

VOTE: Ayes – 5

Nays – 0

3. Chad Massena Case #11-116 MT-04159P Expires: 05/03/2013

Chad Massena was present to address the Board. He was represented by Mr. Blake Whiteman an attorney.

Mr. Conger summarized the case.

MOTION: Ms. Pruetz moved to move the case to a formal hearing.
Mr. Ortega seconded the motion.

VOTE: Ayes – 5
Nays – 0

5. Discussion and Consideration and Possible Action on administrative Matters

A. Massage License Status

Ms. Phillips updated the Board on the license status to date.

Active: 9812

Denied: 30

Pending: 286

Voluntarily Surrendered: 9

Revoked: 23

Closed – App withdrawn and failed to qualify: 262

B. Report on alleged violations by unlicensed persons.

Mr. Conger reported on the following alleged violations.

1. Junhee Park – Tucson, AZ

2. Totally Chi – Tempe Mill Ave. Mall & Chandler Fashion Center

3. Catherine's A Cut Above – Catherine Miller – Overgaard, AZ

C. Discussion and consideration of Administrative Matters and Legislative Updates

1. FSMTB update

2. Board update

Nothing to report for 1 and 2.

ADJOURNMENT: The meeting was adjourned at 1:21 pm.
The next scheduled meeting is March 26, 2012.