



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; Susan Pomfret, LMT; John Ortega, Public Member
Jennifer Coomes, LMT, Diane Pruetz, Public Member, Craig Runbeck, ND, Executive Director

Minutes BOARD MEETING

April 26, 2010 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 10:00 am.

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

Board Members present: Dennis Beye, Chair, LMT
Susan Pomfret, Vice Chair, LMT
John Ortega, Secretary, Public Member
Jennifer Coomes, 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: Christopher Munns

Board Staff present: Kathleen Phillips, Deputy Director
Stan Conger, Investigations

2. Call to the Public.

Julie Tristao

She addressed the Board regarding her pending application.

3. Discussion, Consideration and Possible Action of Consent Agenda *(Any item under consent may be removed for independent discussion and action by a Board Member.)*

A. Approval of February 22, 2010 minutes.

B. Approval of 248 Massage Therapy Applications: February 08, 2010 – April 13, 2010

MOTION: Ms. Pomfret moved to approve the consent agenda and February’s minutes as presented.
Mr. Ortega seconded the motion.

VOTE: The Motion Passed 5 ayes, 0 nays

Acosta, Robert
Abshire, Emma
Adams, Camilla
Aguilar, Nadene
Aguirre, Alejo
Akins, Heather
Allan, Daniel
Alonso, Rosa
Amedee, John
Anderson, Niki
Annis, Scott
Arellano, Alysia
Arroyo, Shannon
Atkins, Patricia
Bailey, Marquavia
Bark, Paul
Barnes, Jamie
Bartholow, Sheryl
Beals, Jason
Bedenbender, Gloria
Benally, Jennifer
Bennett, Lydia
Bjornson, Carey
Block, Sherri
Blodgett, Cherelle
Boron, Anthony
Brakefield, Amy
Brunson, Tamara
Burch, Brisa
Burk, Paul
Campo, Shirley
Cannon-Bush, Denise
Carmona, Sandra
Casanova, Rogelio
Castillo, Erick
Castillo, Marta
Castro, Vanesa
Cheney, Gretchen
Clark, Rebecca
Coburn, Bethany
Cogan, Joan
Cole, Reisa
Cole, Teresa
Cook, Kyle
Coon, Timothy

Coppedge, Nicole
Cowgur, Patrick
Cox, Rachel
Crawford, BryKisha
Crump, Blake
Davies, Allison
Davis, Julie
Davis, Patience
Dawson, Dion
Delgado Gonzalez, Melissa
Dempster, Staci
Denison, Rande
Diaz, Ruben
Dickey, Cortney
Duenes, Jackie
Eads, Susan
Edwards, David
Eichelsderfer, Anthony
Ellison, Candy
Estrada, Gloria
Ferguson, Brandye
Fernandez, Laura
Fleet, Kelly
Flory, Gretchen
Floyd, Amy
Freeman, Christopher
Gallagher, Meagan
Gao, Shi Hua
Garcia Ramos, Luis
Garza, Juan
Geller, Nicole
Gifford, Paula
Gillam, Jacqueline
Giza, Leah
Godel, Chelsey
Gonzales, George
Gonzalez, Mary
Goode, Kamren
Gould, Eriko
Green-Waggoner, Laura
Guzman-Villegas, Elaine
Hain, Renee
Hall, Christopher
Havis, Haley
Herman, Olivia
Hicks, Manuela

Higgins, Margarita
Himelick, Wendy
Holtz, Veve
Horn, Amy
Hudzik, Jennifer
Hughes, Ashley
Hui Oi
Hurst, Rebecca
Hutson, Michelle
Jacobs, Michael
Jepsen, Tina
Jimenez, James
Johnstone, Jerry
Jones, Allan
Kanefsky, Ilene
Katz, Zeah
Kelly, Anne
King III, Thomas
Kirk, Aimee
Kolikoff, Jennifer
Kovar, Eve
Kraiza, Alissa
Krieger, Sandra
Kriete Jr., Russell
LaBrash, Julie
Lachance, Sheri
Lafferty, Bernadette
Land, Derick
Lara, Ivan
Larson, Jordan
Latchford, Curtis
Lauer, Francine
Lawrie, Nicole
Lawson, Carolyn
Lawson, Natalie
Lee, Chris
Lee, Karen
Lesman, Stephanie
Lesueur, Rachael
Lewis, Rachel
Linney, Louise
Logas, Benjamin
Lopez, Daniel
Lopilato, Christopher
Lucius, Alexandria
Luthor-Ebersohl, Tristan

MacGregor, Cher
Mackey, Matthew
Magee, Craig
Manuelito, Brandon
Marez, Melissa
Marez, Tammy
Marrufo, Alyssa
Marstanovic, Ana
Martin, Jazmyn
Martinez, Luis
Matus, Daniella
Meltzer, Jonathan
Melvin, Stephanie
Mercer, Stephanie
Merrill, Ashlea
Merrill, Carolyn
Michael, Jaime
Miglia, Joesippi
Mihalko, Justin
Mitchel, Carl
Montoya, Sabrina
Moro, Melissa
Morris, Brittany
Munday, Michele
Munoz, Emiliano
Myers, Natalie
Napolitano, Cristina
Nelson, Dana
Nelson, Trudy
Newman, Elizabeth
Nichols, Trina
Nievarez, Michele
Norris, Angela
Norris, Tyler
Orduno, Michelle
Orellana, Edwin
Ortiz, Marlen
Overhiser, Stephanie

Palmer, Bobbi
Palmer, Diane
Parchcorn, Dawn
Park, Eun
Parker, Heather
Perez, Guadalupe
Petty, Vernita
Phillips, George
Plimley, Susan
Pond, Leslie
Prechel, Sharon
Quintana, Antonia
Ramirez, Olivia
Rawlings, Andja
Reynolds, Peggy
Reynolds, Sharon
Riley, William
Rivera, Lizbeth
Rodgers, Loretta
Rogers, Brooke
Romero, Jaylene
Rothrock, Alishia
Rotnes, Raquel
Ruiz, Destiny
Russ, Kelly
Ryan, Martha
Saber, Zachary
Sabin, Nicole
Sack, David
Sagahon, Sylvia
Sain, Richard
Samuels, Justin
Sanchez, Alexis
Santizo Cruz, Jorge
Schwartz, Adam
Seifert, Jessica
Sellers, Jessica
Sena, Bethany

Seufert, Tesia
Shaw, Jessica
Shreeve, James
Smith, Alexsaudria
Smith, Amanda
Smits, Jennifer
Soltesz, Gia
Southivong, Khanyka
Spezzano, Michelle
Stewart, Michele
Stoll, Adam
Striegler, Matthew
Sunderlin, Jeffrey
Syverson, Jenna
Taylor, Leona
Thomas, Shanna
Thrine, Arin
Tilley, Kimberly
Tolin, Laura
Tsosie, Jacinta
Vaca, Joseph
Valenzuela, Fernando
Vaughan, Kim
Vaught, Sheree
Velasco, Mayra
Von Gerichten, Megan
Walker, Linda
Wayda, Sean
White, Serena
Whitish, Annie
Williams, Alma
Yager, Jessica
Yao, Fenglian
Young, Natasha
Zavala, April
Zazueta, Mike

4. Discussion, Consideration and Possible Action of Regulatory Matters

A. Formal Hearing

1. **Billy Weinmann** Case #09-108

Mr. Weinmann was not present.

Ms. Campbell summarized the case.

Ms. Pomfret made a motion to accept the findings of fact.

Ms. Pruetz seconded the motion.

Vote: Ayes – 5

Nays – 0

Ms. Pomfret made a motion to accept the State's alleged violation and conclusion of law.

Ms. Pruetz seconded the motion.

Vote: Ayes – 5

Nays – 0

Ms. Pruetz made a motion to revoke his license.

Ms. Pomfret seconded the motion.

Roll call vote:

Ms. Pruetz - aye

Mr. Ortega - aye

Ms. Coomes – aye

Ms. Pomfret – aye

Chairman Beyre – aye

B. Request for Re-hearing

1. **Xiu Zhen Fan** - Case #08-106 - revoked

Attorney Mr. Rybarsyk represented Ms. Fan and addressed the Board.

Ms. Campbell addressed the Board

Mr. Rybarsyk re-addressed the Board.

Ms. Pruetz made a motion to deny the motion for a re-hearing.

Ms. Pomfret seconded the motion.

Vote: Ayes – 5

Nays – 0

2. **Gui Zhi Wang** - Case #08-107 - revoked 12/3/09

No council was present.

Ms. Wang addressed the Board through an interpreter.

Ms. Campbell addressed the Board.

Ms. Wang re-addressed the Board.

Mr. Munns addressed the Board.

The Board discussed the case.

Chairman Beyre called for a break at 10:55 am.

The Board Meeting reconvened at 11:02 am.

Ms. Pomfret made a motion to consider that an error was made in not accepting the cassettes and DVDs into evidence provided by Ms. Wang. Therefore, she moved to re-open the hearing to review the evidence. Ms. Wang will be required to provide the devices for listening to the cassettes and viewing DVDs and providing time markers for the relevant material that would be an acceptable amount of time not to exceed 1 hour and provide copies to send to the board members 3 weeks before the hearing and give the time markers at that time so in watching a DVD there's a function that shows the amount of time that's elapsed so she could tell us to watch certain segments that are relevant to the

case. She is also to provide one copy to send to the state attorney and 1 copy for the board office.

Ms. Coomes seconded the motion.

Ms. Pruetz abstained from the vote.

Roll call vote:

Ms. Coomes - aye

Ms. Pomfret – aye

Mr. Ortega - aye

Chairman Beye – nay

Re-hearing is set for the next Board Meeting of June 28, 2010.

C. Board Review – Investigations

1. **Brandi-Lynne Calovich** - Case #09-106 - active until 10/13/11
Practiced massage therapy without a license.
Mr. Conger summarized the case.
Ms. Calovich addressed the Board.
Mr. Conger re-addressed the Board.

Ms. Pruetz made a motion to close this file with an advisory letter advising the licensee to be aware of her expiration date.

Ms. Pomfret seconded the motion.

Vote: Ayes – 5

Nays – 0

2. **Darrell Decker** - Case #06-136 - expired since 6/30/07
Ms. Campbell addressed the Board.

Ms. Pruetz made a motion to close the file with the information for consideration should he re-apply.

Ms. Pomfret seconded the motion.

Vote: Ayes – 5

Nays – 0

3. **Jaren Winterhoff** - Case #09-103 - active until 4/17/10
He is accused of bruising a client as a result of a massage.
Mr. Conger summarized the case.
Mr. Winterhoff addressed the board.
The Board questioned Mr. Winterhoff.

Ms. Pomfret made a motion to issue a non-disciplinary order requiring CE's wherein respondent needs to improve client communication and massage technique; 20 hours of continuing education as follows: 6 hours in ethics and 14 hours in trigger point therapy to be completed within 60 days of order pre- approved by board staff in addition to CEs required for renewal.

Ms. Coomes seconded the motion.

Vote: Ayes – 5

Nays – 0

Chairman Beye called for a break at 11:55 am.
The Board Meeting reconvened at 12:07 pm.

4. **Kizzie Bowe**

Mr. Conger summarized the case.
The Board discussed the case.

Ms. Pomfret made a motion to move case to Formal Hearing.
Ms. Coomes seconded the motion.

Vote: Ayes – 5
Nays – 0

D. Application Review

1. **Alberta Heydorn**

Ms. Heydorn addressed the Board.
The Board questioned Ms. Heydorn.

Ms. Campbell outlined the Board's Licensure pursuant to consent agreement wherein the finding fact conclusion of law will be that based upon the surrender of her CNA license, the Board has grounds to deny. However, based upon her recovery and academic record, the Board feels that she would be safe to practice under the following conditions:
Probation: 1 year probation with an option for early termination after 6 months during the term of probation; she must work under the supervision of a licensed professional and operate in a business establishment and this is for any massage compensation.

Ms. Pomfret made a motion to accept the conditions.
Ms. Pruetz seconded the motion.

Vote: Ayes – 5
Nays – 0

Ms. Campbell explained further conditions:
If she does not sign the consent agreement within 2 weeks, the application will be denied based upon the surrender of her CNA license.

Ms Pomfret made a motion to accept the conditions.
Ms. Pruetz seconded the motion.

Vote: Ayes – 5
Nays – 0

2. **Liping He**

Ms. Campbell summarized the application.

Ms. Pomfret made a motion to deny her application for licensure based on charges brought against her and suspension of her Nevada license.
Ms. Coomes seconded the motion.

Vote: Ayes – 5
Nays – 0

3. **Loren Zillman**

Mr. Conger summarized the application.
Mr. Zillman addressed the Board.
Ms. Campbell addressed the Board.

Ms. Pomfret made a motion to deny the license application.
Ms. Coomes seconded the motion.

Vote: Ayes – 5
Nays – 0

5. Discussion and Consideration and Possible Action on Administrative Matters

A. Massage License Status Report

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

Active: 9410

Denied: 20

Pending: 259

Voluntarily Surrendered: 8

Revoked: 8

Closed – App withdrawn and failed to qualify: 190

Expired (non-renewal): 4330

B. Report by Chair concerning the Federation of Association of Regulatory Boards and Quarterly meeting of FSMTB

Mr. Beye discussed the letter concerning the annual dues for Arizona State Board of Massage to have membership with the FSMTB. He briefly reported on the last FSMTB meeting.

C. Discussion and Consideration of Administrative Matters and Legislative Updates

1. Federation Membership and Dues

Ms. Phillips reported on budget issues.

ADJOURNMENT

The meeting was adjourned at 12:50 pm.

The next scheduled meeting is June 28, 2010.