



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, Craig Runbeck, NMD, Executive Director

### Minutes BOARD MEETING

June 22, 2009 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 10:05 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

Board Members absent: None

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

Assistant Attorney General: Elizabeth Campbell

Board Staff present: Dr. Craig Runbeck, Executive Director  
Robert Wilson, Deputy Director  
Stan Conger, Investigations  
Ellen Boyd, Licensing Administrator

#### 2. Call to the Public.

Dr. Runbeck announced the retirement of Mr. Rob Wilson effective July 1, 2009.

#### 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 Minutes: March 23, 2008 Board Meeting Minutes.

B. Approval of Massage Therapy Applications: March 14, 2009 – June 8, 2009 - 350 applicants

**MOTION:** Ms. Pomfret moved to approve the minutes and consent agenda as listed on the agenda.  
Mr. Ortega seconded the motion.

**VOTE:** The Motion Passed 4 eyes, 0 no

Chris Munns, Solicitor General's Office Advisor, arrived at 10:30 am.

Mr. Beye called for a break at 10:34 am.  
The Board Meeting reconvened at 10:40 am.

#### 4. Discussion, Consideration and Possible Action of Regulatory Matters

##### A. Formal Hearing

###### 1. George Lozano – Case #07-111

Testimony was given by SY and IM

Testimony was given by Mr. Wilson

Mr. Lozano addressed the board.

Ms. Pomfert made a motion to adopt the Finding of Facts as presented

Mr. Ortega seconded the motion

Vote: Ayes – 4

Nays – 0

Ms. Pomfert made a motion to adopt the Conclusions of Law as presented

Ms. Coomes seconded the motion

Vote: Ayes – 4

Nays – 0

Ms. Campbell recommended revocation of Mr. Lozano's license

Ms. Pomfert made a motion for the revocation of Mr. Lozano's license

Mr. Ortega seconded the motion

Roll Call Vote:

Ms. Coomes – Aye

Ms. Pomfert – Aye

Mr. Ortega - Aye

Mr. Beye – Aye

Mr. Beye called for a break at 11:40 am

The Board Meeting reconvened at 11:47 am

###### 2. Edward Gomillion – Case #07-106

Mr. Newhouse, police detective, testified

Mr. Wilson testified

Ms. Pomfert made a motion to go to executive session to obtain legal advice at 1:10 pm

Ms. Coomes seconded the motion

Regular session reconvened at 1:22 pm

Dr. Shapiro, character witness, addressed the board

Ms. Gomillion testified

Ms. Pomfert made a motion to adopt the Finding of Facts as presented

Mr. Ortega seconded the motion

Vote: Ayes – 4

Nays – 0

Ms. Pomfert made a motion to adopt the Conclusions of Law as presented

Ms. Coomes seconded the motion

Vote: Ayes – 4

Nays – 0

Ms. Pomfert made a motion to put Mr. Gomillion on probation:

One year, \$1000 fine, counseling and reviewing of advertising materials to be done with

Dr. Runbeck, and complete a class of communication skills

Ms. Coomes seconded the motion

Roll Call Vote:

Ms. Coomes – Aye

Ms. Pomfert – Aye

Mr. Ortega - Aye

Mr. Beye – Aye

Ms. Pomfert left the board meeting at 2:30 pm

Mr. Beye called for a break at 2:31 pm

The Board Meeting reconvened at 2:40 pm

B. Formal Interview

1. Jon Ralston – Case #08-101

Mr. Wilson summarized the case

DA testified

RC testified by telephone

BB testified by telephone

Mr. Ortega made a motion to adopt the Finding of Facts as presented

Ms. Coomes seconded the motion

Vote: Ayes – 3

Nays – 0

Absent - 1

Mr. Ortega made a motion to adopt the Conclusions of Law as presented

Ms. Coomes seconded the motion

Vote: Ayes – 3

Nays – 0

Absent - 1

Ms. Coomes made a motion to adopt sanction:

Mr. Ralston must complete a gender sensitivity class of no less than 3 hours, and 6 month probation

Mr. Ortega seconded the motion

Roll Call Vote:

Ms. Coomes – Aye

Mr. Ortega - Aye

Mr. Beye – Aye

C. Board Review - Investigations

1. Vincent Dancel – Case #09-101

Tabled

D. Consent Agreements

1. Morgan Tindall

Ms. Coomes made a motion to accept the signed consent agreement

Mr. Ortega seconded the motion

Roll Call Vote:

Ms. Coomes – Aye

Mr. Ortega - Aye

Mr. Beye – Aye

E. Board Review – Applications

1. Xin Dun

Mr. Conger summarized the case.

Mr. Ortega made a motion to deny the application

Ms. Coomes seconded the motion.

Vote: Ayes – 3

Nays - 0

2. Ruli Sun

Mr. Ortega made a motion to go to executive session to obtain legal advice at 4:00 pm

Ms. Coomes seconded the motion

Regular session reconvened at 4:10 pm

Mr. Ortega made a motion to deny the application

Ms. Coomes seconded the motion

Vote: Ayes – 3

Nays – 0

**5. Discussion and Consideration and Possible Action on Administrative Matters**

**A. Massage License Status Report**

Dr. Runbeck updated the board on the license status to date.

Active: 9088

Denied: 19

Pending: 235

Voluntarily Surrendered: 7

Revoked: 7

Closed – App withdrawn and failed to qualify: 157

Closed – Expired (non-renewal): 3788

**B. Report on alleged violations by unlicensed persons.**

None

**C. Discussion and Consideration of Administrative Matters and Legislative Updates**

**1. Correspondence classes within a massage course from an approved school.**

Brad Boute and Earl Duskey from SWIHA addressed the board

Dr. Runbeck will draft a rule regarding the issue

**2. High schools providing massage therapy training.**

The board determined it is not within their jurisdiction to regulate massage therapy training

**3. Update on fee increase for Massage Therapists.**

Dr. Runbeck stated the increases will take effect in September or October of 2009

**4. Board package content.**

Was not discussed

The next scheduled meeting is August 24, 2009.

The meeting was adjourned at 4:30 pm

ADJOURNMENT