



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

June 28, 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 10:06 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

Absent: 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: Ms. Mary Jo Foster

Board Staff present: Kathleen Phillips, Deputy Director
Stan Conger, Investigations
Ellen Boyd, Licensing Administrator

2. Call to the Public.

Linda McBeth and Randa Bess
They spoke to the board regarding Sheila Harris.

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 April 26, 2010 minutes.
- B. Approval of 266 Massage Therapy Applications: April 14, 2010 – June 14, 2010

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

VOTE: The Motion Passed 4 ayes, 0 nays

Allen, Bryan
Allison, Rachael
Amsden, Lukas
Anaya, Kevin
Ardelean, Otilia
Arizmendi, Noemi
Baca, Amanda
Bacellar, Maria Helena
Baldwin, Rose
Ball, Rebecca
Barnes, Brian
Bartholow, Sheryl
Becker, Kathleen
Begay, Theodora
Begovich, Kate
Bell, Kandice
Berg, Jill
Bhattacharjee, Shanchita
Biagi, Mark
Bilharz, Michael
Black, Analus
Blasingame, Mary-Elizabeth
Bodac, Madalina
Bolton, Jennifer
Boor, Shannon
Briner, Kayla
Brown, Cortney
Brown, Lyndsay
Brown, Wendell
Browning, Kimberly
Buck, Holly
Burt, Emaily
Bustroughos, Rosemary
Carrillo, Marcella
Carrington, D DeLaine
Carton, Logan
Castellanos, RosaLinda
Casteneda Jr, Alejandro
Castthrougho, Dara
Chance, Sharee
Christianson, Michelle

Clements, Ashley-Ann
Cogdell, Dian
Cohen, Jill
Cooley, Phyllis
Cornejo, Consuelo
Cragun, Lorraine
Crowell, Elizabeth
Cullum, Vernon
Daziani, Angela
De Santis II, James
Deckman, Beth
Delly, Matthew
Dhiyaaldain, Ali
DiGirolamo, Lynne
Divine, Brandon
Done, Rolfe
Dowell, Tara
Durant, Vanessa
Easton, Lynn
Egan, Robin
Erickson, Joshua
Evans, Rebecca
Faraci, Kelli
Fasciano, Mary-Bridget
Felix, Stephanie
Ferrell, Trenton
Fine, Lindi
Fitzgerald, Bonnie
Flores, Lizette
Freeman, Cheyann
Freeman, Victoria
Fross, Robin
Gabela, Adrianna
Gabriel, Tamara
Gagnon, Michel
Galvan, Jessica
Garcia, Angelica
Garcia, Melissa
Gaskins, Marteka
Geiselhofer, Ryan
Goodson, Naomi
Gorman, Claranita

Gracia, Prisilla
Graves, Corey
Guerra, Matthew
Hall, Jessica
Hamlin-Hendrie, Nicol
Hammer, Roxanne
Hannon, Katie
Harris, Kevin
Harvell, Larry
Haskie, Shannon
Haywood, Toni
Healy, Ellen
Heath, Atley
Heintz, Jennifer
Hemingway, Nakeya
Higgins, Maggie
Hitchcock, Mary
Hixson, Linda
Hobbs, Christine
Hsieh, Catherine
Huffman, Tamera
Hyde, Leslie
James, Kasey
Johnson, Bobbi Jo
Johnson, Brett
Kelly, Jane
Khan, Barbara
Kimbrough, Adjani
Kirkpatrick, Mindy
Knight, Kaitlyn
Kolkhorst, Daniel
Kousonsavath, Dolly
Kratke, Audrey
Kuhn, Sharla
Kupper, Angela
Kuwanyhoima, DeAnna
Lamb, Barbara
Lapinski, Stevie
Lardell, Rodney
Laws, Rachael
Le, Huoc
Li, GuiFang

Liebow, Sabbastion
Lilly, Shauntel
Lindemer, Eric
Liu, Yajie
Lopez, Samantha
Lopez, Venus
Luna, Brenda
Lyman, Rod
Majdancevic, Dusanka
Manning, Arnell
Mares, Misty
Marinaccio, Rochelle
Marsh, Debby
Martinez, Gustavo
Martinez, Manuel
Martinez, Nicole
Martinez, Orlando
Mawolo, Hannah
McDaniel, Nicole
McElwayne, Stephen
McFall, Meggan
McIntosh, Leah
Mendez, Jessica
Merlin, Kimberly
Merrill, Sabrina
Merritt, Raechel
Miller, Lynda
Mitchell, Jessica
Montgomery, Rita
Montiel, Aaron
Morago, Travis
Moreno, Christina
Morgan, Kathryn
Mumford, Sarah
Murietta, Angel
Murtha, Andrea
Myers, Briana
Najera, Mercedes
Nash-Weninger, Celesst
Natividad, Catherine
Neugent, Marie
Noell, Peter
Norbut, Jennifer

Obijiski, Susan
Ofisa, Natalia
Ogle, Anastasia
Oropeza, Diane
Pacheco-Larios, Raul
Paddock, Jayme
Padilla de Grantham, Ileana
Pain, Anna
Parra-Quintanam Analuisa
Pattiradjawane, Judith
Peterson, Kyle
Peto, Ashley
Pettycrew, Sharla
Pfundtner, Amy
Phillips, Quentin
Pineda, Mayra
Pintor, Demetrius
Potter, K.C.
Prow, Jonelle
Pugh, Scott
Quintana, Bianca
Real, Mayra
Reed, Traci
Regan, Joseph
Rico, Claudia
Rios, Veronica
Robertson, Mark
Robles, Laticia
Robles, Victoria
Rocha, Enrique
Rodriguez, Dina
Rodriguez, Yolanda
Romano, Patricia
Rons, Hailey
Rose, Minda
Rukkila, Nyssa
Russell, Keith
Salas, Ana
Salazar Flores, Azucena
Sallee, Stacey
Sandler, Rachel
Sandoval, Pedro
Savage, Michael

Scalise, Lisa
Scalzitti, Jessica
Schindler, Amber
Schubert, Rebecca
Serna, Ruben
Sharpsten, Anna
Shaw, Anne
Simmons, Theresa
Simone, Ireny
Slover, Melissa
Smiley, Steven
Snyder, Elizabeth
Sowell, James
Spencer, Ben
Sponsel, Randi
Spore, Eric
Staheli, Gerald
Starsiak, Michelle
Staves, Susan
Steinmehl, Robin
Stoddard, John
Stroh, Samantha
Sullivan, Pamela
Tarr, Katherine
Tebow, Melissa
Tibbs, Miko
Tighe, Shannon
Tijerina, Lizabethe
Tobin, Laura
Treat, Rachel
Trezise, Galen
Valdez, Marissa
Valenzuela, Sheila
Vicente, Vashti
Villanueva, Sara
Walker, Jocelyn
Walker-Lucas, Kimberly
Warner, Jacqueline
Wayman, Ida
Weiss, Matthew
White, Patrick
Wideman, Joshua
Widoff, Ellen

Wiegel, Mindy
Wilson, Sara
Wingert, Robyn
Woodcock, Derek

Wubbena, Leah
Wytcherley, Brittnay
Yancey, Stephanie
Yi, Yong

Zinn, Debora

4. Discussion, Consideration and Possible Action of Regulatory Matters

A. Formal Hearing

1. **Jia Chen** Case #10-100

Ms. Chen nor her attorney were present.
Ms. Campbell presented the case.
Detective Mucci was called and sworn in.
Ms. Campbell questioned Detective Mucci.
Ms. Campbell distributed a picture of Ms. Chen to the Board.
Ms. Campbell distributed a copy of Ms. Chen's renewal application to the Board.
The picture and renewal copy were accepted by the Board as evidence.

Ms. Pomfret made a motion to accept the findings of fact as presented.
Mr. Ortega seconded the motion.

Vote: Ayes – 4
Nays – 0

Ms. Pomfret made a motion to accept the conclusions of law as presented.
Mr. Ortega seconded the motion.

Vote: Ayes – 4
Nays – 0

Ms. Pomfret made a motion to revoke her license.
Ms. Coomes seconded the motion.

Roll call vote:

Mr. Ortega - aye
Ms. Coomes – aye
Ms. Pomfret – aye
Chairman Beye – aye

2. **Kizzie Bowe** Case #10-105

Ms. Bowe and her attorney, Ryan Curry, were present.
Ms. Campbell presented the case.
Mr. Curry addressed the Board
Ms. Bowe was sworn in.
Ms. Bowe testified.
Mr. Curry addressed the Board.
The Board questioned Ms. Bowe.
Ms. Foster offered legal advice.
Letters of character reference were accepted by the Board.

Chairman Beye called for a break at 11:34 am
Board meeting reconvened at 11:40

Ms. Pomfret made a motion for her license to be restricted for 30 days whereas she cannot practice massage therapy; she has 90 days to complete a 20 hour course for counseling for battered women and a self defense class to be pre-approved by Board staff of at least 10 hours; she is to be on probation with this Board for the duration of her court ordered probation (3 years); and she is to appear before the Board at the completion of her probation.

Ms. Coomes seconded the motion.

Roll call vote:

Mr. Ortega - aye
Ms. Pomfret – aye
Ms. Coomes – aye
Chairman Beye – aye

B. Re-hearing

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

Chairman Beye revisited the prior hearing.

Ms. Wang identified the cassette tapes and the DVD per the interpreter.

The DVD was viewed by the Board.

The cassette tape was listened to by the Board.

The case was discussed by the Board.

Ms. Coomes made a motion to uphold the previous action of revocation of the license.

Mr. Ortega seconded the motion.

Roll call vote:

Mr. Ortega - aye
Ms. Coomes – aye
Ms. Pomfret – nay
Chairman Beye – aye

C. Board Review – Investigations

1. **Charlene Cullon** - Case #10-102 - active until 5/31/11

Ms. Cullon was present.

RG, the complainant, was not present.

Mr. Conger summarized the case.

Ms. Cullon was questioned by the Board.

Ms. Pomfret made a motion to dismiss the case.

Mr. Ortega seconded the motion.

Vote: Ayes – 4

Nays – 0

Chairman Beye called for a break at 12:45 pm.

The Board meeting reconvened at 12:50 pm.

2. **Jason Simpson** - Case #10-101 – active through 7/25/10

Mr. Simpson was present.
No complainants were present.
Mr. Conger summarized the case.
Mr. Simpson addressed the Board.

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

Vote: Ayes – 4
Nays – 0

3. **Michelle Quinones** - Case #10-104 - active until 7/16/11

Ms. Quinones was not present.
Mr. Conger summarized the case.

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

Vote: Ayes – 4
Nays – 0

4. **Sheila Harris** Case #10-103 Active through 1/2/12

Ms. Harris was not present.
Mr. Conger summarized the case.
LM, witness, addressed the Board.
RB, witness, addressed the Board.

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

Vote: Ayes – 4
Nays – 0

D. Application Review

1. **Alberta Heydorn**

Ms. Heydorn was present.

Ms. Pomfret made a motion to go to Execution Session to obtain legal advice.
Mr. Ortega seconded the motion.

Executive Session began at 1:17 pm.
Regular Session reconvened at 1:29 pm.

Chairman Beye addressed Ms. Heydorn.
Ms. Heydorn addressed the Board.

Mr. Ortega made a motion to deny her application based on 32-422-A4 which states that a massage therapist shall be of good moral character; that meaning that the applicant has not within 5 years before the date of application had a professional license revoked or suspended by this state or political subdivision of this state or a regulatory board in another jurisdiction in the United States or voluntarily surrendered a professional license in lieu of discipline and that Board being the AZ Board of Nursing.

Ms. Coomes seconded the motion.

Vote: Ayes – 4
Nays – 0

5. Discussion and Possible Action regarding the Treatment of Class 6 Undesignated Offenses

Ms. Pomfret made a motion to go to Executive Session to obtain legal advice.
Mr. Ortega seconded the motion.

Executive Session began at 1:56 pm.
Regular Session reconvened at 2:07 pm.

Ms. Pomfret made a motion to treat class 6 undesignated offenses as felonies until such time it is changed by the legislature.
Mr. Ortega seconded the motion.

Vote: Ayes – 4
Nays – 0

6. 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: 9571
Denied: 20
Pending: 228
Voluntarily Surrendered: 8
Revoked: 13
Closed – App withdrawn and failed to qualify: 195
Expired (non-renewal): 4434

B. Report on alleged violations by unlicensed persons.

1. Hagan, Pamela
2. Phillips, Quentin
3. Denham, J Jenna

Mr. Conger addressed the Board regarding these violations.

Dr. Runbeck joined the Board Meeting at 2:05 pm

C. Discussion and Consideration of Administrative Matters and Legislative Updates

1. FSMTB Update

Dr. Runbeck addressed the Board regarding using only one examination.
Chairman Beye reported on the last meeting of the Federation in Tampa Florida.
The EMBLEX exam is now available in Spanish, along with practice materials.
Reciprocity was discussed. The Massage Therapy Body of Knowledge is now a published document. Language of the test was discussed.

2. Continuing Education Legislation

Dr. Runbeck addressed the Board regarding requiring only 24 continuing education credits instead of 25.

SP made a motion to lower the required continuing education hours to 24 every two year for massage license renewal.

Mr. Ortega seconded the motion.

Dr. Runbeck addressed the possibility of the Board Members receiving reimbursement for their service.

3. Conversion of Electronic System

Ms. Phillips addressed the Board regarding the process of changing to an electronic system.

ADJOURNMENT: The meeting was adjourned at 2:37 pm.
The next scheduled meeting is August 23, 2010.