

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, Craig Runbeck, ND, Executive Director

Minutes BOARD MEETING

July 25, 2011 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 Diane Pruetz, Public Member Victoria Bowmann, LMT |
|---|-----------------------------|--|
| | Board Member absent: | John Ortega, Public Member |
| Acknowledgement of presence of Board staff and legal counsel. | | |
| | Assistant Attorney General: | Elizabeth Campbell |
| | Board Staff present: | Kathleen Phillips, Deputy Director Stan Conger, Investigations Ellen Boyd, Licensing Administrator Angela Covarrubias, Admin Asst |

2. Call to the Public.

None

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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 May 23, 2011 minutes.

| B. Approval of 313 Massage Therapy Applications | | | | |
|---|--------------------|----------------------|--|--|
| Abeyta, Mary | Armenta, Kenia | Becerra, Veronica | | |
| Acosta, Beatrice | Arnett, Latasha | Becquette, Aubree | | |
| Aitken, Cody | Ashe, Virginia | Begay, Cassandra | | |
| Albano, Matthew | Backus, Audra | Begaye, Kirstie | | |
| Alonzo, James | Badilla, Iris | Benallie, Charmaine | | |
| Amaro, Mary | Badillo, Stephanie | Bennett, Lyndsey | | |
| Anderson, Misty | Bain, Calandra | Boedeker, Alexandria | | |
| Anderson, Tiffany | Baker, Tracy | Bonura, Amanda | | |
| Andrews, Scott | Banuet, Ricardo | Boykin, Britney | | |
| Arias, Selena | Barreras, Lena | Brandau, Katrina | | |
| Arizmendi, Soledad | Barzda, Constance | Bregand, Ingrid | | |
| | | | | |

Brown, Nicole Browning, Lori Bump, Lavina Bunfill, Charlotte Burdick, Tanya Burke, Jennifer Cain, Ashley Canon, Danika Caperon, Jerusalem Caraveo, Melissa Carlson, Kelly Chambers, Charles Chartrand, Brittany Chavez, Judith Cheo, Susana Christenson, Tasha Clark, Cindy Cobb, Nova Cohen. Steven Cole, Megan Corthouts, Lacey Cottle, Sarah Courtney, Candace Cruz, Marcos Curley, Jessica Dadow, Marie Daniels, Sparkles Davis, Rachelle Day, Patrick Denton, Jeffrey DiRodi, Thomas Dowland, Sara Duke, Lyndee Dunn, Kishori Dykstra, Jason Dzieweczynski, Annette Edwards, Patricia Elias. Francisco Elwood, Hannah Enriquez, Isabel Escalante, Ignacio Escalera, Cristal Esser, Barbara Farrell. Terri Finder, Rabecah Foster, Sara Fowler, Dijonnay Frazier, Jordyn Gallant, Heidi Garcia, Cvnthia Gednalske, Corrina Genovese, Michael Gomez, Benito Gomez, Carla

Gomez. Jaime Gonzales, Brandy Gorno, Amy Grace, Elizabeth Grado, Abigail Graves, Richard Griffith. Irene Grijalva, Alex Guttormsson, Bobbie Hallman. Dale Hansen, John Hanshaw, Ashley Haretuku, Brian Harley, Jennifer Harris, Will Hathcock, Julianna Heath, Megan Herman, Stephanie Hernandez III, Cuauhtemoc Hickman, Tonya Hitchcox, Monty Hofer, Patricia Hoff, Tanya Huffstead, Paul Hussain, Haider Jemmett, Alisha Jimenez, Maria Johnson, Richard Johnson, Tracev Jones, Marcy Jordan, Cynthia Jordan, Renee Kee, ShiDara Keller, Melissa Kimball, Melissa Lambert, Darnell Lannan, Brandon Latham, Christopher Lazoran, Katelyn Lee, Megan Lee, Rickey Leffler, Amira Leih, Mary Lerma, Jonathan Lewis. Denise Lewis, Tashiana Liebert, Kevin Lindberg, Jacob Lindstrom, Lucas Liu, Shuangshuang Lochridge, Christy Locke, James Lopez, Shawn Lowery, Samantha

Mace. Michael Madsen, Jenifer Mahoney, Shannon Mainez, Johnny Malachowski, Ana Marks, Nicole Martin, Elana Martinez, Teri Martinez, Tomas Mattison, Jennifer Maughmer, Alana Mazzocco, Mary Mazzacone, Kate McCutcheon, Carina McKendall, Megan Meinhardt, Brittany Memmot, Paige Mendes, Desiree Mercado, Alexzandra Mercier, Romana Messenger, Katrina Middleten, Courtney Mills, Tiffany Moncayo, Unice Moncrief, Rayna Montes, Jessica Montez, John Montierth, Samantha Moore, Sarah Moore, Virginia Moran, Randall Morikawa, Yoshie Mortensen, Terri Murakami, Alan Myers, Joyce Myers, Skylar Mylet, Melinda Nagel, Krystal Najera, Adriana Nawrocki, Mark Nicholas, Heather Olson, Heather O'Malley, Michael Opie, Taryn Orozco, Joanne Ortlund. Breanna Ortmann, Katharine Orton, Colby Pacheco, Yareli Pager, Samantha Palache, Skylar Palochak, Ashley Perez, Melissa Peterson, Jenna

Peterson, Rebecca Petsco, Audra Pettry, Megan Phillips, Korttney Pichardo, Emeralda Pinckney, Reginald Pineda, Mayra Pinholster, Leslie Plaine, Jessica Plumley, Sean Porter, Ty Powers, Eleanor Prehn, Jillian Puglia, Alyssa Pulido, Carmen Qiu, Xiao Qiu Quave. Carlton Quintanar, Stephanie Ramirez, Ana Ray, Douglas Razo, Stephen Reece, Roxanne Reed, Raynell Remington, Elizabeth Rhode, Adrienne Richardson, Mary Robert, April Roberts, Sindi Robinson, LaRhonda Rodriguez, Cariko Rodriguez, Carlos Rodriguez, Anna Rome, Briana Romero, Jesus Ross, Laura Runner, Candace Russell, Carlos Russell, James Sample, Deena Sanchez, Veronica

Sanderford, Mollie Sardoncius, Ariel Saunders, Heather Schulte, Sarah Schur, Francine Scisson, Jennifer Searson, Linda Seaton, Melanie Sedita, Kenneth Serrano, Valerie Shaffo, Bridget Shapkarov, Valentina Shinn, Theresa Shission, Amanda Sigler, Sharia Smith, Candace Snvder, Isaac Solano, Salvador Spandikow, Heidi Spaulding, Kandice Starnes, Alexis Stoyak, Mattalyn Strong, Cheryl Stuart, Rachelle Tang, Hong Tatum, Gina Taylor, Brenna Taylor, Carla Taylor, Chervl Tedder, Rebecca Tenhagen, Alison Tester, Miranda Thomas, Ramona Thomas, Tamara Thunderdance, Carol Tisor, Mallory Todd, Jessica Tom, Ransom Torres, Cynthia Torres, Priscilla

Travernier, Bradley Trimboli, Rachel Troughton, Jeremy Trujillo, Jessica Tuxbury, Colter Valenzuela, Debbie Valenzuela, Miguel Vallecillos, Kent Vazquez, Emily Villalba, Patricia Wadley, Joy Wanzek, Sarah Ward, Amy Watkins, Summer Weber, Ashley Weiland, Stacey Wells, Cameron White, Ashley Wilhide, Alisa Williams, Alicia Williams, Andrea Williams, Darrell Williams, John Williams, Matther Williams, Timothy Wilson, Kimberley Winton, Jeremy Wolff, Scott Wood, Karen Wood, Kristine Wright, Angela Xue, XiaoFan Yanagihara, Keiko Yarbrough-Neal, Essence Young, Melony Yslas, Veronica Zazueta, Vivinela Zielinski, Maxine

C. Out of State Massage Schools Approval

CA Academy of Professional Careers (closed) La Mesa CA **Bryan College** 2317 Gold Meadow Way Gold River CA Trinity College (closed 12/2005) San Jose IL Waubonsee Comm College 18 S River St Aurora IL Waubonsee Comm College 2060 Ogden Ave Aurora IL Waubonsee Comm College 100 Waubonsee Dr Plano MD Holistic Massage Training Inst 1 East University Pkwy #110 **Baltimore** MI The Holistic Wellness Academy 920 Lambert St Niles 400 Central Ave SE MN Aveda Inst Minneapolis Minneapolis

| MN | CenterPoint Massage and Shiatsu Therapy School | 5300 35 th St West | St Louis Park |
|------|--|---|----------------|
| MN | Central Beauty School | 2933 Pentagon Dr | Minneapolis |
| MN | LA Beauty School | 406 W 65 th St | Richfield |
| MN | Massage & Spa Professional Academy | 17 New 13 ½ St | Rochester |
| NE | Herzing University - Massage and Healthcare Program | 9748 Park Dr | Omaha |
| NI I | American Training Cohool & for Madical Drafassionals | 5918 Bergenline Ave / PO Box | West New Yes |
| NJ | American Training School f for Medical Professionals | 507 2220 S. Banaha Dr | West New You |
| NV | Anthem Institute | 2320 S Rancho Dr | Las Vegas |
| OH | Everest Inst (Bryman Inst) | 825 Tech Center Dr | Gahanna |
| OR | Lane Community College | 4000 E 30 th Ave | Eugene |
| OR | Rogue Community College | 3345 Redwood Hwy | Grants Pass |
| TN | Arbor Inst of Massage | 6500 Papermill Dr #102 | Knoxville |
| TN | Bodyworks School of Massage | 2752 B North Highland Ave | Jackson |
| TN | Chattanooga Massage Inst | 6401 Hixson Pike #D | Hixson |
| TN | Cumberland Inst of Holistic Therapy | 500 Wilson Pike Cir #12 | Brentwood |
| TN | Massage Inst of Cleveland | 4009 Keith St #207 | Cleveland |
| ΤN | Massage Inst of Memphis | 2076 Union Ave #202 | Memphis |
| ΤN | Reflections of Health School of massage | 1604 Lamons Ln #207A | Johnson City |
| ΤN | Tennessee School of Massage | 556 Colonial | Memphis |
| ΤN | Tennessee School of Therapeutic Massage | 4702B Western Ave | Knoxville |
| ТΧ | Austin School of Massage (closed 1/31/2009) | 2600 Stassney Ln | Austin |
| Va | Blue Ridge School of massage and Yoga | | Blacksburg |
| VA | Daniels Inst of Massage and Healing Arts | 3507 Franklin Rd | Roanoke |
| VA | Heritage Inst (closed October 2007) | 350 S Washington St | Falls Church |
| VA | Piedmont School of Professional Massage, The | | Dale City |
| WI | Anthem College | | Brookfield |
| WI | East-West Healing Arts Inst | 6425 Normandy Ln | Madison |
| WI | Everest College | 7311 N 6 th St (only location) | Milwaukee |
| WI | Fox Valley School of Massage | 526 W Wisconsin Ave | Appleton |
| WI | Globe University | 5045 W Grande Market Dr | Grand Chute |
| WI | Globe University | 4955 Bullis Farm Rd | Eau Claire |
| WI | Globe University | 2620 Development Dr | Bellevue |
| WI | Globe University | 2651 Midwest Dr | Onalaska |
| WI | Globe University | 4901 Eastpark Blvd | Madison |
| WI | Globe University | 1345 Deming Way | Middleton |
| WI | Globe University | 1480 County Hwy XX | Rothschild |
| WI | Healing Arts Center (inactive) | N 12376 County Rd W | Colifax |
| WI | Health Touch Spa School of Massage | 303 S Grand Ave | Rothschild |
| WI | Inst of Natural Therapies | PO Box 222 | Hancock, MI |
| WI | Milwaukee School of Massage | 830 E Chambers St | Milwaukee |
| WI | North Eastern Wisconsin School of MT | 348 W 1 st St | Waldo |
| WI | Rasmussen College | 8300 Norman Center Dr | Bloomington, I |
| WI | Rasmussen College | | Appleton |
| WI | Rasmussen College | | Green Bay |
| WI | Rasmussen College | | Wausau |
| WI | Saint Croix Center for the Healing Arts | 411 County Hwy | Hudson |
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- WI Therapeutic Bodyworks Inst
- WI TIBIA Massage School
- WI Wisconsin School of MT
- WI Zenergy School of MT

W 1897 County Rd MM 6225 University Ave N112 W 15237 Mequon Rd 520 W 15th Ave Neosho Madison Germantown Oshkosh

- **MOTION:** Ms. Pruetz moved to approve (A), (B), and (C) as presented Ms. Bowmann seconded the motion.
- VOTE: Ayes 3

Nays – 0

4. Discussion, Consideration and Possible Action of Regulatory Matters

- A. Formal Interview
 - 1. Judy Batey Case 11-105 MT-10134
 - Ms. Batey was sworn in by the court recorder.
 - Mr. Conger summarized the case.
 - Ms. Batey addressed the Board.
 - Ms. Boyd was sworn in by the court recorder.
 - Ms. Boyd testified.
 - Ms. Batey was questioned by the Board.
 - Mr. Conger was sworn in by the court recorder.
 - Mr. Conger testified.
- **MOTION:** Ms. Pruetz moved to issue a non-disciplinary order for continuing education that states Ms. Batey is to complete 6 hours of ethics before her next renewal date based upon the fact that her employer had a falsified license in her personnel file. Ms. Bowmann seconded the motion.
- VOTE: Ayes 3 Nays – 0
 - B. Consent agreement for surrender of license
 - 1. Kerry Parisi Case #11-108 MT-06713

Ms. Philips summarized the case. On June 6, 2011, Ms. Parisi turned in her massage license to the office including a letter stating that allegations against her were true. She signed a consent agreement to surrender her license.

MOTION: Ms. Bowmann moved to accept the consent agreement. Ms. Pruetz seconded the motion.

ROLL CALL VOTE:

Ms. Bowmann – aye Ms. Pruetz – aye Mr. Beye – aye

Nays – 0

- C. Application reviews
 - 1. **Shannon Preston** License Pending Mr. Conger summarized the case.
- **MOTION:** Ms. Pruetz moved to go to executive session to obtain legal advice. Ms. Bowmann seconded the motion.

VOTE: Ayes – 3 Nays – 0 Executive session began at 11:15 am. Executive session ended at 11:27 am.

Chairman Beye called for a break at 11:27 am. Regular session reconvened at 11:30 am.

Ms. Preston addressed the Board.

- **MOTION:** Ms. Pruetz moved to approve the application with a consent agreement that stipulates a random urinalysis test twice a month for the first year; once monthly for the second year. She must comply with a 2 year criminal probation: abstain from alcohol and mood altering drugs. She must petition the Board for termination of the probation. Ms. Bowmann seconded the motion.
- VOTE: Ayes 3 Nays – 0
 - 2. **Carl Cayhill** License Pending Mr. Cayhill was not present. Mr. Conger summarized the case.
- **MOTION:** Ms. Bowmann moved to deny the application for licensure. Ms. Pruetz seconded the motion.
- VOTE: Ayes 3 Nays - 0
 - D. Investigative reviews
 - 1. Amber McPherson Case #11-101 MT-12572 Ms. McPherson was not present. Mr. Conger summarized the case.
- **MOTION:** Ms. Pruetz moved to move the case to a formal hearing. Ms. Bowmann seconded the motion.
- VOTE: Ayes 3 Nays – 0
 - 2. Jing Xu Case #10-107 MT-10749 Mr. Rybarsyk, her legal representative, asked the case be moved to a formal hearing.

Ms. Pruetz moved to move the case to a formal hearing. Ms. Bowmann seconded the motion.

VOTE: Ayes – 3 Nays – 0

> 3. LiHung Jen Case #10-114 MT-09863 Mr. Conger summarized the case.

> > Ms. Bowmann moved to move the case to a formal hearing. Ms. Pruetz seconded the motion.

VOTE: Ayes – 3 Nays – 0 4. Keith Nisly Case #11-103 MT-01542P

Both Mr. Nisly and the complainant, MM, were present. Mr. Conger summarized the case. Mr. Nisly addressed the Board. MM addressed the Board.

Ms. Pruetz moved to move the case to a formal hearing. Ms. Bowmann seconded the motion.

VOTE: Ayes – 3 Nays – 0

> 5. **WenJing Qian** Case #11-102 MT-13016 Mr. Rybarsyk, her legal representative, asked the case be moved to a formal hearing.

Ms. Pruetz moved to move the case to a formal hearing. Ms. Bowmann seconded the motion.

VOTE: Ayes – 3 Nays – 0

Chairman Beye called for a break at 10:55 am. Regular session reconvened at 11:02 am.

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: 9850
Denied: 26
Pending: 271
Voluntarily Surrendered: 8
Revoked: 19
Closed – App withdrawn and failed to qualify: 252

Ms. Campbell left the meeting at 12:05 pm.

B. Removing October meeting from the 2011 schedule. Ms. Phillips addressed the Board.

> Ms. Pruetz moved to remove the October meeting from the 2011 schedule. Ms. Bowmann seconded the motion.

VOTE: Ayes – 3

Nays – 0

- C. Report on alleged violations by unlicensed persons.
 Mr. Conger reported on the following alleged violation.
 1. Asian Touch
- D. Discussion and Consideration of Administrative Matters and Legislative Updates
 - 1. FSMTB update

Chairman Beye gave updates on the FSMTB. He will attend the August meeting to discuss continuing education. There will be a meeting in October in California. Ms. Bowman was invited to be a delegate.

ADJOURNMENT: The meeting was adjourned at 12:20 pm. The next scheduled meeting is September 26, 2011.