



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

September 26, 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
Victoria Bowmann, LMT, Vice Chair
John Ortega, Public Member
Earl Duskey, LMT

Board Member absent: Diane Pruetz, Public Member

Chair Beye announced the appointment of the new board member, Earl Duskey.
Chair Beye announced the re-appointment of Dianne Pruetz.

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
Ellen Boyd, Licensing Administrator

2. Call to the Public.

None

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 July 25, 2011 minutes.

B. Approval of 291 Massage Therapy Applications

Absher, Courtney	Arnold, Lauren	Bates, James
Alfaro, Kayla	Atkinson, Kristen	Baxter, Rebecca
Allen, Daniel	Bair, Ramona	Beas, Yesenia
Allen, Heather	BaJo, Sergio	Beck, Demetria
Alvarado, Roman	Baldwin, Nikki	Beck, Rebecca
Anacker, Shellaina	Barnes, Melissa	Behrens, Vanessa
Anderson, Maegen	Barnett-Gearhart, Pete	Beltran, Janie
Apodaca, Zachary	Barrett, Joseph	Benaron, Naomi
Armenta-Cota, Jesus	Bartell, Katie	Bigelow, Rachel

Bigler, Joy
Bishop, Tiffany
Blancett, Tracy
Bolton, Michael
Bowers, Eagle
Bradley, Nicholas
Brady, Ellen
Brant, Andrew
Brown, Elise
Brownlee, Regina
Burger, Amanda
Burgos, Alexandria
Burns, Elizabeth
Butterfield, Sarah
Camastro, Jordan
Caraballo, Priscilla
Cardiel, Jose
Carlson, Gunnar
Carrillo-Izahar,
Giovanisabel
Carter, Desiree
Catozzi, Victoria
Cervantes, Demetri
Chacon, Angela
Chavez, Veronica
Chen, YingLi
Choe, Hyon
Christensen, David
Cluff, Neila
Coleman, Jack
Coleman, Shelton
Comer, Kristi
Cortes, Gregorio
Croner, Felicia
Cunniff, Jeannette
DeOrta, Laura
DeRusha, Brianna
DeSpain, Lucy
Detorrice-Wynne,
Melissa
Diogo, Marcia
Donahoo, Cynthia
Dorame, Amy
Doutsas, Paul
Escarsega, Arturo
Escobar, Nancy
Esmay, Tanya
Espinoza, Odette
Fegley, Rebecca
Felix, Sandra
Flamenco, Marlon
Flores, Leonor
Foreman, Keith
Forschler, Ann
Fortner, Samantha
Freeman, Daja

Friesen, Amy
Fulayter, Michelle
Gaines, Patrick
Galvez, Manuel
Gannan, Anton
Garhart, Daniel
Garland, Regina
Garrett, Steven
Garza, Adrianna
Gershkovich, Samuel
Gibbs, Margaret
Gilbreath, Dominique
Gomez, Jesus
Gonzalez, Keren
Grabowski, Robert
Grammer, Desiree
Gray, Steven
Groshong, Kristine
Gutierrez, Alexandra
Gutierrez, Christina
Gutierrez, Raul
Haas, Brittney
Hampton, A. Trina
Harvey, Luci
Henderson, Sarah
Hendrickson, Dennise
Henningsgarrd, Sandy
Henningsgarrd, Wayne
Hicks, Savannah
Hightower, Tammy
Hogbin, Jamie
Holguin, Sally
Hopper, Lucas
Hornback, Tiffany
Houston, Mary
Howe, Sierra
Huerta, Diana
Huggup, Anna
Jensen, Heather
Jimenez, April
Johnson, Amy
Johnson, Autumn
Johnson, Casey
Johnson, Jeremiah
Jones, Cristi
Kandaris, Lillian
Kelley, Jonathan
Kilcran, Shannon
Kinsey, Elizabeth
Kirwan, Laura
Kuhlman, Rosemane
Langsner, Nancy
Larios, Diana
Lee, Carol
Lee, Micah
Lee, Rachelle

Legmann, Robert
Lemke, Aundrea
Lempitsky, Suzette
Leombruni, Katrina
Levesque, Nicole
Lewis, Chelsie
Limon, Diana
Link, Tamera
Lloyd, Aurin
Locke, Jeremy
Lopez Camacho,
Marisabel
Lundstrom, Natasha
Luttery, Margarete
Lyden, Jane Kay
Maas, Christina
MacEachern, Maura
Malyk, Alyona
Manycows, Brittany
Marler, Stephanie
Marlowe, Jackie
Martinez, Griselda
Masone, Lisa
Maurer, Zachary
McCabe, Calvin
McLaughlin, Kathleen
Mebrahtu, Feven
Medina, Anna
Medrano, Isabel
Mendoza, Brianna
Meyer, Karen
Millan, Evelia
Miller, Erika
Milligan, Kaileen
Montijo, Fernanda
Moomey, Sarah
Mooney, Caitlin
Moreno, Donna
Muller, Cassandra
Munoz, Sergio
Munoz, Stacey
Nagy, Natanya
Nelson, Mark
Newbold, Aimee
Nez, Lavina
Nunez, Theodore
Olivarez, Kristina
Orrantia, Nicole
Ottinger, Candy
Paige, Justin
Palmer, Matthew
Parker, Tiffany
Pascua, Edgar
Pearson, Lori
Penrod, Julie
Percival, Denette

Petrimoulx, Teresa	Sawka, Christopher	Swahn, Anna
Pittenger, Alyssa	Schaefer, Melinda	Sweeney, David
Preciado, Celia	Schaefer, Sonia	Taylor, Jacob
Preston, Shannon	Schempp, Evan	Taylor, Megan
Quirin, Sara	Schliekelman, Jocelyn	Tenuta, Alysia
Ramsey, Kevin	Schmoldt, Patrick	Thompson, Kelli
Rehmer, Haylie	Schroeder, Heather	Timpson, Lorna
Reid, Coloradas	Schultz, Samantha	Tolton, Leslie
Renfro, Haley	Schuneman, Patti	Tridico, Angelica
Retana, Guillermo	Shafer, Carlin	Uffelman, Katrina
Reyes, Krystal	Shaia, Laura	Umfleet, Joyce
Reyes, Margarita	Shapleigh, David	Urias, Irasema
Rhodes, Rachael	Shapleigh, Margaret	Uskoski, Ginger
Richmond, Christine	Sharp, Kristi	Vardzik, Carley
Riley, Darius	Shepherd, Pamela	Vasquez, Ana
Rimmer, Morgan	Sherrill, Joshua	Walker, Wayne
Rios, Patricia	Silva, Gabriela	Wall, Stormy
Robella, Casey	Simpson, Melanie	Washichek, Spencer
Roberson, Tara	Siutza, Stacy	Watson, Harvey
Robinson, Angela	Skidmore, Paul	Weiss, Holly
Rodriguez, Kacy	Snyder, Angelita	Wendzel, Rhonda
Rogers, Denise	Snyder, Chelsey	Williams, Natasha
Rollins, Kimberly	Spiker, David	Williams, Olivia
Romeo, Anavel	Steiner, Ronald	Williams, Rebecca
Rubin, Corinne	Steinhour, Raschelle	Willingham, Kristen
Rudewicz, Sebastian	Stenbak, Leandra	Wilson, Dawn
Rzepecki, Raquel	Stevanovic, Velimir	Wilson, Stephanie
Safa, Ruby	Story, Samantha	Witt, Kelle
Sailer, James	Strandquist, Khristina	Woods, Ashley
Salcone, Brittney	Strasser, Sonal	Wright, Shanna
Sanchez, Abisai	Strzalka, Renata	Ybarra, Mary
Sanchez, Alexcea	Stuebs, Judith	Young, Jason
Saucedo, Desiree	Sumter, Lacey	Ziegler, Susan

C. Out of State Massage Schools Approval

CA	Acupressure Inst	1533 Shattuck Ave	Berkeley
FL	Florida Career School of Massage and Body Work	2727 Old Winter Garden	Ocoee
FL	National Personal Training Inst	1665 EE Williamson Rd	Longwood
GA	Everest Inst	6431 Tara Blvd	Jonesboro
HI	Hawaiian Massage School of Kauai	PO Box 1065	Hanalie
IL	Pacific College of Oriental Medicine	65 E Wacker Dr	Chicago
NE	Dr Welbes College of Clinical Massage	2237 to 2239 Franklin St	Bellevue
NE	Midwest School of Massage	10159 J St	Omaha
NE	Myotherapy Inst	6020 S 58th St	Lincoln
NE	Nebraska College of MT	6020 S 58th St	Lincoln
NE	Omaha School of Massage	9748 Park Dr	Omaha
NE	Universal College of Healing Arts	8702 N 30th St	Omaha
NV	Acadamy of Healing Arts	710 S Tonopah Dr	Las Vegas
NV	College of Southern Nevada	6375 W Charleston Blvd	Las Vegas
NV	College of Southern Nevada	3200 E Cheyenne Ave	North Las Vegas
NV	European Massage Therapy School	8751 W Charleston Blvd #295	Las Vegas
NV	Everest College	170 N Stephanie St	Henderson
NV	High-Tech Inst	2320 S Rancho Dr	Las Vegas

NV	Milan Inst	950 Industrial Way	Reno-Sparks
NV	Nevada Career Inst	3231 N Decatur Blvd #119	Las Vegas
NV	Nevada School of MT	2381 E Windmill Ln #14	Las Vegas
NV	NW Health Careers	7398 Smoke Ranch Rd	Las Vegas
NV	Ralston School of Massage	5605 Riggins Ct #201	Reno
NV	The Bodhi Tree Center for Healing Arts	3107 N Deer Run Rd #6	Carson City
NV	Truckee Meadows Comm College	7000 Dandini Blvd	Reno
UT	Healing Mountain Massage School	297 N Cove Dr	Cedar City
WA	Apollo College	10102 E Knox #200	Spokane
WA	Barlen Inst of Massage	201 N Pine St	Ellensburg
WA	Cambridge College	14432 SE Eastgate Way	Bellevue
WA	Cascade Summit School of Massage	3901 Creekside Lp #102	Yakima
WA	Cedar Mountain Center for Massage	5601 NE St John's Rd	Vancouver
WA	Clover Park Tech College	4500 Steilacoom Blvd SW	Lakewood
WA	Columbia Massage Inst	712 Swift Blvd #2	Richland
WA	Cortiva Inst	900 Thomas St	Seattle
WA	Dogwood Clinic	423 W 3rd Ave #B	Moses Lake
WA	Everest College	2156 Pacific Ave	Tacoma
WA	Everest College	981 Powell Ave #200	Renton
WA	Everest College	120 NE 136th Ave #220	Vancouver
WA	Evergreen Center for the Healing Arts	1815 D St	Vancouver
WA	Gabriel Inst	22515 100th Pl SW	Vashon Island
WA	Inland Massage Inst	111 E Magnesium Rd F	Spokane
WA	Inst of Structural Medicine	103 Ross Rd	Twisp
WA	Lower Valley School of Massage	211 Euclid Rd	Grandview
WA	Massage Connection School of Natural Healing	Federal Way	Federal Way
WA	Northwest School of Massage	2601 East D St #300	Tacoma
WA	Pain-Free Solutions Massage Therapy		
WA	Apprenticeship	2735 California Ave SW #1A	Seattle
WA	Sage Academy of Massage and Bodyworks	3904 Lakeshore Dr	Moses Lake
WA	Sakie International - Yakima College of Massage & Bodywork	1731 S 1st St	Yakima
WA	Stanger Apprenticeship Program	3802 10th SE	Wenatcee
WA	Wellness Education Center Apprenticeship Program	W 3511 5th Ave	Spokane

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

VOTE: Ayes – 4
Absent - 1

4. Discussion, Consideration and Possible Action of Regulatory Matters

A. Formal Hearings

1. **Jing Xu** Case #10-107 MT-10749 Exp: 9/22/2012

Ms. Xu was sworn in by the court recorder.
Interpreter, Mr. Chou, was sworn in by the court recorder.
Ms. Campbell made her opening statement.
Mr. Rybarsyk made his opening statement.
Ms. Campbell made her closing argument.
Mr. Rybarsyk made his closing argument.

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

VOTE: Ayes – 4
Absent - 1

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

VOTE: Ayes – 4
Absent - 1

MOTION: Mr. Duskey moved to revoke the massage license.
Ms. Bowman seconded the motion.

Roll Call Vote: Ms. Bowman – aye
Mr. Ortega – aye
Mr. Duskey – aye
Chair Beye – aye
Ms. Pruetz – absent

2. **LiHung Jen** Case #10-114 MT-09863 Exp: 4/15/2012

Ms. Jen nor counsel were present.
Ms. Campbell made her opening statement.
Ms. Campbell made her closing argument.

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

VOTE: Ayes – 4
Absent - 1

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

VOTE: Ayes – 4
Absent - 1

MOTION: Ms. Bowman moved to revoke the massage license.
Mr. Duskey seconded the motion.

Roll Call Vote: Ms. Bowman – aye
Mr. Ortega – aye
Mr. Duskey – aye
Chair Beye – aye
Ms. Pruetz – absent

3. **WenJing Qian** Case #11-102 MT-13016 Exp: 6/16/2012

Ms. Qian was not present.

Counsel, Mr. Rybarsyk, was present.
Ms. Campbell made her opening statement.
Mr. Rybarsyk declined to make an opening statement.
Detective Humiston was called to testify and was sworn in by the court recorder.
Ms. Campbell questioned Detective Humiston.
Mr. Rybarsyk questioned Detective Humiston.
The Board questioned Detective Humiston.
Mr. Conger was called to testify and was sworn in by the court recorder.
Ms. Campbell questioned Mr. Conger.
Ms. Campbell made her closing argument.
Mr. Rybarsyk made his closing argument.

MOTION: Mr. Ortega moved to adopt the factual allegations 1-4 and 6 as the finding of facts.
Mr. Duskey seconded the motion.

VOTE: Ayes – 3
Nays – 1
Absent - 1

MOTION: Mr. Ortega moved to adopt the alleged violations 1, 2, 5, 6 as the conclusions of law.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Absent - 1

MOTION: Mr. Ortega moved to revoke the massage license.
Ms. Bowman seconded the motion.

Roll Call Vote: Ms. Bowman – aye
Mr. Ortega – aye
Mr. Duskey – aye
Chair Beye – aye
Ms. Pruetz – absent

Chair Beye called for a break at 11:10 am.
The Board Meeting reconvened at 11:15 am.

- B. Discussion and possible action regarding compliance with Board order.
1. **Edward Gomillion** – consideration of removal of probation status.

MOTION: Ms. Bowman moved to release Mr. Gomillion from probation.
Mr. Ortega seconded the motion.

VOTE: Ayes – 4
Absent – 1

2. **Kye Thompson** – consideration of removal of probation status.

MOTION: Ms. Bowman moved to release Ms. Thompson from probation.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Absent – 1

- C. Application reviews
1. **Shannon Preston** – consideration of consent agreement for licensure
Tabled until the next board meeting.

- D. Investigative reviews
1. **Victor Milianti** Case #11-104 MT-00963P Exp: 8/6/2013

Mr. Conger summarized the case.
Mr. Milianti addressed the board.
The Board questioned Mr. Milianti.

MOTION: Ms. Bowman moved to issue an Advisory Letter.
Mr. Ortega seconded the motion.

VOTE: Ayes – 4
Absent – 1

Chair Beye called for a break at 12:25 pm.
The Board Meeting reconvened at 12:35 pm.

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: 9853

Denied: 27

Pending: 245

Voluntarily Surrendered: 9

Revoked: 19

Closed – App withdrawn and failed to qualify: 260

B. Report on alleged violations by unlicensed persons.

Mr. Conger reported on the following alleged violations.

1. Connie Lafkin
2. Dan Al-Hosn
3. Edith Al-Hosm
4. Danny Alls
5. Geline Ostgaard

C.. Discussion, consideration, and possible action on substantive policy statement – Substantive policy statement regarding interpretation of ARS § 32-4223 for Reciprocity.

Board of Massage Therapy Substantive Policy Statement SP-MT-004

Clarification of A.R.S. § 32-4223 for Reciprocity

This substantive policy is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy does impose additional requirements or penalties on regulated parties, you may petition the agency under

Arizona Revised Statutes Section 41-1033 for a review of this statement.

The purpose of this substantive policy statement is to clarify the requirements in A.R.S. § 32-4223 (A)(1) and (A)(2), which allow the Board to license an applicant by reciprocity if either of the following applies:

1. The applicant has been licensed continuously in another state for the last five years preceding the filing of an application and the other state has standards for massage therapists that are substantially equivalent to those in this state; or
2. The applicant holds a current certification from the national certification board for therapeutic massage and bodywork or another agency that meets the standards of the national

organization on competency assurance and received education and training substantially equivalent to that required by this chapter.

Regarding the first provision, if an applicant has been licensed for five continuous years or more in another state, the Board believes the applicant meets the substantially equivalent standard if the applicant:

Has graduated from a board-approved school in another state with 500 classroom hours or more;
or

Was grandfathered into state licensing in another state by a state licensing authority and currently meets the standards of the licensing authority.

The Board believes that the combination of practicing for a minimum of five years and graduating from a board-approved school with 500 hours or more of education protects the health and safety of the citizens of Arizona. Similarly, being grandfathered in by a state licensing authority in another state and meeting the state's current licensing standards protects the health and safety of the citizens of Arizona.

Regarding the second provision, if an applicant holds a current certification from the NCBTMB, the Board believes the applicant meets the substantially equivalent education and training standard if the applicant graduated from a board-approved school in another state with 500 hours or more of education and training. The combination of certification and completion of 500 hours or more of education and training protects the health and safety of the citizens of Arizona.

The Board discussed the substantive policy and suggested the policy be amended as follows:

In the second paragraph: "immediately before the application date" should be inserted after the word 'state'.
In the fourth paragraph: "or another agency such as the FSMTB" should be inserted after 'NCBTMB'.

MOTION: Mr. Ortega moved to accept the Substantive Policy Statement for Reciprocity.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Absent – 1

D. Discussion and consideration of administrative matters and legislative updates

1. FSMTB update

Chairman Beye gave updates on the FSMTB. There will be a meeting in October in California.

ADJOURNMENT: The meeting was adjourned at 12:55 pm.
The next scheduled meeting is November 28, 2011.