



State of Arizona
Janet Napolitano – Governor

Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

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De Mario Vaughn, LMT; Nancy Gath, Public Member; Daniel Pozefsky, Public Member
Dennis Beye, LMT, Susan Pomfret, LMT, Craig Runbeck, NMD, Executive Director

Minutes BOARD MEETING

April 23, 2007 10:00 a.m.
1400 West Washington St, B1
Phoenix, AZ 85007

1. Call to Order by Presiding Officer

Mr. Pozefsky, Chair called the meeting to order at 10:03am.

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

Board Members present Daniel Pozefsky, Chair, and Public Member
Dennis Beye, LMT
Susan Pomfret, LMT

Board Member absent Nancy Gath, Public Member

Acknowledgement of new board member De Mario R. Vaughn

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

Assistant Attorney General: Michelle Wood

Board Staff: Dr. Craig Runbeck, Executive Director
Robert Wilson, Deputy Director
Dee Doyle, Licensing Administrator

2. Call to the Public

Mr. Pozefsky, gave a call to the public at 10:05 am

No public addressed the board.

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: January 22, 2006 board meeting

B. Approval of Massage Therapy Application(s) February, March and April total 416 names listed

MOTION: Mr. Beye moved to approve A and B of the consent agenda, Ms. Pomfret seconded the motion.

VOTE: The Motion Passed 4 ayes, 0 no, and 1 absent

4. Discussion, Consideration and Possible Action of Regulatory Matters

A. Board Review – Applications for licensure

1. Jillian Huggins – Application for Licensure worked without required license – re-review

Ms. Doyle summarized this application for licensure for the board. Ms. Huggins application was tabled at the November 2006 board and a substantive request was made of Ms. Huggins. Ms. Huggins came in to the board meeting after the summary and the board discussion was going on.

Ms. Huggins was presented a consent agreement that she signed in order to obtain her state license, she worked without the required state license for a year and a half.

The Board asked questions of Ms. Huggins to which she responded.

MOTION: Mr. Beye moved to approve the consent agreement signed by Ms. Huggins, placing her on probation for one year and paying a civil penalty of \$500.00. Her license will be issued upon receipt of the civil penalty. Ms. Pomfret seconded the motion.

VOTE: The motion passed with a roll call vote Mr. Pozefsky, Mr. Vaughn, Ms. Pomfret and Mr. Beye voted aye, 0 no and 1 absent.

2. Ping Cheng – conviction

Ms. Cheng was present at the board meeting a Ms. Chong was interpreting for her.

Ms. Doyle summarized this application for licensure for the board. Ms. Cheng background check came back with a charge of prostitution. Ms. Cheng provided documentation showing she pled guilty to this charge.

Ms. Cheng addressed the board on her behalf regarding this charge. She stated she was not convicted of prostitution but of operating a house without the required license in the state of Minnesota.

The board requested certified court documentation showing this to be the case before the next board meeting scheduled for May 21, 2007 or the board will proceed with the documentation it has.

B. Board Review – Investigations

1. Update on practice of unlicensed massage.

Mr. Wilson addressed the board regarding the situation with unlicensed massage therapist. Mr. Wilson updated the board on the law enforcement stand on this issue and that it does not hold a high priority with them. Some of the cities have acted and individuals unlicensed have been charged or the issue was addressed. Pima county sheriff's department stated it is not their issue they have chosen to do nothing about unlicensed therapist. Mr. Wilson went over several points in how the board protects the public. What the public needs to be aware of and how they can protect themselves.

Mr. Pozefsky is very concerned with the advertising in the news papers for unlicensed massage therapist and how this can be stopped. Discussion was made on how the board can enforce the no license issue.

5. Discussion and Consideration and Possible Action on Administrative Matters

A. Massage license status report

Ms. Doyle updated the board on the license status to date.

Active licensee's	8,722	Closed expired/withdrawn	157	Revoked	4
Denied	18	Pending	240	Suspended	1
Voluntarily Surrendered	2				
Total application received	8,807				

Renewed - 1,296 Renewals Expired – 252

B. Discussion on establishing a subcommittee on Continuing Education (CE) per ARS 32-4203 (A)(5):

1. Whether or not the current laws and rules, meet the needs of the profession, the individual therapist and the public.

Mr. Wilson addressed the board regarding continuing education and how the board mandates them and this helps protect the public. Also to make a rule change to clearly define continuing education a little more, such as CE's

that pertain to the practice of massage therapy as stated in the statutes. Not allow Nursing, Counseling, Chiropractor, Cosmetology just to name a few that do not pertain to massage. Certificates course names of modalities to indicate they are massage related. Alleviate guess work by the board as to what the course is for that the course pertains to a person, not animals. CE's to the activity in the practice of Massage Therapy so there is no question that we license only massage therapist not ear candling, animals etc.

Mr. Pozefsky agreed and gave consent regarding Rules on CE's to be more specific with no gray areas. Reduce the hours from 25 to 24, possibly have an inactive status, a state sponsored CE classes to lower the cost and help with the expense. Also what qualifies as an equivalent organization, spell it out and be more specific. Accept CE's from another license state board and the possibility of carrying over from one license year to another. These are some of the areas to be addressed in the sub-committee meeting on CE's.

MOTION: Mr. Beye moved to nominate Susan Pomfret as the chair for the CE subcommittee. Mr. Vaughn seconded the motion.

VOTE: The motion passed 4-0-1

The CE sub-committee will consist of Susan Pomfret, Dennis Beye and De Mario Vaughn and Robert Wilson administrative staff will attend and take notes and due minutes. The sub-committee will meet directly after the regular scheduled board meetings.

C. Presentation on the concept of "Sensitivity Training" by Audrey Parets, LMT
Ms. Parets was not present to address the Board regarding this issue.

D. Report on Job Task Analysis in Houston by Dennis Beye
Mr. Beye attended the Job Task Analysis in Houston for the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) in March 2007. Mr. Beye summarized his trip to Houston regarding the exam that the NCBTMB gives and to update the questions. A lot of discussion was done regarding, are the questions relevant to massage therapy, what is a massage therapist role, what should they know and the verb age used on the exam. The exam is still based on 500 hours of education with less than 2 years experience, there are a lot of changes to the NCB exam but they want to know what the Massage Therapist knows. A survey was sent out and had to be answered and returned. Another will be forth coming and a follow-up meeting sometime in August.

6. Discussion, Consideration and Possible Action on Correspondence

The Board reviewed the correspondence and responses regarding these listed below.

- A. Correspondence received from Anonymous - stay at home mom
- B. Correspondence received from Debra Persinger, Executive Director of the Federation of State Massage Therapy Boards.
- C. Correspondence received from constituent services regarding Royce Cousin's complaint regarding the cost of continuing education. Response letter from Robert Wilson.
- D. Correspondence received from Associated Bodywork & Massage Professionals

Dr. Runbeck addressed the board regarding the correspondence received above and his response.

- E. Correspondence received from Vineeya
- F. Correspondence received from Keith Yaskin, Reporter Fox 10 News, and response from Robert Wilson

The next scheduled meeting is May 21, 2007 (holiday on the 28th)

The meeting was adjourned at 12:00 pm

ADJOURNMENT



Arizona Board of Massage Therapy

June 26, 2007

Date