



State of Arizona
Janet Napolitano – Governor

Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

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Mara Concordia, LMT; Judy Boyer, LMT; Ms. Lori Green, Public Member; Daniel Pozefsky, Public Member
Dennis Beye, LMT, Craig Runbeck, NMD, Executive Director

Minutes

REGULAR BOARD MEETING

August 22, 2005, 10:00 a.m.
Basement Conference Room B1
1400 West Washington St
Phoenix, AZ 85007

1. Call to Order by Presiding Officer

Ms. Concordia, Chair called the meeting to order at 10:03 am.

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

Board Members Present: Mara Concordia, Chair
Judy Boyer, Vice Chair via telephone at 9:30 am
Lori Green
Daniel Pozefsky
Dennis Beye arrived at 10:15 am

Legal Counsel Present: Terrie Sanders, Assistant Attorney General
Victoria Mangiapane, Assistant Attorney General,
Solicitor General’s Section

Staff Present: Dr. Craig Runbeck, Executive Director
Paula Brierley, Deputy Director
Dee Doyle, Licensing Administrator

2. Call to the Public

Ms. Concordia gave a call to the public at 10:03 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.)

- B. Approval of Minutes: July 25, 2005
- C. Monthly Revenue and Expenditure Reports
- D. Approval of Massage Therapy Application(s) 250 names listed

MOTION: Ms. Boyer moved to approve the consent agenda as listed. Mr. Pozefsky seconded the motion.

VOTE: The motion passed 4-0

4. Discussion, Consideration and Possible Action of Regulatory Matters

- A. **Discussion and Consideration of an Appeal at Office of Administrative Hearing (time specific: 10:00 a.m.)** Oi Kwok Hui
Ms. Hui was not present.

Ms. Sanders Assistant Attorney General was present to represent the State of Arizona; she asked that the Board accept the Findings of Facts and Conclusions of Law and Order recommended by the Office of Administrative Hearings.

Ms. Mangiapane Assistant Attorney General of the Solicitor General office was present to advise the Board.

MOTION: Mr. Pozefsky moved to accept the Finding of Facts in their entirety, Ms. Green seconded the motion.
VOTE: The motion passed 4-0

MOTION: Mr. Pozefsky moved to accept the Conclusion of Laws in their entirety, Ms. Green seconded the motion.
VOTE: The motion passed 4-0

MOTION: Mr. Pozefsky moved to accept the recommended Order, Ms. Boyer seconded the motion
VOTE: Roll call vote was taken with Ms. Concordia, Ms. Green, Ms. Boyer, Mr. Pozefsky all voting aye.

Mr. Beye arrived at 10:15 am to the board meeting.

B. Discussion and Consideration of Investigations and Complaints

(1) Formal Interview: 05-005 Linda Le, MT-01590P

Ms. Linda Le and her attorney Mr. Salazar were present to address the board.

Ms. Brierley summarized this case for the Board. In April 2005 the City of Phoenix notified the Arizona Board of Massage Therapy that Ms. Le's city license had been revoked due to an incident that occurred on 3/20/04. Ms. Le agreed to an act of prostitution while giving a massage. Ms. Le answered no to all the questions on her application.

Ms. Sanders Assistant Attorney General will negotiate with Mr. Salazar regarding the possibility of Ms. Le surrendering her license instead of a revocation.

MOTION: Mr. Pozefsky moved to send this case to formal hearing, Ms. Boyer seconded the motion.
VOTE: The motion passed 5-0

(2) Investigative Interview: 05-004 Ching Wien, MT 00183P

Ms. Wien and her attorney Mr. Donald Harris were present to address the board.

Ms. Brierley summarized this case for the Board.

Mr. Harris addressed the board regarding Ms. Wiens' high school documentation that she received from an on-line school.

MOTION: Ms. Boyer moved to go into executive session to obtain legal advice. Ms. Green seconded the motion.
VOTE: The motion failed 0-5

Discussion was made regarding the accreditation of the high school.

MOTION: Ms. Boyer moved to go into executive session to obtain legal advice. Ms. Green seconded the motion.
VOTE: The motion passed 5-0

The Board convened Executive Session at 10:40 am.

The Board returned to Regular Session at 10:50 am.

MOTION: Mr. Pozefsky moved to investigate Ms. Le case further and to send it to the Office of Administrative Hearing for a formal hearing. Ms. Green seconded the motion.

VOTE: The motion passed 5-0

C. Board Review of Application(s)

(1) Rebecca Ashcraft

Ms. Ashcraft was not present to answer questions from the Board.

The Board TABLED this matter and asked that Ms. Ashcraft be asked to attend the next board meeting.

D. Board Substantive Application Review tabled from the June meeting

(1) Leroi Kocsis

Mr. Kocsis was present to answer questions from the Board regarding his application for licensure.

The Board asked questions of Mr. Kocsis to which he responded.

MOTION: Ms. Green moved to approve Mr. Kocsis application for licensure, Ms. Boyer seconded the motion.

VOTE: The motion passed 5-0

5. Discussion and Consideration and Possible Action on Administrative Matters

A. Presentation from CE Brokers Inc.

Ms. Linda Burns the Director of CE Brokers Inc. was present and gave a presentation to the Board on how they track continuing education in the state of Florida. Also how CE Brokers could help the Arizona Massage Therapy Board and the licensees.

B. Continuing Education Requirements

Dr. Runbeck handed out draft rules for continuing education and reduction in fees. Board members Judy Boyer and Daniel Pozefsky will be meeting with the Council on Massage Therapy Educators and Dr. Runbeck will confer with others.

C. Massage license status report

Dr. Runbeck handed out an update on the license status. ACTIVE licensees – 6,185, Denied applications -15, Pending applications-201

6. Discussion, Consideration and Possible Action on Correspondence

A. Correspondence received from Ombudsman-Citizens' Aide Office, Patrick Shannahan

Correspondence was reviewed by the board regarding continuing education requirements.

The Meeting was ADJOURNED at 1:09 pm.

ADJOURNMENT

Date this _____ day of _____

Arizona Board of Massage Therapy

Signed by Board Chair: _____