



State of Arizona  
Janet Napolitano – Governor

## Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

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Judy Boyer, LMT; Nancy Gath, Public Member; Daniel Pozefsky, Public Member  
Dennis Beye, LMT, Susan Pomfret, LMT, Craig Runbeck, NMD, Executive Director

### *Minute/Draft* BOARD MEETING

July 24, 2006 10:00 a.m.  
1400 West Washington St, B1  
Phoenix, AZ 85007

#### 1. Call to Order by Presiding Officer

Mr. Pozefsky, Vice Chair called the meeting to order at 10:04 am.

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

Board Members present            Judy Boyer; Chair arrived at 10:12am  
   Daniel Pozefsky, Vice Chair  
   Dennis Beye  
   Susan Pomfret

- B. Acknowledgement of new board member appointed public member: Nancy Gath

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

Assistant Attorney General:    Terrie Sanders  
Assistant Attorney General:    Chris Munds, Solicitor General Division

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 was present to address 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: April 24, 2006  
B. Approval of Executive Session Minutes: April 24, 2006  
C. Approval of Massage Therapy Application(s) for May 212, June 183 and July 120

**MOTION:** Ms. Pomfret moved to approve the consent agenda A, B and C as listed, Mr. Beye, seconded the motion.

**VOTE:** The motion passed 4 ayes, 1 absent

#### 4. Discussion, Consideration and Possible Action of Regulatory Matters

- A. Discussion on appropriate fines for working without the required license. Executive Director recommends \$150 civil penalty fine in a separate money order along with the application and license fee.

Dr. Runbeck addressed the Board regarding the unregulated massage therapist and the new rules for those who have not been licensed within the time frame and have been working without the required license.

The Board discussed issuing a standard consent agreement must be signed, giving 90 day probation, civil penalty of \$150.00 to be paid before the license will be issued. The Board will review each application and the consent agreement before approving the applications for licensure.

B. Massage license status report

Dr. Runbeck updated the board on the license status to date.

Active licensee's	7,836	Closed expired/withdrawn	66	Revoked	3
Denied	17	Pending	234		
Voluntarily Surrendered	1	Total application received			8,158

- 1. Renewals sent out 72
- 2. Renewals received and processed 6 to date

**5. Discussion, Consideration and Possible Action of Regulatory Matters**

- A. Discussion and Consideration of Request for Review/Rehearing (time specific: 10:00 a.m.)
  - (1) Linda Le

This matter was heard before the Board at 10:20 am. Mr. Salazar attorney and Ms. Le were not present at the meeting. Mr. Munds, Assistant Attorney General, Solicitor General division addressed the Board on how to precede in this matter.

Assistant Attorney General Sanders addressed the Board in response to Mr. Salazar's statements in his request for re-hearing.

Mr. Pozefsky stated that he had been given a thorough presentation and there was no basis for a re-hearing.

**MOTION:** Mr. Pozefsky moved to deny the request for re-hearing Ms. Le case. Ms. Pomfret seconded the motion.

**VOTE:** The motion passed Ms. Boyer, Ms. Pomfret, Mr. Beye and Mr. Pozefsky voted aye, one abstention from Ms. Gath, 0 no.

**6. Discussion, Consideration and Possible Action on Correspondence**

- A. Correspondence received from Brian Skow
- B. Correspondence received from Laura Wong, Chair for Asian Bodywork in Arizona
  - a. Response from Dr. Runbeck

Mr. Skow was present to address the Board in reference to Asian Bodywork. He asked for a statement from the Board in regards to whether an Asian Bodywork Therapist (ABT) needed to be licensed under the state Massage Therapy statutes. He also requested an exemption for ABT's with regards to continuing education requirements. Could they use strictly Asian Bodywork CE's to renew their LMT license if they hold one? Also would the Board consider different requirements for ABT's because their training and scope is different?

Dr. Runbeck summarized former discussions made from the Board regarding Asian Bodywork and the need to be licensed or not. The Board doesn't have the authority under current statutes to offer different types of licenses. Legislation would be needed to add Asian Bodywork licensing requirements. Ms. Boyer answered Mr. Skow questions and addressed the issues, initially when the coalition for the massage board was discussed Asian Bodywork was included. Ms. Boyer suggested Mr. Skow set up a study committee with the various stakeholders and invite one or two board members to discuss possible

legislation to include language for the Asian Bodywork therapists under the Board's authority with a separate examination process.

Ms. Boyer also suggested Mr. Skow to seek a legal opinion from a lawyer regarding the state statutes.

**MOTION:** Mr. Beye moved to go into Executive Session to obtain legal advice, Ms. Pomfret seconded the motion.

**VOTE:** The motion passed 5-0

The Board convened Executive Session at 11:00 am.  
The Board returned to Regular Session at 11:05 am.

ADJOURNMENT

The meeting was adjourned at 11:09 am.



Arizona Board of Massage Therapy

September 11, 2006

Date