



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

July 27, 2005, 9:00 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 9:11 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 arrived at 9:40 am
Dennis Beye

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 9:12 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: June 27, 2005
- B. Approval of Executive Session Minutes: June 27, 2005
- C. Approval of Massage Therapy Application(s) 266

MOTION: Ms. Green moved to approve the consent agenda as listed. Mr. Beye seconded the motion.

VOTE: The motion passed 3-0

4. Discussion, Consideration and Possible Action of Regulatory Matters

- A. Discussion and Consideration of Investigations and Complaints
NONE
- B. Discussion and Consideration of an Appeal at Office of Administrative Hearing (time specific: 9:15 a.m.)

(1) Lisa Quam, Unlicensed

This matter was addressed at 9:18 am.

Ms. Sanders Assistant Attorney General deliberated for the state regarding the order received from the Office of Administrative Hearings on the appeal for Ms. Quam. Ms. Mangiapane Assistant Attorney General with the Solicitor General section advised the Board regarding the Administrative Law Judges decision for Ms. Quam.

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

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

MOTION: Mr. Beye moved to accept the Order as provided by the Administrative Law Judge. Ms. Green seconded the motion.
VOTE: A roll call vote was taken with Mr. Beye, Ms. Concordia, Ms. Green and Ms. Boyer voting aye.

- C. Discussion and action on Decision by Administrative Law Judge (Time Specific: 9:30)
(1) 05-006 Christopher Bayoneta, MT-00183P, - Ms. Victoria Mangiapane, Office of the Solicitor General

This matter was addressed at 9:30 am.

Ms. Sanders Assistant Attorney General deliberated this matter for the state regarding the Order received from the Office of Administrative Hearings. Ms. Mangiapane Assistant Attorney General with the Solicitor General section advised the Board regarding the Administrative Law Judges decision for Mr. Bayoneta.

MOTION: Ms Green moved to accept the Findings of Facts pages 1-48, with the correction to page 6, paragraph 20 the word preferred to be changed to referred. Mr. Beye seconded the motion.
VOTE: The motion passed 4-0

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

MOTION: Mr. Beye moved to accept the Administrative Law Judges Order to REVOKE Mr. Bayoneta's massage license. Ms. Green seconded the motion
VOTE: A roll call vote was taken with Mr. Beye, Ms. Concordia, Ms. Green and Ms. Boyer voting aye.

- D. Board Review of Application(s)
(1) LeRoi Kocsis

Mr. Kocsis was not present to answer questions from the Board.

Ms. Doyle summarized this application for the board.

This matter was TABLED and a substantive request was made to obtain additional documentation regarding Mr. Kocsis criminal background and to request that Mr. Kocsis attend the next board meeting.

- E. Board Substantive Application Review tabled from the June meeting
(1) Ricardo Torres

Mr. Torres was not present to answer questions from the Board.

This matter was TABLED and a substantive request was made to have Mr. Torres obtain additional documentation from the City of Scottsdale.

Mr. Pozefsky arrived at the board meeting at 9:40 am

5. Discussion and Consideration and Possible Action on Administrative Matters

- A. Draft Rules
(1). Continuing Education Requirements

The Board discussed having the subcommittee look into setting up a meeting with the legislature to discuss the continuing education requirements. Also to check with other licensing states regarding their requirements on continuing education. Also to add the subcommittee to the agenda on the August board meeting.

6. Discussion, Consideration and Possible Action on Correspondence

A. Correspondence sent to Senator Jake Flake from Dr. Craig Runbeck

Dr. Runbeck advised the Board of the reason for the correspondence sent to Senator Flake was from applicants that have contacted him regarding their applications for licensure.

The Board discussed setting the upcoming board meetings to start at 10:00 am instead of 11:00 am. The Board agreed to begin the next meeting at 10:00 am

The Meeting was ADJOURNED at 10:12 am.

ADJOURNMENT

Date this _____ ***day of*** _____

Arizona Board of Massage Therapy

Signed by Board Chair: _____