



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

June 27, 2005, 11:00 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 11:02 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  
Lori Green  
Daniel Pozefsky

Board Member Absent: Dennis Beye

Legal Counsel Present: Dawn Lee, Assistant Attorney General

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 11:02 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: May 23, 2005  
B. Approval of Executive Session Minutes: May 23, 2005  
C. Monthly Revenue and Expenditure Reports.  
Item was pulled and discussed later in the meeting.
- D. Approval of Massage Therapy Application(s) 315

**MOTION:** Ms. Boyer moved to approve the consent agenda for A, B and D as listed C was pulled for discussion.  
Ms. Green seconded the motion.

**VOTE:** The motion passed 4-0

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

A. **Board Review of Application(s)**  
(1) Xia Mei Guo

Ms. Guo was present and represented by her lawyer Mr. Glen Allen. She also had an interpreter from Maricopa County.

The Board asked Ms. Guo questions to which she responded.

**MOTION:** Mr. Pozefsky moved to **Deny** Ms. Gue application for licensure according to A.R.S. §32-4222 (A) (4) and R4-15-101 (8) (f). Ms. Boyer seconded the motion and asked that the City of Phoenix be notified.

**VOTE:** The motion passed 4-0

(2) Joseph Richardson

Mr. Richardson was present to answer questions from the Board.

The Board asked Mr. Richardson questions to which he responded.

**MOTION:** Mr. Posefsky moved to go into Executive session to obtain legal advice

**VOTE:** The motion passed 4-0

The Board went into Executive Session to obtain legal advice at 11:18 am

The Board returned to Regular Session at 11:29 am

**MOTION:** Mr. Pozefsky moved to approve Mr. Richardson's application for licensure with an **Advisory Letter of Concern** regarding his viewing adult websites while in a school setting. Ms. Boyer seconded the motion.

**VOTE:** The motion passed 4-0

(3) Ricardo Torres

Mr. Torres was present to answer questions from the Board.

The Board asked Mr. Torres questions to which he responded.

This matter was tabled until the July board meeting.

(4) Gui Feng Zhang

Ms. Zhang was present to address the Board.

The Board asked Ms. Zhang questions to which she responded.

**MOTION:** Mr. Posefsky moved to **DENY** Ms. Zhang's application for licensure according to A.R.S. 32-4222 (A) (4), (7) (c) and R4-15-101 (8) (c). Ms. Green seconded the motion and asked that the City of Scottsdale be notified.

**VOTE:** The motion passed 4-0

(5) Evalee Saye

Ms. Saye was not present at the board meeting.

Ms. Saye's answered yes on her application to having worked without the required city establishment and practice license in Gilbert since 2001.

**MOTION:** Ms. Green moved to **DENY** Ms. Saye's application for licensure according to A.R.S. 32-4222 (A) (4) and R4-15-101 (8) (f) Ms. Green also asked that the Town of Gilbert be notified. Ms. Boyer seconded the motion with a friendly Amendment to the Motion to include sending Ms. Saye's a Cease and Desist order to cease from working without the required state license and to notify the Town of Gilbert.

**VOTE:** The motion passed 4-0

**C. Discussion and Consideration of Investigations and Complaints**

(a) Investigative Interview: 05-005 Linda Le, MT-01590P

Ms. Lee was present at the board meeting and represented by her attorney Mr. Salazar.

**MOTION:** Ms. Boyer moved to go into Executive Session to obtain legal advice, Ms. Green seconded the motion

**VOTE:** The motion passed 4-0

The Board went into Executive Session to obtain legal advice at 11:57 am.

The Board returned to Regular Session at 12:10 pm.

Ms. Brierley summarized this case for the Board. Ms. Lee's City of Phoenix license had been revoked after she received her state of Arizona license.

**MOTION:** Mr. Pozefsky moved to send this case to a Formal Interview before the Board. Ms. Green seconded the motion.

**VOTE:** The motion passed 3-1, Mr. Pozefsky, Ms. Concordia and Ms. Green voted yes and Ms. Boyer voted no.

**D. Discussion and Consideration of Settlement Conference**

(1) Anneka Van Olphen

Ms. Van Olphen was not present at the Board meeting.

The Board went into Executive Session to obtain legal advice at 12:40 pm.

The Board returned to Regular Session at 12:47 pm.

This matter was tabled for the board's investigator to contact the state of Oregon regarding Ms. Van Olphen's Disciplinary Order. The Board will have a telephone conference call if the information is received by July 1, 2005.

**5. Discussion and Consideration and Possible Action on Administrative Matters**

Dr. Runbeck handed out information on draft rules for continuing education and feedback he has received from the American Massage Therapy Association and the Council for Massage Therapy Educators.

The Board discussed the various ways of approving and regulating continuing education and providers.

**A. Draft Rules**

(1). Continuing Education Requirements

a. Continuing Education Feedback from American Massage Therapy Association (AMTA) and Council Massage Therapy Educators (CMTE).

(2). Reduction in Fees

Dr. Runbeck handed out a proposed reduction in the fees. The Board discussed and considered this matter.

**B. Draft Legislation**

Dr. Runbeck handed out proposed legislation for next year's session of the Boards statutes.

Ms. Concordia, Chair appointed a subcommittee to review the law and to direct the Board staff and make recommendation of statute changes. The subcommittee will bring them back to the Board for review at the July 25, 2005 board meeting.

**C. Massage license status report**

Dr. Runbeck updated the Board on how many applications and licenses have been processed to date.

Active licensee's	5,644	Suspended	1	Administratively Closed	3
Denied	13	Pending	240	Total	5,901

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

A. Correspondence received from Federation of State Massage Therapy Boards (FSMTB)

The Board directed that board member Dan Pozefsky be sent to the Federation of State Massage Therapy meeting in September.

B. Correspondence received from American Medical Massage Association (AMMA)

The Board reviewed correspondence received from FSMTB and the AMMA

The Meeting was ADJOURNED at 2:42 pm.

ADJOURNMENT

***Date this*** \_\_\_\_\_ ***day of*** \_\_\_\_\_

**Arizona Board of Massage Therapy**

Signed by Board Chair: \_\_\_\_\_