



State of Arizona
Janet Napolitano – Governor

Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

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Mara Concordia, LMT; David Falkow, LMT; Ms. Lori Green, Public Member; Daniel Vasquez, LMT
Paulina Vazquez-Morris, Public Member; Craig Runbeck, NMD, Executive Director

Minutes

REGULAR BOARD MEETING

March 22, 2004, 2:00 p.m.
Basement Conference Room B1
1400 West Washington St
Phoenix, AZ 85007

1. Call to Order:

Ms. Concordia, Chair called the meeting to order at 2:00 pm.

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

Board members present: Mara Concordia, Chair
David Falkow, Vice Chair
Daniel Vasquez
Lori Green
Paulina Vazquez-Morris, joined the meeting at 2:04 pm

Legal Counsel Present: Nancy Beck, Assistant Attorney General, joined the meeting at 2:07 pm

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

2. Call to the Public

Ms. Concordia gave a call to the public at 2:02 pm.

Ms. Liz Ligon was present to address the board, she is from Phoenix College. She asked for some additional communication to the public at large and various categories of therapists on “how do I proceed toward licensure”. For the student therapist, seasoned therapist and therapist of long standing without 500 hours, etc. Possibly to have a list on how the process will be done and what to do next to get licensed. She suggested that the Massage Board website or a “town hall” public meeting could be used for questions and answers.

3. Discussion and consideration of Consent Agenda

MOTION: Ms. Green moved to approve the January 26, 2004 minutes on the consent agenda as written; Ms. Vazquez-Morris seconded the motion.

VOTE: The motion passed 5-0.

4. Discussion and Consideration of Administrative and Procedural Matters

A. Legislation/Rules Update

(1) Rules/Hearing public comments transcript

Dr. Runbeck summarized the March 8, 2004 public comments meeting on the rules. There were three issues addressed that could impact the rules process. The first issue; will the Board recognize the Asian Bodywork Therapist as certified under the National Certification Commission for Acupuncture Oriental Medicine and Asian Bodyworks? This would constitute a substantive change should the Board want to recognize this examination.

DISCUSSION: The Board discussed the National Certification Commission for Acupuncture Oriental Medicine and Asian Bodyworks (NCCAOM) exam. Is it equivalent to the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) examination?

Ms. Concordia reviewed the Massage Therapy law definitions and the written examination content outline provided by the website HYPERLINK "http://www.nccaom.org" www.nccaom.org. She stated the NCCAOM is not specific for traditional massage therapy.

Mr. Falkow, addressed the Board regarding the coalition meeting noting two issues; 1) the Asian body workers wanted the (NCCAOM) to be covered under the Arizona law and were willing to take the NCBTMB exam and then 2) also take their own specialized examination in Oriental Medicine. They're different practitioners, they do not mix the two, you have Shiatsu practitioners and you have Massage Therapists.

Ms. Beck, Assistant Attorney General, stated the board should not approve an exam that is not specific for massage therapy. All examinations that the Board approves must be equivalent to other examinations the board uses. You want the people who take an exam to be qualified in the same manner as all other applicants.

Dr. Runbeck, noted our current law does not give us the latitude to license or accept Asian Body Workers as a separate class of practitioner and additional legislation might be required before the Board could do this.

Ms. Concordia, if they meet all the requirements of the law and have passed the NCBTMB examination, then they can call themselves a Massage Therapist and be licensed under this Board.

Ms. Beck, Assistant Attorney General, clarified the law for the Board, applicants that do what is listed in the statute for Massage Therapy have to be licensed, unless they qualify for one of the exemptions. If someone is doing what the law specifically allows a massage therapist to do then they must be licensed.

Ms. Concordia, stated that the NCCAOM test is to certify Asian Oriental Medicine or Asian Bodywork modality exclusively and not Massage Therapy. The Asian exam is not equivalent and does not cover everything that is considered massage therapy. Therefore, we can not take it as an equivalency to the NCBTMB examination.

MOTION: Mr. Vasquez moved to decline to accept the NCCAOM examination in lieu of the NCBTMB for the reasons stated above. Mr. Falkow seconded the motion.

VOTE: The motion passed 5-0.

Dr. Runbeck addressed the two additional issues that were raised on the March 8, 2004 meeting. The second was dealing with a GED vs. the Ability to Benefit Test. The board consensus is the Ability to Benefit Test is not equivalent to a High School Diploma or a General Equivalency Diploma.

The third issue was that there is not a rule calling for a physical description of an applicant. The National Certification as part of their transcript shows a photo of the applicant. The Board consensus is we have an

adequate protection built into the application system through the required social security number and fingerprint card for a background check. A photo or physical description would require a substantive change to the rules. SB1087

(2) SB1087

Dr. Runbeck summarized SB1087 for the board. The bill has passed through the Health Committee and is moving forward.

B. Budget FY 05

Dr. Runbeck summarized the budget for the board and how it needs to be apportioned between the Naturopathic Board and Massage Board. Since we utilize the same personnel for both boards, Dr. Runbeck proposed a 60/40 split for the upcoming year (60% for Massage and 40% for Naturopathic). This would take into account the extra workload the new massage board would place upon all the staff.

MOTION: Ms. Vazquez-Morris moved to approve the staff recommendation of an apportionment of 60% massage to 40% naturopathic for the fiscal year 2005, Ms. Green seconded the motion.

VOTE: The motion passed 5-0.

C. Recognizing National Certification Commission for Acupuncture Oriental Medicine

This matter was discussed under A.

D. Update on test subcommittee

Ms. Concordia summarized the exam study committee findings for the Board. Two meetings have been held so far. She has spoken to a representative from the coalition of Massage Therapy Schools, a sub contractor from the National Certification Board who does the statistical analysis for their exam and Patti Stanly the President of the Arizona American Massage Therapy Association.

We found that there is not an exam available that is equivalent to the National Certification Board (NCBTMB) in testing for Massage Therapy. A lot of people have offered to write and administer a test but they would not defend or backup the test. There was three issues that were brought to the subcommittees attention regarding the National Certification exam;

- 1) The National Certification Board was cost prohibitive for many of the new therapist coming right out of school.
- 2) The test is too easy and does not adequately address professional training.
- 3) There may be public safety issues that the Board should consider that are specific to Arizona and that the National test doesn't adequately cover.

The information obtained from the National Certification website shows; currently 33 states require a Massage Therapy license. Out of these states ten do all or some of their own testing for licensure.

The study committee will do an evaluation of why these states do their own testing and do not use the National Certification exam. It was noted that the pass rate for the National Certification exam taken in Arizona is consistently around 70%, which is consistent with the national average.

This indicates that the examination is a fair measure of competence. The cost of the National Certification Board exam has a lower cost for a license only but this would be without the National Certificate. The State of Arizona would have to charge a comparable or possibly greater amount for its own examination.

We will continue our research and should have a final recommendation at the next meeting.

5. Discussion and Consideration of Correspondence and Questions for the Board.

A. Correspondence from Sally Hacking

Dr. Runbeck shared Ms. Hackings email correspondence with the board.

B. Correspondence from Jennifer Hansen

Dr. Runbeck will respond to Ms. Hansen correspondence regarding SB 1103.

C. Correspondence from Leah Moler

Dr. Runbeck will respond to Ms. Moler correspondence regarding SB1087.

D. Correspondence from David Burmeister

Mr. Burmeister sent a fax requesting an exemption from licensure for Jin Shin Jyutsu, Inc. he states there is no massage or manipulation of any kind involved.

Ms. Beck, Assistant Attorney General, responded to this request and stated the Massage Board does not have the legal authority to grant an exemption to anyone from licensure. They would need to seek legal interpretation of the law from their own lawyer. Laws have changed since 1976 when they obtained exemption from the City of Scottsdale. They must abide by the new law in place today. They would have to be licensed if their scope of practice falls within the law statue.

Dr. Runbeck will respond to Mr. David Burmeister's correspondence for the Board.

MOTION: Mr. Falkow move to adjourn the meeting, Ms. Green seconded the motion.

VOTE: The motion passed 5-0.

The meeting was adjourned at 3:20 PM.

Date this _____ **day of** _____

Arizona Board of Massage Therapy

Signed by Board Chair: _____