



State of Arizona
 Douglas A. Ducey
 Governor

Arizona State Board of Massage Therapy

“Protecting the Public’s Health”

1400 West Washington • Suite 300 • Phoenix, AZ 85007 • Telephone 602-542-8604 • FAX 602-542-8804
 Victoria Bowmann, LMT; Earl Duskey, LMT; John Ortega, Public Member;
 Diane Pruetz, Public Member; Kathleen Phillips, Executive Director

MINUTES BOARD MEETING

December 5, 2016 9:30 a.m.
 1400 West Washington St, B1
 Phoenix, AZ 85007

1. Call to Order by Presiding Officer

Victoria Bowmann, Chair, called the meeting to order at 9:35 am.

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

Board Members present: Victoria Bowmann, LMT, and Chair
 Earle Duskey, LMT, Vice-Chair
 Diane Pruetz, Public Member
 John Ortega, Public Member

B. Acknowledgement of presence of Board staff and legal counsel.

Assistant Attorney General: Elizabeth Campbell
 Independent Advisor: Mary D. Williams, AAG
 Board Staff present: Kathleen Phillips, Executive Director
 Andrew White, Investigator
 Tony Wilcox, Administrative Assistant

2. Call to the Public.

No concerns.

3. Discussion, Consideration and Possible Action on Consent Agenda

(Any item under consent may be removed for independent discussion and action by a Board Member.)

A. Approval of Minutes:

a. **September 26, 2016** Board meeting minutes

B. Approval of 235 Massage Therapy License Applications (completed between 7/16/16 and 9/16/16)

Aidee	Lopez-Martinez
AiYun	Fang
Alexander	Madrid
Alexander	Vargas
Alexis	Cooper
Alexis	Elliott

Alexandria	Wirtz
Alisa	Decker
Allison	Farro
Amanda	Goodman
Amanda	Lackie
Amy	Lozowick

Amy	Mrzlack
Andrea	Casares
Anthony	Cavender
Anthony	Knapp
Anthony	Pagliari
Ariana	Montano-Nogueron

Ashlee	Call
Ashleigh	Tang
Ashley	Swazey
Ashley	Youngblom
Bethany	Marsh
Bethany	Nixon
Bianca	Guzman
Biridiana	Figuroa-Garcia
Bokyoung	Evarts
Brett	Risberg
Brian	Keene
Brittany	Powers
Brooke	Naranjo
Brynn	Cottle
Caitlin	Mulnix
Carlos	Arrizon-Aparicio
Carly	Moter
Carol	Kuntzelman
Cassandra	Lee
Cassidy	Baker
Celina	Gonzalez
Celina	Ochotorena
Chantal	Shibley
Charles	Bible
Chelsea	Washington
Cherissa	Conway
Ciara	Esquer
Cindy	Leyva
Claire	Yuckert
Cloe	Becher
Corrina	Vargas
Cossette	Campos
Crystal	Pfauer
Daisy	Calles
Damian	Ortiz
Daniel	Belmonte
Daniel	Lobato
David	Bowes
David	Brisco
David	Ortega Jr

Dawn	Teufel
Deanna	Di Orio
Deborah	Schumacher
Denice	Czulno
Denise	Morgan
Dennis II	Boyle
Desiree	Coyne
Devin	Bleser
Dolores	McCue
Dominique	Quiroz
Drew	Hakes
Elizabeth	Chavez-Solis
Elsa	Romero-Mezquita
Emily	Cowley
Emily	Lee
Fain	Robert
Fred	High
Hanna	Derbyshire
Hannah	Carr
Heather	DeLaPena
Heather	Hammond
Heather	O'Neill
Herman	Velez
Holly	Harrison
Ilse	Asplund
Jacob	Denfeld
Janelle	Timmons
Janet	Novitski
Jasmine	Toomalatai
Jason	DeNise
Jeanine	Ward
Jennifer	Messer
Jennifer	Roseman
Jennifer	VanZant
Jerri	Campsen
Jesse	Lyons
Jessica	Bridgewater
Jessica	DeLeonardo
Jessica	Eck
Jessica	Sandoval

Jesus	Meza
Jillian	Brown
Jimmie	Howard
Jimmy	Woodring III
Jordyn	Korn
Joseph	Steiger
Joyce	Jata
Joyce	Rodgers
Juana	Felix
Jude	Repak
Juil	Washburn
Juliana	Garske
Julie	Lapidus
Justin	Farr
Justin	Kremer
Kaitlin	McDonald
Kaitlin	Ovenstone
Kara	Reidhead
Karin	Pine
Kasey	McKim
Katherine	Hertig
Kay	Pallack
Keli	Parker
Kelly	Zarcone
Kelsi	Ginther
Kevin	Crosley
Kevin	Nichols
Kevin	Parsons
Kevin	Rusco
Khrystina	Lund
Kiersten	Hafen
Kristen	Griggeory
Kristen	Nash
Kristy	Waite
Krystal	Gauley
Kylee	Stephens
Kyrstyn	Pena
Kyung	Hong
Larissa	Jeffres
Laurie	Daigle

Leah	Edais
Leila	Cook
Linda	Ibarra
Lindsey	Grant
Lisa	Costello
Lisa	Eldracher
Lisa	Garcell
Lori	Mickel
Lucretia	McGillis
Maira	Perez
Maoyong	Wang
Marc	Marlowe
Maria	Hernandez
Maria	Love
Maria	Mitchell
Maria	Nilsen
Marieli	Calixto-Diaz-Leal
Marisol	Magdaleno-Avalos
Marlene	Armenta
Maryanne	Robinson
MattheW	Dankert
Matthew	Osborne
May Jane	Soonthornswad
Maya	Richards-Williams
Melanie	Escher
Melanie	Villa
Melin	Nguyen
Merita	Bullock
Michael	Tarry
Michelle	Milne-Jones
Michelle	Orme
Michelle	Reahm
Michelle	Weese

Monica	Allen
Mysia	Hudson
Nicole	Carrasco
Nicole	Castonguay
Norma	Franco-Perez
Pamela	Monzingo
Racyne	Simpson
Ramona	Norton
Ramonia	Hargrett
Reina	Gibson
Reonna	Lerma
Ricky	Moore
Robert	Lee
Robert	Stephens
Robin	Bies
Roman	Moreno
Roxanne	Gonzalez
Salome	Valdez
Samantha	Phillips
Samantha	Tanner
Samantha	Wenzell
Sandra	Lee
Sarah	Bosson
Sarah	Caine
Sarah	McDonald
Sarah	Proskey
Saran	Sizemore
Sean	Castelblanco
Shahanaji	Zechna
Shana	Peterson
Shane	Camp II
Sharon	Kaiser
Shayla	DeArment

ShayLinn	Gallegos
Shea	Dunda
Sheila	Layman
Shelly	Hermis
Spivey	Roman
Stephanie	Marx-Rasmussen
Stephanie	Sidora
Stephen	Centner
Stephen	Oergel
Stewart	Chace
Sunni	LaVelle
Susan	Stansky
Tabitha	Shoars
Tami	Harmon
Tanya	Espinoza
Tara	Kukla
Tiana	Ramos
Tiffany	Smith
Tina	Blanchard
Trinity	Kearns
Tynan	Sokolowski
Veronica	Kirts
Victoria	Matos
Victoria	Richards
Vy	Truong
Wei	Fang
Wendy	Anderson
WenFang	Qiao
William	Snyder

C.Approval of 246 Massage Therapy License Applications (completed between 9/17/16 and 11/26/16)

Aaron	Gayda
Aaron	Klein
Alicia	Mayfield
Alycia	Allaire

Alyssa	Milan
Amanda	Welty
Amber	Cluff
Amber	Erwin
Amber	Kerney

Amy	Monaco
Ana	Sanchez
Anahi	Ruiz-Ortiz
Anesia	Groves
Angela	Dilegame

Angela	Matthews
Angelica	Guess
Anitta	Nuzum
Anna	Hendrix-Buchanan
Anna	Marcotte
Ashlee	Jones
Ashley	Hart
Aundrea	Garcia
Bethany	Fortner
Betty	McArthur
Betty	Vaughn
Bianca	Salazar
Bonnie	Adams
Brandi	Sgro
Brandon	Baxter
Brandon	Hernandez
Brandy	Macreno
Britney	Meland
Brittany	Orsborn
Brittnie	Schumacher
Candice	Willis
Cara	Silverstein
Carletta	McClellan
Carlton	Daily
Carol	Wehde
Carolyn	Richardson
Carter	Fox
Casey	Cavolaski
Cassidy	Hough
Cassidy	McWhorter
Cathlena	Guadagnino
Chardette	Tullis
Charise	Holiday
Charles	Henderson Jr
Charles	Stahl
Cho	Yau
Christina	Seegmiller
Christine	Salomon
Christine	Swift
Claudia	Wondrak

Clayton	Heier
Corinne	Terhune
Cozy	Meyer
Crystal	Goulet
Daniel	Benschoter
Danielle	MiJangos
Danielle	Tanner
DaVelle	Thornburg
Dawn	Burns
Deenie	Siebenaler
Dianna	Howe
Douglas	Benton
Dre Nesha	Begelton
Dulce	Fierro-Orduno
Edward	Kaiser
Elise	May
Elishea	Townes
Erik	Bartsch
Eunok	Lee
Fiona	Gaffney
Frances	Wright
Gina	Gorla
Gina	Torres-Vanasse
Gloria	Beltran
Grace	Sherman
Hailey	Morris
Harper	Cazares
Haydee	Carvajal
Heather	Magnuson
Heidi	Talarico
Helen	Goldberg
Hilda	Mendoza
Holly	McNorton
Holly	Sturgis
Imelda	Romero
Isabelle	Clark
Ivana	Shoop
Jacqueline	Robinson
James Jr	Wilson
Janis	Arlow

Jared	Slattery
Jasmine	Barajas
Jazzell	Walton
Jeffrey	Simpson
Jenna	Rink
Jennifer	Avalos
Jennifer	Kerlin
Jennifer	Urs
Jennifer	Vallier
Jeremy	Fishman
Jerome	Clyne
Jessica	Carroll
Jesus	Valerio
Jihee	Wiggins
Jobie	Gross
Jodi	Cawley
John	Munoz
John	Samuels
Jordyn	Arndt
Jose	Miranda
Joseph	Esposito
Joshua	Landi
Joshua	Villa
Justen	Flowers
Kai	Huang
Karalee	Benally
Karreen	Martin
Katelyn	Noyes
Katherine	Davis-Lindquist
Kathryn	Smith
Katlyn	Ralph
Kelsey	Yarmer
Kevin	Corcoran
Kiesha	Strawder
Kimberly	Martinez
Kindra	Keys
Kristen	Kelly
Kristen	Swanson
Kristine	Walker
Kyle	Pulliam

Kyle	Schenider
Lacey	Graham
Lacy	Nevitt
Laila	Plascencia
Larissa	Young
Laura	Randich
Lereinda	Deswood
Lesli Cheyenne	Dempsey
Leslie	Drury
Lindsay	Schuelke
Lisa	Caton
Logan	Muir
Lyndsey	Duke
Mackenzie	Rink
Marc	Giuffre
Marcus	Tate
Margaret	Sharpe
Maria	Klinefelter
Maria	Madrid
Mariah	Mosley
Mayumi	Harris
Megan	LeBaron
Meiying	Fang
Melissa	Kary
Melissa	O'Donnell
Michael	McKinlay
Michaela	Coniglio
Michele	French
Michelle	Golden
Mikaelyn	Valenzuela
Misun	Lee
Nadalie	Kupsky
Nancy	Palmer
Netriss	McDaniels
Nicholaus	Mazzochi
Nicholette	Clay
Norma	Mitchell

Orion	Smith
Pablo	Alcala
Pauline	O'Connell
Payton	Brown
Porfiria	Santillana
Rachel	Barker
Rachel	Godek
Rachel	Godlesky
Rachel	Unger
Rachel	Vaughan
Randy	Barbera
Rebecca	Burrous
Rebecca	Colmenares
Rebecca	Kortum
Rene	Garrido
Renea	Spoonemore
Richard	Jarrett
Robert	Jamison
Rosalee	Long
Runqiong	XU
Ruth	Red Eagle
Ryan	Schneider
Samantha	Winger
Samuel	Shumway
Sandra	Ornelas-Garcia
Sara	Melius
Sara	Villanueva
Sarah	Gordon
Sarah	McCredde
Sarai	McGuckin
Selena	Litwiller
Seth	Borgeld
Shane	Sulentic
Sharon	Viernes
Shelby	Woodall
Shelly	Nentwig
Sierra	Cordova

Sierra	Cross
Simon	Wisnewski
Simone	Randall
Siripel	Numching
Stephanie	Bureau
Stephanie	Tambollo
Steven	Naboisek
Tabitha	Daugherty
Tarry	Celle
Taylr	Flood
Terri	Kepper-Kolb
Terrie	Kjos-Palmer
Teryn	Concagh
Theresa	Tomlinson
Thuy	Nguyen-Vo
Tia	Tabile
Tiffany	Thompson
Timothy	Luckey
Tyler	Ferguson
Vanessa	Jones
Vanessa	Solarez
Vianca	Alcaraz
Virgina	Busby
Virginyah	Raybould
Vivian	Gonzalez Jimenez
Wende	Teague
Wenjuan	Huang
Xin	Zhang
Xin Yang	Feng
Xuejing	Deng
Yao	Cheng
Zaira	Dominguez
Zekiel	Litwiller
Zinnel	Carr

C. Approval of Massage Therapy Schools

SC	Technical College of the Lawcountry	April 2011- April 2023	100 Community College Dr	Bluffton
IA	Iowa Lakes Community College	Jul-16	19 South 7 th St	Estherville
TN	Massage Institute of Cleveland	07/01/16 – 06/30/17	4009 Keith St #207	Cleveland
TX	Texas Center for Massage Therapy		808 West, I-20, Ste 100	Arlington
PA	Northhampton Community College		511 East Third St.	Bethlehem

4. Discussion, Consideration and Possible Action on Regulatory Matters

A. Discussion, Consideration and Possible Action on Investigative Reviews

1. ShiPing Peterson Case #17-102

Ms. Peterson was present with Kajia Peterson, state certified translator.

Investigator White read the investigative report.

The Board addressed Ms. Peterson to give her testimony.

Ms. Peterson gave her testimony.

The Board asked Ms. Peterson what treatments was she doing.

Ms. Peterson said Massage.

Mr Duskey asked Ms. Peterson regarding her letter, on July 29th whether she was cupping and did she close her business.

Ms. Peterson said her husband wrote the letter that was written on July 29th.

Mr Ortega asked whether Ms Peterson did bloodletting.

Ms. Peterson said she practiced on her friends and husband but not her customers.

Ms. Prutz asked whether the person that put the pictures on facebook was her customer.

Ms. Peterson said she didn't know about it.

MOTION: Ms. Pruetz moved that the board issue a non-disciplinary order for 6 hours of continuing education in general ethics, preapproved by board staff and completed in 4 months. She must submit a certificate of completion to the staff.

Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays – 0

2. Kenneth Adams Case #17-104

Mr. Adams was present with his attorney, Zackary Shaw.

Investigator White read the investigative report.

The Board addressed Mr. Adams to give his testimony.

Mr. Shaw addressed the Board concerning Mr. Adams.

Ms. Bowman asked that Mr. Adams come to a board meeting every 6 months during probation.

Ms. Bowman asked that Mr. Adams come before the board to be released from probation.

MOTION: Mr. Duskey moved that the board issue an order for 12 months of suspension during which time Mr. Adams must see a mental health treatment professional provider twice a month with quarterly reports from the provider. He must also attend 16 hours of in person ethics class, preapproved by board staff. At the end of the 12 month suspension he must provide a letter from the provider at completion of 12 months of counseling, and begin a 2 year probation. At the end of the two year probation, he must return to the Board to request release from probation. He must provide a certificate of completion for 12 months of additional counseling when returning to the board. Mr. Ortega seconded the motion.

ROLL CALL: Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

3. Kristopher Anthony Case #17-100

Mr. Anthony was not present.

The complainant, K.D. was present.

Investigator White read the investigative report.

MOTION: Mr. Ortega moved that the case be sent to a formal hearing.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

AG Ms. Campbell asked K.D. the complainant, if she wanted to make a statement.

K.D. made a statement to the board that she was concerned and did not want this happening to anybody else.

Ms. Bowman stated that the matter has been moved to a formal hearing and would like K.D. to come to the formal hearing as there may be questions at that time and that is the next step.

4. Natalya Guk Case #17-106

Ms. Guk was not present.

Investigator White read the investigative report.

MOTION: Ms. Pruetz moved that the case be sent to a formal hearing.
Mr. Ortega seconded the motion.

VOTE: Ayes – 4
Nays – 0

5. Casey VanBalén Case #17-110

Ms. VanBalén was not present.

Investigator White read the investigative report.

MOTION: Ms. Pruetz moved that the case be sent to a formal hearing.
Mr. Ortega seconded the motion.

VOTE: Ayes – 4
Nays – 0

B. Discussion, Consideration and Possible Action on Application Reviews

1. Justin Paige Case #13-102

Mr. Paige was present without an attorney.

Mr. Paige addressed the board about the complaint.

Mr. Paige stated that 4 years ago in September, a client called the police.

Mr. Paige went to court, signed a plea agreement, was on 3 years' probation and had to go thru sex offender treatment during the 3 years' probation. At the end of his probation Mr. Paige had the charges designated as a misdemeanor.

Mr. Paige further asked the board to regain his license.

Ms. Bowman asked Mr. Paige whether license was revoked in May of 2013.

Mr. Paige said he was invited to come back after charges were designated as a misdemeanor and he had been asked not to reapply because he plead guilty.

Mr. Duskey asked how he was going to keep another complaint from happening.

Mr Paige answered he would do more communication with his clients and have them sign authorizing where they are to be touched.

Ms. Bowman questioned what "him being a sports doctor" meant.

Mr. Paige said sports medicine meant to work on athletes and that he is going to go to medical school.

Ms. Prutez asked if we can get reports of any kind.

AG Ms. Campbell suggested take the path of statute ARS/§32-4222 7(a)

If the board proceeds and deny's Mr. Paige his application is a reportable action and will go on the national database. The board may ask Mr. Paige to withdraw his application and not have this reportable action go on the national database.

Ms. Bowman encouraged Mr. Paige to withdraw his application and to come back in 2 years.

MOTION: Ms. Pruetz moved Case # 13-102 to executive session.
Mr. Ortega seconded the motion.

Executive Session: 10:50 am – 11:00 am
Regular Session Reconvened 11:00 am

Ms. Bowman addressed Mr. Paige, stating that the earliest he could apply is May 2018.
Mr. Paige asked if he could get his money back.
Ms. Phillips said his check would be returned.

MOTION: Mr. Duskey made a motion to allow Mr. Paige to withdraw his application.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

Mr. White handed Mr. Paige his application and check after the board meeting ended.

C. Discussion and Possible Action on Cases Voted to Formal Hearings –Motions to Deem

1. Derek Fringer Case #16-124

AG Ms. Campbell handed out court documents for a motion to deem to board.
AG Ms. Campbell addressed the board based on Mr. Fringer's failure to respond to the complaint and Mr. Fringer's failure to appear at the state's formal hearing.
The state requested the board to deem the allegations in the complaint and notice of hearing admitted and then moved directly to a determination of what discipline is appropriate and in line with the violation.

MOTION: Ms. Pruetz moved to grant the state's motion to deem the allegations as admitted.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays – 0

MOTION: Mr. Duskey moved that the board adopt the factual allegations from the complaint and notice of hearing as findings of fact and conclusions of law.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

AG Ms. Campbell stated that the discipline deemed appropriate given the allegations and complaint in this matter.

MOTION: Ms. Pruetz moved for revocation of the license.
Mr. Ortega seconded the motion.

ROLL CALL VOTE: Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

Ms. Bowman stated the parties have further appeal rights that will be explained in the board order.

2. Frank Lozano Case #16-129

AG Ms. Campbell handed out court documents.

ROLL CALL: Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

Ms. Bowman stated: let the record show the board members have been furnished with copies of the complaint, notice of hearing and all pleadings of record. The parties identified themselves, first the state and then the respondent.

AG Elizabeth Campbell appeared and presented an opening statement

Mr. Frank Lozano was present and gave an opening statement

AG Ms. Campbell called state's first witness, MT on the phone and MT was sworn in

Ms. MT addressed the board about her allegations.

AG Ms. Campbell addressed MT about her areas of focus.

Ms. MT detailed the focus of the massage was on her neck and shoulders.

Mr. Lozano addressed MT questions about leg massage with hot stones.

Ms. MT answered Mr. Lozano about leg massage with hot stones.

Mr. Lozano asked MT questions about what made her uncomfortable.

Ms. MT stated she told Mr. Lozano to stop.

Ms. MT stated that she spoke with Mr. Truth as soon as massage was over.

Mr. Lozano spoke with Mr. Truth about the massage.

Mr. Lozano questioned MT about what made her uncomfortable.

Ms. Bowman addressed Mr. Lozano that she had already answered that question.

Ms. Bowman asked Mr. Lozano if he had any more questions for MT.

Mr. Lozano said no.

Ms. Bowman asked AG Ms. Campbell is she wanted to cross examine.

AG Ms. Campbell said no.

Ms. Bowman asked if there were any questions from the board members.

Mr. Duskey asked MT to describe what brain wave state was.

Ms. MT explained what brain wave state was.

Ms. Pruetz asked MT about another person that felt the same way she did about Mr. Lozano and whether there was anyone else.

Ms. MT said there were two others.

Ms. Pruetz asked MT whether she discussed how she felt about Mr. Lozano during the massage.

Ms. MT said no.

Ms. Pruetz asked MT whether she didn't state anything else because of the state she was in.

Ms. MT stated she was doubting herself.

Ms. Bowman asked if the clinic dealt with any other conditions or only with massage illnesses.

Ms. MT stated only ill people.

Ms. Bowman questioned whether she was one of those people.

Ms. MT stated yes.

Ms. Bowman asked MT whether she was currently working.

Ms. MT stated no.

Ms. Bowman asked whether MT has had lots of massages.

Ms. MT stated she had.

Ms. Bowman asked MT whether she has had massages that were faceup and facedown.

Ms. MT stated she had.

Ms. Bowman asked MT whether she didn't like facedown.

Ms. MT stated she did not remember and was unclear.

Mr. Duskey asked whether she would classify her illness as extreme, mild, medium?

Ms. MT stated medium.

Ms. Bowman asked how long had she had her condition and MT stated 35yrs.

Ms. Pruetz asked how many times had she received massages from Mr. Lozano?

Ms. MT stated once.

Mr. Duskey asked MT if her past massages were on a regular basis?

Ms. MT stated the massages were sporadic and the average was four times a year.
Mr. Lozano cross examined MT.
Mr. White was called as a witness for the state and sworn in.
Mr. White stated he received a complaint from Ms. MT and AG Ms. Campbell stated she wanted to enter the complaint into evidence.
Mr. Lozano objected to having MT complaint admitted into evidence as Exhibit 1.
Ms. Bowman admitted the complaint into evidence.
Mr. Lozano was sworn in and gave his testimony.
AG Ms. Campbell asked Mr. Lozano to explain how to do a pelvic floor release.
Mr. Lozano gave AG Ms. Campbell and the Board pictures.
Ms. Bowman admitted seven pictures into evidence as Exhibit A.
AG Ms. Campbell questioned Mr. Lozano as to whether this was the procedure he performed on MT.
Mr. Lozano stated he started and then backed up and did a stretch on each side.
AG Ms. Campbell asked Mr. Lozano whether he does a stretch with his hands?
Mr. Lozano stated he did it with his fingertips.
AG Ms. Campbell asked Mr. Lozano whether he touched MT's labia.
Mr. Lozano said yes.
Ms. Bowman asked Mr. Lozano if he had any comments.
Mr. Duskey pointed out the pictures were from physical therapist training. Mr. Duskey asked Mr. Lozano if he was working out of his scope of practice since the pictures were for physical therapist training.
Mr. Lozano stated it was trigger point therapy.
Mr Duskey stated massage therapists need to stay within the law.
Ms. Bowman asked Mr. Lozano what the other exhibits were.
Mr. Lozano said they explained what he does.
Ms. Bowman admitted into evidence Golgi Tendon Organ and Lymph drainage documents as Exhibit B.
Ms. Bowman asked Mr. Lozano if there was anything else to put into evidence.
Mr. Lozano submitted reference letters and they were admitted into evidence as Exhibit C
AG Ms. Campbell presented closing arguments.
Ms. Bowman asked Mr. Lozano for closing arguments.
Mr. Lozano presented closing arguments.
Ms. Bowman asked AG Ms. Campbell whether she had a rebuttal
During discussion Mr. Ortega stated a violation had occurred.
During discussion Mr. Duskey also stated no boundaries were drawn and the massage was not what MT asked for.

MOTION: Ms. Pruetz moved that the board adopt factual allegations 1,2,3,4,5 as findings of fact.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays – 0

MOTION: Ms. Pruetz moved Case # 16-129 to executive session.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays – 0

Executive Session began at 1:30 pm
Executive Session ended at 1:40 pm

MOTION: Mr. Duskey moved to adopt alleged violations 1,2,3,4,5 in the complaint and notice of hearing as conclusions of law.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

The board moved the following:

The license is to be placed on 2 years' probation, and Mr. Lozano to complete 24hrs of Continuing Education in 12 months in ethics and communication that is staff preapproved and completed onsite.

Mr. Lozano is to appear before the board in 12 months after the CE's are completed and after the probation is complete, to be released from probation.

MOTION: Ms. Pruetz moved to accept the motion.
Mr. Ortega seconded the motion.

ROLL CALL: Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

Ms. Bowman stated that the board's decision will be reduced to a written order and appeal rights will be explained in the order.

5. Administrative Matters

A. Ms. Phillips gave the status report about licenses as follows:

Active:	10,178
Denied:	32
Pending:	204
Voluntarily Surrendered:	19
Revoked:	61
Closed – App withdrawn and failed to complete:	607

B. Discussion, Consideration and Possible Action on Board meetings to be held during 2017.

February 27
April 24
June 26
August 28
October 23
December 11

MOTION: Ms. Bowman moved to approve the Board meetings for 2017.
Mr. Ortega seconded the motion.

VOTE: Ayes – 4
Nays – 0

C. Administrative Matters and Legislative Update

Ms. Phillips addressed the Board about:

1. Legislation, moving to another building, resignation, Fusion, CE committee meeting status and on-line renewals.
2. Mr. Duskey gave Federation update.

MOTION: Ms. Pruetz moved to adjournment
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays – 0

ADJOURNMENT

Next Board Meeting Date: February 27, 2017