



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/draft
 BOARD MEETING**

July 25, 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 9:32 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: Chris Munns

Board Staff present: Kathleen Phillips, Executive Director
 Andrew White, Investigator
 Deanna Velasquez, Licensing Administrator

Breaks: 10:18 am - 10:27 am
 10:50 am – 11:01 am

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. May 23, 2016 Board meeting minutes
- b. May 23, 2016 Executive session minutes

B. Approval of Massage Therapy License Applications (completed between 5/17/16 and 7/15/16)

Victoria	Acuna
Ava	Adams
Veronica	Adams
Adrianna	Allende
Victoria	Alonge
Bryan	Banda
Chad	Barnett
Mikayla	Baugh
Christopher	Beck
Diane	Behling
Taylor	Bernat
Grace	Bertsch
Mikyung	Betker
Esther	Bonds
Arlene	Borbon
Nanci	Brady
Shelby	Brekke
Aaron	Bronow
Barbara	Bruehler
Rashel	Buchanan
Amber	Burton
Maggie	Byford
Jendaya	Byrd
Brian	Cahill
Patti	Cameron
Amanda	Carrasco
Chloe	Cave
Li	Chen
Darla	Chessmore
Lanmei	Chi
Tammy	Childs
Veronica	Clay
Vincent	Clements
Catherine	Collins
Lisa	Conroy
Christopher	Cordero-Torres
Amanda	Cotton
Minerva	Cox
Hui	Cui

Angela	Cummings
Anna	Curtis
Savannah	Davis
Rita	Deshong
Alexandra	Dewald
Yessenia	Dominguez Moreno
Marisol	Doyle
Erika	Duarte
Alisha	Dumont
Shannon	Dunlap
Kevin	Edwards
Ameyo	Ehon
David	Epstein
Marcella	Estrada
Judith	Evans
Sean	Finkel
Noel	Ford
Layton	Forsgren
Angela	Frain
Camrie	Francisco
Gretchen	Gamel
Rhonda	Gault
Josie	Gilles
Miranda	Goyer
David	Graham
Priscilla	Granados
Vanessa	Guss
Marjorie	Gustin
Malcolm	Gwilliam
Nicole	Hager
Shirley	Hall
Shauna	Hansen
Megan	Harrington
Nicola	Hazen
Leslie	Hellman
Brenda	Henson
Dana	Hewitt
Travis	Hill
Cameron	Hodges

Alexandra	Holecek
Hanna	Hoover
Thereasa	Huff
Holly	Indigo
Colin	Jasper
Qiufeng	Jin
Eric	Johnson
LaWanda	Jones
Rosanne	Jones
Kassidy	Karch
Celeste	Kaufman
Earl	King
Kimberly	Koh
Lisa	LaBelle
Elliot	Lader
Kevin	Lanoue
Rayonna	Lash
Austin	Lawrence
Sharne	Leal
Ying	Lin
Maressa	Lister
Christina	Lynch
Teressa	Mack
Josephine	Malayter
Andrew	McCormack
Diana	McCoy
Jose	Melendez
Sergei	Mendez
Kristen	Meyer
Denise	Meyers
Alexandra	Meza-Reyes
Othon	Molina
Brian	Monette
Jana	Moreno
Jon	Morgan
Celeena	Murphy
Erika	Netzband
Quyen	Nguyen
Austin	Oden

Karen	Orphey
Joanna	Osuna
Roman	Padilla
Mary	Palasi
Theresa	Perino
Sarah	Perzan
Christina	Pope
Maria	Psikogios
Ines	Purdy
Kenneth	Reader
Dulce	Rico-Ruiz
Rosa	Rocha-Medrano
Heather	Romero
Maria	Romero
Marilyn	Rosen
Molly	Ruprecht

Mei Ling	Sanders
Connie	Sardelis
Lori	Schagel
Malinda	Seagraves
Alissa	Shaffer
Zackery	<u>Shealey</u>
Xiaodong	Shi
Jacquelyn	Snyder
Julia	St John
Aleisha	Stone
Laurence	Stone
Arlene	Storie
Guo Qing	Sun
Elizabeth	Talev
Jingxuan	Tian
Joy	Torres

Nina	Trabona
Carissa	Trotter
Jeremiah	Tsosie
Kimberly	Vonhagen
Ning	Wang
Olivia	Wanzo
Molly	Weber
Autumn	Weiss
Denali	Weyer
Zachary	Wine
Ana	Yanez-Sanchez
Kaiqing	Yang
Qiao Ling	<u>Zhao</u>
Jing	Zhu

C. Approval of Massage Therapy Schools

IL	Pacific College of Oriental Medicine	1950 – 6/2019	65 E Wacker Place	Chicago
WY	IBMC College	12/31/2017	1854 Dell Range Blvd	Cheyenne
SD	Globe University-Sioux Falls	10/2008-12/2018	5101 S Broadband Ln	Sioux Falls
IA	Capri College	11/2014-11/2019	2945 Wms Pkwy SW	Cedar Rapids
CA	Alive & Well Inst of Conscious BodyWork	1987-6/30/2007	655 Redwood Hwy #225	Mill Valley

MOTION: Ms. Bowmen moved that the Board approve 3. (A, a and b), (B) and (C).
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays - 0

4. Discussion, Consideration and Possible Action on Regulatory Matters

A. Discussion, Consideration and Possible Action on Investigative Reviews

1. Wenzheng Harris Case #16-108

Ms. Harris was present with no attorney.
The complainant was not present.
Investigator White presented a summary of Case 16-108.
The Board addressed Ms. Harris by reading the minute entry from the court.
The Board continued to read Ms. Harris's statement.
Ms. Harris addressed the Board.
Mr. Ortega questioned Ms. Harris relating to knowledge of Draping Code.
The Board addressed Ms. Harris.
Ms. Campbell addressed the Board relating to the covering.
Staff addressed the Board in mentioning where the supplement would be found in the report.
The Board addressed Ms. Harris reading the supplement from the police report.
Ms. Campbell addressed the Board in further direction in the police report.
Mr. Ortega addressed the Board in redefining his question to the code.

The Board addressed Mr. Ortega of what the requirements were notated in the investigative report.
The Board continued to read the complaintive statement relating to the covering.
The Board addressed Mr. Duskey.
Mr. Duskey addressed the Board relating to the performance.
The Board addressed Mr. Ortega.
Mr. Ortega addressed the Board.
Ms. Campbell addressed the Board mentioning Scottsdale's code.
The Board addressed Ms. Campbell in what is practiced.
Ms. Pruetz addressed the Board in advising classes be taken on draping.
Ms. Harris addressed the Board.
Ms. Pruetz questioned Ms. Harris in her acknowledgement of drape covering.
Ms. Harris addressed Ms. Pruetz.
Ms. Pruetz addressed the Board again suggesting Drape Classes be taken.

MOTION: Ms. Bowmann made a motion for a Non-Disciplinary Order for Continuing Education. Ms. Harris is to complete 6 hours of Ethics that includes draping that's in-house, and preapproved by staff, and completed within 6 months from the date of order.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

2. **Marc Walther** Case #16-132
Mr. Walther was not present.
Investigator White addressed the Board and read the Investigation Report.
Ms. Campbell addressed the Board.

MOTION: Mr. Duskey moved to acknowledge the Superior Court's order of revocation of Mr. Walther's license.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

3. **Jeffery Munoz** Case #16-127
Mr. Munoz was present.
Exec. Director-Ms. Phillips addressed the Board.
Ms. Phillips recommended that the Board dismiss the case.

MOTION: Ms. Bowmann made a motion to dismiss the case.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 4
Nays – 0

4. **Magdalena Charlwood** Case #16-128
Ms. Charlwood was not present.

MOTION: Ms. Pruetz moved for the case to be dismissed.
Mr. Duskey seconded the motion.

VOTE: Ayes – 4
Nays – 0

**B. Case and Desist
(TO BEGIN AT 9:30)**

1. **Neil Shapiro** Case # 16-134

Mr. Shapiro was present.
Investigator White addressed the Board and read the Investigation Report.
The Board addressed Mr. Shapiro requesting he give his statement on what took place.
Mr. Shapiro addressed the Board.
The Board questioned Mr. Shapiro about whether he was planning to renew his license.
Mr. Shapiro addressed the Board stating no he isn't.
The Board addressed Mr. Shapiro regarding insurance.
Mr. Shapiro addressed the Board regarding A.R.S. § 32-4221.
Mr. Duskey addressed Mr. Shapiro regarding the therapy performed.
Mr. Shapiro addressed Mr. Duskey.
Mr. Duskey addressed Mr. Shapiro specifying that there is a definition of massage.
The Board addressed Mr. Shapiro
Mr. Shapiro addressed Investigator White regarding the 3rd invoice.
The Board addressed Mr. Shapiro regarding the billing of his wife.
The Board addressed Mr. Shapiro allowing him to give his last point across.
Mr. Shapiro questioned the Board asking if there is authority for treatments not performed in AZ.
The Board addressed Ms. Campbell about the possibility of going into Executive Session or provide information.
Ms. Campbell addressed the Board.
The Board addressed Ms. Campbell.
The Board questioned Mr. Shapiro on did he perform in AZ.
Mr. Shapiro addressed the Board with answer "no".
The Board addressed Ms. Campbell stating there is a notice of Cease and Desist.
The Board addressed Ms. Campbell further stated billing the insurance is on Mr. Shapiro.
It is not in our jurisdiction to handle insurance issues.

MOTION: Ms. Bowmann moved for dismissal.
Mr. Duskey seconded the motion.

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

5. Administrative Matters

A. Massage license status report

Active: 10,022
Denied: 32
Pending: 266
Voluntarily Surrendered: 19
Revoked: 61
Closed – App withdrawn and failed to complete: 529

B. Discussion, Consideration and Possible Action on Administrative Matters and Legislative Update

1. Board update, including legislation, holding hearings, and CE committee meeting status.
Ms. Phillips requested a CE Committee Meeting and asked that the Board send dates in order to schedule a date and time.
Discussion about consolidation of Boards under health care or non-health care.
Holding Hearings-would like to start bringing cases to Office of Administration Hearings. We will only do a few due to cost.
On-line Initial Licensing is working well. We will be starting On-line Renewals in October.
2. Federation update.

Mr. Duskey mentioned we will need to appoint a delegate at the Sept. meeting. Board Survey is coming in November.

3. Change of Board meeting date from November 14 to December 5, 2016.
Ms. Pruetz moved to change Board meeting from 11/14/16 to 12/5/16.
Mr. Ortega seconded the motion.
Roll Call Vote: Ms. Pruetz-Aye, Mr. Duskey-Aye, Mr. Ortega-Aye, Ms. Bowmann-Aye.

D. Discussion and Possible Action on Release from Probation

(To Begin at 10:45 AM)

1. **Yanji Yang** Case #14-125
Ms. Yang was present with her attorney.
The Board addressed Ms. Yang's attorney Mr. Matthew Liszewski.
Mr. Liszewski addressed the Board.

MOTION: The Board moved to release Ms. Yang from probation.

ROLL CALL VOTE:

Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

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

(To Begin at 11:00 AM)

1. **Paul Dean West** Case #16-114
1. **Paul Dean West** Case #16-130
Mr. West was present.
Ms. Campbell addressed the Board.
Mr. Munns addressed the Board.
Ms. Campbell addressed the Board.

MOTION: Ms. Bowmann moved to accept the consent agreement for surrender of license.

ROLL CALL VOTE:

Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

2. **Yi Huang Long** Case #16-106
Ms. Long was not present.
Ms. Campbell addressed the Board relating to revoking license.
The Board addressed Mr. Munns that the Board does take notice in a criminal case of revoking license.
Mr. Munns addressed the Board in what the criminal law requires.

MOTION: Ms. Bowmann moved to deem the licensee.
Mr. Duskey seconded the motion.

ROLL CALL VOTE:

Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

3. Wen Ding Case #16-123

Ms. Ding was not present
Ms. Campbell addressed the Board.
The Board asked Mr. Munns to explain criminal actions.
Mr. Munns addressed the Board
The Board addressed Mr. Munns.
Mr. Munns addressed the Board.

MOTION: Ms. Bowmann moved to continue the case.
Mr. Duskey seconded the motion.

ROLL CALL VOTE:

Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

4. Hong Williams Case #16-122

Ms. Williams was not present.
Ms. Campbell addressed the Board.

MOTION: Ms. Bowmann moved to continue the case.
Mr. Ortega seconded the motion.

ROLL CALL VOTE:

Ms. Pruetz – Aye
Mr. Duskey – Aye
Mr. Ortega – Aye
Ms. Bowmann – Aye

NOTE* All parties were notified prior to their license or application expiring.

ADJOURNMENT: The meeting was adjourned at 11:19 am.
The next scheduled Board Meeting is September 26, 2016.