



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 Vasquez, LMT
Vacant Public Member, Craig Runbeck, NMD, Executive Director

Minutes

REGULAR BOARD MEETING

April 25, 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 11:00 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
New Board Member: 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: March 30, 2005
- B. Approval of Massage Therapy Application(s) 143 names listed

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

VOTE: The motion passed 5-0

4. Discussion, Consideration and Possible Action of Regulatory Matters

A. Discussion and Consideration of Investigation and Complaints

1. Investigative Interview: 05-001 Ms. Hye Cha Pittario – MT-02736P

Ms. Brierley, Investigator for the Board summarized this case. Ms. Pittario was not present.

MOTION: Ms. Boyer moved to dismiss this complaint. Ms. Green seconded the motion
VOTE: The motion passed 5-0

Ms. Concordia moved to go into Executive Session to obtain legal advice.

The Board went into Executive Session at 12:25 pm
The Board reconvened regular session at 12:40 pm

2. Investigative Interview: 05-002 Mr. Jean Saint Louis – MT-05100P

Mr. Saint Louis was present to answer questions by the board.
Ms. Brierley, Investigator for the Board summarized this case. The Board asked Mr. Saint Louis questions to which he responded.

Discussion was made by the board regarding how to proceed.

MOTION: Mr. Pozefsky moved to send this to the Office of Administrative Hearings for a hearing with either a decree of censure or up to possible revocation. Ms. Green seconded the motion.
VOTE: The motion passed 4-1. Mr. Beye voted no

3. Investigative Interview: 05-003 Mr. Ian Scott – MT-02702P

Mr. Scott was not present at the board meeting.
Ms. Brierley, Investigator for the Board summarized this case.
Discussion was made by the board regarding this case.

MOTION: Ms. Green moved to forward this case to the Office of Administrative Hearing after evidence has been received or authorize the boards Assistant Attorney General to do a consent agreement with surrender of his license instead of the hearing. Ms. Boyer seconded the motion.
VOTE: The motion passed 5-0

B. Massage Board update on application license status report

Dr. Runbeck updated the Board on how many applications have been received, licensed and denied to date.

C. Board Review Reconsideration of Tabled Application(s) **(1). Jessie Houtz**

Ms. Houtz was present to answer questions by the board.
Ms. Houtz submitted the requested substantive requested documentation.

MOTION: Ms. Green moved to approve Ms. Houtz's application for licensure. Mr. Pozefsky seconded the motion.
VOTE: The motion passed 5-0

D. Board Review of Applications

(1). Rhonda McMacken

Ms. McMacken was present to answer questions from the board.

The Board asked questions of Ms. McMacken to which she responded.

MOTION: Mr. Pozefsky moved to approve Ms. McMacken's application for licensure with a Letter of Concern for working without the required city business license. Ms. Boyer seconded the motion.
VOTE: The motion passed 5-0

(2). Jia Chun Chen

Ms. Chen was not present at the board meeting.

Ms. Doyle summarized this application for the Board.

MOTION: Mr. Pozefsky moved to approve Ms. Chen's application for licensure with a Letter of Concern regarding her arrest for prostitution amended to disorderly conduct. Ms. Boyer seconded the motion.

VOTE: The motion passed 5-0

(3). Yi Jia Yin

Ms. Yin was not present at the board meeting.

This matter was tabled and a substantive request was made for further documentation.

(4). Jian Xia Zhang

Ms. Zhang was present to answer questions from the board.

Ms. Doyle summarized this application for the board. The Board asked Ms. Zhang questions to which she responded.

MOTION: Ms. Boyer moved to approve Ms. Zhang's application for licensure with a Letter of Concern regarding her arrest for prostitution amended to disorderly conduct. Mr. Pozefsky seconded the motion.

VOTE: The motion passed 4-1; Ms. Green recuse herself from this matter.

(5). Lan Thi Gietzen

Ms. Gietzen was present to answer questions from the board.

Ms. Doyle summarized this application for the board. The Board asked Ms. Gietzen questions to which she responded.

MOTION: Mr. Pozefsky moved to deny Ms. Gietzen application according to A.R.S. 32-4222 (A) (4) and R4-15-101 (8) (A). Ms. Green seconded the motion.

VOTE: The motion passed 5-0

(6). Marianne McNamara

Ms. McNamara was present to answer questions from the board.

Ms. Doyle summarized this application for the board. Ms. McNamara answered yes to the question of working without a license on her application. The Board asked Ms. McNamara questions to which she responded.

MOTION: Ms. Boyer moved to deny Ms. McNamara application for licensure according to A.R.S. 32-4222 (A) (4) and R4-15-101 (8) (f). Mr. Pozefsky seconded the motion

VOTE: The motion passed 5-0

(7). Anneka Van Olphen

Ms. Olphen was not present to answer questions from the board.

Ms. Doyle summarized this application for the board. Ms. Olphen worked without the required state license in Oregon in June 2003.

MOTION: Ms. Green moved to deny Ms. Olphen's application for licensure according to A.R.S. 32-4222.A (4) (9) And R4-15-101 (8) (f).

VOTE: The motion passed 4-1, Mr. Pozefsky abstained

(8). Kathryn Hoffman

Ms. Hoffman was present to answer questions from the board.

This matter was tabled to request substantive documentation.

5. Discussion, Consideration and Possible Action to Draft Rules.

A. Continuing Education Requirements (CE's)

Dr. Runbeck addressed the Board regarding the requirements the Board wants to have in the draft rules. The Board gave Dr. Runbeck direction as to the number of hours for specific areas for continuing education.

No more than 6 CE's in distance learning or correspondence (of these six they must cover law and ethics).
Nine hours to cover anatomy, physiology and technique
Fifteen hours in hands on training (seminars, Massage College etc).

B. Parameters R4-15-101 Definitions, 8.D Good Moral Character

Dr. Runbeck addressed adding an additional rule to cover the definition of Good Moral Character.

Mr. Pozefsky moved to go into Executive Session to obtain legal advice

The Board went into Executive Session at 11:02 am.

The reconvened Regular Session at 11:22 am.

6. Discussion, Consideration and Possible Action on Legislation Update on HB2521.

A. Copy of HB 2521 and vote detail

Discussion was made regarding the governor's signing of HB2521 and the new changes to the law.

7. Discussion, Consideration and Possible Action on Out of State Schools

A. California Private Post secondary school listing – listing of all California Schools licensed under PPS

MOTION: Ms. Boyer moved to recognize the California Massage Therapy Schools listed under the Private Postsecondary list. Ms. Green seconded the motion.

VOTE: The motion passed 5-0

8. Discussion, Consideration and Possible Action on Roles of Board Members, Executive Director and Staff.

This matter was tabled.

9. Discussion, Consideration and Possible Action on Board Matters

A. Correspondence received from Associated Bodywork & Massage Professionals regarding NCBTMB & regarding a new nation wide testing.

The Board reviewed correspondence received.

B. Should the Executive Director attend the AMPB Conference in Denver?

MOTION: Mr. Beye moved to have Ms. Boyer attend the AMPB Conference in Denver on May 11, 2005. Mr. Pozefsky seconded the motion.

VOTE: The motion passed 5-0.

10. Discussion, Consideration and Possible Action on Correspondence.

The Board reviewed all the correspondence received from the persons listed below regarding HB2521.

- A. Correspondence received from Margaret Avery Moon, regarding HB2521
- B. Correspondence received from Kate Price Canyon Ranch Tucson, regarding HB2521
- C. Correspondence received from Caren Detore LMT, regarding HB2521
- D. Correspondence received from Jeanne Bass, regarding HB2521
- E. Correspondence received from Racyne Simpson, regarding HB2521
- F. Correspondence received from E. Hope M. Riverton, regarding HB2521

The Meeting was ADJOURNED at 2:27 pm.

ADJOURNMENT

Date this _____ *day of* _____

Arizona Board of Massage Therapy

Signed by Board Chair: _____