



State of Arizona
Janice Brewer – 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
Dennis Beye, LMT; Victoria Bowmann, LMT; John Ortega, Public Member
Diane Pruetz, Public Member; Earl Duskey, LMT; Kathleen Phillips, Executive Director

MINUTES BOARD MEETING

March 24, 2014 9:00 a.m.
1400 West Washington St, B1
Phoenix, AZ 85007

1. Call to Order by Presiding Officer

Mr. Beye, Chair, called the meeting to order at 9:04 am.

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

Board Members present: Dennis Beye, Chair, LMT
Victoria Bowmann, LMT, Vice Chair
Diane Pruetz, Public Member
John Ortega, Public Member – arrived 9:30 am
Earle Duskey, LMT

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

Assistant Attorney General: Elizabeth Campbell
Christopher Munns

Board Staff present: Kathleen Phillips, Executive Director
Stan Conger, Investigations
Ellen Boyd, Licensing Administrator

Breaks:

9:30 am – 9:37 am

10:24 am – 10:36 am

11:40 am – 11:45 am

1:07 pm – 1:12 pm

2:55 pm – 3:05 pm

2. Call to the Public.

None

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: November 25, 2013 board meeting
Approval of Minutes: February 3, 2014 board meeting
- B. Approval of 162 Massage Therapy Application(s)

Abbott, Jenna	Daughton, Ramona	LaCour, Regina
Abeyta, Rhiannon	Dixon, Lindsay	Lambdin, Brandie
Ackley, Heather	Doss, Patrick	Lane, Susan
Adams, Savannah	Dunaway, Justin	Lei, ZhongHui
Aldrich, Kim	Esquer Luisana	Lindsay, Jaime
Altenebernd, Teresa	Estrada-Sandavol, Ricardo	Liu, Shuang
Anderson, Cody	Ezell, Sherry	Lloyd, Michelle
Arevalo, Damariz	Feliciano, Juan	LoFlin, Christopher
Armendariz, Adilene	Franco, Olivia	Lowe, Katherine
Arreola-Enriquez, Erik	Freislinger, Amber	Luo, Fang
Bell, Kevin	Galas, Jessie	Marpol, Mona
Black, Bonny	Garcia, Erika	Martinez, Enrique
Brewer Arnestra	Garcia, Melchizedek	Martinez, Javier
Brindley, Brett	Garza, Kristie	Maurici, Julia
Brothers, Kathryn	Gipson, Leeza	McClure, Audrey
Burrous, Jaime	Glasco, Monica	McGowan, Kimberly
Burwell, Sherman	Gomez, Jessica	Medina, Karen
Candler, Kristin	Gomez, Ronald	Mellott, Jonahja
Carabajal, Marimar	Gonzales, Feleshia	Mitchell, Mayadele
Carner, Tiffany	Gonzalez, Reuben	Mitchell, Patricia
Carpenter, Sammuell	Graham, Ty	Murphy, William
Cerda, Belen	Guy, Kimberly	Muster, Daniela
Chandler, Felicia	Guzik, Stanley	Nesbit, Jessica
Chavez, Carlos	Hanson, Jami	Nunez, Olivia
Chavez, Celia	Hargrave, Sabrina	Ontiveros, Jeanette
Chavez, Ryan	Harris, Susan	Orozco Martinez, Karina
Cheatham, Rachel	Hawbaker, Valerie	Ortega, Danielle
Cherrin, Valerie	Hawthorne, Danielle	Oxley, Louise
Clabaugh, Christine	Hernandez, Jennifer	Padilla, Jessica
Clark, Shannon	Houseman, Creta	Paramore, Christianna
Clayton, Donna	Hudson Adrianna	Patterson, Tiffany
Collins Carlos	Jackson, Cleshawn	Payan, Ismael
Cook, Nicole	Jia, Lizhi	Pena, Diana
Crowley, Ryan	Jimenez, Bridget	Perkins, Catherine
Crowther, Esia	Jimenez, Rocio	Perkins, Laura
Crum, Michelle	Kim, Jin Suk	Phelps, Kara
Curtis, Julianna	King, Linda	Phillips, Nathaniel
Daniels, Maria	Kurt, Aleysha	Pineda, Levi

Pue, Michelle	Smith, Tychele	Valenzuela, Mary
Quinteros, Marissa	Sommer, Juliane	Vaterlaus, Jessica
Reeb, Roland	Soto, Virginia	Vega, O'Brian
Rehnert, Michelle	Spector, Susanna	Velasquez, Arelis
Richard, Hollie	Spurling, Varia	Veloz, Jordan
Roundtree, Sarah	Starlight, Crystal	Walker, Kristin
Rueck, Peter	Steele, Judy	Wigginton, Debra
Ruiz, Jennafeir	Sullivan, Julie	Willis, Kayla
Russell, Jill	Suter, Chompunuch	Wilson, Erica
Savage, Ashly	Tetrick, Jennifer	Wilson, Sharron
Schneider, Joseph	Thomas, Justin	Worley Jr, Glen
Sechrist, Megan	Thomsen, Echo	Young, E
Shang, XiaoHui	Tsosie, Annabel	Zhou, Lifen
Shelgren, Timothy	Turner, Michelle	Zimmerman, Jordan
Shotwell, Johnathon	Tuttle, Michael	
Similia, Sarah-Leah	Understiller, Sheala	
Smith, Courtney	Valdez-Acosta, Jesus	

C. Approval of Massage Therapy Schools

CA	Golden West College Community Service	1969-2019	15744 Golden West St	Huntington Beach
CO	Intellitec College	2/1/09 - 2/1/14	2315 E Pikes Peak Ave	Colorado Springs
HI	Spa Luna, LLC	9/1/13 - 8/31/15	70 E Kaahumanu Ave #B-78	Kahului
IL	Inst of Natural Health & Education	7/1/06 - 6/30/2013	606 E North St	Bradley
MN	Northern Lights School of MT	1885-2001	5300 W 35th St	St Louis Park
MN	MN School of Business	2009 - 12/31/15	11500 193rd Ave NW	Elk River
MN	MN School of Business	2009 - 12/31/15	17685 Juniper Path	Lakevill
MN	MN School of Business	1953 - 12/31/15	5910 Shingle Center	
MN	MN School of Business	1953 - 12/31/15	1455 County Rd #101 North	Plymouth
MN	MN School of Business	1953 - 12/31/15	1201 2nd St South	Waite Park
MN	MN School of Business	2005 - 12/31/2015	2521 Pennington Dr NW	Rochester
MN	MN School of Business	2006 - 12/31/15	3680 Pheasant Ridge Dr NE	Blaine

MOTION: Ms. Bowmann moved to approve 3 (B) and (C) as presented; and (A) with a correction on the Federation update, 5 (B), (3). The correction is: However, the test is still secure, and progress is being made to complete the exam.

Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays - 0

4. Discussion, Consideration and Possible Action on Regulatory Matters

A. Discussion, Consideration and Possible Action on Cases Voted to Formal Hearings - Motions to Deem

1. **Xianying Norman** Case #13-124

Ms. Norman was not present.

Ms. Campbell made her opening statement.

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

VOTE: Ayes – 5
Nays – 0

2. **Jie Z Duenas** Case #13-143

Ms. Duenas was not present.

Ms. Campbell made the opening statement.

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

VOTE: Ayes – 5
Nays - 0

3. **Riccardo Torres** Case #13-103

Mr. Torres was not present.

Ms. Campbell addressed the Board.

MOTION: Ms. Bowmann moved that the Board grant the State's motion and deem the allegations in the Complaint and Notice of Hearing as admitted.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Bowmann moved that the Board adopt the Factual Allegations and the Allegations of Unprofessional Conduct from the Complaint and Notice of hearing as Findings of Fact and Conclusions of Law.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Bowmann moved to revoke the license.
Ms. Pruetz seconded the motion.

ROLL CALL VOTE:

Ms. Bowmann – aye

Mr. Ortega – aye

Ms. Pruetz – aye

Mr. Duskey – aye

Chair Beye – aye

4. **Neil Wouters** Case #14-101

Mr. Wouters was present without representation.

Ms. Campbell addressed the Board.

EB, complainant, was sworn in.

Mr. Wouters was sworn in.

Ms. Campbell questioned EB.

Mr. Wouters addressed the Board.

The Board questioned Mr. Wouters.

The Board questioned EB.
BC, the second complainant, was sworn in.
Ms. Campbell questioned EB.
Mr. Wouters questioned BC.
The Board questioned BC.
Ms. Campbell gave her closing argument.
Mr. Wouters gave his closing argument.

MOTION: Ms. Pruetz moved that the Board adopt the findings of fact.
Mr. Ortega seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Pruetz moved that the Board adopt the alleged violations of law as the Board's Conclusions of Law.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Pruetz moved that the Board revoke the license.
Ms. Bowmann seconded the motion.

ROLL CALL VOTE:

Mr. Duskey – aye
Ms. Pruetz – aye
Mr. Ortega – aye
Ms. Bowmann – aye
Chair Beye – aye

5. Charles Udvarnoky Case #13-129

Mr. Udvarnoky was present with his attorney, Mr. Perlmutter.
Ms. Campbell gave her opening statement.
Mr. Perlmutter gave his opening statement.
KM, complainant, was sworn in.
Ms. Campbell questioned KM.
Mr. Perlmutter questioned KM.

MOTION: Ms. Pruetz moved that the Board go to Executive Session
Ms. Bowmann seconded the motion.

VOTE: Ayes – 5
Nays – 0

Executive Session began at 12:55 pm.
Regular Session reconvened at 1:07 pm.

Mr. Perlmutter continued questioning KM.
The Board questioned KM.
Mr. Udvarnoky was sworn in.
Mr. Perlmutter questioned Mr. Udvarnoky.
Ms. Campbell questioned KM.
The Board questioned Mr. Udvarnoky.
Ms. Campbell made her closing argument.
Mr. Perlmutter made his closing argument.
Ms. Campbell made a rebuttal.

MOTION: Ms. Bowmann moved that the Board adopt the findings of fact.

Ms. Poretz seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Bowmann moved that the Board adopt the alleged violations of law as the Board's Conclusions of Law.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays – 0

MOTION: Ms. Bowmann moved that the Board impose a suspension of Mr. Udvaronky's license for 90 days to be followed by a 2 year probation. Prior to his next renewal date of May 23, 2015, he is to complete 20 hours of staff pre-approved ethics and communication, and 6 hours of post-surgical medical massage in addition to his 24 continuing education for renewal. The classes must be completed in class and not online. He must appear before the Board to request the termination of his probation.
Ms. Pruetz seconded the motion.

ROLL CALL VOTE:

Ms. Bowmann – aye
Mr. Ortega – aye
Ms. Pruetz – aye
Mr. Duskey – aye
Chair Beye – aye

6. Cynthia Bryson Case #12-119

Ms. Bryson was present without representation.
Ms. Bryson addressed the Board and requested a continuance.

MOTION: Ms. Bowmann moved that the Board grant the continuance.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays – 0

B. Discussion, Consideration and Possible Action on Investigative Reviews

1. Lan Wang Case #13-117

Ms. Wang was present without representation.
Ms. Campbell addressed the Board.

MOTION: Ms. Bowmann moved that the Board forward the case to a formal hearing.
Ms. Pruetz seconded the motion.

VOTE: Aye – 5
Nays – 0

2. Chia Hua Shih Case #14-112

Ms. Shih was not present.
Mr. Conger summarized the case.

MOTION: Ms. Bowmann moved that the Board forward the case to a formal hearing.
Mr. Ortega seconded the motion.

VOTE: Aye – 5
Nays – 0

3. **Stephen Cummings** Case # 14-115

Mr. Cummings was present without representation.
Ms. Conger summarized the case.
JM, the complainant, was present and addressed the Board.
Mr. Cummings addressed the Board.
The Board questioned Mr. Cummings.

MOTION: Mr. Ortega moved that the Board forward the case to a formal hearing.
Mr. Duskey seconded the motion.

VOTE: Ayes – 5
Nays - 0

4. **Jorge Jose Diaz Lozoya** Case #14-113

Mr. Lozoya was present without representation.
Mr. Conger summarized the case.
JV, the complainant, was present and addressed the Board.
Mr. Lozoya addressed the Board.

MOTION: Mr. Duskey moved that the Board forward the case to a formal hearing.
Ms. Bowmann seconded the motion.

VOTE: Ayes – 5
Nays - 0

5. **Peter Deering** Case # 14-114

Mr. Deering was present without representation.
Mr. Conger summarized the case.
SM, the complainant, addressed the Board.
Mr. Deering addressed the Board.
Ms. Campbell addressed the Board.

MOTION: Mr. Duskey moved that the Board forward the case to a formal interview.
Mr. Ortega seconded the motion.

VOTE: Ayes – 5
Nays – 0

6. **Gustav Gibson** Case # 14-117

Mr. Gibson was not present.

MOTION: Ms. Bowmann moved that the Board forward the case to a formal hearing.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays – 0

The Board ruled that Ms. Phillips has the authority to accept the surrender of Mr. Gibson's license.

C. Discussion and possible action regarding renewal application and continuing education requirements.

1. **Oliver Ammerman** Case #14-118

Mr. Ammerman was not present.
Mr. Conger summarized the case.
Ms. Campbell addressed the Board.

MOTION: Ms. Bowmann moved that the Board forward the case to a formal hearing.
Ms. Pruetz seconded the motion.

VOTE: Ayes – 5
Nays - 0

D. Discussion and possible action regarding request for rehearing

1. **Howard Yeaman**

Mr. Yeaman was not present.
Ms. Campbell addressed the Board and requested they deny Mr. Yeaman's request for a rehearing.

MOTION: Ms. Pruetz moved that the Board deny the request for a rehearing.
Ms. Bowmann seconded the motion.

VOTE: Ayes – 4
Nays – 1

E. Discussion, consideration and possible action on application review.

1. **Cindy Clippinger**

Ms. Clippinger was present with counsel, Mr. Dean Brekke.
Mr. Conger summarized the case.
Ms. Campbell addressed the Board.
Mr. Brekke addressed the Board.
The Board addressed Ms. Clippinger.

The Board concluded that the application is incomplete at this time.

F. Discussion, Consideration and Possible Action on Cease and Desist

Mr. Conger reported:

1. **Richard Maranville**

He was sent a Cease and Desist letter and it was returned.

2. **Sharla L. Shore**

She was sent a Cease and Desist letter with no response. This will be passed onto law authorities.

3. **Catrenia M. Mitchell**

She was sent a Cease and Desist letter with no response.

5. Administrative Matters

A. Massage license status report

Active: 9,970
Denied: 31
Pending: 193
Voluntarily Surrendered: 15
Revoked: 34
Closed - app withdrawn and failed to complete: 423

Ms. Phillips reported on the license status.

B. Discussion and Consideration and Possible Action of Administrative Matters and Legislative Updates

1. Election of Officers.

Chair Beye was re-elected as Chair.

Victoria was re-elected as Vice Chair.

VOTE: Ayes – 5
Nays - 0

2. Board updates – Kathleen Phillips

a. Proposed Massage Therapy Rules and Economic Impact Statement

Ms. Phillips discussed ethics and continuing education changes in the proposed rules. The Board approved the proposed rules.

b. Legislation

HB 2454

Human trafficking was discussed.

HB 2087

Training of Board members was discussed.

3. Federation update – Dennis Beye

Chair Beye discussed human trafficking.

The testing process is undergoing changes.

ADJOURNMENT: The meeting was adjourned at 4:48 pm.
The next scheduled Board Meeting is June 23, 2014.