



1 4.2 Licensee was placed on 18 months criminal probation that included drug treatment,  
2 restitution, and standard probation conditions. Licensee signed a stipulated agreement and  
3 final order with the OBMT on August 8, 2012. Those conditions included being placed on  
4 peer supervision and probation until 06/30/2015. Licensee was also placed on probation  
5 through the Physical Therapy Board with the same types of conditions.

6 4.3 During the course of her probation, Licensee has submitted all monthly reports, completed  
7 all treatment requirements, including meeting with a counselor monthly and has kept in  
8 constant contact with the Board regarding her status. Licensee has 26 months of  
9 documented sobriety and has completed all requirements of her criminal probation (when  
10 she was on probation), as well as her probation through the Physical Therapy Board and  
11 the OBMT. Licensee has will be completing probation through the Physical Therapists  
12 Board on August 1, 2014.

13 4.4 On July 21, 2014 the Board met and reviewed licensee's request to be released from  
14 probation effective August 1, 2014. The board considered all mitigating factors and voted  
15 to allow licensee's early release from probation and peer supervision. The new date of  
16 release from probation and peer supervision will be July 30, 2014 versus the previous date  
17 of June 30, 2015.

18 5.

19 On 7/30/2013, Licensee was served a Final Order. Licensee signed the Order and it was executed  
20 by the Executive Director.

21 **CONCLUSIONS OF LAW**

22 6.

23 Based on the facts and conduct described above, Licensee was found to have violated Board  
24 Rules and Statutes as follows:

25 6.1 ORS 687.081(1)(d), is habitually intemperate in the use of alcoholoc beverages or is  
26 addicted to the use of habit-forming drugs or controlled substances; and

27 6.2 ORS 687.081(1)(l), Engages in unprofessional or dishonorable conduct.



1           7.9    At the conclusion of the peer supervisor and probation period licensee shall automatically  
2                    return to unrestricted licensee status.

3  
4   **IT IS SO STIPULATED AND AGREED TO BY:**

5  
6                    LM Brook                    Dated: 8/8/2014

7  
8                    Lynne R. Marshall-Brook

9  
10                   BOARD OF MASSAGE THERAPISTS

11                   State of Oregon

12  
13                   By: [Signature]                    Dated: 8/13/14

14                   Kate Coffey, Executive Director

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AUG 8 2013

Oregon Board of  
Massage Therapists

BEFORE THE STATE OF OREGON  
BOARD OF MASSAGE THERAPISTS

In the Matter of ) CASE NO. 1413  
MARSHALL-BROOK, LYNNE R, LMT #: 4179 ) **STIPULATED AGREEMENT AND**  
Licensee ) **FINAL ORDER**

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1.  
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8 Pursuant to ORS chapter 687, the Oregon Board of Massage Therapists (Board) is the state  
9 agency responsible for licensing, disciplining and regulating massage therapists and the practice of  
10 massage in the State of Oregon.

2.  
12

13 Lynne Marshall-Brook (*Licensee*) is licensed by the Oregon Board of Massage Therapists as a  
14 Licensed Massage Therapist #4179, in the State of Oregon. Licensee's last known address is PO Box  
15 3728, Tualatin, Oregon 97062.

17 **FINDINGS OF FACTS**

3.  
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19 On 06/06/2012, prior to investigatory or disciplinary action, the Licensee entered into a Voluntary  
20 Consent Order with the Board, in which the Licensee agreed to voluntarily surrender her license to practice  
21 massage therapy in the State of Oregon until such time as the outcome of her pending criminal matter was  
22 resolved.

4.  
23

24 4.1 On 04/23/2012, while practicing physical therapy at Southwest Family Physicians in  
25 Tigard, Oregon, Licensee falsified prescriptions for Oxycodone for persons other than herself and  
26 subsequently personally filled the prescriptions at two separate pharmacies. Licensee was charged with  
27 multiple counts of Identity Theft and Tampering with Drug Records and on 05/29/2013, after successfully  
28 completing a court-ordered probationary period, she was convicted of 4 Class A Misdemeanors.

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5.

On 07/22/2013, Licensee met with the Board in Executive Session to discuss the matters of her criminal matter and her desire to return to practice as a Licensed Massage Therapist in the State of Oregon.

**CONCLUSIONS OF LAW**

6.

Based on the facts and conduct described above, Licensee was found to have violated Board Rules and Statutes as follows:

6.1 : ORS 687.081(1)(d), is habitually intemperate in the use of alcoholic beverages or is addicted to the use of habit-forming drugs or controlled substances; and

6.2 ORS 687.081(1)(i), Engages in unprofessional or dishonorable conduct.

**STIPULATIONS & FINAL ORDER**

7.

The parties desire to settle this matter and, pursuant to ORS 183.415(5), stipulate and agree as follows in full and final settlement:

7.1 The Board has jurisdiction over Licensee, and over the subject matter of this proceeding;

7.2 The Board may issue and enter the Final Order;

7.3 Licensee has been advised of her right to request a hearing in this matter pursuant to ORS 183.415(2)(a), and to be represented at a hearing pursuant to ORS 183.415(3);

7.4 Licensee waives any and all rights to a hearing and waives any right to appeal or otherwise challenge the Final Order;

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- 1
- 2 7.5 The Board has the right to take further action against Licensee for any violation of the
- 3 terms of the Final Order or any violation of ORS Chapter 687 or OAR Chapter 334. Further
- 4 violations shall be grounds for prosecution and the full penalties of this case will be
- 5 enacted;
- 6 7.6 This document contains the entire agreement between the parties on the subject matter
- 7 hereof; and
- 8 7.7 This document is a public document.
- 9 7.8 Licensee is placed on probation through 06/30/2015;
- 10 7.9 Licensee will abstain from using any alcohol, opiate or narcotic medication unless
- 11 prescribed and regulated by her physician for a specific medical condition, through
- 12 06/15/2015;
- 13 7.10 Licensee will submit to monthly random urinalysis and provide the Board with the results,
- 14 through 06/30/2015;
- 15 7.11 Licensee will continue with mental health treatment and will provide the Board with detailed
- 16 quarterly reports regarding her treatment and progress, through 06/30/2015;
- 17 7.12 Licensee will provide the Board with detailed monthly reports regarding her treatment and
- 18 progress, through 06/30/2015;
- 19 7.13 Licensee will advise the Board of her place of employment and any changes within five (5)
- 20 days of the date of change, through 06/30/2015; and
- 21 7.14 Licensee shall be placed on Peer Supervision, at a cost to LMT, through 06/30/2015;
- 22 whereby Licensee shall meet with her Peer Supervisor at a minimum of one hour per
- 23 month, for the duration of the probationary period. The Licensee may, as part of the Peer
- 24 Supervision and the determination of the Peer Supervisor, conduct up to one supervised
- 25 massage session per calendar quarter during the supervision period. The Peer Supervisor
- 26 will observe the massage session(s) for draping practices, client communication sanitation,
- 27 massage knowledge and business practices. During non-session meetings, the Peer
- 28 Supervisor may discuss business practices and trends, client communication, ethics,

1 boundaries and other matters pertaining to the Licensee's practice of massage and other  
2 matters of concern to the Licensee, her sobriety and her success as a massage therapist  
3

4 **IT IS SO STIPULATED AND AGREED TO BY:**

5  
6 LMB Brook Dated: 8-5-13  
7  
8 Lynne R. Marshall-Brook

9  
10 BOARD OF MASSAGE THERAPISTS  
11 State of Oregon

12  
13 By: [Signature] Dated: 8/8/13  
14 Kate Coffey, Executive Director  
15  
16

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BEFORE THE STATE OF OREGON  
BOARD OF MASSAGE THERAPISTS

In the Matter of  
  
MARSHALL-BROOK, LYNNE R,  
  
Licensee.

Case No. 1413

**INTERIM CONSENT ORDER**  
*(Voluntary Suspension)*

Pursuant to ORS chapter 687, the Oregon Board of Massage Therapists (Board) is the agency responsible for licensing, disciplining and regulating massage therapists in the State of Oregon.

Lynne R. Marshall-Brook (Licensee) received her initial license to practice as a massage therapist in the State of Oregon on 03/21/1989. Respondent's last known address is PO BOX 3728, TUALATIN, OR 97062.

The Board has information that it has grounds to take disciplinary action for licensee being habitually intemperate in the use of alcohol or addiction to habit forming drugs in violation of ORS 687.081(d). This Interim Consent Order between the parties is an interim resolution pending outcome of the Board's investigation. Failure to abide by this agreement may result in further discipline, up to and including revocation.

It is hereby stipulated and agreed between Lynne Marshall-Brook and the Board that, effective immediately, upon the signing of this Interim Consent Order, the Licensee agrees not to practice massage therapy in the State of Oregon pending further order of the Board. Her license status shall be reflected as Suspended. This document will be a public record when it is entered by the Board.

**BOARD OF MASSAGE THERAPISTS**  
State of Oregon

By:   
Kate Coffey, Executive Director

6/4/12  
Date

By:   
Lynne Marshall-Brook, Licensee

6/4/12  
Date