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2 4.2 In the matter of the 06/17/2000 DUIL arrest, applicant pled guilty and was subsequently
3 convicted of DUIL on 08/30/2000.

4 4.3 In the matter of the 01/10/2012 Public Indecency arrest, applicant pled No Contest and
5 was subsequently convicted of three counts of Disorderly Conduct in the 2nd Degree on 04/09/2012.

6 4.4 In regard to the public indecency arrest, Applicant provided the Board with a Forensic
7 Evaluation conducted by a Clinical Psychologist, which indicates that Applicant has a relatively low risk of
8 recidivism.

9 4.5 Due to details of the police report and investigation of the public indecency arrest, and the
10 Applicant's plea of no contest, the Board finds just cause to enter into the following stipulated order for
11 Conditions for Licensure.

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13 **CONDITIONS FOR LICENSURE**

14 5.

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

17 5.1 The Board has jurisdiction over Applicant, and over the subject matter of this proceeding;

18 5.2 The Board may issue and enter the Final Order;

19 5.3 Applicant has been advised of their right to request a hearing in this matter pursuant to
20 ORS 183.415(2)(a), and to be represented at a hearing pursuant to ORS 183.415(3);

21 5.4 Applicant waives any and all rights to a hearing and waives any right to appeal or
22 otherwise challenge the Final Order;

23 5.5 The Board has the right to take further action against Applicant for any violation of the
24 terms of the Final Order or any violation of ORS Chapter 687 or OAR Chapter 334. Further
25 violations shall be grounds for prosecution and the full penalties of this case will be
26 enacted;

27 5.6 This document contains the entire agreement between the parties on the subject matter
28 hereof; and

- 1 5.7 This document is a public document.
- 2 5.8 Applicant shall be considered on probationary status through 09/30/2014, after which the
- 3 Board may review his application for renewal to determine if the probationary period shall
- 4 be extended;
- 5 5.9 Applicant is restricted from providing services to minors, developmentally disabled
- 6 persons, or other at-risk populations, through 09/30/2014;
- 7 5.10 Applicant shall work only at a business or location that facilitates a group practice setting,
- 8 through 09/30/2014;
- 9 5.11 Applicant agrees that any time he engages in the practice of massage, it will be in a
- 10 manner that facilitates a group practice setting, through 09/30/2014. Applicant shall not
- 11 perform massage independent of a group practice setting, which includes a restriction from
- 12 performing massage from his home or in an office environment when other employees are
- 13 not on the premises;
- 14 5.12 Applicant shall disclose to his employer, or in the case of other settings, organizer,
- 15 manager or individual responsible for the event, his stipulations for licensure, through
- 16 09/30/2014. Applicant shall verify this disclosure by having his employer, organizer,
- 17 manager or individual responsible for the event sign and return the Board-provided
- 18 verification form;
- 19 5.13 Applicant shall be placed on Peer Supervision, at a cost to applicant, through 09/30/2014;
- 20 whereby Applicant shall meet with his Peer Supervisor at a minimum of one hour per
- 21 month, for the duration of the probationary period. The Applicant may, as part of the Peer
- 22 Supervision and the determination of the Peer Supervisor, conduct up to one supervised
- 23 massage session per calendar quarter during the supervision period. The Peer Supervisor
- 24 will observe the massage session(s) for draping practices, client communication sanitation,
- 25 massage knowledge and business practices. During non-session meetings, the Peer
- 26 Supervisor may discuss business practices and trends, client communication, ethics,
- 27 boundaries and other matters pertaining to the Applicant's practice of massage and other
- 28 matters of concern to the Applicant and his success as a massage therapist;

