



Oregon

Kate Brown, Governor

Board of Massage Therapists

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OBMT Board Meeting Minutes

March 14, 2016

Board Office

Attendance

Board Members:

David Fredrickson, LMT, Chair
Jon Grossart, LMT, Vice Chair
Meng Chen, Public Member
Christa Rodriguez, LMT
Carol Ann Kirby, Public Member
Kelley Rothenberger, LMT
Steven Foster-Wexler, LAc, Public Health Member

Staff:

Kate Coffey, Executive Director
Ekaette Udosenata-Harruna, Policy Analyst
Bob Ruark, Compliance Manager
Lori Lindley, AAG

Public: Julie Crispin Natalie Denning Sharla May Eric Polgar

Call to order at 9:03am

Fredrickson called the meeting to order at 9:03 am. Roll call was performed. **Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger** and **Fredrickson** were present, as well as **Coffey**, Executive Director, **Lindley**, AAG, **Udosenata-Harruna**, Policy Analyst and **Bob Ruark**, Compliance Manager.

Fredrickson asked members of the public to introduce themselves. Public present at this time were: **Crispin, Denning, May, and Polgar**.

1) **Approve Agenda:** **Rothenberger** moved to approve the Agenda. **Second the motion: Kirby. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger** and **Fredrickson. Opposed: None. Motion carries.**

2) **Approve Minutes for January 25, 2016:** **Grossart** moved to approve the amended minutes to included LMT by LMT board members' name. **Second the motion: Rothenberger. In favor: Chen, Fredrickson, Foster-Wexler, Grossart, Kirby, Rodriguez** and **Rothenberger. Opposed: None. Motion carries.**

3) **Directors Report:** **Coffey** updated the Board on the Budget Status for the 2015-17 Biennium. The Board's actual revenue is \$21k less than the revenue projection for the first six months of the 2015-17 Biennium. Most revenue categories are below budget with the exception of Initial license and application fees. The Board underspent expenses by \$17k for the 2015-17 Biennium. The majority of the under expenditure is in the Computer Expense category. The Board over spent in the following categories: State Assessments – Secretary of State and DAS assessments were paid. Legal Fees – Several Contested Cases. Office Furniture - Office furniture was budgeted in the 2013-15 biennium, and received and paid for in the 2015-17 biennium.

Coffey updated the Board on the status of the licensing database. **Coffey** informed the Board that with staff turnover, there will be salary savings that can be used to convert to the eLITE system earlier than July 2016.

There is salary savings of \$3,800, total payroll costs, from holding the position vacant. The monthly maintenance cost to BES technology is \$1,500 and DAS hosting costs are \$350 per month. If the position is held vacant until June 1, 2016 the salary savings would cover the cost of converting three months early.

In addition, it would allow a new employee to start a position and only learn the functionality of the new system. To learn the old database and the new database all within a six month trial service period would be difficult. **Coffey** requested Board approval to move forward with early implementation to the eLITE database.

Grossart moved to approve the BES Technology eLITE database system early implementation date of May 1, 2016. **Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

Compliance Update: **Ruark** updated the Board that the compliance section received twenty (20) new cases since the January 2016 Board Meeting and closed 26 cases.

There are two (2) contested cases that are pending at the Office of Administrative Hearings and one (1) contested case at the Court of Appeals. Since the January Board meeting one (1) contested case was settled prior to hearing.

The Board continues to work with the Oregon Department of Justice (DOJ) regarding obtaining an injunction against an unlicensed facility and practitioner.

4) Public Meetings, public records, and Board Member Training – **Lindley** provided the board members with training on Public meetings law and public records request. **Lindley** noted that because the board is a public body, the board is subject to the public meetings law. The board should always ensure that all meetings are noticed with enough time and in a place that is within geographic boundaries and is conducive and accessible to the public and persons with disabilities. Meeting minutes should be taken and made available to the public in a reasonable time after meetings. She informed the board to ensure that there should never be any conversation, email or messaging outside of the board meetings with other members that may result in a quorum, all messages should be sent through the executive director to avoid any potential violation of the public meetings law. If something needs to be address immediately, the board has the right to call an emergency board meeting. She cautioned that emergency meetings are for emergency only and never to be summoned without a true emergency. **Lindley** noted that the media and the press can attend the executive session; the board needs to reiterate to the media present that they cannot record or report on the executive session. **Lindley** explained that it is very important for board members to separate their personal business from board business. She noted that in the case that a public records request is made and board members have board business on their personal device, that device or devices may become part of the public records request. She also informed the board members on the recusal policy and explained when it is appropriate and necessary for a recusal. An example of when one can recuse himself or herself from making a decision is, if they are not able to remain objective when making a decision.

Foster-Wexler moved for a short break. **Second the motion: Chen. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

The Board returned to Public Session at 10:30am.

Rothenberger made a motion to add a new item to the agenda in regards to employer required Continuing Education as item #6.1. **Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

Grossart made a motion to add a new item to the agenda for computer training for the Board as item #12.1. **Second the motion: Chen. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

5) Board Business

a) **Correspondence** – Coffey shared details of correspondence received at the Board office.

1. **Letter to the Board from LaVielle – Urging** the Board to revoke the requirements on 4 hours of Continuing Education required in ethics, boundaries and/or communication as she believes this is a waste of time and money.

The Board will discuss the inquiry and directed the ED to respond.

2. **Letter to the Board from the Oregon Military Department** – Thanking the Board for its willingness to allow its employee an Oregon National Guardswoman to assist with the state firefighting efforts during the summer of 2015.

The Board also thanked the ED for her services as an Oregon National Guardswoman.

3. **Executive Order NO. 16-06 from the office of the Governor** – Is in regards to public transparency. The executive order grants the Department of Administrative Services (DAS) the authority to establish rules and procedures to streamline and standardize the process of filling public records request by the public. The executive order specifies that all agencies will follow DAS rules and procedure on filling public records request.
4. **Model Curriculum** – Baern from East West College requested that the Board revisit the current model curriculum to make the necessary changes to align with the current education and licensure requirements.

b) **Clock Hours or Equivalent Credit Hours** – the Board received a request from the University of Western State. Polgar from the University of Western States explained to the Board that, currently, the University of Western States is working with the Department of Education to demonstrate that the school's massage program is a credit hour program. The language on the Board's website does not support the school's claims. Per OAR 334-010-0005(4)(d) with regards to education requirements states, "Hours can be calculated in clock hours or equivalent credit hours from an institution that substantially complies with the definition of credit hours." University of Western State is requesting that the Board include "equivalent quarter and semester credit" to the language on the Board's website as this will clarify the language for education requirement. These changes will significantly assist the school on its case with the Department of Education and place the school in a position to continue offering financial aid to its students.

Foster-Wexler move to update the website to list clock hours /quarterly credits/semester credits on the website. **Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

c) **2016 Traveling Board Meeting Update** – Coffey updated the Board on the dates, agenda and locations for the 2016 May Board meeting. Coffey noted that the AAG will only attend the meeting on Friday as the executive session is scheduled for Friday.

Chen suggested that the board should consider having an interpreter present at the May traveling Board meeting for the API community that may be in attendance at the May Board meeting.

d) Strategic Action Plans - Coffey went over the action items assignments ensuring that each board member presenting at the May board meeting is aware of their task/topic of discussion. The tasks assigned to each board member are as follow: **Grossart** – Board Handbook; **Chen** and **Ruark** - Asian Pacific Islander community and unlicensed practice; **Rothenberger** and **Fredrickson** – exemption; **Ruark** – Unlicensed Facilities; **Coffey** and **Rothenberger** – New Continuing Education Rule Implementation; **Kirby** – Database; and **Fredrickson** – Model Curriculum.

Grossart moved for a short break. **Second the motion: Chen. In favor: Chen, Foster-Wexler, Kirby, Grossart, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

The Board returned to Public Session at 11:05am.

6) Committee/Task Force Updates

Rules Committee – Chen updated the Board on the rules committee meeting held on February 12, 2016 at the Board office in Salem, Oregon. **Chen** noted that OAR 334-010-0033 (1)(d) inactive fee was increased to \$75 to include the \$5 fee for the Healthcare Workforce Reporting and the remaining increase would be in proportion of the active renewal fee increase that occurred in 2011. **Coffey** explained that the committee also went over the proposed rules on OAR 334-010-0015 (12)(C-D) licensure and OAR 334-010-0017(4-7) lapsed license to add language that would ensure that once a person is lapsed, they have to go through the process required to restore a lapsed license to an active status. Currently, there is a loophole in the rule that allows for licensees to go from lapsed to active without meeting all the requirements to renew a lapsed license. This is done by a licensee renewing a license from lapsed to inactive and from inactive to lapsed, there is nothing in rules preventing a licensee from going from lapsed to inactive and from inactive to active at any time. OAR 334-010-0018 (1)(a) Criminal background check was also modified to add electronic fingerprint to the language.

Kirby moved to accept the proposed rules and send it to a rules hearing. **Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries**

Rothenberger noted that in many cases, LMTs CE courses were rejected because there were subjects taken at work. She noted that some of the courses are worth considering and should be evaluated and accepted by the board for continuing education if it is required by an employer and the course is in the purview of massage.

Kirby noted that because a person takes a course that has to do with their business does not necessarily means that it fits within the competencies set in rules. It should indeed be evaluated and if it does not fit within the competencies set forth in rules, then it should not be accepted.

The board discussed the matter and concluded that it is crucial for the board to be specific on the CE rules. The board cannot accept everything. It is the responsibility of the LMT to ensure that the classes that are taken fit within the competencies set forth in rules.

7) BOARDerline Spring Issue – The Board reviewed the draft BOARDerline Spring Issue and approved the newsletter for publication and to include an article from Fredrickson that informs people that the board is revisiting its policy on topical Preparation.

8) Public Comments – Opportunity for the public to address the Board

Crispin asked if the board is aware that all the scientific research to date says that whether it has THC or CBD when used topically has no psychotropic effects. **Crispin** noted that it does not show up on blood test or urine test when used strictly topically. There is more research coming out but it's not there yet because everyone's hands are tied.

Fredrickson noted that the issue is on the effects of the topicals and are based on their infusion with transdermal carries so therefore blood level concentration is the issue in terms of how the law looks at this and not whether or not a person is under the influence. **Fredrickson** asked that perhaps **Crispin** could help him understand something; If a person is using a transdermal carries such as DMSO, or Alcohol amongst others, there are plenty of research being done in terms of cancer delivery topicals product in gene therapy, utilizing Nano particles to pry apart pores in the body and all sorts of proprietary topicals out there such as trademark product etcetera. If it does not end up in the blood stream, where does it end up? **Fredrickson** noted that his understanding is, once it crosses the transdermal areas, it ends up in either your lymphatic system or in your vascular system.

Crispin responded noting that there is no scientific explanation for this question yet but she has theories. She further noted that she has not considered transdermal patches as something that massage therapists want to do. If massage therapists in the future are interested in using transdermal patches, it should be considered once it has been considered for retail sale. **Crispin** suggested that, in the board policy on use of cannabinoids, there need to be something that discusses the intended use. The intent is not to create a psychotropic effect. **Crispin** noted that she does drug test and she does not understand why it does not show up on the drug test.

Ruark stated that result of any drug test is dependent upon what the drug test scales are set at. There are nanograms cut off for particular drug test and he would be curious to see what the cut of is for the drug test that **Crispin** performed. **Ruark** inquired if the test that **Crispin** performed was at any amount of THC or was it set at the 30 nanograms, which is the standard for DUI? Knowing what level the test is conducted at, is the most important part of the test because, one could get a negative test for impairment based on a 30 nanograms cut off. **Ruark** noted that what the Board is saying is that, instead of making a decision without having all the information and facts, the board is taking a step back to see what information and facts becomes available in order to make an informed decision that ensures the safety of the public.

Fredrickson noted that the policy is in process and the board is doing its best to publish it. However, until the policy is completed in May, the Board will get some recommendation from Lori about DOJ's position on topical preparation, it is likely that the policy is going to include and reiterate inform consent protocols before application, as there is potential chain of liability with issues involved with any topical preparations where someone, has an allergic reaction to it etcetera. With this kind of situation, the board may not be the best judge of impairment depending upon the quality, quantity or concentration of infusion as it could have radically different effects on different people. The thing that is of concern is, if the Board has a policy that allows the use of this product, the board has to be clear about the expectations because, he does not want this board to be the subject of a legal precedent.

Rothenberger moved to take a short break. **Second the motion: Chen. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**

Public present: None Present

Fredrickson called the Board into Executive Session at 12:39 am.

EXECUTIVE SESSION

The Board may enter into Executive Session to discuss certain matters on the agenda pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection, ORS 192.501(4) to review test questions, scoring keys and other data used to administer a licensing examination, ORS 192.660(2)(h) consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed, ORS 192.660(2)(k) to consider information obtained as part of an investigation of a licensee or applicant by a health professional regulatory Board and ORS 192.660(2)(i) To review and evaluate the job performance of the Executive Director or staff. Prior to entering into Executive Session, the nature of and authority for holding the Executive Session will be announced.

9) Executive Session

a. Compliance (192.660(2)(k))

The Board returned to Public Session at 4:48pm.

10) Action on Executive Session Items**Compliance Cases**

- i. **Case 1856 – Chen moved to accept the Stipulated Agreement and Final Order negotiated by the Board staff. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, and Fredrickson. Rothenberger was not present in the room at time of voting. Opposed: None. Motion carries**
- ii. **Case 1845 – Grossart moved to issue a letter of concern. Second the motion: Kirby. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, and Fredrickson. Rothenberger was not present in the room at time of voting. Opposed: None. Motion carries**
- iii. **Case 1854 – Rothenberger moved to Issue a Notice of Proposed Action for: One violation of ORS 687.021(1)(a) Practicing Massage without a license and One violation of ORS 687.021(1)(c) Advertising for Massage without a license for a total civil penalty of \$2000. Second the motion: Meng. In favor: Chen, Foster-Wexler, Grossart, Morin, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- iv. **Case 1865 – Foster-Wexler moved to issue a Notice of Proposed Action (Revocation) for: One violation of ORS 687.081(1)(a)(j) Engaging in unprofessional or dishonorable conduct, and: One violation of OAR 334-040-0010 (16) Practicing Massage with a physical or mental impairment that renders the therapists unable or potentially unable to safely conduct the practice of massage. And one violation of ORS 334-040-0010 (23) Unprofessional or Dishonorable conduct which includes: (f) any conduct or practice which could endanger the health or safety of a client or the public.. Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- v. **Case 1766 – Foster-Wexler moved to accept the Ruling on Motion for Summary Determination and Final Order as recommended by the Office of Administrative Hearings. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- vi. **Case 1857 – Foster-Wexler moved to issue a Notice of Proposed Action for: One violation of OAR 334-020-0050 (1)(2)(3). One violation of OAR 334-020-0015 (1)(c). One violation of OAR 334-030-0005 (2)(a). One violation of OAR 334-040-0010 (7)(23)(c)(i). For total civil penalty of \$7000. Second the motion: Kirby. In favor: Chen, Foster-Wexler, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: Grossart. Motion carries.**
- vii. **Case 1874 – Rothenberger moved to issue a notice of Proposed Action (Revocation) for: One violation of ORS 687.081(1)(j) engaging in unprofessional or dishonorable conduct and One violation each of OAR 334-040-0010(23)(a)(A)(B)(iv)(C)(i)(iii). Advertising for Massage without a license for a total civil penalty of \$1000. Second the motion: Kirby. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- viii. **Case 1822 – Rothenberger moved to accept the Stipulated Agreement and Final Order negotiated by the Department of Justice. Second the motion: Chen. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- ix. **Case 1875 – Grossart moved to issue a letter of concern. Second the motion: Foster-Wexler. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- x. **Case 1866 – Rothenberger moved to issue a Notice of Proposed Action for: 36 violations of ORS 687.021 (1)(a) Practicing Massage without a license for a total civil penalty of \$5000 civil penalty is stayed if license is obtained within 12 months and there is no other violation. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xi. **Case 1878 – Foster-Wexler moved to issue a letter of concern. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xii. **Case 1883 – Foster-Wexler moved to Issue a Notice of Proposed Action for: One violation of OAR 334-040-0010 (19)(a) failure to cooperate with the board by not furnishing any requested paper or documents; and to suspend the**

licensees massage therapists license until the licensee comes into compliance. For a total civil penalty of \$1000. **Second the motion: Chen. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**

- xiii. **Case 1882 – Grossart moved to issue a Notice of Proposed Action (Denial of Licensure). Second the motion: Chen. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger, and Fredrickson. Opposed: None. Motion carries.**
- xiv. **Case 1881 – Rothenberger moved to issue a Notice of Proposed Action (Denial of Licensure). Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xv. **Case 1880 – Foster-Wexler moved to Renew license and Issue a Notice of Proposed Action (Civil Penalties) for One violation of ORS 687.081 (1) (a) (b) and OAR 334-040-0010 (2) knowing or recklessly making any false statement to the Board; for a total civil penalty of \$1000. Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xvi. **Case 1879 – Rothenberger moved to Issue the license with no stipulations with a letter of concern. Second the motion: Rodriguez. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xvii. **Case 1871 – Foster-Wexler moved to issue a Notice of Proposed Action for: One violation of ORS 687.021 (1) (a) Practicing Massage without a license for a total civil penalty of \$1000. Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xviii. **Case 1870 – Foster-Wexler moved to Issue a Notice of Proposed Action for: One violation of ORS 687.021 (1) (b) Operating a Massage Facility without a Permit and One violation of ORS 687.021 (1) (a) Practice of Massage without a license. For a total civil penalty of \$2000. Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xix. **Case 1884 – Foster-Wexler moved to issue a Notice of Proposed Action for: One violation of ORS 687.021 (1)(b) operating a massage facility without a permit. For a total civil penalty of \$1000. Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xx. **Case 1861 – Chen moved to accept the Stipulated Agreement and Final Order negotiated by Board staff. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xxi. **Case 1869 – Grossart moved to issue a letter of concern with emphasis that the licensee stays within the scope of practice of a massage therapist. Second the motion: Rothenberger. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- Supplemental Packet**
- xxii. **Case 1885 – Rothenberger moved to deny licensure. Second the motion: Foster-wexler. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xxiii. **Case 1873 – Foster-Wexler moved to close case with letter of concern regarding employing better business practices. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xxiv. **Case 1872 – Rothenberger moved to issue a Notice of Proposed Action (Civil Penalties) for: One violation of OAR 334-040-0010 (23) Unprofessional of Dishonorable conduct for; (h) Exercising undue influence including the promotion of sales of services, goods, or Appliances in such a manner as to exploit the client for the financial gain of the massage therapists. For a total civil penalty of \$1000. Second the motion: Chen. In favor: Chen, Foster-Wexler, Kirby, Rodriguez, Rothenberger, Fredrickson and Grossart abstain. Opposed: None. Motion carries.**
- xxv. **Case 1890 – Grossart moved to accept the Interim Consent Order of Licensee. Second the motion: Foster-Wexler. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.**
- xxvi. **Case 1862 – Rothenberger moved to accept the Stipulated Agreement and Final Order negotiated by Board staff. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and**

Fredrickson. Opposed: None. Motion carries.

xxvii. Case 1841 – Rothenberger moved to accept the Stipulated Agreement and Final Order negotiated by Board staff. Second the motion: Grossart. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.

xxviii. Executive Session Closed Case Report – Grossart moved to accept the executive session closed case dated January 25, 2016 containing cases as submitted in Exhibit 1 consisting of 1 page. Second the motion: Foster-Wexler. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.

Case No. 1814

Allegation: Competency Concerns Sexual Impropriety Closed: letter of concern

Case No. 1790

Allegation: Failure to Pay Child Support Closed: Compliance Met

Case No. 1803

Allegation: Closed: Unlicensed Practice Closed: Compliance Met

Case No. 1808

Allegation: Other Closed: License Granted

Case No. 1810

Allegation: Conviction of a Crime Closed: Respondent Unreachable

Fredrickson moved the Board meeting back to public session at 2:28

11) Public Compliance Action

xxix. Public Session Closed Case Report – Grossart moved to accept the public session closed case dated January 25, 2016 submitted in Exhibit 2 consisting of 5 pages. Second the motion: Foster-Wexler. In favor: Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson. Opposed: None. Motion carries.

a)

Case No. 1764

Allegation: CE Audit Failure Closed: Civil Penalty Assessed

Case No. 1774

Allegation: Unlicensed/ Failure to obtain a Facility Permit Closed: Civil Penalty Assessed

Case No. 1796

Allegation: Unlicensed Practice/Advertising Closed: Civil Penalty Assessed

Case No. 1734

Allegation: Conviction of a Crime Closed: Civil Penalty Assessed & Paid

Case No. 1854

Allegation: Unlicensed Practice/Advertising Closed: Civil Penalty Assessed & Paid

Case No. 1825

Allegation: Failure to Provide documents to Board

Closed: Suspended

Case No. 1820

Allegation: Unprofessional/dishonorable Conduct

Closed: Surrendered

Case No. 1843

Allegation: Unlicensed Practice

Closed: Stipulated Agreement

12) **Public Forum** – Opportunity to share thoughts that pertain to agenda items – There were no members of the public present.

13) **Announcements**

Next meeting will be on May 20-21, 2016 at 9am at East West College in Portland, Oregon.

14) **Adjourn Meeting** – Rothenberger moved to adjourn the meeting. **Second the motion: Chen.** In favor: **Chen, Foster-Wexler, Grossart, Kirby, Rodriguez, Rothenberger and Fredrickson.** Opposed: **None.** **Motion carries.**

The meeting was adjourned at 5:17 pm.