



Oregon Board of Massage Therapists

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BOARD MEETING MINUTES

Monday, March 5, 2001

Morrow Building

Large Conference Room

3218 Pringle Rd SE Salem, Oregon 97302

Attendance

Board Members:

Lisa Oxman, L.M.T., Chair
David Frostad, L.M.T.

Michael Jordan, L.M.T.
Jennifer Knight
Stephanie Manriquez, L.M.T.

Board Members Absent:

Jacqueline Kern – excused for illness
Judy Basker – excused for illness

Staff: Bev Holzman, Executive Director
Michelle Sherman, Office Manager

Public:

Nicholas Chrones, LCC
Sue Fagin
Wayne Fagin

Leon Dunham, Lion's Touch Massage & Reiki
Lisa Barck-Garofalo, OSM
Aleta M. Davis, Ashmead College

Oxman announced that pursuant to ORS 192.660 (1)(f) and ORS 192.660 (1)(h) the Oregon Board of Massage Therapists will now meet in Executive Session for the purpose of considering records that are exempt by law from public inspection. These records are relevant to test questions, scoring keys, and other examination data used to administer the qualifying examinations and consultation with legal counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Representatives of the news media and designated staff shall be allowed to attend the Executive Session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session except to state the general subject of the session as previously announced. No decision may be made in Executive Session. At the end of the Executive Session the Board will return to open meeting and welcome the audience back into the room. The Executive Session convened at 10:06 AM. Ended at 12:16 PM.

- 1) Executive Session – 10:00 AM
 - a) Lunch

- 2) Call to order–
Oxman called the public meeting to order at 1:05 PM

- 3) Approve Agenda
Holzman added 9) c. Approve Michelle Sherman for signature authority on the bank accounts.
Oxman added proposed rule changes for the CEU section under new business and discussion of the proposed changes to rules as presented at the prior meeting under old business.
Oxman forwarded the Action on Executive Session Matters to Item 5 on the agenda.
Knight moved to approve the agenda as amended. **The motion carried.**
- 4) Approve January 3, 2001 Board meeting minutes
Jordan moved to approve the minutes as written. **The motion carried.**
- 5) Action on Executive Session Matter(s)
Jordan moved that RL's license status be changed from provisional renewal to active. **The motion carried.**
Jordan moved that PS's license status be changed from provisional renewal to active. **The motion carried.**
Jordan moved that JS's license status be changed from provisional renewal to active. **The motion carried.**
- 6) Report of Executive Director
Holzman gave a brief verbal report. She welcomed new board member, Stephanie Manriquez from Bend and new staff member Michelle Sherman. Sherman presented the bank report and explained the new format.
- 7) Committee Reports
a. Education Committee – Chair, Lisa Barck-Garofalo [GC01007]
Barck-Garofalo directed the Board to page two; to discuss a change on one of the entry-level competencies.
Oxman stated the Board conferred with legal counsel on the proposed rule changes. According to the Assistant Attorney General (AAG), the proposed rules are too general and open to subjective interpretation. Therefore, they would not be legally defensible. Also, the Board cannot delegate its authority to massage and bodywork professional organizations. The Board can adopt specific rules and regulations from other sources and make them a part of the Board's rules. Barck-Garofalo asked what is the Board's direction for the committee now? Knight stated the AAG said the Board is on the right track and recommended utilization of the AG manual for rule writing to review and re-draft the proposed changes.
Holzman will provide copies of the AG manual for rule writing to all board and committee members.
Frostad stated that as committee liaison he would try better to understand the AAG's advice and how to proceed at this point. Oxman stated that if the Board does not define what the 500 hours of education should be, then it cannot enforce the requirements very easily.
Knight moved, based on advice from legal counsel, to withdraw the proposed rule changes presented January 3, 2001. **The motion carried.**

Knight moved for Frostad to work with the committee to re-draft the rules so they meet legal requirements. That is part of Frostad's duties as committee liaison. **Knight withdrew** her motion.

Barck-Garofalo continued with her report and directed the Board to Item 2, the committee's mission statement. Jordan feels it is excellent as stated. Barck-Garofalo asked if the Board wanted the committee to change the order of sections a-e. Jordan stated the committee probably knows the burning issues and the committee should decide the order of importance. Knight stated "a-e" could be subject to change depending on what is currently happening and other things could be added as necessary.

Frostad asked the committee to continue to work with the definition of entry-level competency but define it in such a way as to meet legal parameters. Barck-Garofalo said the committee is trying to make rules that will stand for several years and not need to be changed continuously. Also, the Scope of Practice Committee is crucial to what the Education Committee is trying to do. Oxman encouraged the committees to work together. Chrones, Scope of Practice Chair, asked if committee members could meet with the AAG and get direct input from him. Holzman stated that is not possible. However, the committee could provide specific questions to be presented to AAG and they could be answered that way.

Jordan moved to accept the committee's Mission Statement as put forward in the report. **The motion carried.**

b. Exam Committee – Chair, Jacqueline McCal [GC01008]

Holzman read the report into the record. Frostad asked about the recommendation for new textbooks. Frostad has spoken to publishers and they will send textbooks for the board to use at no charge. Holzman stated the office has already received books from some publishers.

c. Scope of Practice – Chair, Nicholas Chrones [GC01009]

No report due to family illness of a committee member.

8) Old Business

The discussion on the proposed rule changes was held during the Education Committee's Report.

9) New Business

a. SF – re-establish eligibility to take the practical examination

Oxman gave the background of the request and information on courses taken. **Jordan moved** to accept the information as adequate to meet the requirements to re-take the exam. **The motion carried.**

b. Call for speakers from the NW Health Education and Training

The Board reviewed the documents and discussed the invitation. **Frostad moved** to respond by letter that the contact is appreciated however it is not the board's position to publicly speak at or endorse that type of event. The letter should also refer them to the schools, professional societies and Oregon LMTs **Motion carried; one opposed.** (Opposition was towards the directive to respond in writing).

c. Add Michelle Sherman for bank signature.

Jordan moved to add Michelle Sherman's name on the Board's checking account documents. **The motion carried.**

d. Letter from Denis Petrie, L.M.T. [GC01010]

Petrie asked the Board to consider granting CEU credit to those who serve on Board committees. Jordan asked what is the purpose; how would it improve a person's bodywork. Is this a task for the education or scope of practice committee? Barck-Garofalo stated the education committee would look at the CEU rule in depth and respond accordingly. This is actually a work for both the education and scope of practice committees.

10) Public Comments

Barck-Garofalo: OSM did not receive the draft of January 3, 2001 minutes. Holzman stated that was partially due to staffing and because it is not recommended to provide the minutes in draft form before they are approved by the board.

Leon Dunham asked how can he get meeting minutes? Holzman stated he can contact the board office and ask to be placed on the list.

Chrones: presented questions about the exam report and the statement regarding questions that were reviewed and rewritten or replaced. The determination for which questions to review and/or replace was done based on a directive from a psychometrician.

Barck-Garofalo: At the last meeting, board talked about referring G. D. to her about classes. Holzman stated the staff gave G.D. the information.

Dunham: what is board's status on utilizing the NCBTMB exam? Jordan stated the exam committee is reviewing that option.

11) Announcements:

The public hearing for the 2001-2003 budget will be on May 7, 2001 at 10:00 a.m.

12) Adjourn

Oxman adjourned the meeting at 2:20 pm.

Addendum to minutes:

Education Committee Report

Exam Committee Report

Scope of Practice Committee Report