



# Oregon Board of Massage Therapists

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## BOARD MEETING MINUTES Thursday, February 12, 2004 EXECUTIVE SESSION

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### Attendance

#### Board Members:

Michael Jordan, L.M.T., Chair  
David Frostad, L.M.T.  
Cathy Law

Stephanie Manriquez, L.M.T.  
Lisa Oxman, L.M.T.  
Brad Welker, D.C.

Members Law, and Welker attended by telephone. Kern was excused from the meeting. Patty Glenn, future Executive Director, attended by telephone

**Staff:** Bev Holzman, Executive Director  
Michelle Sherman, Office Manager  
Helen Bicart, Board Investigator

- 1) Call to order  
Jordan called the Executive Meeting to Order at 11:24 AM

Pursuant to ORS 192.660 (1)(f) and ORS 192.660 (1)(h) the Oregon Board of Massage Therapists met 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 are 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 returned to open meeting.

Jordan called the Public Meeting to Order at 12:04 PM

- 2) Action on Executive Session Matter(s)
  - a) Law Enforcement Cases
    - Case No. 8-01-135  
Allegation: Unlicensed practice of or offer to practice massage. Respondent submitted exceptions to the Board's Amended Proposed Order that was issued on December 4, 2003. The Board considered and reviewed Respondent's exceptions. **Manriquez moved** to maintain the December 4, 2003 Proposed Order. Jordan abstained. **The motion carried.**
    - Case No. 2-03-206  
Allegation: Unlicensed practice of or offer to practice massage. Respondent did not request a hearing as required by service of the Notice to impose civil penalties. **Oxman moved** to issue a Final Default Order and waive \$500 of the assessed civil penalty because of Respondent's cooperation and because she obtained her license. **The motion carried.**
    - Case No. 4-03-213  
Unlicensed practice of or offer to practice massage. Respondent did not request a hearing as required by service of the Notice. **Frostad moved** to issue a Final Default Order. **The motion**

carried.

Case No. 4-03-217

Unlicensed practice of or offer to practice massage. Respondent did not request a hearing as required by service of the Notice. Board considered and denied Respondent's proposed settlement. **Manriquez moved** to issue a Final Default Order and maintain the civil penalties cited in the Notice. **The motion carried.**

Case No. 6-03-220

Unlicensed practice of or offer to practice massage. Respondent did not request a hearing as required by service of the Notice. **Frostad moved** to issue a Final Default Order. **The motion carried.**

Case No. 7-03-223

Unlicensed practice of or offer to practice massage. Board considered and denied Respondent's proposed settlement. Respondent did not request a hearing as required by service of the Notice. **Manriquez moved** to issue a Final Default Order. **The motion carried.**

Case No. 10-03-243; LMT

Allegation: Unlicensed practice of or offer to practice massage. **Oxman moved** to close the case C04, Allegations Unfounded. **The motion carried.**

The following cases were discussed and acted upon during Public Session:

Case No. 8-03-235; "Dan"

Allegation: Unlicensed practice of or offer to practice massage. Duplicate file. **Frostad moved** to close the case C20, Based on Further Review. **The motion carried.**

Case No. 10-03-244; Keri Lauren

Allegation: Unlicensed practice of or offer to practice massage. **Welker moved** close the case C21, Unable to Locate. **The motion carried.**

Case No. 9-03-247; Jo Otto

Allegation: Unlicensed practice of or offer to practice massage. Jordan abstained. **Frostad moved** close the case C12, Insufficient Evidence. **The motion carried.**

Case No. 10-03-249; Martyn Jones

Allegation: Unlicensed practice of or offer to practice massage. **Oxman moved** close the case C21, Unable to Locate. **The motion carried.**

Case No. 10-03-257; Christopher Suess

Allegation: Unlicensed practice of or offer to practice massage. **Manriquez moved** to issue a Notice of Proposed Action to assess a civil penalty in the amount of \$500 for one first time violation of ORS 687.021 (2), advertising to practice massage when unlicensed and to assess civil penalties in the amount of \$1000 for one violation of ORS 687.021 (1), practicing massage while unlicensed; for a total civil penalty assessment of \$1500. **The motion carried.**

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Case No. 12-03-259; Iouri Sosnine

Allegation: Unlicensed practice of or offer to practice massage. **Law moved** to issue a Notice of Proposed Action to assess a civil penalty in the amount of \$500 for one first time violation of ORS 687.021 (2), advertising to practice massage when unlicensed and to assess civil penalties in the amount of \$1000 for one violation of ORS 687.021 (1), practicing massage while unlicensed; for a total civil penalty assessment of \$1500. Discussion followed. Because Sosnine is making an effort to cooperate with the Board and is attempting to meet the requirements to obtain his Oregon license, the Board will offer a Proposed Settlement to refund \$500 of the civil penalty if Sosnine obtains his Oregon massage license within two years of the date on the Final Order. Oxman opposed. **The motion carried.**

**Manriquez moved** to adjourn the meeting at 12:20 PM. **The motion carried.**

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