



Oregon Board of Massage Therapists

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APPROVED
10/21/06 MS

Board Meeting Minutes
September 7, 2006

Board Members:

Jacqueline McCal, LMT, Chair
Lisa Oxman, LMT

Jackie Kern
Stephanie Manriquez, LMT

Staff:

Patty Glenn, Executive Director
Diana Nott, Law Enforcement Coordinator

Michelle Sherman, Office Manager

Public: Donald Hughes, LMT

Call to order

McCal called the public meeting to order at 10:09 am. All Board members were in attendance via telephone with the exception of Fields, who was excused.

1) Approve Agenda

Manriquez moved to approve agenda. **In favor: McCal, Oxman, Kern, and Manriquez.**
Opposed: None. Motion carried.

2) Public Forum

Hughes stated that he was curious about Board operation. He has been licensed since 1989. In addition, for attending a Board meeting he was awarded 1 unit of continuing education.

3) Executive Session

Executive session is held pursuant to ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection (legal counsel), ORS 192.660(2)(h) consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed and 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.

4) Law Enforcement Actions

Applicant Applying for Initial License—For this applicant, **Manriquez** moved to extend the one-year time limit in which an applicant obtains initial licensure after passing the Practical exam due to a delay caused by NCBTMB. **In favor: McCal, Oxman, Kern, and Manriquez. Opposed: None. Motion carried.**

Case #3-06-458

Allegation: Unprofessional or dishonorable conduct. **Recommendation:** Issue a Notice of Proposed Action for two violations of OAR 334-030-0005(2)(a) The LMT is accountable for the quality and effectiveness of care and services...two violations of OAR 334-030-0005(5)(b) The LMT acts within the context of professional practice standards...and one violation of OAR 334-030-0025(19)(a)(B) Sexual violation...touching breasts or genitals or other sexualized body part...for a total civil penalty of \$4,500 and complete 15 hours of training in Ethics & Boundaries, not to be counted as part of the required continuing education for licensure, and place Licensee on peer supervision for 6 months and probation for two years. **Kern** so moved. **In favor: McCal, Oxman, Kern, and Manriquez. Opposed: None. Motion carried.**

Case #6-06-478

Allegation: Unlicensed advertising and practice of massage without a license.

Recommendation: Issue a Notice of Proposed Action for one violation of ORS 687.021(1) purporting to be in the practice of massage and one violation of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$1,500. **Manriquez** so moved. **In favor: McCal, Oxman, Kern, and Manriquez. Opposed: None. Motion carried.**

Case #7-05-384

Closed C23 non-licensed person notified. RE: violations of ORS 687.021 (mall kiosk's closed down)

Case #7-05-390

Closed C23 Non-licensed person notified RE: violations of ORS 687.021 (Mall kiosk's closed down)

Case #8-05-401

Closed C23 Non-licensed person notified RE: violations of ORS 687.021 (Mall kiosk's closed down)

Case #12-05-423

Closed C12 Insufficient Evidence.

Case #2-06-455

Closed C16 No Complaint (complainant unreachable)

Case 5-06-473

Closed C12 Insufficient Evidence

Case 6-06-482

Closed C03 Allegations withdrawn

5) Public Comments

Hughes stated that he appreciated the way the Board looks at each complaint and justly determines the consequences of the individual's actions.

6) Announcements

Audit: The Board office received this week the audit report from the Secretary of State, Audits Division. A copy will be mailed to each Board member.

Board Positions: The two remaining positions have been filled. Jordan Barton has assumed the LMT position and Craig McMillin has been appointed to the public position. Jordan is a longstanding LMT from the Beaverton area and Craig is an attorney from the Salem area. The Board welcomes the new members and looks forward to meeting them at the October meeting.

Board Meeting: The next Board meeting is scheduled for October 21, 2006 at 10am at the Cousin's Hotel in Hood River. The public is invited to attend a Q&A period during breakfast starting at 8:30 on Saturday morning. On Sunday morning the Board members will be attending a board member training.

7) Adjourn Meeting— Oxman moved to adjourn the meeting. **In favor: McCal, Oxman, Kern, and Manriquez. Opposed: None. Motion carried.** Meeting adjourned at 11:10am.