



# Oregon Board of Massage Therapists

748 Hawthorne Ave NE Salem OR 97301  
(503) 365-8657 fax (503) 385-4465

APPROVED  
1/12/07 MS

## BOARD MEETING MINUTES November 9, 2006

### Board Members:

Jacqueline McCal, LMT, Chair  
Stephanie Manriquez, LMT  
Lisa Oxman, LMT

Jackie Kern  
Jordan Barton, LMT  
Craig McMillan

**Staff:** Patty Glenn, Executive Director  
Diana Nott, Law Enforcement Coordinator

**Public:** No public in attendance

### Call to order

**McCal** called the public meeting to order at 1:04pm. All Board members were in attendance, except Fields who was excused.

### 1) Approve Agenda

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

2) **Approve minutes** of the April 8, 2006 minutes. **Kern** moved to approve. **In favor: McCal, Oxman, Manriquez, Barton, McMillan, and Kern. Opposed: None. Motion carried.**

3) **Public Forum** - An opportunity for the public to address the Board and ask questions  
No public in attendance.

4) **Director's Report** - Glenn stated that the staff has been very busy and productive the past few weeks. The Board is completely caught up on all outstanding notices. Mindy has assisted in entering cases into HIPDB.

As an update to a recent Board case, Doug Lowell Johnson was indicted on 6 counts of sex abuse and his case was resolved via a plea agreement, which held a lot of requirements. His massage license is revoked and he has agreed never to apply for an Oregon massage license again.

Glenn briefly discussed the hand-outs from the October meeting.

There was discussion on reflexology and the upcoming legislative session. The Board is interested in meeting with the Reflexology Association to discuss the current state and future options of reflexology in Oregon.

Glenn told the Board that there was a new AAG, Jeff Dover, working with Lori Lindley on Board cases.

Discussion on networking with OBCE and how that relationship has affected cases with both Boards.

AMMA wants the Board to consider their exam as an alternative option to the NCE. The Board needs more information on this exam. Glenn will draft a letter.

5) **Committee Report** – The Rules Committee is moving along nicely and has set future dates for meetings. **Oxman** asked when the Board would be making a decision regarding those changes. Glenn said that the Board sent the last provided changes back to committee with more changes

and ideas, as it had been presented for feedback, not adoption. The committee hopes to have the rules revisions ready for vote by the April 2007 meeting.

**6) EXECUTIVE SESSION – Law Enforcement**

Executive session is held pursuant to ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection, 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.

**7) Public Session—**

**a) Law Enforcement Action**

**Case #7-06-496 Allegation:** Unprofessional or dishonorable conduct. **Manriquez** moved to issue a Notice of Proposed Action for one (1) violation of OAR 334-010-0025(6) failure to notify the Board of change of address; one (1) violation of OAR 334-010-0025(8) failure to display license at place of business; and two (2) violations of OAR 334-010-0025(9) failure to include license number in advertising for a total civil penalty of \$500. **In favor: McCal, Kern, Oxman, Barton, McMillan and Manriquez. Opposed: None. Motion carried.**

**Case #2-06-453 Dean Tinney Allegation:** Unlicensed advertising and practice of massage. **Barton** moved to issue a Notice of Proposed Action for one (1) violation of ORS 687.021(1) purporting to be in the practice of massage; and two (2) violations of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$2,500. **In favor: McCal, Kern, Manriquez, Oxman, McMillan and Barton. Opposed: None. Motion carried.**

**Case # 7-06-494 Steve Ciaffoni Allegation:** Unlicensed advertising and practice of massage. **Oxman** moved to issue a Notice of Proposed Action for one (1) violation of ORS 687.021(1) purporting to be in the practice of massage; and eight (8) violations of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$8,500. **In favor: McCal, Kern, Manriquez, Barton, McMillan and Oxman. Opposed: None. Motion carried.**

**Case #6-06-495 Nestor Ruiz Allegation:** Unlicensed advertising and practice of massage. **Manriquez** moved to issue a Notice of Proposed Action for one (1) violation of ORS 687.021(1) purporting to be in the practice of massage; and three (3) violations of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$3,500. **In favor: McCal, Kern, Barton, Oxman, McMillan and Manriquez. Opposed: None. Motion carried.**

**8) Old Business**

**a) Conference Calls—**Discussion on how they are working out. **Manriquez** likes them because it makes it easier when weather is an issue. She likes the alternating face-to-face meetings but thinks a protocol is needed to keep things in order. **McCal** doesn't prefer them but would agree to it if an order could be arranged to keep order. **Kern** does not like them. **Oxman** can see the benefit to both sides but prefers the in-person contact. She does like having access to the phone if something comes up and a member is unable to attend in person. **Barton** likes

person-to-person contact because it's easier to gauge what's going on and you get to have interaction between members. He does like the idea of having the phone available, but thinks in-person is best. **McMillan** has no opinion because he's in Salem. If the Board chose to have the phone meetings, he would like to come into the office. **Glenn** suggested keeping the structure of alternating regular meetings and executive meetings and let those who need to come in by phone do so. The Board agreed. **Oxman moved** to have all meetings be in person and having the meetings that were previously designated as phone meetings to be executive session meetings and anyone needing to come in by phone will have the ability to do so. **In favor: McCal, Kern, Barton, Manriquez, McMillan and Oxman. Opposed: None. Motion carries.**

**9) Public Comments**

No public in attendance.

**10) Announcements**

Glenn went through the legislative concept with the Board members.

**11) Adjourn Meeting** - Meeting adjourned at 3:00pm.