



October 2011



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Online Renewals

In January 2012 you will be able to renew your license on-line at the board's website located at www.oregon.gov/OBMT. In addition, we will no longer require proof of continuing education or CPR for on-line or paper renewals. You will simply list the continuing education that you took. It is important that you retain your continuing education and CPR records as required by Oregon Administrative Rule as the board will be performing random audits of the licensee continuing education requirements.

Fall Safety

Happy autumn to you all! Fall is here and daylight savings time is coming to an end (Nov. 6th). The days will get shorter and the evenings will become darker earlier. Is your office space ready for the change of seasons? Now would be a good time to make sure your outside entry ways are free of wet, slick leaves or other obstacles. We Oregonians love our trees and this time of year they share their bounty of beautiful leaves, pine needles and such all over the place. These slippery leaves can quickly become a liability if they are allowed to accumulate on stairs or other surfaces. Make sure to sweep and keep clear all areas leading up to your exterior entry way. And depending upon your interior entry, you may want to make sure that surface stays dry as well. Adequate lighting is also important as we begin to lose more daylight, so test all outdoor lighting equipment and replace any bulbs or add additional light fixtures if needed. Check your heating units, space heaters, paraffin warmers, table warmers, blankets, etc. for any necessary repairs or replacement. Whenever possible, check and change out air filters to aid in the control of certain allergens.

Not only will this help with safety, but it will keep your environment looking and feeling professional. It might even rub-off on your neighbors and other merchants to do the same. Take pride in your sacred space. If you are leasing and feel that maintaining the outside grounds is not your responsibility, I encourage you to check with your lessor or landlord for clarification. It is still up to you to make sure that your entryways and treatment space provides a safe environment for your clients.

Enjoy this beautiful Harvest time of year and may you all be blessed with abundance!

Thank you for all you do.

Blessings,

~Melanie Morin



2011 Upcoming Board Meeting Dates

- Monday, Nov 7th
- Dec - No meeting
- Monday, Jan 9th
- Monday, Feb 13th

All meetings are held at the Board office and begin at 9:00 a.m. unless otherwise noticed.

Proposed Rule Changes

Proposed Rule Changes

On Monday, November 7, 2011, at 9:00 A.M. the OBMT will be holding a hearing regarding the proposed Rule Changes at the board office in Salem. This hearing is an opportunity for LMTs to provide feedback regarding the changes. Because the changes are lengthy (there are many additions), here is a summary of those changes, how they will affect you as an LMT, and the reasons or history of need for the changes. Rule changes approved by the board will take affect January 1, 2012.

Hydrotherapy

Why this is necessary: The legislature removed hydrotherapy as an educational requirement for licensure. *Summary:* Hydrotherapy is still within the scope of practice for LMTs. However, because it is not an educational requirement, individuals who come from out of state or who have specialized training (for example, Structural Integrators) may be eligible for licensure without having to take a hydrotherapy class. Anyone who chooses to use hydrotherapy in their practice may still do so, as long as they can demonstrate that they have appropriate training in the technique (as with any other type of treatment). *How this will affect LMTs:* This does not have any affect on *currently licensed* individuals. It will affect those applying for initial licensure. Hydrotherapy can still be taken as part of the core curriculum for minimum competency and applied to educational hours, but is no longer required content.

Credentialing Review

Why this is necessary: The legislature added language allowing for a “credentialing review” process to statute.

Summary: Individuals who have practiced massage legally outside of Oregon who want to become licensed in Oregon can apply for a Credentialing Review process if they do not meet Oregon’s minimum educational requirements. Because there are individuals that have practiced (sometimes for decades) outside of Oregon, their initial schooling might not meet Oregon’s current requirements.

How this will affect LMTs: This does not have any affect on *currently licensed* individuals. For new appli-

cants who have previously worked out of state, using a combination of schooling, continuing education, passing of an approved written exam and the practical exam, some individuals may be eligible for licensure without having to take extensive classes to continue working in the field.

Exempted Practices

Why this is necessary: The legislature exempted certain types of bodywork from massage regulation, with specific stipulations.

Summary: Currently there are four types of bodywork that meet the conditions outlined: Bowenwork®, Feldenkrais®, Polarity Therapy, and Trager®. Individuals who are current members in good standings of the respective professional associations (or guild) for those techniques, who do not claim to be LMTs, and who do not practice outside their scope do not require licensure. The rules outline the specific criteria that needs to be met on an ongoing basis to be eligible for the exemption.

How this will affect LMTs: Current LMTs who have been trained in these techniques may continue to use them. This will allow individuals trained in narrow scopes of specific types of bodywork to practice in Oregon without licensure.

Clock and Credit Hour Definitions

Why this is necessary: The federal government passed legislation regarding financial aid packages that has impacted a number of institutions, including massage schools.

Summary: In order for students to continue receiving financial aid at the same level prior to the federal legislative change, there needs to be an allowance for programs measured in credit hours.

How this will affect LMTs: Current LMTs will not be affected. Massage students will be eligible for greater financial aid packages, enabling them to attend school.

Contracting and Procurement

Why this is necessary: As a semi-independent board, the OBMT can choose to contract for a variety of work services without going through regular state procurement channels. Rules regarding the contracting process must be in place for this, as specified in statute.

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Proposed Rule Changes Continued...

(Continued from page 2)

Summary: This is a new section being added to the rules that outlines the steps that must be taken when contracting for services. Different types of contracts for different proposed sizes (determined by cost) of work are detailed. These rules allow the board to choose contractors at a lower cost than might be available through regular state channels and protect the board's finances.

How this will affect LMTs: The impact of these changes affect LMTs indirectly. It will not affect the day-to-day business of LMTs.

Fingerprinting

Why this is necessary: The current format of background checks is limited to what comes up in the Oregon Law Enforcement Data System (LEDS), which is primarily limited to arrests within the state of Oregon. There have been cases before the board of severe items in LMTs backgrounds that occurred out of state, which were grounds for disciplinary sanctions. Furthermore, it came to the board's attention over the past two years that approximately four percent of LMTs had failed to disclose arrests. While the majority of those were minor in nature and there were little or no repercussions, others have resulted in varying levels of board action ranging from probationary or conditional licensure to revocation due to public safety concerns.

Summary: Background checks will be required for certain individuals, at cost. By law, all fingerprint cards and electronic records will be destroyed and will not be maintained by the OBMT or the Oregon State Police.

How this will affect LMTs: The following individuals will need to be fingerprinted:

- 1) All new applicants,
- 2) Any active renewal *with an out-of-state home address*, and
- 3) Any renewal to active status when returning from inactive or lapsed status.

The following individuals will NOT need to be fingerprinted.

- 1) Active renewals with a current Oregon address and
- 2) Inactive renewals.

If something does come up on a background check of any form, it is not immediate grounds for refusal of licensure. Failure to disclose information, nature and severity of the arrest/conviction, quantity and age of arrests/convictions are taken into consideration. Some cases are considered "minor" in nature and not reviewed by the board; a license is simply renewed. Other cases are reviewed by the board and determinations are made on a public safety basis. The cost of having your fingerprints taken is approximately \$20. There will be an additional charge to the LMT of approximately \$47 to have the fingerprints ran as well.

Additional Changes

Why this is necessary: Clarification, consistency, grammar, or other legal requirements.

Summary: 1) Contact continuing education was defined differently. The second definition was struck and the information in "definitions" will stand. 2) LMTs have always been required to be adequately trained in whatever techniques they choose to use and this is outlined in ethics and in discipline, however, it was felt that a clarification line stating this specifically was warranted. 3) "Shall" and "will" have been changed to "must." 4) "or university" was added to the definitions and to class certification after community college.

How this will affect LMTs: These are language clarifications and do not change intent, meaning, or enforcement.

~Heather Bennouri



Compliance Information

The Oregon Board of Massage Therapists categorizes compliance items into two categories; complaints and cases. All grievances are entered into the database and are flagged as complaints. Not all complaints will warrant being elevated to a case status.

A grievance may be recognized only as a complaint for a few specific reasons:

- The complaint can be handled in-house and will likely be closed as compliance met.
- The complaint is outside of the jurisdiction of the Board's authority.
- There is not enough information to attempt any investigative efforts.

When a complaint is determined to be valid and within the authority of the Board to address, and there is enough information to attempt investigative efforts, the complaint is elevated to a case and an investigation is initiated.

There are five main categories that complaints and cases fall into:

- Unlicensed (these involve unlicensed advertising or practice of massage)
- Sexual in Nature (any incident of a sexual nature ranging from sexual misconduct to sexual abuse or assault)
- Professional Misconduct (this area encompasses nearly all other aspects of business practice including scope of practice, injury, failure to comply with a Board order, substance abuse, etc.)
- No License Number in Advertisement (incidents where LMT's failed to place their license number in their advertising as required by Oregon Administrative Rule)
- Other (arrest record issues that result in provisional licenses or other such oddities)

Complaints and cases are opened upon receipt of the initial complaint. Complaints are closed without disciplinary action. Cases are considered closed upon signature of the final order or if the Board determines to close the case without disciplinary action. The following is the Board's desired timeline:

- A complaint is received and assigned to an investigator within 21 days
- An investigator returns a completed case to the Board within 30 days of being assigned the case
- The case is referred to the Board for consideration of disciplinary action within 30 days of receipt from the investigator
- A Notice of Proposed Action is issued within 21 days of the Board meeting
- A Respondent has 21 days to request a hearing
- If no hearing is requested, the Final Default Order is issued within 14 days after the expiration of the opportunity to request a hearing. Upon signature of the Executive Director or Board designee, the case is closed in the system.

Some matters that may delay the closure of a case include:

- Matters that rise to criminal investigation and/or prosecution
- Negotiation of settlement on a case
- Administrative Hearing process

At each monthly Board meeting, the board receives a closed case report. The report reflects all complaints and cases closed during the reporting period. The report includes the case number, Respondent or Licensee name, the allegation and the closure code. Once the Board approves the closed cases, the database records are reflected to indicate that the resolution has been approved by the Board. Only the Executive Director has the ability to flag the cases as closed with Board approval.

~Diana Nott



Fall Aromatherapy

This time of year can bring about everything from colds to flu to your basic allergy attack. Sometimes I think to myself, how did we ever survive back when we didn't have so much as an aspirin?! We may not have lived as long, but we did look to nature and our surroundings for the answer. I find that the use of certain essential oils and aromatics offer great relief year round. They can be therapeutic, fragrant, and uplifting. So if you happen to enjoy the use of essential oils or if you have been interested but not really sure, here are a few basic suggestions. It goes without saying to use these oils with caution and in a well ventilated environment. I suggest using no more than 3-4 different oils at one time, but that is merely my opinion. Proceed with caution and when in doubt, take a class in continuing education, it will go towards your 25 CEU's due at your next renewal. Happy learning!

Popular oils for autumn/winter:

Benzoin
Cypress
Frankincense
Nutmeg
Orange

Synergistic blend for autumn:

Orange 8 drops
Geranium 4 drops
Frankincense 3 drops
Benzoin 3 drops

Bacteria "Busters":

Cinnamon, Clove, Lemon, Eucalyptus, Lavender, Pine, Thyme, Grapefruit, Lime

For relief from the common cold, use in a hot bath:

Thyme 2 drops
Tea Tree 2 drops
Eucalyptus 1 drop
Lemon 3 drops

Create a massage oil blend for use around chest, neck, and sinus area:

Mix with 1 teaspoon carrier oil (jojoba, grape seed, veg., etc.), lemon 1 drop, eucalyptus 2 drops, rosemary 3 drops

For Hay fever, use in a hot bath:

Chamomile 2 drops
Lemon 2 drops
Lavender 1 drop

Spicy synergistic blend:

Cinnamon 2 drops
Clove 1 drop
Nutmeg 2 drops

Alternate Spice synergistic blend:

Lemon 4 drops
Basil 2 drops
Orange 3 drops

For Sinusitis, steam inhalation:

Rosemary 3 drops
Thyme 1 drop
Peppermint 1 drop

~Melanie Morin



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Mission: The Board of Massage Therapists protects the public through regulating the practice of massage by balancing the needs of the public and licensed massage therapists through development, implementation and continued improvement in the areas of public safety, boundaries and ethics that will reflect the high standards set within the massage therapy profession.