



**Oregon Health Licensing Agency  
SEX OFFENDER TREATMENT BOARD**



9:00 a.m. Friday, January 23, 2009  
700 Summer Street N.E., Suite 320  
Salem, Oregon

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**MINUTES**

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A regular meeting of the Sex Offender Treatment Board was held at the Oregon Health Licensing Agency (OHLA), Rhoades Conference room, 700 Summer Street NE, Salem, Oregon on January 23, 2009. The following items were considered and action was taken.

**MEMBERS PRESENT**

Dr. William Davis, Chair  
Donald Didier, Vice Chair  
Brie Akins  
Dr. Jane Allen  
Dr. Steven Mussack  
Debra Patterson

**AGENCY STAFF PRESENT**

Dixie Bryant, Policy Analyst  
Samantha Patnode, Examination Analyst  
Trampus Schuck, Board Specialist  
Kraig Bohot, Communications Coordinator  
Mike Simpson, Quality and Statistical analyst

**GUESTS PRESENT**

Debbi Martin, Oregon Youth Authority  
Jim Briggs, Public attendee

**Call to Order**

Dr. William Davis, Chairperson, called the meeting of the Sex Offender Treatment Board to order at 9:13 am on January 23, 2009, at the Oregon Health Licensing Agency (OHLA), Rhoades Conference room 700 Summer Street NE, Salem, Oregon.

**I - Approval of Agenda**

**MOTION**

Steven Mussack made a motion with a second by Jane Allen to approve the agenda for January 23, 2009. The motion passed unanimously

## **II - Approval of Minutes**

### **MOTION**

Steven Mussack made a motion with a second by Jane Allen to approve the October 20, 2008, with corrections. The motion passed unanimously.

## **III - Reports**

### **A. Director's Report**

Dixie Bryant, Policy Analyst, presented 2009 Legislation sponsored by Representative Greenlick and explained how the concepts could affect the Board and the agency. She noted that specific bills add public members to specific health related boards which require certain regulatory oversight including standardizing terms and appointments of members within the program; she noted other OHLA programs would also be affected by the bills. Board members voiced concern that it is currently difficult to fill the vacancies of public membership and asked for definition of public member. Bryant explained the concepts address requiring improved oversight with regards to impaired licensees, requirements for reporting incidence where scopes of practice may crossover, and restricting the liability of hearings and court fees to complainants.

Bryant discussed OHLA Legislative Concept 765 reporting it had been pulled by the Governor's Office due to technical issues and provisions in the "Relating Clause". The agency revised the areas in question but in doing so did not meet the deadline for completion. The Governor's Office and Department of Administrative Services, Budget and Management Division supported the concept and encouraged the agency to pursue introducing the legislation as a committee bill. The OHLA concept summary and language were provided to members.

### **B. Administrative Services Division**

Mike Simpson, Program Analyst, presented an overview of statistics relating to the Board. His report included licensing, examinations, Website traffic, and regulatory statistics for 2008. The board was provided with the report and a copy was placed in board documents for retention.

Davis asked how many certifications had been issued in January. Bryant stated that twelve had been issued with four pending.

### **C. Regulatory Operations Division**

No regulatory issues were discussed.

## D. Program Operations Division

### ➤ OHLA Emergency / Proposed Administrative Rules

Bryant provided an overview of the agency proposed administrative rules which include temporary rules filed and effective December 1, 2008. They addressed requirements for completion of a fingerprint and criminal background check to determine fitness of individuals applying or renewing an authorization. The rules are used to clarify requirements for acceptable documentation and personal identification of applicants to strengthen applicant licensure qualification criteria. These rules are needed to mitigate use of false identification and/or misrepresentation of personal information, to reduce potential agency liability and secure license issuance and renewal procedures.

Other technical amendments were made relating to procedure of model rules, rulemaking, definitions, and Oregon Accounting Manual requirements. Corrections to statute citations and agency name were made.

Bryant provided copies of temporary and proposed rule information including the schedule for filing rules as follows:

December 1, 2008	Temporary Rules Filed and Effective
January 7, 2009	Rescheduled - Rules Advisory Committee Meeting – 1:30 pm
February 1, 2009	Notice of Proposed Rulemaking published in <i>Oregon Bulletin</i>
March 2, 2009	Last Day for Public Comment
March 2, 2009	Public Rule Hearing
April 1, 2009	Permanent Administrative Rules effective

### ➤ Outreach and Communication

Kraig Bohot, Communications Coordinator showed the board a draft Web page for the 150 year anniversary of the State of Oregon. Bohot explained his plans to add a frequently asked questions section to the SOTB Web site, which will include names of specific agencies requiring certification of sex offender treatment therapists. OHLA ten-year report will be a virtual presentation which will be on the site by February 13 to coincide with the Oregon 150 year anniversary.

Board members stated they would provide the OHLA with names of agencies requiring or suggesting certification. The board suggested that members contact different organizations and associations to solicit recommendations. Davis made a point of order to let the others know who has been contacted so there is no overlap.

➤ **Committees and Reports**

1. **Rules Committee Report – November 21, 2008**

The board reviewed the committee report from November 21, 2008, noting the board will continue to review the Developmental Disability Treatment Model. They stated that the Juvenile Treatment Model was finalized at the committee meeting as well.

2. **Review Developmental Disability Treatment Model**

The board deferred review of the Developmental Disability Treatment Model to the Rules Committee following the board meeting.

**IV - Items for Board Action**

A. **Revise 2009 Meeting Dates**

**MOTION**

Donald Didier made a motion with a second by Brie Akins to approve the revised meeting dates presented to the board changing the April 24, 2009 meeting to May 1, 2009. The motion passed unanimously. A copy of the revised meeting dates was provided to the Board and a copy was placed in board documents.

**V - Executive Session**

No Executive Session at this time.

**VI - Other Board Business**

A. **Develop List of Consultants for Treatment Model Review**

The board provided a list of experts who should be contacted to review the various treatment models. Questions were posed “what if someone requests a consultation fee to review the treatment model?” Board members agreed that a fee would not be paid for consultation and it was deemed a volunteer effort. Agency staff provided a timeline for review of the treatment models and completion of rulemaking as follows:

- March 20, 2009, 9 am – Stakeholder meeting to review treatment models
- May 1, 2009, 9 am Board meeting to approve proposed administrative rules
- October 23, 2009, 9 am Board meeting to approve permanent administrative rules

Davis requested that a cover letter and treatment models be sent to board member for distribution to experts.

## **VII - Public Comment**

Jim Briggs, audience member, inquired about the application process. Briggs stated he has training or experience in all the areas listed except pharmacological. The board explained he does not have to address every item on the list only those he has training or experience in.

## **VIII – Miscellaneous**

### A. Board Interest File

The board was shown how to check a list of licensees using the OHLA Website.

### **MOTION**

Donald Didier made a motion with a second by Steven Mussack to adjourn. The motion passed unanimously.

The meeting was adjourned at approximately 10:56 am

Prepared by: Trampus Schuck, Board Specialist