



# Oregon Board of Massage Therapists

MORROW CRANE BUILDING SUITE 250 3218 Pringle RD SE Salem OR 97302

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June 12, 2003

Morrow Building, Large Conference Room  
3218 Pringle Rd SE Salem OR 97302

## Attendance

### Board Members:

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

Stephanie Manriquez, L.M.T. (via telephone)  
Lisa Oxman, L.M.T. (via telephone)  
Brad Welker, D.C (via telephone)

**Staff:** Bev Holzman, Executive Director  
Michele Sherman, Office Manager

**Guests:** Robyn McGinnity, Assistant Attorney General  
Helen Bicart, Board Investigator

### Public:

Lisa Barck-Garafalo; OSM      Nick Chrones; LCC

- 1) Call to order  
Jordan called the meeting to order at 9:07 AM
- 2) Approve Agenda  
Holzman asked to remove agenda item 8)a) – she is still in the process of researching.

Holzman asked to add the following items to the agenda:

- Item 5)d) add 5-02-155
- Item 8)c) adopt budget
- Item 9)c) letter from Oregon Acupuncture Association
- Item 9)d) indorsement application for Linda Adams
- Item 9)e) renewal application for Patricia Green

**Oxman moved** to approve the agenda as revised. **The motion carried.**

Jordan welcomed and introduced Robyn McGinnity and Helen Bicart  
Robyn McGinnity, Assistant Attorney General, is the Board's new legal counsel. Helen Bicart is the Board's new investigator. Helen gave an overview of her background. She is retiring from a 26 year law enforcement career and is also a Registered Nurse. Holzman stated that Robyn and Helen have already contributed a great deal to the Board's law cases and investigations.

- 3) Public Forum - An opportunity for the public to address the Board and ask questions  
No comments

- 4) Approve minutes of the February 13, 2003, April 10, 2003 and May 8, 2003 meeting minutes. Jordan asked if there were any questions on Feb 13 minutes. Oxman asked that Holzman's transcription of a portion of those minutes be included as part of the record. **Kern moved** to approve the minutes of the February 13 (with the transcription portion), April 10, and May 2003 minutes. **The motion carried.**
- 5) Law Cases
- a) 9-01-138; Board to consider Settlement Agreement and Final Order  
**Oxman moved** to accept the agreement and issue a Final Order. Jordan abstained. **The motion carried.**
  - b) 6-02-189; Board to consider Settlement Agreement and Final Order  
**Oxman moved** to accept the agreement and issue a Final Order. Jordan abstained. **The motion carried.**
  - c) 11-02-199; Board to consider Settlement Agreement and Final Order  
**Kern moved** to accept the agreement with a revision to allow Respondent 24 months to obtain her license and issue a Final Order. Jordan abstained. **The motion carried.**
  - d) 5-02-155; Civil penalty paid in full.  
**Kern moved** to close the case C14, Civil Penalty Assessed and Paid. Jordan abstained. **The motion carried.**
- 6) Report of Executive Director
- a) Financial Report  
Holzman presented the Profit and Loss Statement. Manriquez asked about the revenue labeled as late fees. Holzman confirmed that amount is a result of the payment of late fees at a cost of \$25 per late application.
  - b) Correspondence Report  
No comments.
  - c) Building Update  
Holzman said the sinks are in the exam rooms and the staff is very excited about the move. There was a general discussion on tables, furniture and requirements for the new location. Oxman stated she would check with Custom Craft for a "good deal" on massage tables.
- 7) Committee Reports
- a) Education Committee  
Written report provided by Lisa Barck-Garafalo.  
Discussion on the report:  
Item I.A. Oxman: What about online classes? Does OBMT want the Board to list sites for online courses? Listing all of the sites could be quite overwhelming. Holzman is still checking on how the Board can best address online classes for both core curriculum and CE hours.

Frostad joined the meeting at 9:30 AM.

Item II. Barck-Garafalo asked if the Board agreed with the definition of "Somatics". Jordan asked that this report be referred to the next work session so the Board would have more time to review and discuss it. Law confirmed that as the rules are now written an LMT can take drug and alcohol related courses for CEs. Barck-Garafalo confirmed that the current OARs are a little broad and the Board seems to be ok with that. Jordan stated that at the last work session the Board discussed the implementation of CE credits for things that will allow an LMT to obtain CEs without spending a lot of money. These included serving as a board member, serving on a committee and credit for CPR. Holzman clarified that most of those items will require rule changes. Oxman asked Holzman to send the work session notes to the schools.

Item III. Barck-Garafalo confirmed that currently CE providers don't have to be approved by the Board. Frostad stated this was discussed in the Education Committee Meeting and recommended that only providers not recognized by ODE, NCBTMB, or other recognized professional organizations would require board approval.

Item IV: Oxman stated the schools should know the source texts for the Model Curriculum. Welker asked for clarification of Emotional aspects; Barck-Garafalo gave an example that if an LMT was working on a client's "glutes" for back pain the client may not understand that working on that area could be helpful. Barck-Garafalo said the Committee had not been directed to provide the source texts. Jordan asked Oxman to clarify source books and what she wants. Oxman stated she would just like to know what books were used. Barck-Garafalo said she could give a list of textbooks. Oxman also said she would like the Education Committee to list the endangerments for each of the muscles on Appendix A and make that part of the Model Curriculum. Frostad said the Education Committee would first like to see how long it would take to provide such a list. Holzman was directed to wait to send out the definitions provided in the Report until more information is received from Education Committee.

Kern asked for direction as to when the Scope of Practice Committee would meet again. A definite meeting time was not established. Chrones stated they needed to review the seven directives that Frostad submitted at the work session. Holzman will send the seven directives to all committee members.

8) Old Business

- a) Online courses - removed from the agenda – no discussion.
- b) Indorsement Applicant Magahan Ruby –  
**Frostad moved** to accept her transcripts so she can take the Oregon exams. **The motion carried.**
- c) Adopt permanent order for 2003-05 budget.  
**Oxman moved** to adopt the permanent order and approve the budget. The motion carried.

9) New Business

- a) Revisiting Board member duties and rules for reimbursement  
Holzman said Jordan asked her to distribute some written material on this subject. Discussion followed.  
Frostad asked the Board to consider switching from Sturgis Rules to Robert's Rules. Jordan said this would be put on the next work session agenda. Holzman will get copies of Robert's Rules to the Board members.
- b) Charles McGrosky – would like the Board to review New Zealand's practical exam  
Discussion: Law asked if could we send our exam to them. The Board said no because of confidentiality concerns. The Board was in agreement that if McGrosky were to provide a copy of the New Zealand practical exam the Education Committee would review it. Holzman was directed to send McGrosky the criteria that goes to the schools and the non-confidential portion of examiner's handbook, stating that is all we can provide.
- c) Letter from Oregon Acupuncture Association regarding scope of practice for LMTs [GC03036]  
Discussion. Holzman was directed to respond that the rule change does not give LMTs the legal authority to evaluate and treat diseases and to state the Board will be addressing some of the items in their letter at future work sessions. Jordan will review Holzman's response before it is mailed.
- d) Letter from Linda Adams regarding indorsement from Florida  
**Oxman moved** to uphold Holzman's decision to require her to take the practical exam. **The motion carried.**

- e) Letter from Patricia Green regarding renewal after her license expired due to health reasons. Oxman thinks board should grant her request. McGinnity stated she doesn't see anything in statute that would allow the Board to waive the license requirements for renewal after a license has been expired for more than three years. Manriquez confirmed that during her period of illness Green could have applied for inactive status. The Board is sympathetic with her situation but cannot violate Oregon laws. **Frostad moved** to deny her request. Oxman opposed. **The motion carried.**

10) Public Comments

Barck-Garafalo asked if the work sessions are public? Holzman said if Board is not taking actions, they are not public. McGinnity and Holzman will discuss this further. Barck-Garafalo said she would appreciate it if the Board would provide notes from meeting. Frostad and Oxman thanked Barck-Garafalo for writing an article for the *Boarderline*.

11) Announcements

Holzman stated the next meeting would be at the new building.

12) Adjourn

**Law moved** to adjourn. **The motion carried.** The meeting adjourned at 10:30 AM.