



# Oregon Board of Massage Therapists

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BOARD MEETING MINUTES  
Thursday, September 8, 2005

## Attendance

### Board Members:

Michael Jordan, LMT, Chair  
Stephanie Manriquez, LMT  
Jackie Kern  
Brad Welker, DC

Jacqueline McCal, LMT  
Lisa Oxman, LMT  
Cathy Law, by telephone

**Staff:** Patty Glenn, Executive Director  
Michelle Sherman, Office Manager  
Diana Nott, Investigator/Enforcement Coordinator

### Public:

None in Attendance

- 1) **Call to order**– 10:00 AM  
Jordan called the public meeting to order at 10:00 am.
- 2) **Approve Agenda**  
**Kern** moved to approve agenda. **In favor: Oxman, McCal, Law, Welker, Kern, Manriquez, and Jordan. Opposed: None. Motion carried.**
- 3) **Approve minutes** of the August 11 meeting.  
Tabled until the October 2005 meeting.
- 4) **Public Forum** - An opportunity for the public to address the Board and ask questions  
No public in attendance.
- 5) **Report of Executive Director**
  - a) **Financial Report**—Finances are on target; negative ending balance reflected due to renewal cycle.
  - b) **Correspondence—HLO Press Release**— Reflexology and lymphatic drainage verbiage has been removed from the draft of the press release. HLO has not released the article for publication at this time. HLO stated Board of Massage Therapists will receive the publication as soon as available.
  - c) **Displaced Hurricane Katrina LMT's**—Because of the recent natural disaster in Louisiana the Board decided to look into the applicability of a temporary license. Manriquez moved to grant a 30-day license based on information they submit. **In favor: Oxman, McCal, Law, Welker, Kern, Manriquez, and Jordan. Opposed: None. Motion carried.**
- 6) **Committee Report**—there is a Rules Committee meeting this afternoon at 1pm. Oxman inquired about the authority to delegate to committees. Glenn to review previous discussion and present in October. There are no other committee reports at this time.

The Scope of Practice committee and Education committee will be combining. It was also reiterated that the board liaison for the Rules committee is Kern and the liaison for the Exam committee is Law.

**7) 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.

**8) Public Session—Law Enforcement—discussion re: law enforcement cases against unlicensed individuals and to take action against all law enforcement cases.**

**Case # 7-04-287**

**Allegation:** Failing to keep the equipment and premises of the massage establishment in a clean and sanitary condition. **Recommendation:** Stay the previous motion. **Oxman** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #3-05-337**

**Allegation:** Practicing massage without a license. **Recommendation:** Issue a Notice of Proposed Action for 7 violations of ORS 687.021(1) practicing massage without a license for a total civil penalty of \$6,500. **Law** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #5-05-355**

**Allegation:** Practicing massage with an auto-expired license. **Recommendation:** Issue a Notice of Proposed Action for 2 violations of ORS 687.021(2) advertising massage without a license and 7 violations of ORS 687.061(2) practicing massage with an expired license for a total civil penalty of \$8,500. **McCal** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #7-05-379**

**Allegation:** Advertising massage while in an Inactive status. **Recommendation:** Issue a Notice of Proposed Action for 1 violation of ORS 687.051(5) practicing massage while in an Inactive status and 6 violations of ORS 687.081(1)(i) unprofessional conduct for a total civil penalty of \$6,500. **Kern** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #8-05-399**

**Allegation:** Allowing the practice of massage by an unlicensed person and failure to provide the Board with information. **Recommendation:** Issue of Notice of Proposed Action for 2 violations of ORS 687.081(1) making false statements to the Board and 7 violations of OAR 334-030-0025(10) allowing an unlicensed person to practice massage for a total civil penalty of \$8,500. **Welker** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #3-04-271 Petra Nicoll**

**Allegation:** Practicing massage without a license. **Allegation:** Stay the previous motion. Close case Allegations unfounded. **Oxman** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #3-05-338 Rose Damour**

**Allegations:** Practicing massage without a license. **Recommendation:** Issue a Notice of Proposed Action for 32 violations of ORS 687.021(1) practicing massage without a license for a total civil penalty of \$32,000, and refer to the District Attorney's office. **Kern** so moved. **In favor: Oxman,**

**Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #5-05-376 Diana Rose**

**Allegation:** Practicing Reflexology without a massage license. **Recommendation:** Issue a Notice of Proposed Action for 2 violations of ORS 687.021(1) practicing massage without a license and 4 violations of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$5,500. **McCal** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #7-05-380 Mercedes Gonzales**

**Allegations:** Advertising massage without a license. **Recommendation:** Issue a Notice of Proposed Action for 1 violation of ORS 687.021(1) practicing massage without a license and 1 violation of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$1,500. **Welker** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**Case #8-05-393 John Powell**

**Allegation:** Advertising massage without a license. **Recommendation:** Issue a Notice of Proposed Action for 1 violation of ORS 687.021(1) practicing massage without a license and 1 violation of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$1,500. **Welker** so moved. **In favor: Oxman, Manriquez, Law, Jordan, McCal, and Kern. Absent: Welker. The motion passes.**

**Case #7-05-396 Katelyn Decker**

**Allegation:** Advertising massage without a license. **Recommendation:** Issue a Notice of Proposed Action for 1 violation of ORS 687.021(1) practicing massage without a license and 6 violations of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$6,500. **Law** so moved. **In favor: Oxman, Manriquez, Law, Jordan, McCal, and Kern. Absent: Welker. The motion passes.**

**Case #8-05-397 Amy Simpson**

**Allegation:** Advertising massage without a license. **Recommendation:** Issue a Notice of Proposed Action for 1 violation of ORS 687.021(1) practicing massage without a license and 1 violation of ORS 687.021(2)(a) advertising massage without a license for a total civil penalty of \$2,000, refer to the Portland Vice, and send a letter of concern to East West College and cc: the Oregon Department of Education. **McCal** so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, McCal, and Kern. The motion passes.**

**9) Public Comments** – Opportunity to share thoughts that pertain to agenda items. There were no comments from the public.

**10) Announcements**—Glenn reminded Board members that she and Nott would be attending training for law enforcement at the CLEAR conference in Phoenix Arizona the week of September 12. Glenn would then be attending the Federation and AMTA meeting in Albuquerque New Mexico the following week. Glenn thanked Nott for her hard work on the Law Enforcement cases.

Glenn reminded members that the October 15th meeting is in Bend Oregon. Check-in will be on Friday night at the Riverhouse Hotel. There will be an open forum starting at 9am on Saturday morning followed by the Board meeting at 10am. It would be preferable to remain Saturday night so that the Board could hold a meeting Sunday morning if needed.

McCal will not be in attendance at the November Board meeting.

As Vice-Chair, McCal needs to be added to the checking account at the Board's bank. Oxman so moved. **In favor: Oxman, Manriquez, Welker, Law, Jordan, and Kern. The motion passes.**

**11) Adjourn Meeting— Welker** moved to adjourned. **In favor: Oxman, McCal, Law, Welker, Kern, Welker. Opposed: None. Motion carried.** Meeting adjourned at 12:07pm.