



Oregon Board of Massage Therapists

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(503) 365-8657 fax (503) 385-4465

BOARD MEETING MINUTES

Thursday, July 8, 2004

Attendance

Board Members:

Michael Jordan, L.M.T., Chair
Stephanie Manriquez, L.M.T
Jackie Kern (phone)

Cathy Law
Lisa Oxman, L.M.T. (arr. 9:12, dept. 11:01)
Brad Welker, D.C. (phone)

Staff:

Patty Glenn, Executive Director
Michelle Sherman, Office Manager
Diana Nott, Administrative Specialist

Robyn McGinnity, AAG
Helen Bicart, Investigator

Public: (public names contain spelling concerns as attendees did not print)

Larry Peck, HLO	Donald Poulos, L.J.A.	Jill Stanard, ND OSM
Jenn Hodges	Keith McDonald	Cathy Peterson
Norda Hylton (?)	Kassy Daggett, Six Rivers	Kate Custer
Trisha Kluger (?)	Jolie Griffin, LMT, OSM	William Musser (phone)
Jaylene McCluz (?)	Nick Chrones, LMT, LCC, Scope of Practice Committee	

1) Call to Order

Jordan called Public Session to order at 9:09 AM.

2) Approve Agenda

Law moved: to approve the agenda as presented. In-favor: Jordan, Manriquez, Kern, Law, Welker.
Opposed: None **The motion carried.**

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

4) **Approve minutes - June 10, 2004 Executive and Public Session.** Correction needed to Executive Session & HIPPA. Corrected minutes will be presented at the September meeting.

5) Report of Executive Director

Financial Report (report attached) – Cost of Examiners is trending consistent with previous biennium however the budget was cut in half for this biennium.

6) Committee Reports (reports attached)

Combined Education and Scope of Practice Committee – Nick Cronos, Scope of Practice Committee Chair, presented committee report. Committee meeting focused on Continuing Education and presented options to support boards goals of public safety and education with the needs and concerns of the therapists. The Board discussed proposed changes to 334-010-0050 and the following motions were made.

Oxman moved: I move that in rule 334-010-0050 that we amend the language in number two to include the change, changing the second sentence to contact hours in excess of the total number required may be carried over for credit for one renewal period. (Instead of not) But it is for one renewal period, which means you can't carry over two or three; study for three months somewhere and then carry it over for the rest of your licensure, you can't do that. So that's number two. Underneath number four, we're going to delete what is there, Each licensee must provide records of all continuing education hours at the time of renewal in the manner prescribed below: On board CE form. That form will be provided at the renewal time. Six will be deleted

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because it is going to be wrapped into nine. And in nine we will include the words "or falsification of continuing education report" to further clarify what we mean by fraud, and then in ten the addition of the required 25 hours to clarify underneath the topic areas. In favor: Oxman, Law, Manriquez, Welker, Kern, Jordan. Opposed: None The motion carried.

Oxman moved: I move that we delete 334-010-0050 underneath number eleven starting out with B and C and D and O, that we delete the words "board approved". I'm willing to amend my motion, but I would also like to include in my motion that underneath item N, volunteer work at an organized event, that we delete the two hours of credit every year and just have it be four hours of credit for the biennium. In favor: Oxman, Law, Manriquez, Welker, Kern, Jordan. Opposed: None. The motion carried.

Oxman moved: I would like to move that we make these changes that we just voted on now a temporary rule change and that it will be standing until they become permanent. In favor: Oxman, Law, Manriquez, Welker, Kern, Jordan. Opposed: None. The motion carried.

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7) **Adjourn to EXECUTIVE SESSION** [per ORS 192.660(1)(f) & 192.660(1)(k)]

- a) Correspondence from AAG to Board
- b) Law case

Reconvene Public Session

Action on Law Case 7-04-286

Manriquez moved: I move to temporarily suspend and to accept the stipulated agreement of suspension from case number 7-04-286. In favor: Oxman, Law, Manriquez, Welker, Kern, Jordan. Opposed: None. The motion carried.

8) **Old Business**

a) **Board of Cosmetology –**

Discussed proposed changes in language to Cosmetology Scope of Practice. Concerns raised as follows; insufficient education, personal experiences with improper technique, no language in place to clarify what is skin care and what is massage therapy, law enforcement concerns, considerable change in scope of practice without change in education, not in the interest of protection of public, removing C7 limitation creates increase in risk when not educated, appears that there is a lack of understanding in risks associated, lack of enforcement for technicians operating outside of scope of practice, appears scope is being broadened to cover technicians operating outside of scope, lack of training on indications and contraindications, At this time the board is opposed to the changes as proposed. The board is open to change provided above areas are addressed. Suggested changes; inclusion of "does not include massage ...", clarification on depth of tissue to be effected, removal of the word manipulation, allow skin care to full body but leave massage restricted to above C7 and/on hands and feet.

9) **New Business**

a) **Executive Appointment Applicant**

The following Applicants gave brief verbal presentations: William Musser, W. Keith McDonald, Cathy Peterson, Kate Custer, Jacqueline McCall (written submission).

Discussion followed and the board recommended Jacqueline McCall for appointment.

- b) **Definition of Client OAR 334-001-060 (11)** – Discussion regarding definition of client, intent of language, etc. McGinnity stated: If you look at the definition practice of massage then he did practice massage as it is defined. Discussion moved to work session to re-evaluate the definition of client.

- c) **Health Indorsement hours 334-010-0041(3)** – Can Kinesiology hours be used for toward the 300 hours for health endorsement. Scope of hours is broad but does not include Kinesiology so schools are hesitant to require students to take Kines if board will not accept. Board will consider Kinesiology hours as practical application hours.

Law moved: *To add Kinesiology to 334-010-0041(3) as part of the required 300 hours.* In favor: Oxman, Law, Manriquez, Welker, Kern, Jordan. Opposed: None. The motion carried.

- d) **Application by Portfolio Review / Interpreter** – This matter has been continued to a work session for further discussion.

10) **Public Comment:**

Kassy Daggett; Cosmetology changes it seems like boards should have open dialog to keep boundaries clear. Every time she has received a manicure or pedicure the technicians have always worked up to elbow and up to knee. Technique used was incorrect. Up until this meeting she did not realize it is out of scope and does not feel that the majority of the public is aware that it is outside of their scope. Regarding definition of client, consider use of patient rather than client. As industry changes may want to revisit. Appreciates changes made to CE.

11) Announcements:

- a) Combined Education/Scope of Practice meeting on July 30 here at the board office.
- b) Encourage LMT's to make themselves aware of Cosmetology's proposed changes and get involved in the process.

12) Adjourn

Law moved: to adjourn the meeting. **The motion carried unanimously.** Jordan closed the meeting at 1:09 P.M.

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