



# Oregon Board of Massage Therapists

748 Hawthorne Ave NE Salem OR 97301  
(503) 365-8657 fax (503) 385-4465

APPROVED

11/9/06

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## BOARD MEETING MINUTES

October 21, 2006

The Dalles Oregon

### Board Members:

Jacqueline McCal, LMT, Chair  
Stephanie Manriquez, LMT  
Jackie Kern, Public Member  
Sheree Fields, Public Member  
Craig McMillin, Public Member

### Staff:

Patty Glenn, Executive Director  
Michelle Sherman, Office Manager  
Diana Nott, Law Enforcement Coordinator

### Public:

Donald Hughes, LMT  
Louise Hughes  
Lance Staab, LMT  
Stanton Starr, LMT  
Serena Bennouri, LMT

### Call to order

**McCal** called the public meeting to order at 10:01 am. Role call performed. All were present except Barton and Oxman who were excused. The Board welcomed new public member, Craig McMillin. McMillin is a practicing attorney with 33 years of experience.

### 1) Approve Agenda

**Kern** moved to approve the agenda. **In favor: McCal, Kern, Manriquez, McMillin and Fields.**  
**Opposed: None. Motion carried.**

### 2) Approve minutes

**Manriquez** moved to approve both the August and September minutes. **In favor: McCal, Kern, Manriquez, and Fields. Opposed: None. Abstained: McMillin Motion carried.**

### 3) Public Forum

Stanton Starr introduced himself. Indicated that he would like more interaction with LMTs in his area.

### 4) Report of Executive Director

**a) Financial Report**—McCal has reviewed 2006 financials and reported that everything is in order. The budgeted expenses are at 68% while the budgeted income is at 76%. Government charges are trending high due to law enforcement.

#### **b) Updates**

**i) All Schools Meeting**—On August 25, 2006 the majority of approved schools attended a meeting to interact with each other as well as learn what is going on at the Board level. The Board staff is finding that these meetings are extremely valuable, as communication has improved greatly.

**ii) School Stats**— The current passing score is 70% overall with at min. 60% in each category. Effective January 2007 the passing score will be 70% in each category. The Board reviewed the pass/fail information and ratified this change.

#### **iii) CLEAR**

**A) Conference:** Glenn and Nott attended the CLEAR Conference “Are you clearly prepared?” in Virginia the week of September 11, 2006. Focus was on emergency/disaster preparedness and maintaining agency functions.

- B) NCIT(Nationally Certified Investigator/Inspector Training) Specialized Training:**  
This training was the follow up to the training Nott received last year. This years training was also extremely beneficial in both its training and the opportunity to network with other states. Based on her experience Nott feels that OBMT is on track with its investigative process.
- iv) FSMTB (Federation of State Massage Therapy Boards)—**The Federation is now in its second year. The response has been uplifting and encouraging as more states are becoming involved. Manriquez and McCal sat in on item writing for entry level licensing exam and were very impressed with the attention to detail in the wording to make the questions clear and understandable. The Federation has created a Job Task Analysis (JTA) survey to obtain information on how the profession defines entry level competency. Tacked on to the JTA is a career satisfaction survey the information gathered in this portion will be compiled by researches from Temple and Purdue. The survey is online at fsmtb.org. All therapists, massage educators and massage employers are invited to participate in the survey.
- v) NCBTMB(National Certification Board for Therapeutic Massage and Bodywork)—** John Page (former NCBTMB Exec. Director) is not longer with the NCB. Barry Franks is serving as NCBTMB Interim Executive Director and Gary Hannah has been hired as Deputy Director. NCBTMB has asked administrator from licensed states to participate in a meeting on November 17<sup>th</sup> to discuss the creation of a database for the purpose of tracking licensing and disciplinary information. All expenses will be paid by the NCBTMB and Glenn will be attending.
- vi) OMTA(Oregon Massage Therapy Association) Annual Meeting—**Held at Breitenbush on October 6, 2006, Michelle Sherman attended the meeting on behalf of the Board. It was a great chance to interact with the LMT community. Issues centered around the conversion renewal and when continuing education was due.
- 5) Committee Updates**
- a) Exam Committee—**Michael Blackmore has resigned as chair of the Committee. The Board thanks him for all of his hard work and integrity. The Board is currently recruiting for a new committee chair; if you are interested please contact the Patty Glenn.
- b) Rules Committee—Review of Proposed Rule Changes—** Rules committee member Heather Bennouri presented the committees proposed changes to Div. 001 and 010 to the Board. The Board reviewed and provided feedback for Bennouri to take back to the committee. The next presentation to the Board will be at the January 2007 meeting.
- c) Education/Scope of Practice Committee Report—**The Board asked that the meeting be held as close to the Board meetings as possible to enable the Chair of the committee to attend the Board meeting. Based on the previous report the Board held further discussion around “sensual”. The Board suggested that a definition with a massage connotation rather than a sexual connotation be created. School policies around staff/student conduct was discussed. The Board is concerned about the increase in boundary/ethics complaints concerning this type of dual relationship. McMillin suggested a letter of concern be sent to the schools expressing that student/teacher relationships is a growing concern and that the Board hopes that the schools would adopt a policy that would prohibit this kind of conduct.
- 6) New Business**
- a) School Advisory Committee—**The Board discussed creating a committee that would allow the schools to become more actively involved and create another way to promote goodwill while increasing communication and participation between the schools and Board. The members would consist of school staff. **Manriquez** moved to establish a new committee temporarily called the *Schools Forum Committee*. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.** The Committee’s first order of business will be to rename the Committee. Committee recruitment will happen at the next all schools meeting

slated for February 2007 and once established would meet on an as-needed basis.

- b) **2007 Calendar**—After deliberation, the 2007 board-meeting schedule has been set. Manriquez moved that the Board meet at 10:00am on the second Friday of every month. Exceptions are the traveling meetings in April (Ashland) and October (Bend); which are scheduled from noon to 8pm with a break for dinner. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.** November 9, 2006 meeting the time has been changed to 1pm at the Board office.
- c) **2007 Officers Election**—Kern moved to elect Manriquez as Chair. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.** McMillin moved to re-elect Kern as Vice-Chair. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.** 2007 Board liaisons to the committees are assigned as follows: McMillin—Rules, Fields—Scope of Practice/Education, Barton—Schools Forum, and McCal—Exam. Kern so moved. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.**
- d) **BodyTalk**— Correspondence was received from counsel representing BodyTalk practitioners. AAG Lindley responded to counsel. AAG's interpretation is that BodyTalk does fit within the definition of massage and as such practitioners would need to be licensed.

## 7) Old Business

### a) Review 2006 Strategic Plan

**Portfolio Review:** Has been forwarded to the Scope of Practice/Education committee to establish process for determining equivalence to minimum requirements. Candidates who qualify under this entry to license would still be required to pass the Oregon Practical.

**Reflexology License:** The OBMT has received information that there may be a group submitting a concept this Legislative Session for independent regulation. As this issue has already been a point of discussion with the Board it was suggested that we meet with them to discuss options that would address their concerns. One possible option is a title act within the OBMT statute. Kern moved to send a letter of invitation to the Oregon Reflexology Association.

**In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.**

**Tiered License:** Rationale/concepts for tiered licensing were discussed and included; basic relaxation, education hours, entry level competency and advanced training, insurance companies delineating between medical massage and relaxation massage, length of time practicing massage. The Board forwarded to the Scope of Practice/Education committee for further research and recommendation.

**Increase in Core Hours:** There is an increase in law enforcement cases involving business and ethics violations. The Board discussed one possible solution might be an increase in hands-on student hours in clinic classes to 100 hours. The Board would like to know what the schools think. Manriquez moved to forward to the Scope of Practice/Education committee and the Schools Forum committee. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.**

- b) **2007 Strategic Plan:** Online core curriculum courses—Manriquez to research; Continue the ongoing review of practical exam process.
- c) **Review Conference Call Board Meetings:** Table until November 2006 Board meeting.

## 8) Public Comments— No public comments.

## 9) EXECUTIVE SESSION

Executive session is held pursuant to ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection (legal counsel), 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.

**10) Action on Executive Session**

**a) Applicant Review**—In the matter of candidate “AA” **Manriquez** moved to accept the candidate with the information provided and allow “AA” to take the Practical exam. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.** In the matter of candidate “BB” **Fields** moved to accept the candidate with the information provided and allow “BB” to take the Practical exam. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.**

**11) Announcements and Other Business**—A preliminary review of our Legislative Concept has been completed and some clarifying changes have been made. These changes will be submitted to Legislative counsel on Monday.

**13) Adjourn Meeting**— **Kern** moved to adjourn. **In favor: McCal, Fields, McMillin, Kern, and Manriquez. Opposed: None. Motion carried.** Meeting adjourned at 5:05 pm.