



Oregon Board of Massage Therapists

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BOARD MEETING MINUTES

February 9, 2007

Board Members:

Stephanie Manriquez, LMT, Chair
Jackie Kern, Public, Vice-Chair
Jordan Barton, LMT
Jacqueline McCal, LMT
Craig McMillin, Public
Lisa Oxman, LMT

Staff:

Patty Glenn, Executive Director
Diana Nott, Law Enforcement Coordinator

Public:

Glen Ashe, LMT
Jill Stanard, ND
Bev Holzman
Mrs. Ashe
Lisa Barck-Garofalo, LMT

Call to order

Manriquez called the public meeting to order at 10:05 am. A roll call was performed. All were present except Fields, McMillin and Kern. McMillin and Kern arrived late.

1) Approve Agenda

McCal moved to approve the agenda. **In favor: McCal, Manriquez, Barton, and Oxman. Opposed: None. Abstained: McMillan. Kern was not yet present. Motion carried.**

2) Approve Minutes

Oxman moved to approve the January minutes. **In favor: McCal, Manriquez, Barton, McMillin and Oxman. Opposed: None. Motion carried**

3) Public Forum – Opportunity for the public to address the board

Mr. Ashe said that he had gotten his questions answered before the meeting started. **Manriquez** shared that she had gotten comments from the community regarding how polite and helpful Board staff has been. She thanked staff for a job well done.

4) Director's Report

- a) **Financial Report - Glenn** suggested that a P&L statement continue to be provided each month. In addition, a detailed budget report will be given at the April and October Board meetings. **McMillin** requested a brief statement be added to confirm distribution of payroll, taxes and employee related expenses. **McCal** inquired about license fees being at 80%. **Glenn** stated that the income is weighed at the end of the biennium do to the conversion renewal.

Glenn stated staff had accommodated licensees as much as possible during the conversion renewal. Most late fees assessed were due to licensees failing to update the Board with current address information as required by OAR. Lapsed licensees are trending consistent with past renewals.

Oxman voiced her concerns about our current system of board member review of the Board's financial documents. She had volunteered to review the documents mid-year for 2006 when Jordon resigned. She thanked McCall for her willingness to complete the review and brought up the question of what the review procedures include and who will be active with this board service. McCall will continue as past-chair to review the financial records; this includes a thorough review of the accounts for 2007. Manriquez stated that she will arrive early for the 2008 Board meetings to take over those duties when her tenure as chair expires.

- b) **Updates – Glenn** provided the Board with information on Animal Massage and possible changes to the laws in Washington State. There was a discussion on the Board's pending legislation and it was confirmed that the word "human" would remain.

5) Committee Updates

a) Rules Committee—Division 001 and 010 Presentation

Stanard and Barck-Garofalo presented the work done on Divisions 001 and 010 to the Board. The Board went through each line as a group. Several discussions ensued and some corrections/changes were made.

Kern arrived at 10:32.

Stanard thanked McMillin for joining the committee as the Board liaison. At the conclusion of the review the Board thanked the committee and gave many compliments on the work done thus far.

6) 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.

Working Lunch 12:00 pm

7) Law Enforcement

a) Action on Executive Session

Case #03-06-449 - **McCal** moved to accept the final order as presented to the Board. **In favor: McCal, Manriquez, Barton, McMillin, Kern and Oxman. Opposed: None. Motion carried**

8) New Business

a) **Glenn** notified the Board that several of the law enforcement cases that had requested hearings have since settled. Glenn thanked the staff for the quality of the investigative work and the board for their commitment to ensuring that the public is protected with appropriate and consistent sanctions.

b) There was a discussion regarding **Fields** repeated absence and lack of correspondence. **Glenn** will contact her to discuss concerns and options.

9) Old Business

a) **Online Science hours - Manriquez** mentioned NCB requires that kinesthetic home study have a practical component in order to be acceptable as continuing education. **Glenn** stated this is a hot button nationally and that the OBMT does not have any pending issues regarding distance education. This is something the FSMTB will be looking into as a model practice act is developed. **Oxman** thinks that it would be great, but wasn't sure how it would work for kinesiology without having hands-on with a teacher on a regular basis. **Glenn** reminded the board that we currently accept distance science hours and asked if the Board had any concerns with accepting business and ethics as well. **Manriquez** stated distance learning usually involves contact with an instructor during the process; home study is generally without any outside contact with an instructor. **Kern** asked if distance learning courses could be in conjunction with existing schools. **Manriquez** shared that some schools make arrangements to do distance learning to facilitate learning styles and accommodation issues. There was additional discussion on distance learning. **McCal** moved to accept on-line distance education for topics that are non-kinesthetic (Anatomy, Physiology, Pathology, Business Development, Communication, Ethics, Sanitation and Hydrotherapy). **In Favor: McCal, Manriquez, Oxman, Kern, McMillin and Barton. Opposed: None. Motion Carries.**

b) Legislative Updates

i) **LC455 (SB170)** This is the bill that the Board has put forward. It should move forward now that Legislative Counsel is back and drafting amendments.

ii) **LC55 (SB 399)**

Reflexology Bill—As a whole the board does not support exempting reflexology but should this bill move forward at a minimum the language should be amended to read. (i) **Practitioners of reflexology who do not practice massage therapy and who limit their work to the exclusive practice of reflexology through the limited application of pressure with the thumbs to reflex points exclusively on the feet, hands and ears, for the sole purpose of bringing the body into balance, thereby promoting the well-being of clients.**

iii) **SB70**

Secretary of State Bill that amends the biennial and change of director audit requirements. This is good for the agency as it would save money.

iv) **SB493**

Allows the home address and contact information of medical professionals to be exempt from disclosure. The Board authorized **Glenn** to have the Board join the list of agencies in this amendment.

v) **SB2528**

Relating to the Investigative Process. Discussion on why this could be problematic for the agency. **McMillin** indicated that he didn't think this Board needed to get involved in the fight against this bill and that he's certain that other agencies will have similar concerns.

Oxman asked if this Board could look into the cost of getting our own lobbyist. This brought about a discussion on the importance of getting to know your senators and representatives. There was also discussion on relationships with your professional organizations. **Glenn** said that there were a few other bills that may be of interest to the Board 2430 – 2431 – 2432. **Glenn** will set up all Board members as users on LINUS so they can track legislation.

10) Public Comments

Bev Holzman stopped by to say hello and suggested **Glenn** contact Senators Margaret Carter and Avel Gordly.

11) Announcements

Glenn is looking into being more "green" in the next biennium and the possibility of laptops and memory sticks rather than paper. Laptops would stay at the Board office and the board packets would be sent to the members via password-protected memory stick. The Board was pleased with this idea.

Glenn will be gone for the May board meeting. After the April meeting, the Board will decide if they will have a May meeting.

There was discussion regarding time frames for the April 2007 meeting. Staff and Board members will arrive Thursday evening. The Board will meet with the public from noon to 1:00 for the Q&A session. The meeting will start at 1:00 on Friday, April 13th. There will be a meeting on Saturday morning from 10:00am -2:00pm for Board Member Training. Both meetings will be held at Ashland Institute of Massage.

12) Adjourn Meeting

McCal moved to adjourn the meeting. **In favor: McCal, Barton, Kern, McMillin and Manriquez. Opposed: None. Oxman was not present. Meeting adjourned at 2:10pm.**