



Oregon

Theodore R. Kulongoski, Governor

Board of Massage Therapists

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BOARD MEETING MINUTES

May 16, 2008

Attendance

Board Members:

Stephanie Manriquez, LMT, Chair
Jeanna Catalano, LMT
Jackie Kern, Public Health Member
R. Craig McMillin, Public Member

Staff:

Patty Glenn, Executive Director
Diana Nott, Enforcement Coordinator

Public: There was no public in attendance

Call to order -

Manriquez called the meeting to order at 10:00am. Role Call was performed. **Manriquez, Catalano and McMillin were physically in attendance, Kern was present via telephone. Barton was absent. Calise was excused.**

- 1) **Approve Agenda - Kern moved** to approve agenda. **In favor: Manriquez, Kern, McMillin and Catalano Opposed: None. Motion carried.**
- 2) **Approve April 18, 2008 Minutes – McMillin moved** to approve the April 18, 2008 meeting minutes. **In favor: Manriquez, Kern, McMillin and Catalano Opposed: None. Motion carried.**
- 3) **Public Forum –** There was no public in attendance.
- 4) **Report of Executive Director -**
 - a) **Financials: Glenn** reported on the finances and gave the Board members a copy of the P&L. She is still working with US Bank for better account opportunities for the Board.
 - b) **New Board Member:** Crystal Collier from LaGrande will be appointed May 27th and her first meeting with the Board will be June 20th. **Collier** will receive her Board Member Training on the afternoon of the 19th, after the Rules Hearing.
 - c) **Rules Hearing:** The Rules Hearing will be held at the Board office on June 19, 2008 at 1:00pm. **Manriquez** will be the Hearings Officer. The Hearing will run until complete. Staff anticipates public input.
 - d) **Scope of Practice: Nott** periodically responds to Craig's List Posts regarding massage services by individuals that appear to be unlicensed. One such correspondence resulted in a conversation with the Nursing Board because of an RN practicing and advertising for Healing Touch. As of January 1, 2008, or around that time, energetic approaches have been added as a nursing modality. Their response indicates that they will be working with the

OBMT to address any overlap issues. RN's may establish treatment plans on their own, so if they are doing this work as part of that plan, then they are in compliance with their scope of practice. However, separate advertising for the bodywork is not appropriate. **Manriquez** asked that this information be put in the newsletter.

The Board also received an inquiry from the Oregon Board of Chiropractic Examiners with a question regarding traction swings, inversion tables, etc. The OBCE questioned if the use of such devices was within the scope of practice of an LMT. Because the devices are available over the counter and require no prescription and they fit within the scope of practice, it would be acceptable for an LMT to use such devices within their scope of practice. **Manriquez** asked that this information be placed in the newsletter.

- e) **WA Board Change:** The Washington Board has increased their massage licensing fees from \$25 per year to \$90 per year for an Active Massage License.
- f) **Monday Memo: Glenn** intends to provide the Board members with a Monday Memo via e-mail to keep the Board members informed of anything out of the regular scope of general office happenings. This allows them to have the ability to ask to have an item placed on the next agenda in order to speak more in depth on anything that might interest them.

5) **Committee Updates –**

- a) **Board Sanctioned Committee Meeting Mileage – McMillin moved** to approve mileage reimbursements for Board Sanctioned Committee Meetings. **In favor: Manriquez, Kern, McMillin and Catalano** **Opposed: None.** **Motion carried.**
- b) **Board Copy Draft Committee Guidelines –** The Board members each received a brief description of committee expectations. Board Liaisons will be reassigned at the June 2008 meeting.
- c) **Exam Committee –** Minutes from the last meeting were provided to the Board. Examiner training dates have been set up. **Manriquez** asked about the number of examiners. **Glenn** said that there is currently a solid base of examiners; however staff is putting out a call for any additional interested parties so that those numbers are more padded. Working as an examiner is taken seriously as a job done by well-trained examiners and the current examiners take examining very seriously. **Manriquez** wants to talk about the possibility of holding exams in other areas of the state. Have Pro's and Con's ready for October Work Session.
- d) **Rules Committee –** The Board's Legislative Concept has been moved to legislative counsel for drafting. There are no changes to it at this point.

Glenn shared information obtained through viewing the health-related house health committee looking at bills specific to a few boards, then looking at health board related issues in general.

In that committee, there was discussion on some potential legislation next session for health-related licensing boards and what that would look like, including the Governor's ability to remove Board members without cause, length and terms of board members, treatment programs and perceived lack of oversight.

EXECUTIVE SESSION -

The Board may enter into Executive Session to discuss certain matters on the agenda 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, 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 and ORS 192.660(2)(i) To review and evaluate the job performance of the Executive Director or staff. Prior to entering into Executive Session, the nature of and authority for holding the Executive Session will be announced.

The Board entered into Executive Session at 2:27pm and returned to Public Session at 4:03pm.

6) Action on Executive Session Items –

- a) Candidate AA – McMillin moved** to deny applicant's request for appeal of one year to license requirement. **In favor: Manriquez, Kern, McMillin and Catalano** **Opposed: None.** **Motion carried.**

7) Law Enforcement – No law enforcement

8) FSMTB Update

- a) Glenn** shared that Florida is still in the process, but the Board voted to accept the MBLEx in August 2008, moving to the MBLEx only in May of 2009
- b) The New York decision** is coming up. Over 200+ of the respondents for the Job Task Analysis were from New York alone and the correlations in tasks were nearly perfect.
- c) At this time** there are 17 states accepting the MBLEx – 18 with Florida.

9) Board Business –

- a) Updated Board Calendar** - The Board received new calendars with additional dates and meetings listed.

10) Public Comments – Opportunity for the public to share thoughts that pertain to agenda items

- a) No public** in attendance

11) Announcements –

- a) Glenn** reminded the Board of the October meeting changes.
- b) Glenn** may be attending the Washington Board Meeting when NCB presents to them. Washington is very pleased with the MBLEx.
- c) NCB** has a new Government Relation's Director
- d) The Board** will have an appreciation event for McCal in July at the meeting at East West College.

12) Adjourn Meeting – Kern moved to adjourn the meeting. **In favor: Manriquez, Kern, McMillin and Catalano** **Opposed: None.** **Motion carried.** Meeting adjourned at 10:49am.