

**MINUTES**

**UTAH  
UTAH BOARD OF MASSAGE THERAPY  
MEETING**

**March 18, 2008**

**Room 464 Fourth Floor – 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:02 a.m.

**ADJOURNED:** 12:38 p.m.

**Bureau Manager:  
Board Secretary:**

Daniel T. Jones  
Penny Vogeler

**Board Members Present:**

Craig M. Sauer, Chairman  
Ruth Werner  
Richard Engar, DDS  
Carolyn M. Redington

**Board Members Absent:**

Jennifer H. Pruetz

**Guests:**

Robert Olbrut, American Massage Therapy Association  
Craig Anderson, Odgen Institute of Massage  
Gion Lee, Utah Career College

**DOPL Staff Present:**

F. David Stanley, Division Director  
Debbie Harry, Compliance Specialist  
Sally Canavan, Licensing Technician

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:  
MINUTES:**

The minutes from the January 15, 2008 meeting were reviewed. A motion was made by Ms. Werner and seconded by Mr. Engar to approve the minutes with corrections. Motion carried.

**INTRODUCTIONS:**

Mr. Jones introduced himself to the Board and gave a brief description of his background and an update on the changes here at DOPL. He also introduced Ms. Harry, Compliance Specialist, and discussed her position with the Board.

**COMPLIANCE REPORT:**

Ms. Harry discussed the probationers being seen today. She also

explained the new process of the paper work for the probationers. She will be taking pictures of the probationer and adding them to their file. Ms. Harry advised the Board she will be the contact person for the probationers and plans to work very closely with the Board Members.

Mr. Jones discussed a few changes he would like to put in place to make the meetings more productive. He would also like to be able to shorten the length of the meetings and reduce the amount of paper work being handled.

**PROBATION INTERVIEWS:**

Sid Napper:

Richard Engar conducted the interview with Mr. Napper. Mr. Napper stated he is no longer doing breast massage. Mr. Jones stated he will amend his order. He has his own office in Sugar House and is doing only energy work. He stated things are going well. Mr. Napper will return in September. He is in **compliance with the terms of his order.**

Kristi Olsen

Ms. Werner conducted the interview with Ms. Olsen. Ms. Olsen's urine screens have been dilute. She stated she has been drinking a lot of water so she will be able to produce. The Board explained she needs to change what ever she is doing prior to her screening because if this continues it may increase the number of times she is required to test and this is very expensive for her. She stated she has been free from drugs for three years. However, she did have an alcohol charge in October of last year. She asked the board if they would consider granting an early release from her probation. The Board stated they will discuss this matter at a later date if she can come into compliance for a period of time. Ms. Olsen will be seen again in May. She is **in compliance** with the term of her order.

Kevin Rock

Ms. Redington conducted the interview with Mr. Rock. Mr. Rock's picture was taken and he filled out the data bank information sheet. He stated things are going well and he has a full time job as a factory manager and works at home doing massage on his regular clients. He has about 9 clients which include both males and females of all ages. Mr. Jones will look into the matter of him being required to have an immediate supervisor. Mr. Rock made the comment he had never been given the opportunity to have his say. Ms. Werner mentioned she was uncomfortable with this matter. Mr. Jones stated the stipulation had been signed and its contents would not be addressed again. Mr. Rock will be seen in September. He is **in compliance** with the terms of his order

**New Stipulation**  
Ryan Yakiwchuck

Mr. Jones conducted the interview with Mr. Yakiwchuck. He is working in Park City at Tranquil Mountain, about 16 hours a week and also working as a carpenter full time. He mentioned he had a change of address. He submitted a letter from his employer stating he has read the Memorandum Of Understanding. He also said his criminal probation has been taken care of. The Board mentioned the fact that he will be undergoing drug testing for the first year of his probation. He will be seen by the Board in May.

Sharon Muir, Supervisor  
Denise Higgison, apprentice

Ms. Muir submitted a new curriculum. Ms. Higgison was not in attendance but her application for an apprentice was discussed with the Board. A motion was made by Ms. Werner, and seconded by Ms. Redington to approve both the curriculum and the application for licensure.

Lynda Forsburg, Supervisor  
Chirstal Williams  
Miranda Jacobsen

The Board reviewed Ms. Fosburg's new curriculum. A motion was made by Ms. Werner and seconded by Ms. Redington to approve the curriculum. Ms. Williams gave the Board a review of her background. The Board discussed the testing Ms. Williams should take. Mr. Jones addressed the Board with the option of issuing Ms. Williams a Temporary License because she started her application process within the deadline of issuing temporary licenses for massage therapists. Ms. Redington made a motion, seconded by Mr. Engar to approve the temporary license. All members in favor. Motion carried. She will need to pass the National Exam within 120 days.

Miranda Jacobsen was also invited to meet with the Board and was unable to make it. She will also be apprenticing under Ms. Forsburg. Her application for an apprentice license was approved by the Board.

**PROBATION INTERVIEW:**  
Julieta Hernandez

Mr. Jones conducted the interview. Ms Hernandez came before the Board due to her hiring a therapist that did not hold a license. Ms. Hernandez explained to the Board her side of the story. She submitted documents of a person she hired without verifying they had a license. She also submitted paper work for a massage therapist that did have a criminal record and was not addressed through a background check. Ms. Hernandez was reminded she had to complete 20 hours of CE. She questioned where she can locate a list of available CE. She was told there are ethic classes available on line. She may also contact Salt Lake Community College and take the ethics class that is available there. Ms. Hernandez was asked by the members of the Board to submit copies of the licenses of all her employees. Ms. Hernandez asked if she can train therapists and was told not while she is on

probation. Ms. Harry reminded Ms. Hernandez she needs to fax the names of her current employees and their license numbers in today. She was also told she can open a school if she so wishes. The Board would like to see Ms. Hernandez in May. Ms. Hernandez is **in compliance** with the terms of her order.

### **PROBATION INTERVIEW**

Penny Anderson

Ms. Redington conducted the interview with Ms. Anderson. Ms. Anderson reported she is now registered with Compass Vision. She told the Board she had missed tests because she had not been able to go during the hours of 7:00 a.m. and 5:00 p.m. It was explained to her she can test up to 8:00 p.m. She can go to another site or, for an additional charge, have someone come to her home or office to complete the test. She did not have an employer report to hand in and she has **never been in compliance** with the terms of her order. Ms. Harry discussed the issue of her employer reports needing to be in every three months. The Board would like to see Ms. Anderson in May.

### **CURRICULIUMS/APPRENTICE**

#### **Apprentice Application**

Heather Guymon, Supervisor  
Susan Faye Hannig

Sharon Muir previously discussed the fact that Heather Guymon is approved with the same curriculum she is. She stated Ms. Hannig had come before the Board in January 2007 and was granted approval to start the program under Heather Guymon and Sharon Muir. The Board approved her licensure.

#### **Apprentice Application**

Irina Yergenyerna Robinson  
Birute Gudenavichene, Supervisor

The Board reviewed the curriculum for Ms. Guedavichene and the apprentice application for Ms. Robinson. After some discussion of the curriculum the Board commended Ms. Gudenavichene for the excellent program she had put together. A motion was made by Mr. Engar and seconded by Ms. Werner to approve both the curriculum and the apprentice application. Motion carried.

#### **Apprentice Application**

Sara Clegg, Supervisor  
Julie Boulter

Ms. Clegg submitted a revised curriculum for the Boards review. A motion was made by Ruth Werner and seconded by Mr. Engar to approve the curriculum and the apprentice application. All members in favor. Motion carried.

### **NEW APPLICATION**

Carly Dawn Myers

Ms. Myers was not able to attend the meeting because she is out of town. The Board felt Ms. Myers needs to pay her fines, complete her probation, and stay clean before the Board will consider her application. Mr. Jones will respond to Ms. Myers.

### **DISCUSSION ITEMS**

#### **ENVIROMENTAL SCAN**

Ruth Werner ( FMSTB)

Ms. Werner presented a handout from Debra Persinger discussing the Unlimited Testing Opportunities for the MBLEx Candidates. The state of Missouri had expressed concern about the current

policy of allowing unlimited testing opportunities. The FSMTB Board of Directors is revising this policy and gathering feedback from other members by April 1<sup>st</sup>. Ms. Werner wondered if the Board found it interesting enough to voice an opinion. She felt perhaps there should be a time lapse or a number of times the test may be taken. The Board felt it was premature to address this at this time. They would like to open it up again in a year. Ms. Werner will write to Debra Persinger stating the Boards opinion on the issue.

Ms. Werner discussed certification verses licensure. She feels the Board needs to be aware of this issue in the future.

She stated FSTMB and NCB are in competition with each other and what this is going to boil down to is how the word **licensure versus certification** is used. Both examinations were designed to be an entry level exam. She feels NCB will someday become an accreditation for an advanced credential.

**NEXT MEETING DATE**

May 20, 2008

**ADJOURNE: 12:38. p.m.**

Motion to adjourn by Richard Engar

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

05/20/2008  
Date Approved

(ss) Craig Sauer  
Chairperson, Massage Licensing Board

05/20/2008  
Date Approved

(ss) Daniel T. Jones  
Bureau Manager, Division of Occupational &  
Professional Licensing