MINUTES

UTAH
BOARD OF MASSAGE THERAPY
MEETING

January 19th, 2010

Room 474 - 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENCED: 9:00 a.m.  
ADJOURNED: 12:28 p.m.

Bureau Manager:  
Sally A. Stewart

Board Secretary:  
Penny Vogeler

Board Members Present:  
Craig M. Sauer, Chairman
Richard C. Engar, DDS, Public Member
Carolyn M. Redington
Jenifer H. Pruetz
Sharon Muir

Guests:  
Roger Olbrot, Myotherapy College
Craig Anderson, Ogden School of Massage

DOPL Staff Present:  
Mark B. Steinagel, Division Director
Ronda Trujillo, Compliance Assistant

TOPICS FOR DISCUSSION
REIKI

Ms. Muir discussed the practice of Reiki. Information on the hand placement and practice was provided for the Board. DOPL and the Board of Massage Therapy reviewed the practice of Reiki concerning its inclusion as a modality of massage therapy. Reiki is an unlicensed practice; however, it appears it may involve the practice of Massage Therapy. Reiki is defined as a “spiritual healing art” that is performed by “transmitting healing life force energy through the hands”. Mr. Olbrot stated he was aware of a statement that the use of “hands-on” is allowed as long as there is no movement of tissue. It is a point-to-point movement or placement. It is the Division’s position that to the extent that the practice of Reiki is used as a “spiritual healing art” and does not involve the skills or technique defined in the practice of Massage
Therapy, then Reiki is not a modality of Massage. Should a Reiki Practitioner, however, use any of the methods outlined in the scope of practice of Massage Therapy while performing the “spiritual healing art”, then the Reiki Practitioner must be licensed as a Massage Therapist.

ADMINISTRATIVE BUSINESS:
MINUTES:
The minutes from the November 17th, 2009 meeting were reviewed. A motion was made by Jenifer Pruetz, seconded by Richard Engar, to approve the minutes with one correction. Motion carried unanimously.

Hearing: Judge Eklund
Judge Eklund conducted the public hearing for the proposed changes to the Massage Therapy Practice Act Rules. All Board members were present. The hearing opened 9:28 a.m. No members of the public attended the meeting. Judge Eklund concluded the active portion of the meeting at 9:36 a.m.

It was noted that Mr. Steinagel left the meeting.

COMPLIANCE REPORT:
Ronda Trujillo
Ms. Trujillo gave the compliance report on the probationers being seen today.

PROBATION INTERVIEWS:
Excused
Penny H. Anderson
Michael Parley Baker
Mr. Baker did not attend his interview. He informed the division via e-mail that he would not miss school to attend a five-minute meeting. A letter was sent to Mr. Baker by Ms. Trujillo on January 12th, 2010 stating he had signed his stipulation agreeing to attend the meetings in order to be compliant with his Memorandum of Understanding. A motion was made by Dr. Engar, seconded by Ms. Muir, to proceed with an Order to Show Cause. Motion carried unanimously. Non-compliant

Lisa Ann Bouvier
Mr. Sauer interviewed Ms. Bouvier. He discussed her failing to call Compass Vision (CVI). She stated her life has been turned upside down in the past few months. She is now working for Dan Ivie at Wasatch Physical Therapy and Sports Medicine. She is working as a Physical Therapy Aide and practicing massage when possible. She was not aware she had missed 12 call-ins over a period of time from October, 2009 through January 2010. She apologized to the Board and stated she has a hard time remembering to
call some days. She discussed several positive things that she feels good about. For example, the last three years of employment, her involvement in the school and being sober for the past three years. Dr. Engar asked if she could ask her daughter to help her remember to call CVI each and every day. She stated her daughter is very responsible and she would consider this suggestion. Ms. Pruetz acknowledged her accomplishments on behalf of the Board but also noted they do not want to see any regression. Ms. Bouvier stressed she feels good about coming to her meetings, and is looking forward to a bright future.

Non-compliant

Ryan Tyler Holland

Ms. Pruetz interviewed Mr. Holland. He is employed at “Knead a Massage” in Park City approximately 18 hours a week. It was discussed and decided by the Board to schedule him for every other meeting. He will be seen May 18th, 2010. Compliant

Timothy William Hurty

Mr. Hurty did not attend his interview. A motion was made by Dr. Engar, seconded by Ms. Pruetz, to proceed with an Order to Show Cause. Motion carried unanimously. Non-compliant

April Lavaun Peterson

Dr. Engar interviewed Ms. Peterson. She is working for Utah School of Massage Therapy. She has applied at Akasha and is scheduled to begin her training with them this Friday. She will discuss her probationary status with her employer at that time. Her employer reports are excellent. On February 19th, 2010, it will be one year on her plea in abeyance so her criminal charges will be dismissed. She was reminded to make sure Ms. Trujillo has documentation of the dismissal. She will now be submitting reports quarterly. Ms. Peterson will be seen March 16th, 2010. Compliant

John Anthony Totaro

Mr. Totaro did not attend his interview. He is not working in the profession in Utah at this time. Until the Division is notified the MOU is on “hold”.

Francisco Javi Velasquez

Ms. Redington interviewed Mr. Velasquez. She read a letter from Mr. Velasquez to the Board requesting early release of his probation. He also submitted three letters of recommendation. The Board feels even though he has been compliant they would like to have him remain on probation until the March 16th, 2010,
Ryan K. Yakiwchuk

Ms. Muir interviewed Mr. Yakiwchuk. A letter from him was read by Ms. Muir stating what he has learned from his probation. He has a very positive attitude. Ryan stated that he is excited to be completing probation and can do his own thing. He stated the past is behind him and he is ready to move on. He and Dr. Nielsen are in the process of stimulating some new business. He appears to be very excited about 2010 and wants to become more business-oriented. A motion was made by Ms. Muir, seconded by Dr. Engar, to amend the Order to release Mr. Yakiwchuk from probation as of today’s date. Motion carried unanimously. Compliant

DISCUSSION ITEMS:
Goarik Leshishian, instructor
Nonna A. Vorovskaya, apprentice applicant

Ms. Leshishian requested the interview with the Board to discuss her license as a Massage Therapy Instructor. She wants to take on a new apprentice named Nonna A. Vorovskaya. The Division records reflect Ms. Leshishian still has two apprentices associated with her license, neither of whom has become licensed. She stated she no longer has any contact with either of them. The Massage Therapy Practice Act states she may have only two apprentices at any time associated with her license. Mr. Olbrot, from the Massage Therapy Education Peer Committee, conducted further discussion with Ms. Keshishian concerning her apprenticeships. Ms. Vorovskaya has submitted an application for a Massage Therapy Apprentice license listing Ms. Leshishian as her instructor. The Board had concerns about why the individuals whom she apprenticed have not been able to pass the examinations. After some discussion, it was determined that it was more a matter of the language barrier rather than inadequate training by Ms. Leshishian. Mr. Olbrot complimented Ms. Leshishian on her excellent curriculum. After reviewing her curriculum it was discovered she needs to update to the most current books required for teaching an apprenticeship.

The Board suggested that she have a signed contract with all apprentices. This would allow her to have options in the event they did not complete their obligations. It would also provide grounds if she
needed to file a complaint with DOPL investigations. Once the apprenticeship is completed, and the apprentice has applied for a Massage Therapist license or submitted a signed form stating the contract with this individual is null and void; the apprentice can be disassociated from the instructor’s license and allow another apprentice to be trained.

Ms. Leshishian had great concern about what she needs to do to have the apprentices still associated with her license removed since she does not know how to contact either of them. The Board advised her to speak with an Attorney and follow the appropriate channels to clear up this manner. Once she has dealt with this matter to the satisfaction of the Division Ms. Vorovskaya may be issued an apprentice license with Ms. Leshishian as her instructor.

NEXT SCHEDULED MEETING:
Tuesday, March 16th, 2010

ADJOURN:
12:28 p.m. (no motion required)

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.

March 16th, 2010
Date Approved
(s) Richard C. Engar, DDS, Acting Chairperson
Board of Massage Therapy

March 16th, 2010
Date Approved
(ss) Sally A. Stewart, Bureau Manager
Division of Occupational & Professional Licensing