

**MINUTES**

**UTAH  
MESSAGE THERAPY BOARD  
MEETING**

**November 18, 2008**

**Room 474 Fourth Floor – 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:03 a.m.

**ADJOURNED:** 2:10 p.m.

**Bureau Manager:**

Sally A. Stewart

**Board Secretary:**

Penny Vogeler

**Board Members Present:**

Carolyn Redington  
Sharon Muir

**Board Members Absent:**

Craig M. Sauer, Chairperson  
Richard Engar DDS, Public Member  
Jenifer H. Pruetz

**Guests:**

Roger M. Olbrot, Myotherapy College of Utah

**DOPL Staff Present:**

F. David Stanley, Division Director  
Wayne Holman, Chief Investigator  
Ronda Trujillo, Compliance Specialist

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Ms. Stewart stated that there is not a quorum present for the meeting but the probation reviews may still be conducted.

**MINUTES:**

The minutes from the September 16, 2008 meeting were not approved. They will be reviewed for approval in January 2009.

**SWEARING IN NEW BOARD MEMBER:**

Ms. Stewart swore in Sharon Muir, Massage Therapist as the newest member of the Massage Therapy Board. Ms. Muir was welcomed.

**COMPLIANCE REPORT:**

Ronda Trujillo, compliance specialist, gave the report of the probationers being seen today. All probationers are in compliance as of the beginning of this meeting.

**DISCUSSION ITEM:**

The issue of credit hour equivalency for out of state schools was discussed. It was decided the schools should state this on the transcripts. This is determined by the accrediting body.

**PROBATION INTERVIEWS:**

Penny Anderson

Ms. Anderson was interviewed by Ms. Redington. She submitted forms for her new employment at Relaxation Day Spa. She stated does mostly Sports massage rather than relaxation massage. She continues to work at the Chiropractic Massage Clinic. She feels she can handle any issues at Relaxation Day Spa with regard to massages she will be performing. She feeling better about herself and is doing very well. She will submit her reports quarterly and will be seen again in March 2009.

**In compliance.**

Sid Napper

Mr. Napper was interviewed by Ms. Redington. He is scheduled to be released from probation in December 2008. He missed his last scheduled meeting due to illness. He is back to work now. It was recommended by the Board that DOPL amend his order in December 2008 to change his license to active without probationary status.

**In compliance**

Mathew Putman

Mr. Putman was interviewed by Ms. Muir. He submitted a narrative regarding his positive drug test. Ms. Trujillo gave him a list of over-the-counter medication that could result in a positive test. He plans to stay in Utah at present. He will be seen in March 2009. He mentioned he would be in Wyoming December 23<sup>rd</sup>-28<sup>th</sup>, 2008. He tried to set up testing in Wyoming but was not able to do so unless testing at least once a month.

**In compliance**

Melissa Anne Rasmussen

Melissa Rasmussen was interviewed by Ms. Muir. She decided not to do her ethics course through her individual therapist. She is currently using on line courses. She is to have completed 20 hours of CE by

March 10, 2009. She stated things are going well.  
**In compliance.**

John Totaro

Mr. Totaro was interviewed by Ms. Redington. He submitted a supervisor report. He is employed at Beyond Spa Board. Mr. Totaro will be seen in March 2009.

**In compliance**

Ryan Yakiwchuck

Mr. Yakiwchuck was interviewed by Ms. Redington. His probation will end in February 2009. He is working with the Utah Jazz and is very pleased with his employment. He is working part time with Dr. Nelson but averages 50-60 hours every two weeks building a practice from his office. He will also be working with Tranquil Mountain beginning in November 2008. He submitted his reports. He will be seen in March 2009. He was instructed to continue to call CVI.

**In compliance**

Troy Bever

Mr. Bever was interviewed by Ms. Redington. He submitted a written statement to the Board acknowledging his prior behavior was considered to be practicing medicine by DOPL and the Board. He stated he will no longer continue that behavior. Ms. Stewart stated Mr. Bever was asked to submit a copy of his NCBTMB certification at the previous meeting but it was never received. He said his current certification was about to expire and he was waiting for it to renew before submitting it. He was instructed to submit both the current and new certifications. Upon receipt of the certification(s) DOPL will change his license to active without probation.

**NEW STIPULATIONS:**

Kevin Russon

Mr. Russon reviewed his Stipulation and Order before the Board. He was interviewed by Ms. Muir. He is currently working in Orem. He will be meeting with Ms. Trujillo following today's meeting. He has been seeking work as a Massage Therapist but has no prospects at this time. He stated he has changed his life by moving, changing friends, and finding religion. He will meet with the Board in March 2009.

Marisa Kay Martell

Ms. Martell was interviewed by Ms. Redington. The reasons for the MOU were discussed. She stated she is has no pending criminal charges or conditions at this

time. She is working as a massage therapist at Main Spring Day Spa in Orem. She was informed by Ms. Trujillo her first test was diluted and was advised to drink less water. She has been denied two jobs due to her probationary status. Ms. Martell will meet with the Board in March 2009. Ms. Stewart will discuss the dismissed charges with the AG's office to see if changes should be recommended in the MOU.

**In compliance**

**APPRENTICE APPLICATIONS:**

Christopher Gainer/ Judy Moss

Mr. Gainer has submitted an application as a Massage Apprentice. His supervisor, Judy Moss, put together a Curriculum Syllabus for the approval of the Board. Upon review by the Board it was recommended she use the most current books that are currently available. The Board also noted Pathology must be included in the curriculum; the business portion must be increased from 24 hours to 25 hours; and the ethics portion must be changed from 9 hours to 15 hours. Ms. Moss was asked to resubmit the curriculum with the changes. It was also recommended a contract be drawn up between Mr. Gainer and Ms. Moss documenting their agreement to prevent future problems. Ms. Moss agreed to make the necessary changes and resubmit for approval to the Massage Therapy Peer Education Committee.

Dallin Ross Brimhall/Sara Clegg

Mr. Brimhall has submitted an application as a Massage Apprentice. Sara Clegg has put together a Curriculum Syllabus for approval. The Board reviewed the curriculum in detail. Ms. Clegg was asked to fax a breakdown of the hours of her lesson plan. It was explained she needs to follow the minimum requirement in the rule. Homework does not count towards time spend with the apprentice. She was instructed to use the most current books and submit a bibliography. Clarify the self study, reading time, ect. Because of the change of the MBLEX exam all pre approved programs are no longer acceptable. All apprentices must take the MBLEX. The apprentice application for Mr. Brimhall will remain on hold until the curriculum is approved.

**ADDITIONAL DISCUSSION:**

Externships;  
Global University Minnesota School of  
Business

A letter sent to DOPL by Maria Leonard, CMT, officially requested approval to offer a massage externship/internship as part of the Massage Therapy

Association and Diploma programs at the Utah Career College. Ms. Stewart discussed the proposed externship and stated that an externship program is not acceptable under the statutes in the State of Utah. An externship has an unsupervised student working elsewhere. A student is exempt from licensure while they are doing their clinical requirements, however the externship puts that individual in a non-student situation in a non-classroom setting. There would not be supervision by an instructor available.

Curriculum Changes

The Board does not require an additional review once a school has been approved and is meeting the current requirements. The Board does not require what they may not teach with regard to a specific subject.

**ADJOURN:**

**2:10 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.*

January 20, 2009  
Date Approved

(ss) Craig M. Sauer  
Chairperson  
Massage Therapy Licensing Board

January 20, 2009  
Date Approved

(ss) Sally A. Stewart  
Bureau Manager  
Division of Occupational & Professional Licensing