

**MINUTES**

**UTAH  
MESSAGE THERAPY LICENSING BOARD  
MEETING**

**November 17<sup>th</sup>, 2009**

**Room 401 – 9:00 a.m.  
Heber M. Wells Building  
160 East 300 South; Salt Lake City, UT 84111**

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

**ADJOURNED:** 12:28 p.m.

**Bureau Manager:**

Sally A. Stewart

**Board Secretary:**

Penny Vogeler

**Board Members Present:**

Craig M. Sauer, Chairman  
Richard Engar, DDS, Public Member  
Carolyn M. Redington  
Jenifer H. Pruetz  
Sharon Muir

**Board Members Absent:**

None

**Guests:**

Roger Olbrot, Myotherapy College  
Craig Anderson, Ogden School of Massage.

**DOPL Staff Present:**

Mark B. Steinagel, Division Director  
Ronda Trujillo, Compliance Specialist

**TOPICS FOR DISCUSSION**

**HEARING:**

**DECISIONS AND RECOMMENDATIONS**

The Hearing for Michael Thomas James will be held when called by Steve Eklund, Administrative Law Judge. It will convene in hearing room 403.

**ADMINISTRATIVE BUSINESS:**

**MINUTES:**

The minutes from the September 15<sup>th</sup>, 2009, meeting were reviewed. A motion was made by Ms. Muir, seconded by Ms. Redington, to approve the minutes with one correction. The motion passed unanimously.

**HEARING:**

Left meeting room for Hearing for Michael Thomas James. Reconvened 10:35 a.m. Deliberation will occur after the conclusion of the Board meeting.

**COMPLIANCE REPORT:**

Ronda Trujillo

Ms. Trujillo gave the compliance report on the probationers being seen today.

**PROBATION INTERVIEWS:**

Penny H. Anderson

Ms. Redington conducted the interview with Ms. Anderson. She is still working at Everybody Wellcome. She stated she has been clean now for six months. Her employer report was favorable and she loves her job. She is working about 40 hours a week, doing 6 - 8 massages a day. Ms. Redington discussed her drug testing and the fact that her last test was dilute. She also stated the Board is very proud of Ms. Anderson. Next seen on January 19<sup>th</sup>, 2010.

**Compliant**

Information only: John Anthony Totaro

Mr. Totaro sent a letter to the Board stating he will not be practicing in Utah. His probationary duration discontinued on June 15<sup>th</sup>, 2009, to resume when he is again employed in Utah.

Michael Parley Baker

Did not appear. Next seen on January 19<sup>th</sup>, 2010. A letter of **Non-compliance** will be sent.

Francisco Javi Velasquez

Ms. Redington conducted the interview with Mr. Velasquez. He is still employed at Solitude Ski Resort. He has requested early release from his probation. The decision of the Board was to have him continue through January, 2010, and to re-submit the request at that time. Next seen on January 19<sup>th</sup>, 2010.

**Compliant**

Timothy William Hurty

Ms. Pruetz conducted the interview with Mr. Hurty. He is working in landscaping presently, not in massage. He has been calling for drug testing but missed a test recently. He is keeping his distance from the friends that were a bad influence on him. He has been drug free since July 2, 2009. He attends drug rehab 2-3 times a week. He was instructed to keep that up. The importance of his stipulation was discussed empathizing the choice is his. It was explained the paperwork trail is the only means we have to monitor his progress. Further action will be taken if he does not comply with the terms and conditions of his MOU. Next seen on January 19<sup>th</sup>, 2010. **Non-compliant**

Did not appear. Next seen on January 19<sup>th</sup>, 2010. A letter of **Non-compliance** will be sent.

Ryan Tyler Holland

Did not appear. Next seen on January 19<sup>th</sup>, 2010. A letter of **Non-compliance** will be sent.

Julieta Hernandez

Ms. Muir conducted the interview with Ms. Hernandez. She submitted a letter requesting early release stating her business has not hired an unlicensed therapist for more than a year. The Board clarified she has been seen by the Board for two years now. She corrected her letter to indicate two years. Her CE credits are completed. Ms. Redington noted some favorable comments from her employees. Her goal is to some day open a Massage Therapy School. It was suggested that she go online to pull laws and rules. A motion was made by Ms. Muir, seconded by Dr. Engar, to release her from probation as of today's date. The motion passed unanimously. Ms. Stewart was asked to submit a recommendation that DOPL amend her order. **Compliant**

**BUSINESS FROM PREVIOUS MEETING:**

Rule Changes

Ms. Stewart stated the comments she has received on the rule changes very favorable. She discussed an additional change to include one or more specific foreign education evaluators in the Rule. This would be another pathway to licensure, without requiring NCBTMB Certification. It was the decision of the Board not to address this issue at this time. It was noted that NCETM examination does not include the oriental bodyworks.

Ms. Stewart went over the proposed rule changes individually with the Board for further clarification. A motion was made by Ms. Muir, seconded by Ms. Pruetz, to accept the rule changes as proposed and move the process forward. The motion passed unanimously.

Ms. Stewart discussed the actual process of how the rule changes will be handled from this point forward. The possible date of the rule hearing at this time frame will be January 19<sup>th</sup>, 2009 meeting. This will depend on when the proposed changes are published and the hearing scheduled accordingly. The desire is for the proposed rule changes to become effective as close to the 7th or 8th of February as possible.

**ADJOURN:**

12:28 P.M.

*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 19, 2010

Date Approved

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

January 19, 2010

Date Approved

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