

Effective 11/04/2010



*Protecting, maintaining and improving the health of all Minnesotans*

September 30, 2010

Mr. Joshua Bob Roulet



SUBJECT: Determination affecting your right to practice unlicensed complementary and alternative health care in Minnesota.

Dear Mr. Roulet:

Based on the facts and law in this matter as described in the enclosed Staff Determination, the Minnesota Department of Health (Department) has determined that you violated Minnesota Statutes, section 146A.08, subdivisions 1(a), (b), and (d), by engaging in sexual contact with clients. Therefore, the Department is revoking your right to practice unlicensed complementary and alternative health care in Minnesota. Minnesota Statutes, section 146A.09, subdivision 1(1) and (4), authorize this revocation.

This decision will be final and effective 30 days from the date it is received by you. During that 30 day period, you have the right to challenge this decision in a contested-case hearing, as provided under Minnesota Statutes, Chapter 14. Requests for a hearing should be made in writing and include specific grounds for challenging the Department's decision. If you wish to request a hearing, please send a written hearing request, within 30 days of your receipt of this letter to:

Tom Hiendlmayr, Director, Health Occupations Program  
Minnesota Department of Health  
P.O. Box 64882  
Saint Paul, MN 55164-0882

You may also deliver your request to 85 East Seventh Place, Suite 220, St. Paul, Minnesota or fax it to Mr. Hiendlmayr at (651) 201-3839. If you have any questions, please contact Mr. Hiendlmayr at (651) 201-3721.

Sincerely,

A handwritten signature in black ink, appearing to read "Darcy Miner".

Darcy Miner, Director  
Compliance Monitoring Division

Enclosure

cc: Tom Hiendlmayr, Director of the Health Occupations Program

**HEALTH OCCUPATIONS PROGRAM  
MINNESOTA DEPARTMENT OF HEALTH**

**A Determination In the Matter of Joshua Rob Roulet  
Unlicensed Complementary and Alternative Health Care Practitioner**

**AUTHORITY**

1. Minnesota Statutes, section 146A.09, subdivision 1, provides that the Office of Unlicensed Complementary and Alternative Health Care Practice (hereinafter "OCAP") within the Minnesota Department of Health (hereinafter "Department") has the authority to revoke, suspend, censure, reprimand or impose limitations or conditions on an unlicensed complementary and alternative health care practitioner when there is a violation of law as defined in Minnesota Statutes, section 146.08, subdivision 1.
2. Minnesota Statutes, section 146A.01, subdivision 4, provides that complementary and alternative health care practices include the broad domain of complementary and alternative healing methods and treatments, including but not limited to: (17) bodywork, massage and massage therapy. Minnesota Statutes, section 146A.01, subdivision 6(4) defines a complementary and alternative health care practitioner as providing complementary and alternative health care services for remuneration or is holding oneself out to the public as a practitioner of complementary and alternative health care practices.
3. Minnesota Statutes, section 146A.08, subdivision 1(a) defines prohibited conduct as a conviction of a crime in any court in Minnesota or any other jurisdiction in the United States, reasonably related to engaging in complementary and alternative health care practices.
4. Minnesota Statutes, section 146A.08, subdivision 1(b) defines prohibited conduct as a conviction of any crime against a person, including criminal sexual conduct in the third degree, Minnesota Statutes, 609.344.
5. Minnesota Statutes, section 146A.08, subdivision 1(d) prohibits sexual contact with a client or engaging in contact that may be reasonably interpreted by a client as sexual, engaging in any verbal behavior that is seductive or sexually demeaning to the client, or engaging in sexual exploitation of a client or former client.

**FINDINGS OF FACT**

1. Practitioner provided massage therapy to two clients in Eden Prairie, MN in 2008. Both

clients contacted the Eden Prairie police alleging that the Practitioner engaged in sexual contact during the massage.

2. Practitioner was charged with two felony counts of criminal sexual conduct in the third degree, Minnesota Statute, 609.344 (o). Minnesota Statute 609.344, is defined as a person who engages in sexual penetration with another person in the following circumstance: (o), the actor performs massage or other bodywork for hire, the complainant was a user of one of those services, and nonconsensual sexual penetration occurred during or immediately before or after the actor performed or was hired to perform one of those services for the complainant.
3. In November 2009, Practitioner entered a plea of guilty to both counts and was sentenced to 365 days in the Hennepin County workhouse, eight years probation, registration as a predatory offender, and no employment in body work or massage therapy.
4. Practitioner was released from custody July 29, 2010, and is currently on probation.

#### **CONCLUSION**

Practitioner violated Minnesota Statutes, section 146A.08, subdivision 1 (a), (b), and (d).

#### **DETERMINATION**

Practitioner's right to provide complementary and alternative health care services in Minnesota, including massage therapy and body work, is revoked.