

**GEORGIA BOARD OF MASSAGE THERAPY
MINUTES OF BOARD MEETING
September 6, 2006**

The Georgia Board of Massage Therapy board meeting was held on September 6, 2006, 9:00am, at The Professional Licensing Boards division offices located at 237 Coliseum Drive, Macon, Georgia.

The following members were present:

Steve Earles
Jane H. Johnson
Kathy V. Lescak
Melony Phillips

Absent: Marlene Gaskill

Others Present:

Brig Zimmerman, Executive Director, Janet Wray, Attorney General's Office

Ms. Johnson established that a quorum of the Board was present and called the Boards meeting to order at 9:15 a.m.

Agenda: Ms. Lescak moved, Mr. Earles seconded and the Board approved the Agenda as presented.

Minutes: Ms. Lescak moved, Mr. Earles seconded and the Board voted to approve the minutes from the August 31, 2006 meeting with corrections.

Discussions:

Application for Licensure

The Board discussed, reviewed and finalized the application for licensure as a massage therapist in Georgia. The recommended changes and corrections were made and the final version agreed upon.

License Expiration Date:

The Board discussed the two (2) year license expiration date. Division Director will set the date upon the issuance of the initial licenses.

Ms. Lescak moved, Ms. Phillips seconded and the Board voted to approve the final version of the application.

Continuing Education Requirements

The Board discussed the establishment of continuing education requirements to be required per biennium. The required CE hours shall be twenty-five (25) per biennium. In addition, anyone licensed within one (1) year of the license expiration date shall only be required to obtain twelve (12) CE hours.

Ms. Lescak moved, Ms. Phillips seconded and the Board voted to approve twenty-five (25) or twelve (12) CE hours as set forth above.

Continued Rule Promulgation Discussion:

The Board continued their discussion/development of rules and forms.

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The Board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of massage therapy.

Ms. Phillips moved, Mr. Earles seconded and the Board voted, upon receipt of the AG's office memo of authority, to post the Notice of Intent to Adopt and Notice of Hearing for the following proposed rules for no less than 30 days as required by law:

SYNOPSIS OF PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY RULES; CHAPTER 345-2, ORGANIZATION.

PURPOSE: The purpose of the proposed chapter is to define the organization of the Board pursuant to O.C.G.A. §§ 43-1-3, 43-1-19, 43-1-25, 43-24A-4, 43-24A-5, 43-24A-6, 43-24A-7, 43-24A-18 and 50-13-3.

MAIN FEATURES: The main feature of the proposed chapter is to define the organization of the Board.

THE PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY, CHAPTER 345-2, ORGANIZATION.

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Chapter 345-2 ORGANIZATION

Table of Contents

345-2-.01 Organization of the Board

345-2-.02 Officers

345-2-.03 Meetings of the Board

345-2-.04 Rules and Regulations

All Rules and Regulations pertaining to the administration of the Georgia Board of Massage Therapy shall be administered by the Professional Licensing Boards Division of the Office of Secretary of State under the direction of the Division Director of the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia 31217-3858.

345-2-.01 Organization of the Board

(1) The Georgia Board of Massage Therapy shall consist of five (5) members to be appointed by the Governor with the approval of the Senate. Each member of the Board shall be a resident of this State. Four members shall be professional members and one shall be a consumer member of the Board

(2) The public may obtain information and submit requests at the Office of the Division Director, Professional Licensing Boards Division

AUTHORITY O.C.G.A. §§ 43-1-3, 43-1-25, 43-24A-4, 43-24A-5, 50-13-3

345-2-.02 Officers

The Board shall elect annually from its members a chairperson, vice chairperson, and any other officers as deemed necessary, who shall have the privilege of re-election. The Chair shall preside at meetings of the Board. The Vice-Chair shall preside at meetings in the absence of the Chair

AUTHORITY O.C.G.A. §§ 43-1-25, 43-24A-6 and 50-13-3

345-2-.03 Meetings of the Board

(1) The Board shall meet at least once each year at a time fixed by the Board. In addition, the Board may hold additional meetings at the call of the Chair, or, at the request of any two (2) members of the Board or as approved by the Division Director

(2) Minutes shall be kept of all Board meetings and shall become the official minutes only upon approval by the Board

(3) All meetings of the Board shall be open to the public; provided, however, that the Board may hold Executive Sessions as authorized by law

(4) The Board shall have the authority to:

(a). Examine and determine the qualifications for licensure to practice massage therapy in this state;

(b). Issue, renew, refuse to renew, deny, suspend or revoke licenses to practice massage therapy, or otherwise discipline licensed massage therapists;

(c). Conduct investigations for the purpose of discovering violations to the Act, or grounds for disciplining persons licensed under this chapter;

(d). Hold hearings;

(e). Adopt, revise and enforce rules concerning advertising;

(f). Adopt an official seal;

(g). Bring proceedings to the courts for the enforcement of this chapter or any rules and regulations promulgated pursuant to this chapter.

(5) In addition to the enumerated powers in subsection (4)(a-g) of this rule, the Board has the authority to conduct its business pursuant to the provisions of O.C.G.A. Title 43, Chapter 1.

AUTHORITY O.C.G.A. §§ 43-1-19, 43-1-25, 43-24A-4, 43-24A-7 and 50-13-3

345-2-.04 Rules and Regulations

The Board may promulgate rules and regulations for the conduct of its affairs and for the administration of this Act. Further regulations or amendments will be adopted or amended in accordance with the provisions of the Georgia Administrative Procedures Act.

AUTHORITY O.C.G.A. § §§ 43-1-25, 43-24A-4, 43-24A-18 and 50-13-3

SYNOPSIS OF PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY RULES

CHAPTER 345-3, APPLICATIONS.

PURPOSE: The purpose of the proposed chapter is to define the application requirements of the Board pursuant to O.C.G.A. §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3.

MAIN FEATURES: The main feature of the proposed chapter is to define the eligibility requirements of applicants and the applications of the Board.

THE PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY, CHAPTER 345-3, APPLICATIONS.

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Chapter 345-3 APPLICATIONS

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345-3-.01 Application for Licensure Prior to July 1, 2007

345-3-.01 Application for Licensure Prior to July 1, 2007

(1). The applicant for licensure as a massage therapist shall submit an application on a form approved by the Board. In addition to the information called for on the form, the applicant must also submit the following:

(a). Three (3) References: Two (2) references from practicing massage therapists or instructors from a massage therapy program who have known the applicant for two (2) or more years, and, one (1) personal reference (excluding immediate family) who has known the applicant for two(2) or more years;

(b). Photograph of the applicant. Only a passport type (3X3) photo taken within the past twelve months will be accepted;

(c). Authorization to perform a criminal background check;

(d). The proper fee – see fee schedule;

(e). Verification of having met **one** of the following requirements:

1. Official transcript showing successful completion of a minimum of 500 hours of course and clinical work in massage therapy from a Board recognized educational program; or

2. Official verification from the NCBTMB showing applicant has passed the National Certification Exam for Therapeutic Massage (NCETM) or the National Certification Exam for Therapeutic Massage & Bodywork (NCETMB); or

3. Official verification from another state or jurisdiction that applicant has passed a massage therapy licensing examination (such state or jurisdiction must have license requirements that meet or exceed the licensing requirements for a massage therapist in the state of Georgia); or

4. Official authorization from the NCBTMB to sit for the NCETM/NCETMB; or

5. Official transcript showing graduation from an established state-licensed school for massage therapy indicating a minimum of 500 hours of in-class supervised instruction as follows:

a. **Enrolled in school prior to June 1, 2005:** 100 in-class clock hours of anatomy/physiology, 200 in-class clock hours in massage therapy and application and 2 in-class hours in ethics, or

b. **Enrolled in school on or after June 1, 2005:** 125 hours of in-class, supervised instruction in the body's systems and anatomy, physiology and kinesiology; 200 hours of in-class, supervised instruction in massage and bodywork assessment, theory and application; 40 hours of in-class, supervised instruction in pathology; 10 hours of in-class instruction in business and ethics (a minimum of 6 hours of ethics) and 125 hours of additional in-class, supervised instruction in an area or related field that theoretically completes your massage program of study; or

6. Official verification from another state or jurisdiction that the applicant holds an active license to practice massage therapy in such other state or jurisdiction (such other state or jurisdiction must have license requirements that meet or exceed the licensing requirements for a massage therapist in the state of Georgia); or

7. Official verification from a professional massage therapy association that indicates the years of membership by the applicant (applicant must show a minimum of one year of membership prior to the date of application) and the date the professional association was established (such association must be established no later than December 31, 2001), and, includes a copy of the professional association's code of ethics; or

8. Official copy from a local government in the state of Georgia of a business license (prior to July 1, 2005) for the practice of massage therapy (if the applicant is an employee of the business, the applicant must also submit official verification from the employer of employment status), and, a copy of Georgia state income tax return, W2 form(s) or form(s) 1099 for a tax year prior to July 1, 2005 showing income as a massage therapist; or

9. Official transcript showing from an established state-licensed school for massage therapy indicating a minimum of 100 hours of in-class supervised instruction to include massage therapy theory, technique and practice, **and** original appointment book(s) or invoices for massage therapy appointments for ten (10) years preceding the date of application (must indicate hours of service on a weekly basis), **and** copies of income tax returns, W2 form(s), or form(s) 1099 for the ten (10) year period preceding the date of application showing income as a massage therapist; or

10. Official transcript showing from an established state-licensed school for massage therapy indicating a minimum of 200 hours of in-class supervised instruction to include massage therapy theory, technique and practice, **and** original appointment book(s) or invoices for massage therapy appointments for five (5) years preceding the date of application, **and** copies of income tax returns, W2 form(s), or form(s) 1099 for the five (5) year period preceding the date of application showing income as a massage therapist.

11. The Board may deny a license for any of the reasons set forth in O.C.G.A § 43-1-19

12. The Board may request additional verification of any requirements or credentials, as it may deem necessary.

Authority O.C.G.A. § §§ 43-1-19, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14 and 50-13-3.

**SYNOPSIS OF PROPOSED CHAPTER TO THE
GEORGIA BOARD OF MASSAGE THERAPY RULES
CHAPTER 345-7, FEES.**

PURPOSE: The purpose of the proposed chapter is to define the fee structure of the Board pursuant to O.C.G.A. §§ 43-1-7, 43-24A-8 and 43-24A-14

MAIN FEATURES: The main feature of the proposed chapter is to define the fee requirements of the Board.

**THE PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY, CHAPTER
345-7, FEES.**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Chapter 345-7 FEES

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345-7-.01 Approved Fees

345-7-.01 Approved Fees

- (1). Refer to fee schedule for appropriate fees payable to the Board.
- (a). An indebtedness to the Board caused by a returned check will be dealt with in accordance with Code Section 16-9-20 of the Criminal Code of Georgia;
- (b). Fees may be reviewed and changed at the discretion of the Board;
- (c). Application fees are non-refundable.
- (2). Fees may be charged for the following:
 - (a). Applications for Licensure;
 - (b). Renewal;
 - (c). Late/Lapsed Renewal;
 - (d). Reinstatement;
 - (e). Duplicate license and/or identification card. If a name change occurs, and the licensee wishes to submit a request for a duplicate card, licensee must submit the request in writing to the Board, and include a copy of either a marriage certificate or court order and the required fee. Name changes occurring during the renewal period may be processed without additional fee if a copy of the marriage certificate or court order is attached to the paper application for license renewal (name change can not be done via on-line renewal process);
 - (f). License verification;
 - (g). Wall Certificate; Duplicate Wall Certificate;
 - (h). Any additional fee the Board deems appropriate.

Authority O.C.G.A. §§ 43-1-7, 43-24A-8 and 43-24A-14

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**SYNOPSIS OF PROPOSED CHAPTER TO THE
GEORGIA BOARD OF MASSAGE THERAPY RULES;
CHAPTER 345-8, REQUIREMENTS – BOARD RECOGNIZED MASSAGE THERAPY
EDUCATION PROGRAM**

PURPOSE: The purpose of the proposed chapter is to outline the general requirements accepted by the Board regarding massage therapy educational programs pursuant to O.C.G.A. § _____.

MAIN FEATURES: The main feature of the proposed chapter is to provide information of the acceptable minimum requirements of massage therapy educational programs.

THE PROPOSED CHAPTER TO THE GEORGIA BOARD OF MASSAGE THERAPY, CHAPTER 345-8, REQUIREMENTS – BOARD RECOGNIZED MASSGE THERAPY EDUCATION PROGRAM.

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

345-8 REQUIREMENTS – BOARD RECOGNIZED MASSGE THERAPY EDUCATION PROGRAM

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Chapter 345-8 Requirements – Board Recognized Massage Therapy Education Program

345-8-.01 Requirements

(1). A minimum of five-hundred (500) total clock hours of supervised classroom and supervised hands-on instruction. For purposes of this rule, "supervised" means the supervisor is physically on-site, qualified and immediately available. The minimum required subject matter and activities are:

(a) Human anatomy, physiology, pathology and kinesiology;

(b) Massage therapy theory, technique and practice, which may include but is not limited to: effleurage/gliding; petrissage/kneading; compression; friction tapotement/percussion; vibration; direct pressure; superficial warming techniques; pumping; stretching; jostling; shaking; rocking; and

(c) Contraindications, benefits, universal precautions, body mechanics, history, client data collection, documentation, ethics, business and legalities of massage, professional standards including draping and modesty, therapeutic relationships and communications.

(2). Each student must maintain a minimum grade of 70% for all massage therapy related course and clinical work as described in this Section.

(3). A massage therapy school must meet the following minimum criteria:

(a) Maintain a written program philosophy, objectives and plan of organization;

(b) Maintain course outlines or syllabi for all massage therapy courses;

(c) Provide a student handbook;

(d) Have a faculty that consists of a sufficient number of full and part-time instructors to ensure that the educational obligations to the student are fulfilled. Lab, clinical and community course core (lead) faculty must demonstrate competence in their respective areas of teaching as evidenced by a minimum of 2 years or 2000 hours of experience in their field. Human sciences course core (lead) faculty (anatomy, pathology, physiology) must demonstrate competence in their respective areas of teaching as evidenced by a minimum of 2 years or 2000 hours experience in their field and/or by appropriate degrees/certificates from approved colleges/schools/institutions;

(e) If a school utilizes faculty assistants, it shall establish and maintain policies that set forth qualifications, duties and procedures for use of these personnel. Faculty assistants shall not be used as substitutes or replacements for regular faculty; shall not be responsible for the overall evaluation of any student; and shall work under the direct supervision of approved faculty;

(f) Maintain permanent student records that summarize the credentials for admission, attendance, grades and other records of performance; and

(g) The ratio of students to faculty in the lab/clinical/community area shall not exceed 20 students to 1 instructor with no more than 10 student therapists and 10 serving as clients; lecture classes to be excluded from this ratio.

Authority O.C.G.A. §

Additional Business: The Board requested a possible meeting date of December 1, 2006 in addition to the currently scheduled dates for the express purpose of reviewing applications received with the Application Specialist(s). Once applications begin to be received, based on the volume, this date/time, in addition to any future additional meetings, will be finalized and posted.

There being no additional business to discuss, Mr. Earles moved and Ms. Phillips seconded and the Board voted to adjourn today's meeting at 3:15 p.m.

Minutes recorded, reviewed and edited by: Brig Zimmerman, ED

Jane H. Johnson, Chair

Mollie L. Fleeman, Division Director
Professional Licensing Boards Division

These minutes were approved and signed on _____.