

**GEORGIA BOARD OF MASSAGE THERAPY
MINUTES OF BOARD MEETING
April 03, 2009**

The Georgia Board of Massage Therapy board meeting was held Friday, April 03, 2009, 9:00 a.m., at The Professional Licensing Boards Division offices located at 237 Coliseum Drive, Macon, Georgia.

The following members were present:

Jane H. Johnson, Chairman
Melony Phillips, Cognizant
Steve Earles

Absent:

Kathy Lescak, Vice Chairman

Administrative Staff Present:

Brig Zimmerman, Executive Director
Yvonne LeSane, Licensure Analyst
Dianne Patterson, Administrative Assistant
Amanda Allen, Board Support Specialist

Administrative Staff Absent:

Serena Gadson, Licensure Supervisor

Assistant Attorney General

Janet Jackson, Assistant Attorney General (via Conference Call)

Ms. Johnson established that a quorum of the Board was present and called the Board meeting to order at 9:05 a.m.

Agenda:

Mr. Earles motioned, Ms. Phillips seconded, and the Board voted to approve the agenda as presented. None opposed, motion carried.

Minutes:

Mr. Earles motioned, Ms. Lescak seconded, and the Board voted to approve the following Minutes with amendments. None opposed, motion carried.

- o February 26, 2009
- o February 27, 2009

Correspondence:

Correspondence received between scheduled Board meetings were reviewed, discussed and responses provided to the following individuals by the Administrative Staff:

- o Ashley White, Georgia Academy of Massage, LLC
- o Chantelle Cleveland, American Professional Institute

Ms. Phillips motioned, Mr. Earles seconded, and the Board voted for the administrative staff to respond to all correspondence presented to the Board as directed. None opposed, motion carried.

Board Chair Report

The following items were discussed with the Board.

1. Ms. Johnson, Board Chair, informed the Board that she had contacted the Governor's office again in reference to the vacant Consumer Member position on the Board.

❖ *The Board expressed their concerns regarding the vacant position and reiterated the necessity of having a Consumer Member on the Board.*

Rules/Policy Discussion

The Board finalized the revisions to the following rules/chapters.

- Chapter 345-4 License Renewal, Continuing Education, Inactive Status, and Reinstatement
- Chapter 345-5 Licensure by Endorsement
- Chapter 345-6 Code of Ethics and Professional Conduct (New Board Rule)
- Chapter 345-8 Board Recognized Massage Therapy Educational Program
- Chapter 345-10 Discipline.

Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to post the amendments as presented, upon the receipt of the Memo of Authority from the Assistant Attorney General, for the required thirty (30) day minimum before considering adoption of the proposed rule amendments and additions.

Executive Director's Report:

1. Mr. Zimmerman informed the Board that the Division Director is not able to grant their request for membership into the FSTMB organization due to the current budgetary constraints on all government agencies, and, that membership is not required for the Board to accept the MBLEx licensure exam offered by FSMTB. After an in-depth discussion, Ms. Janet Jackson, Assistant Attorney General, recommended the Board draft a memorandum to Mr. Vaughn, Division Director, and request advice on whether legally if the Board could be allowed to obtain the membership fee via another organization. **Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to let Ms. Jane Johnson, Chair, draft the memorandum to Mr. Randy Vaughn, Division Director.**
2. Mr. Zimmerman reviewed with the Board the proper procedures to use when filing a complaint with the Board. Information will be added to the Board's website.
3. Mr. Zimmerman informed the Board that he has requested the required changes be made to the Board's website as discussed in the previous meeting.

Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to accept the Executive Director's report as presented. None opposed, motion carried.

Board Policy- Increase of Lapsed/Late Renewal Penalty Fee: Effective Date: 04-03-09

Increase of Lapsed/Late Renewal Penalty Fee:

Increase the current penalty fee for failure to renew by the October 31st of every even numbered year from \$85 US dollars to \$150 US Dollars effective with the October 31, 2010 renewal cycle.

Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to adopt the policy regarding the increase the current penalty fee for failure to renew license by the October 31st deadline of every even numbered year from \$85 to \$150. None opposed, motion carried.

Board Policy – Reinstatement of a License: Effective date: 04-03-09

The purpose of this policy is to establish guidelines for the Board of Massage Therapy administrative staff in their processing of reinstatement of applications prior to a proposed rule amendment to Board rule 345-4-.05 being adopted.

Reinstatement applications may be reviewed by the Licensure Analysts and the applicant notified in writing of any deficient verifications or documents before the applicants file is reviewed by the Board. Only complete reinstatement applications may be presented to the Board.

Applications must be filled out completely, signed and notarized. Applicants for reinstatement must meet the general requirements of licensure:

- (a) the applicant is at least 18 years old;
- (b) the applicant has a high school diploma, GED, or recognized equivalent. In addition, applicants must provide the high school attended, city, state and year of graduation or date of GED or recognized equivalent;
- (c) the applicant is a United States citizen or a permanent resident of the United States;
- (d) the applicant is of good moral character;
- (e) the applicant agrees to provide the Board with any and all information necessary to perform a criminal background check and expressly consents and authorizes the Board or its representative to perform such a check.

In addition, the applicant provides the following:

- (a) passport type (3" x 3") photo taken of the applicant within the past twelve months;
- (b) submission of evidence of twenty-four (24) Board approved continuing education hours within one (1) year of the date of the reinstatement application. The acceptable evidence of continuing education must include a one or more certificates of completion that total the required twenty-four (24) or more continuing education hours. The certificate must include the following information:
 - 1) Applicant's name
 - 2) Name of class
 - 3) Number of continuing educations hours
 - 4) Date of class
 - 5) Name of Provider, NCBTMB Continuing Education Provider
Number and Provider's contact information
- (c) Completion of the three (3) reference forms of which two (2) include professional references and one (1) includes a personal reference.
- (d) one of the following:
 - 1) official verification of current massage therapy license or other license, in good standing, from another jurisdiction, state, territory of the United States, or foreign country submitted directly to the Board from the issuing state regulatory and/or licensing board; **or**

2) verification of active practice as a massage therapist by submitting documentation of active practice with the five (5) years immediately preceding the date of the reinstatement application on the form provided.

(e) The Board may impose any limits, sanctions, restrictions or other disciplinary actions as a condition of reinstatement it deems necessary.

Upon initial review of the reinstatement application, with evidence of unlicensed practice, the Licensure Analyst may recommend the Board impose a fine for unlicensed practice in accordance with the fine schedule developed by Board and found in Board Rule 345-10-.04.

(f) Additional verifications and/or supporting documents the Board may deem necessary. Additional verifications may include, but are not limited to:

- 1) official verification of age;
- 2) official verification of high school diploma or GED/or equivalent;
- 3) official verification of U. S. citizenship or U. S. permanent residency;
- 4) official verification of an applicant photograph;
- 5) current authorization to perform a criminal background check;
- 6) official verification from the NCBTMB provider for Continuing Education of continuing education certificates and/or documents;
- 7) verification of references submitted;
- 8) verification of active practice which may include but not limited to employer affidavit or official tax records showing income as a massage therapist in Georgia.

Only complete applications may be submitted to the Board for review and consideration of reinstatement.

Reinstatement is at the sole discretion of the Board.

Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to adopt the policy defining reinstatement as presented. None opposed, motion carried.

Ms. Phillips motioned, and Mr. Earles seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 50-14-2(1), O.C.G.A. § 43-1-2-(k) (4), O.C.G.A. § 43-1-19 (h) (2) & (4) to receive and review information pertaining to Applications, receive the Cognizant, and Investigation Reports. Voting in favor of the motion were those present who included Board members Earles, Phillips, and Johnson.

Open Records Request:

M.L.- Ms. Sonya Williams, Staff Attorney, presented to the Board with an open records request. **Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to allow the staff to forward a copy of the licensees' application file to the licensee as requested. None opposed, motioned carried.**

S.T. – Ms. Sonya Williams, Staff Attorney, presented the Board with a written request from the applicant requesting a reduction in the fine amount owed. **Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to deny the request. Board decision stands. None opposed, motion carried.**

APPLICATIONS:

Licensure by Application:

Mr. Earles motioned, and Ms. Phillips seconded, and the Board voted to take the following action on applicants applying for licensure by Application:

I.A.	Issue with a signed consent agreement and fine
A.M.C.	Approved Pending; receipt of additional information
Cranor, Sabrina D.	Approved for licensure
D.D.H.	Issue with a signed consent agreement and fine
Junkins, Anna K.	Approved for licensure
K.D.M.	Issue with a signed consent agreement and fine
M.A.M.	Issue with a signed consent agreement and fine
J.A.N.	Issue with a signed consent agreement and fine
M.K.N.	Issue with a signed consent agreement and fine
D.P.O.	Approved Pending; receipt of additional information
S.A.P.	Issue with a signed consent agreement and fine
A.R.S.	Issue with a signed consent agreement and fine
C.H.T.	Approved Pending; receipt of additional information
McKenney Amy L.	Approved for licensure
H.R.P.	Approved Pending; receipt of additional information
R.B.S.	Approved Pending; receipt of additional information
C.C.S.	Approved Pending; receipt of additional information
Stergas, Robert	Approved for licensure
Stevenson, Elisabeth K.	Approved for licensure
White, Mary K.	Approved for licensure

Licensure by Application – Waiver request

R.B.	Pending; receipt of additional information. Board voted to “deny” wavier request.
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Licensure by Endorsement:

Mr. Earles motioned and Ms. Phillips seconded and the Board voted to take the following action on applicants applying for licensure by Endorsement:

Grekowicz, Gerald	Approved for licensure
R.T.	Approved Pending; receipt of additional information

Licensure by Reinstatement:

Mr. Earles motioned and Ms. Phillips seconded and the Board voted to take the following action on applicants applying for licensure by Reinstatement:

Bassett, Devorah L.	Approved for licensure
A.L.C.	Issue with a signed consent agreement and fine
McCullough, Michelle	Approved for licensure
E.I.S.	Approved Pending; receipt of additional information
C.B.T.	Issue with a signed consent agreement and fine

S.Q.Z.

Approved Pending; receipt of additional information

Licensure by Reinstatement – Waiver request

B.B.T.

Pending; receipt of additional information. Board voted to “deny” waiver request.

Approved Licenses:

Ms. Phillips motioned, and Mr. Earles seconded, and the Board voted to ratify the following applications approved between Board meetings determined to have met licensure requirements as follows:

License No.	Licensee	Issue Date
MT005654	Green, Andrea Sheree	3/2/2009
MT005655	Lugo, Andrea Marie	3/2/2009
MT005656	Rogers, Faith Anne	3/2/2009
MT005657	Turner, Nilza E	3/2/2009
MT005658	Pearson, Christine M	3/2/2009
MT005659	Hight, Carlie Caitlin	3/2/2009
MT005660	Trulock, Traci Marie Culver	3/2/2009
MT005661	Dugger, Patsy Ann	3/2/2009
MT005662	Carter, Catherine Marie	3/2/2009
MT005663	Hill, Jared Lamar	3/2/2009

License No.	Licensee	Issue Date
MT005664	Merritt, Geoffrey Lyle	3/2/2009
MT005665	Roper, Bari Michelle	3/2/2009
MT005666	Chamlee, Michelle Angela Terrell	3/2/2009
MT005667	Reaves, Brandon Craig	3/2/2009
MT005668	Raphino, Curly	3/2/2009
MT005669	Rinne, Jennifer	3/2/2009
MT005670	McDonald, Robert Vaden	3/2/2009
MT005671	Duckworth, Parnisia Lanette	3/2/2009
MT005672	Schmidgall, Jill Ann	3/3/2009
MT005673	Talley, Lindsey Elizabeth	3/3/2009
MT005674	Roberts, Amanda Louise	3/3/2009
MT005675	Haynes, Debra Kay	3/3/2009
MT005676	Lin, Anica MooYee	3/3/2009
MT005677	Jin, Taifu	3/3/2009
MT005678	Reece, Briana L	3/3/2009
MT005679	Collier, Daphne E	3/3/2009
MT005680	Moss, Kristie DeAnne	3/3/2009
MT005681	Smith, Jennifer Lynn	3/3/2009
MT005682	Lee, Antranae Davon	3/3/2009

MT005683	Perry, Sherita Richel	3/4/2009
MT005684	Madah Amiri, Jason Scott	3/4/2009
MT005685	Dixon, Katie Marie	3/4/2009
MT005686	Harmon, April Lauren	3/6/2009
MT005687	McConnel, Karen M	3/6/2009
MT005688	Gourley, Yun Hui	3/6/2009
MT005689	Pragle, Eric Lee	3/6/2009
MT005690	Carraway, Eric U	3/6/2009
MT005691	Brown, Tracey Leigh	3/6/2009
MT005692	Posey, Gwenette Bennett	3/9/2009
MT005693	Moyers, Whitney Nicole	3/10/2009
MT005694	Martin, Fred Montgomery, Jr	3/10/2009
MT005695	Andrews, Robert Steven	3/10/2009
MT005696	Luna, Ginger	3/10/2009
MT005697	Monaghan, Patrick	3/10/2009
MT005698	Werts, Karen L	3/11/2009
MT005699	Wallen, Anthony Alexander	3/11/2009
MT005700	Antoine, Arin Emiko	3/11/2009
MT005701	Baldyga, Jo Ann Marie	3/12/2009
MT005702	Hopkins, JoAnn Marie	3/12/2009
MT005703	Hicks, Stephanie Marie	3/13/2009
MT005704	Jones, Melissa Michelle	3/13/2009
MT005705	Adair, Kushtahn	3/16/2009
License No.	Licensee	Issue Date
MT005706	Williams, MarQuita Lekesa	3/17/2009
MT005707	Norris, Todd Matthew	3/17/2009
MT005708	Strickland, Yolanda Gail	3/18/2009
MT005709	Sofield, Elaine	3/18/2009
MT005710	Marshall, Venesea Kenyana	3/18/2009
MT005711	Faber, Beth Anne	3/18/2009
MT005712	Rudolph, Renee M	3/18/2009
MT005713	Moody, Charles Hammond	3/18/2009
MT005714	Lewis, Sibeja Jarale	3/18/2009
MT005715	Givens, Richard Scott	3/18/2009
MT005716	Dowling, Juan F D	3/18/2009
MT005717	Fennell, Tara Nicole	3/18/2009
MT005718	Graves, Joy Brandy	3/18/2009
MT005719	Padilla, Jacqueline	3/18/2009
MT005720	Pape, Elizabeth Sandlin	3/18/2009
MT005721	Parker, Sarah LeAnne	3/18/2009
MT005722	Wiggins, Katie Laine	3/18/2009
MT005723	Harris, Louise Marie	3/18/2009
MT005724	Kaplan, Kimberly Ann	3/19/2009

MT005725	Paine, Safayia	3/20/2009
MT005726	Wilson, Audrey Jane	3/24/2009
MT005727	Cooper, Andrea	3/24/2009
MT005728	Lietz, Selena Morene	3/24/2009
MT005729	Allard, Marketa	3/25/2009
MT005730	Robinson, Edward	3/26/2009
MT005731	Broad , Rachel	3/26/2009
MT005732	Bishop, Andrea S	3/26/2009
MT005733	Hawley, Indra T	3/26/2009
MT005734	Hermann, Jennifer Ann	4/2/2009
MT005735	Struble, Jacqueline Marie	4/2/2009

Massage Therapy School Report:

Mr. Earles made his recommendations to the Board for the approval of the following Massage Therapy School as Board Recognized Massage Therapy Educational Program.

- Georgia Massage School, Suwanee, GA.

Due to not meeting the requirements as set forth in O.C.G.A. § 43-24A-3 (4) Definitions and Chapter 345-8 Board Recognized Massage Therapy Educational Programs, , Mr. Earles made his recommendations to the Board for the denial of the following Massage Therapy Schools as Board Recognized Massage Therapy Educational Programs.

- A. B. A. , Doraville, GA
- E.W. I. H. T., El Monte, CA.

Ms. Phillips motioned, Mr. Earles seconded, and the Board voted to accept the Massage Therapy School Report as presented. None opposed, motion carried.

Enforcement Report:

- Complaint Number 37984-Signed Voluntary Cease and Desist Order received. Case Closed, no further action required.

Mr. Earles motioned, Ms. Phillips seconded, and the Board voted to accept the Enforcement Report as presented. None opposed, motion carried.

Cognizant Report:

Closed Cases:

- 33573, and 35430

Cases Referred to the Investigations Division:

- 35461, 39073, 39045, 39044, 39042, 38988, 38986, 38974, 38970, 38960, 37606, 38981, and 32012

Mr. Earles motioned, Ms. Phillips seconded, and the Board voted to accept the Cognizant report as presented. None opposed, motion carried.

Attorney General's Report:

Assistant Attorney General, Ms. Janet Jackson provided the Board with a status report.

Mr. Earles motioned, Ms. Phillips seconded, and the Board voted to approve the Assistant Attorney General's report as presented during executive session. None opposed, motion carried.

There being no additional business to discuss, Mr. Earles motioned, Ms. Phillips seconded, and the Board voted to adjourn the meeting at 5:25 p.m.

Minutes recorded by:

Amanda Allen, Board Support Specialist

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

Jane H. Johnson, Chair
Georgia State Board of Massage Therapy

Brig Zimmerman, Executive Director
Professional Licensing Boards Division

These minutes were approved and signed on: _____