

**GEORGIA BOARD OF MASSAGE THERAPY  
MINUTES OF BOARD MEETING  
April 23, 2010**

The Georgia Board of Massage Therapy board meeting was held Friday, April 23, 2010, at The Professional Licensing Boards Division offices located at 237 Coliseum Drive, Macon, Georgia.

**The following members were present:**

Jane H. Johnson, Chair  
Melony Phillips, Vice Chair  
Kathy Lescak, Cognizant  
Steve Earles

**Board Members Absent:**

**Administrative Staff Present:**

Brig Zimmerman, Executive Director  
Serena Gadson, Licensure Supervisor  
Yvonne LeSane, Licensure Analysts  
Amanda Allen, Board Support Specialist

**Assistant Attorney General:**

Janet Jackson, Assistant Attorney General

**Guest Attendees:**

Giselle O. Toran  
Nicholas Blount, API

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

**Agenda:**

**Ms. Phillips motioned, Ms. Lescak seconded, and the Board voted to approve the agenda with late agenda items added. None opposed, motion carried.**

**Minutes:**

**Ms. Phillips motioned, Ms. Lescak seconded, and the Board voted to approve the following minutes as amended. None opposed, motion carried.**

- February 26, 2010
- March 30, 2010 – Conference Call

**Board Chair Report:**

1. No report presented.

**Correspondences:**

Correspondence received at the scheduled Board meeting was reviewed and discussed. Correspondence was reviewed during Executive Session.

- Giselle O. Toran

**Ms. Lescak motioned, Mr. Earles seconded, and the Board voted to allow the administrative staff to respond to all correspondences presented to the Board as directed. None opposed, motion carried.**

**Executive Director's Report:**

1. Mr. Zimmerman informed the Board that a request had been submitted to the Federation of State Massage Therapy Boards regarding the dues for the 2010-2011 membership fee.
2. Mr. Zimmerman reviewed with the Board the statute language involved with the utilization of the COGENT/GAPS program for future licensure requirements.
  - **Ms. Lescak motioned, Mr. Earles seconded, and the Board voted to allow the Executive Director to make inquiries regarding having a photo attached/printed to all pocket cards. None opposed, motion carried.**

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

**Public Rule Hearing:**

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF MASSAGE THERAPY RULE FOR CHAPTER 345-10 DISCIPLINE, RULE 345-10-.04 UNLICENSED PRACTICE**

**Purpose:** The purpose of this rule amendment is to expand the rule to contain updated Board policies with regard to disciplinary matters.

**Main Features:** The rule provides for the expansion of the current rule to contain current Board policies regarding cease and desist proceedings, fines for unlicensed practice, failure to renew a license and, informing the Board of updated name and contact information.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA BOARD OF MASSAGE THERAPY RULE FOR CHAPTER 345-10 DISCIPLINE, RULE 345-10-.04 UNLICENSED PRACTICE**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

**345-10-.04 Unlicensed Practice. Amended.**

~~Fines, in addition to or in conjunction with a Cease and Desist Order, shall be imposed in accordance with the following guidelines:~~

- ~~(a) If the time period determined as "unlicensed practice" is:~~
- ~~• 0—30 days: \$100 fine with a letter of concern from the board~~
  - ~~• 31—180 days: \$250 fine and/or C&D Order~~
  - ~~• 181—365 days: \$500 fine and/or C&D Order~~
  - ~~• Over 365 days: Board to determine actions to be taken; fine of not more than \$500 per offense, \$1000 and/or possible imprisonment per subsequent or second offense, and a C&D Order may be imposed.~~

(1) Individuals who have engaged in the practice of massage therapy without a valid and active Georgia license shall be subject to a Cease and Desist Order, public reprimand, fine, and/or other sanction imposed by the board, as authorized by law.

(2) Fines for unlicensed practice, in addition to or in conjunction with any other board sanction, may be imposed according to the following guidelines:

(a) Unlicensed practice determined by the board to be:

1. Practice for one (1) month or less: Letter of Concern from the board;
2. Practice over one (1) month but not exceeding three (3) months: fine of \$100 per month;
3. Practice over three (3) months but not exceeding one (1) year: fine of \$500;
4. Practice over one (1) year but not exceeding two (2) years: fine of \$750.00;
5. Practice over two (2) years but not exceeding three (3) years: fine of \$1,000;
6. Practice over three (3) years: fine of \$1000 plus an additional fine of \$100 for each month or portion thereof over three (3) years, not to exceed a total fine of \$5,000.

(b) Mitigating circumstances may be taken into account in varying the amount of assessed fines, subject to the board's discretion.

(c) Licensees who fail to renew their licenses by the license expiration date, and who continue to practice as massage therapists after the license expiration date, have engaged in unlicensed practice and are subject to disciplinary action and fines imposed by the board.

(3) It is the responsibility of the licensee to inform the board in writing of a change in any of the following information within thirty (30) days of such change:

- (a) physical address;
- (b) mailing address;
- (c) email address;
- (d) telephone number(s); and
- (e) change of name (must provide legal documentation reflecting name change).

(4) It is the responsibility of each licensee to renew his or her license prior to the license expiration date regardless of whether the licensee receives a renewal notice from the board.

Authority: O.C.G.A. §§ 43-1-20.1, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-13, 43-24A-14, 43-24A-15, 43-24A-17 AND 43-24A-20

**Ms. Lescak motioned, Ms. Phillips seconded, and the Board voted to adopt Rule 345-10-.04 Unlicensed Practice as posted. None opposed, motion carried.**

**Ms. Lescak motioned, Ms. Phillips seconded, and the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-20.1, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-13, 43-24A-14, 43-24A-15, 43-24A-17 AND 43-24A-20.**

**Additionally, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-20.1, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-13, 43-24A-14, 43-24A-15, 43-24A-17 AND 43-24A-20 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of massage Therapy.**

**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 Attorney General’s, Cognizant, and Enforcement Reports. Voting in favor of the motion were those present who included Board members Johnson, Phillips, Lescak, and Earles.**

**Rule Discussion:**

The Board continued to make revisions to Rule 345-6-.01 Code of Professional Conduct. Revisions will be presented to the Board at their next scheduled meeting.

**APPLICATIONS:**

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

- |                         |   |
|-------------------------|---|
| 1. M.B.                 | Approved pending the issuance of a signed public reprimand with fine for unlicensed practice. |
| 2. Bonner, Marian       | Approved for licensure  |
| 3. Boynes, Dana         | Approved for licensure  |
| 4. Chambers, Davia      | Approved for licensure  |
| 5. Cloud, Crystal       | Approved for licensure  |
| 6. Commander, Patrick   | Approved for licensure  |
| 7. Copeland, Timothy    | Approved for licensure  |
| 8. Floyd, My’Leka       | Approved for licensure  |
| 9. Garrett, Melissa     | Approved for licensure  |
| 10. Halko, John         | Approved for licensure  |
| 11. Harris, Christopher | Approved for licensure  |
| 12. Hicks, Erin         | Approved for licensure  |
| 13. Hooks, Avery        | Approved for licensure  |
| 14. Hunter, Andrew      | Approved for licensure  |
| 15. Jacobs, Claudell    | Approved for licensure  |
| 16. I.S.K.              | Denied due to arrest record.  |
| 17. Lee, Leon           | Approved for licensure  |
| 18. Mack, John          | Approved for licensure  |
| 19. McPherson, Latrica  | Approved for licensure  |
| 20. Mitchell, Kelly     | Approved for licensure  |
| 21. Nelson, Lydia       | Approved for licensure  |
| 22. Pierce, Dwayne      | Approved for licensure  |
| 23. Praylow, Aaron      | Approved for licensure  |
| 24. Richardson, Connie  | Approved for licensure  |
| 25. F.R.                | Pending the receipt of additional information   |
| 26. Scott, Charlotte    | Approved for licensure  |
| 27. A.S.                | Approved pending the receipt of additional info   |
| 28. Stadler, Alexander  | Approved for licensure  |
| 29. G.S.                | Pending the receipt of additional information   |
| 30. St. Claire, Traci   | Approved for licensure  |
| 31. Sims, Teresa        | Approved for licensure  |
| 32. A.S.                | Pending the receipt of additional information   |
| 33. A.S.                | Pending the receipt of additional information   |



MT006421	Lassonde, Jennifer M	2/17/2010
MT006422	Bynoe, Nadia Tomishia	2/19/2010
MT006423	Lewis, Beresford Anthony	2/19/2010
MT006424	Hanes, Mary Joe	2/23/2010
MT006425	Sullivan, Brittany Silas	2/23/2010
MT006426	Hakeem, Zaynab Najmah Amatul	2/23/2010
MT006427	Kutnik, Urszula	2/23/2010
MT006428	East, Melissa Dawn	2/23/2010
MT006429	Wang, Hong Lai	2/23/2010
MT006430	Hampton, James Howard	2/23/2010
MT006431	Bromley, Dawn Lynn	2/23/2010
MT006432	Jordan, Keisha Marie	2/23/2010
MT006433	Duddy, Debra Ann	2/24/2010
MT006434	McDonald, Gregory Eugene	2/24/2010
MT006435	Nicholas, Taneisha Sherrell	2/25/2010
MT006436	Landberg, Kristen Sarah	2/26/2010
MT006437	Polk, Joy Latrice	2/26/2010
MT006438	Brady, Mitzi Lee	3/1/2010
MT006439	Cook, Sheryl Joann	3/1/2010
MT006440	Hammond, Angela Nanette	3/1/2010
MT006441	Folkes, Michael Egon	3/1/2010
MT006442	Wilder, Amanda Leigh	3/1/2010
MT006443	Sofge, Juanita	3/1/2010
MT006444	Chancey, Courtney Victoria	3/1/2010
MT006445	Best, Marion Lorenzo	3/1/2010
MT006446	Paulk, Alicia Suzanne	3/1/2010
MT006447	Evans, Anthony Lee	3/1/2010
MT006448	Parker, Courtney Jennifer	3/1/2010
MT006449	Sikes, Gabrielle Diane	3/1/2010
MT006450	Brownlow, Jonkeisha Alexis	3/1/2010
MT006451	Haney, Lacey Deloris	3/1/2010
MT006452	Hill, Yvonne M	3/1/2010
MT006453	Batchelor, Eric Charles	3/2/2010
MT006454	Boggs, Kenneth Scot	3/2/2010
MT006455	Fleeman, Dave Wesley	3/2/2010
MT006456	Kelley, Yan J	3/2/2010
MT006457	Kinsey, Michelle Lynn	3/2/2010
MT006458	Lawson, Kirsten Collette	3/2/2010
MT006459	Price, Dasha Antonette	3/2/2010
MT006460	Swain, Jeanetta	3/2/2010
MT006461	Wesson, Nicole Tanisha	3/2/2010
MT006462	Andes, Maria F	3/3/2010
MT006463	DeGuzman, Pok Nam	3/3/2010

MT006464	Wang, Bing Yan	3/3/2010
MT006465	Pele, Dhara	3/3/2010
MT006466	Faircloth, Kenneth Robert, II	3/3/2010
MT006467	Zhao, Lu	3/3/2010
MT006468	Wang, YuQin	3/4/2010
MT006469	Dailey, Melina Echo	3/5/2010
MT006470	Walker, Devin Matthew	3/5/2010
MT006471	Fleming, McKale Ashley	3/8/2010
MT006472	Peterson, Bridgette Massey	3/9/2010
MT006473	Jakim, Emilia T	3/9/2010
MT006474	Myers, Brian Michael	3/9/2010
MT006475	Bryant, LaQuita Denise	3/9/2010
MT006476	Wiggins, Pamela Michele	3/9/2010
MT006477	Golnitz, Darrell Dean	3/9/2010
MT006478	Sawyer, Kristie Lyn	3/9/2010
MT006479	Stauder, Kari Elizabeth	3/9/2010
MT006480	Abrams, Kimberly Natalia	3/9/2010
MT006481	Navarrete, Theresa Jean	3/9/2010
MT006482	Orr, Melanie L	3/9/2010
MT006483	Rylee, Jeremiah David	3/9/2010
MT006484	Cowan, Shakeia Aleta	3/9/2010
MT006485	Petronella, Bethany Rose Ann	3/9/2010
MT006486	Mathews, Jodi Lynn	3/10/2010
MT006487	Kirk, Pamela J	3/10/2010
MT006488	Zhang, Aiyong	3/10/2010
MT006489	Zhang, Jun Hong	3/10/2010
MT006490	Scott, Gervonna Candie	3/11/2010
MT006491	Daw, Rachael Anne	3/11/2010
MT006492	Hardnick, Sun T	3/16/2010
MT006493	Liu, Hui Jun	3/16/2010
MT006494	Peachey, Stephan Michael	3/16/2010
MT006495	Pruett, Veronica Rose	3/16/2010
MT006496	Ge, Xiang Zhou	3/17/2010
MT006497	Melkonian, Gwen Wendy	3/17/2010
MT006498	Wang, Zhifang	3/17/2010
MT006499	Liang, Ying	3/17/2010
MT006500	Peters, Tyler Mitchell	3/17/2010
MT006501	Fan, Zhaokun	3/17/2010
MT006502	Liang, Bin	3/17/2010
MT006503	Jones, Jerrel Andre	3/17/2010
MT006504	Lu, Yewei	3/17/2010
MT006505	Moore, Dawn Elizabeth	3/17/2010
MT006506	Madeley, Jordan Andrew	3/17/2010

MT006507	McKee, Rachida Rahali	3/17/2010
MT006508	Beveridge, Elizabeth A	3/17/2010
MT006509	Ellis, Ralph Harold	3/17/2010
MT006510	Cole, Crystal Lynn	3/17/2010
MT006511	Li, Jun	3/17/2010
MT006512	Gottfried, Danielle Rebecca	3/17/2010
MT006513	Rodriguez, Brenda Leahann	3/17/2010
MT006514	Mackhoul, Michelle Marie	3/17/2010
MT006515	Webb, Mickey Warren	3/17/2010
MT006516	Li, Jiachen	3/17/2010
MT006517	Reagan, Taryn Halina	3/17/2010
MT006518	Sager, Jason Scott	3/17/2010
MT006519	Cao, Chunmei	3/18/2010
MT006520	Ross, Ronald Mike	3/18/2010
MT006521	O'Brien, Kelly Lynn	3/18/2010
MT006522	Allen, Joshua Jerome	3/19/2010
MT006523	Anderson, Darla J	3/19/2010
MT006524	Pilkington, Ashley Nicole	3/19/2010
MT006525	Brown, Diana Lynn	3/22/2010
MT006526	Abitz, Carye Taylor	3/22/2010
MT006527	Sollie, Raymon Earl	3/22/2010
MT006528	Lu, Yunxia	3/22/2010
MT006529	Qiao, Xiaobin	3/22/2010
MT006530	Zhang, Yuxia	3/22/2010
MT006531	Morrow, Tara A	3/22/2010
MT006532	Smith, Tara Lynn	3/22/2010
MT006533	Baughman, Dinah Lee Woodall	3/22/2010
MT006534	Hellein, Lucia Armendariz	3/22/2010
MT006535	Goodrich, David Joseph	3/22/2010
MT006536	Prior, Grace Lauren	3/22/2010
MT006537	Matthews, Staci Shea	3/23/2010
MT006538	Island, Kirsten Lazzette	3/23/2010
MT006539	Miliner, Sharon Ann	3/23/2010
MT006540	Lipsey, Bernita	3/24/2010
MT006541	Rohlwing, Kari Leigh	3/25/2010
MT006542	Liu, Yufei	3/25/2010
MT006543	Reyes, Blanca I	3/25/2010
MT006544	Swearingen, Kelly Aaron	3/25/2010
MT006545	Beck, Elizabeth Ann	3/25/2010
MT006546	Jones, Keisha Michelle	3/25/2010
MT006547	Blackshear, Molly Cathleen	3/25/2010

MT006548	Lentine, Rachel Ann	3/25/2010
MT006549	Chase, Amanda Jo	3/26/2010
MT006550	Toth, Kristen Marie	3/31/2010
MT006551	Trent, Tara Michelle	3/31/2010
MT006552	Sadeek, Bianca Reyna	3/31/2010
MT006553	McClendon, Anita Zoe	3/31/2010
MT006554	Cooper, Laura V	4/1/2010
MT006555	Phelps, Sheba K	4/1/2010
MT006556	Mazzola, Pete	4/2/2010
MT006557	Thompson, Gregory Allen	4/2/2010
MT006558	Homewood, Paralee	4/5/2010
MT006559	Hodnett, Sherry Dawn	4/6/2010
MT006560	Lush, Jennifer Sue	4/6/2010
MT006561	Ying, Feng Min	4/6/2010
MT006562	Godwin, Mary Morgan	4/7/2010
MT006563	Zhang, Nan	4/9/2010
MT006564	Wang, Yazhen	4/9/2010
MT006565	Han, LiYan	4/9/2010
MT006566	Patrick Jr, Robert	4/9/2010
MT006567	Greene, Kashima K	4/9/2010
MT006568	Scovill, Mary Joan	4/9/2010
MT006569	Nawls, Angela Maria	4/9/2010
MT006570	Davis, Michael Paul	4/9/2010
MT006571	Mejia, Maria Cristina	4/9/2010
MT006572	Grant, Richard Allen	4/9/2010
MT006573	Duncan, Kimwanda S	4/9/2010

**Massage Therapy School Report:**

The following school was approved as a Board Recognized Massage Therapy Educational Program. The effective date of approval is April 23, 2010. The effective date is not retro-active.

- Atlanta Beauty Academy

The following school was denied as a Board Recognized Massage Therapy Educational Program. The school did not meet the requirements of Chapter 345-8.

- Aveda Institute of St. Petersburg

After discussion, the Board voted for Mr. Earles to pursue setting up a meeting with Mr. Paul Lindamood, Director of NCBTMB for the June 25, 2010 scheduled meeting to discuss their current/future policies and procedures with the Georgia approved schools.

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

**Cognizant Report:**

Ms. Lescak updated the Board on all pending complaint cases.

**Complaint/Enforcement Cases Closed:**

- MT33557, MT35664, MT37889, MT38168, MT38986, MT38988, MT39042, MT39044, MT39045, MT090001, MT090010, MT100025, MT100061, MT100069, MT100079, MT100080, MT100081, MT100082, MT100083, MT100084, MT100087, MT100088, MT100089, MT100090 and MT100092

**Complaint Cases Referred to the Investigations Division:**

- MT100068, MT100071, MT100072, MT100073, MT100075, MT100076, MT100077 and MT100078
- MT37984- **Ms. Lescak motioned, Mr. Earles seconded, and the Board voted to reopen case and refer it back to Investigations to determine if respondent is in violation of the signed voluntary Cease and Desist order.**

**Complaint Cases pending additional information from complainant/respondent:**

- MT100065

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

**The following Cease and Desists Orders were issued following complaints of unlicensed practice:**

1. Hyeon J. Chae, Macon, GA
2. Moon Ju Byun, Macon, GA
3. Myong You Yi, Macon, GA
4. Chun Sook, Macon, GA
5. Hae Suk Kim, Macon, GA
6. Yong Suk Dew, Macon, GA
7. Kyung Hwa Kang, Macon, GA
8. Yong Sun Oryszak, Macon, GA
9. Piyanut Viseari, Macon, GA
10. Ko P. Andurm, Macon, GA
11. Tracey Lynne, Macon, GA
12. Kristen Berg, Macon, GA
13. Yina Steely, Doraville, GA
14. Sun Sultzer, Doraville, GA
15. Hongmei Wang, Doraville, GA
16. James Richard Williams, Athens, GA

**Mr. Earles motioned, Ms. Phillips seconded, and the Board voted to ratify the list of signed and docketed voluntary Cease and Desist orders as presented above. None opposed, motion carried.**

**Attorney General's Report:**

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

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

**Additional Business:**

1. Board Statement:
  - Numerous organizations and individuals have asked the Board their position on recent legislation and local ordinances. The Board is mandated under state law to license individuals to practice massage therapy and to promote high standards of professional performance. The Board does not regulate or license local business or organizations that offer massage, massage therapy or related services. The Board has taken an active role in issuing cease and desist orders against individuals who practice massage therapy while not holding an active valid license. The Board supports efforts by the states local authority and law enforcement agencies to stop illegal practice of those who violate the Georgia law.
2. **Ms. Lescak motioned, Mr. Earles seconded, and the Board voted to send notification to the Georgia Chiropractic Association, Georgia Board of Chiropractors and the Georgia Council of Chiropractors in regards to the practice of massage therapists by unlicensed individuals employed in practicing chiropractic offices. None opposed, motion carried.**
3. Board voted to conduct a conference call on May 20, 2010 @ 3:00 p.m.

**There being no additional business to discuss, Ms. Lescak motioned, Mr. Earles seconded, and the Board voted to adjourn the meeting at 5:03 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 on: June 25, 2010