

GEORGIA BOARD OF MASSAGE THERAPY

**Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
April 25, 2014 * 9:00a.m**

The Georgia Board of Massage Therapy met on Friday, April 25, 2014. The following members were present:

Board Members Present

Craig Knowles-Chair
Denise Taylor-Vice Chair
Jennifer Clay-Cognizant
Jane Johnson –Board Member
Harold “Freddy” Seagraves-Consumer Member

Administrative Staff Present

Adrienne Price, Executive Director
Wanda Jaffe, Licensing Supervisor
Tamara Elliott, Board Support Specialist
Sonya Williams, Senior Staff Attorney
Vanessa Cummings, Court Reporter

Attorney General’s Office

Stephanie Mason Zudekoff, Assistant Attorney General

Mr. Knowles established quorum and called the meeting to order at 9:32a.m.

OPEN SESSION

Board Hearings

1. 09:45AM Jariah Adcock Ms. Taylor motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to uphold denial and Mr. Adcock may reapply at the end of his probation.
2. 10:45AM Yeong Jinn Michael Lu Mr. Lu did not appear at the hearing. Attorney General Stephanie Zudekoff presented proposed settlement cease and desists with \$500 fine. Ms. Taylor motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the order and close case.

Board Minutes

Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to approve the February 28, 2014 open session minutes as amended.

Licenses to Ratify

Ms. Johnson motioned, Ms. Taylor seconded, and the Board voted unanimously in favor of the motion to approve the ratified list of licenses from February 22, 2014 – April 18, 2014 and the PTB Board List.

Correspondence from Billie Shea

The Board accepts the correspondence as information and directs staff to send a letter of response thanking the writer for notifying the Board of the change in staff with NCBTMB.

Correspondence from Debbie Jones

Ms. Taylor motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to nominate Mr. Knowles, Ms. Clay, Ms. Johnson, and Mr. Seagraves as the Georgia Board of Massage Therapy representatives at the Table Top Discussion on May 7, 2014 at 10:00am at 701 Queen City Parkway, Gainesville, GA.

Correspondence from Kathy Riley

Ms. Taylor motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to send a letter of response explaining that a person must be a licensed massage therapist to give free chair massages at running events.

Correspondence from Lee Davis

Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to send a letter of response thanking the writer for his correspondence, and explain that a minor is under the age of 18. Reference Board Rule 345-6-.01 Professional and Unprofessional Conduct (1) (e)

Correspondence from Libby Eason

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to send a letter of response thanking the writer for her correspondence. The Board will take under advisement and invite her to submit formal comments in the future. Ms. Eason may attend open session of the Board meetings; however, the Board will not be accepting presentations on the subject at this time.

Correspondence from Moultrie Technical College

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to send a letter of response thanking the writer for her correspondence.

Discussion: Proposed Revision to BR 345-4-.02 Continuing Education Hours Ms. Clay motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to refer Board Rule 345-4-.02 Continuing Education Hours to the Attorney General’s office for review and posting.

Rule Waiver Request: Anthony Gambrell Ms. Taylor motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to deny the petition for Rule Variance 345-3-.02 Application for Licensure.

Rule Waiver Request: Mukti Forrester Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to deny the petition for Rule Variance and waiver 345-4-.02 Continuing Education.

Executive Director’s Report Ms. Price presented the Board with statistical data relevant to the processing of applications and complaints/compliance and system outages which may delay processing times. The Board accepts the report as presented.

Miscellaneous

Ms. Johnson discussed the following:

1. Fee Schedule: Compared to the Florida fee list
2. Definitions: Terminology used by the Board on matters
3. Add updated policies on Epiware for the Board to review.
4. Massage Envy CEU program: Massage Envy informs Board that CE are not for hands on credit

Ms. Johnson motioned, and Ms. Clay 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. Voting in favor of the motion were those present who included Board members: Mr. Knowles, Ms. Taylor, Ms. Clay, Ms. Johnson and Mr. Seagraves.

At the conclusion of Executive Session on Friday, April 25, 2014, Mr. Knowles declared the meeting to be “open” pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were taken during executive session.

OPEN SESSION

Applicant Interviews

1. 11:00AM D.A. Ms. Clay motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to deny application for licensure.
2. 11:30AM M.B. Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to approve application for licensure.
3. 12:00PM P.Y.C. Ms. Clay motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to uphold previous decision to deny application by endorsement.
4. 12:30PM S.C. Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to rescind previous decision and approve for licensure.

Attorney General’s Report- S. Mason Ms. Taylor motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the attorney general’s report as presented.

1. W.S. Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to deny renewal
2. T.L.B. Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to close the case.

Memo: G.C.C.O. Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to have the Attorney General send a letter regarding city ordinances conflicting with the Massage Therapy law and give them a chance to revise the ordinance.

Memo: P.A.R.I.F. Ms. Clay motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to have the attorney general’s office prepare a specific list of authorized agencies for the board to review.

Memo: S.P.R.A.

The massage practice act is referring to persons, not animals.

Discussion – Public Consent Order

1. R.C. Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to rescind previous decision and accept consent order as presented

School Cognizant’s Report –C. Knowles Ms. Clay motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to remove Lincoln College/Medix/ Miller-Motte Macon, and Savannah School of Massage from the recognized school list. The Board accepts the report as presented.

Cognizant’s Report – J. Clay Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to accept the Cognizant’s report as presented.

1. MT130080 Close with letter stating outside jurisdiction.
2. MT130081 Issue Cease & Desist with fine or Public Consent Order for unlicensed practice; do not issue license until fine is paid in full.
3. MT140013 Close, no action
4. MT140027 Refer to Attorney General’s office for aiding and abetting unlicensed practice and \$500 fine.
5. MT140030 Close, no action
6. MT140036 Close, no action
7. MT140052 Close, no action

Executive Minutes Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to approve the February 28, 2014 Executive Session minutes as amended.

Applications Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to accept the recommendations made on the applications in executive session.

Arrests

1. C.M. Approve for licensure

Reinstatements

2. G.D. Approve for reinstatement with Consent Agreement for unlicensed practice and \$750 fine; do not reinstate for licensure until fine is paid in full
3. M.R.F. Approve pending 24 hours of Continuing Education
4. H.H. Approve for reinstatement with Consent Agreement for 11 months of unlicensed practice and \$500 fine; do not reinstate for licensure until fine is paid in full
5. J.H. Approve for reinstatement with Consent Agreement for 18 months of unlicensed practice and \$750 fine; do not reinstate for licensure until fine is paid in full
6. R.J. Approve for reinstatement with Consent Agreement for 12 months of unlicensed practice and \$500 fine; do not reinstate for licensure until fine is paid in full
7. T.L. Rescind previous decision and deny; the applicant does not meet qualifications for licensure
8. W.R. Approve for reinstatement with Consent Agreement for 18 months of unlicensed practice and \$750 fine; do not reinstate for licensure until fine is paid in full
9. R.T. Approve for reinstatement with Consent Agreement for 18 months of unlicensed practice and \$750 fine; do not reinstate for licensure until fine is paid in full.
10. M.W. Approved for reinstatement
11. R.Y. Approve for reinstatement with Consent Agreement for 12 months of unlicensed practice and \$500 fine; do not reinstate for licensure until fine is paid in full

Transcripts

12. M.P.K. Table for further Board review
13. A.B. Deny; does not meet the education requirements
14. A.G. Deny; the school does not have an approved NCB code
15. Y.L. Deny; the school does not have an approved NCB code
16. X.L. Deny; the school does not have an approved NCB code
17. B.T. Deny; the school does not have an approved NCB code
18. S.T. Deny; the school does not have an approved NCB code
19. M.J. Approve for licensure

Miscellaneous

1. G.W. Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to release transcript to the Alabama Board of Massage Therapy.
2. Invite investigators to the next board meeting
3. Ms. Price will contact CE Broker for additional information requested by the Board.

Memo of Authority for Rule 345-5-.01

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to refer Rule 345-5-.01 to Attorney General's Office for Memo of Authority to amend to include the following:

- (g) the proper fee – see fee schedule; and official verification from NCBTMB (National Certification Board for Therapeutic Massage and Bodywork) or FSMTB (Federation of State Massage Therapy Boards) showing applicant has passed the NCBTMB National Certification Exam for Therapeutic Massage (NCETM) or National Certification Exam for Therapeutic Massage & Bodywork (NCETMB), or the FSMTB Massage & Bodywork Licensing Exam (MBLEx), or an exam deemed equivalent or equal to the NCE or FSMTB exam by the Board; and,
- (h) The Board may request additional verification of any requirements or credentials as it may deem necessary.

With no further business to be discussed, the meeting was adjourned at 2:04pm

Minutes recorded by:

Tamara Elliott, Board Support Specialist

Minutes reviewed and edited by:

Wanda Jaffe, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on:

June 27, 2014

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR