

GEORGIA STATE BOARD OF MASSAGE THERAPY

**Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
December 5, 2014 - 9:00A.M**

The Georgia Board of Massage Therapy met on Friday, December 5, 2014. The following members were present:

Board Members Present

Craig Knowles, Chair
Jennifer Clay, Vice Chair
Jane Johnson, Board Member
Denise Taylor, Board Member
Freddy Seagraves, Consumer Member

Administrative Staff Present

Adrienne Price, Executive Director
Tamara Elliott, Board Support Specialist
Wanda Jaffe, Licensing Supervisor

Attorney General's Office

Scott Forbes, Assistant Attorney General

Visitors Present

Kim T. Davis
Maureen Grady Tatje
Toni Roberts
Sharon R. Remaly
Cindy E. Farrar
Vivian Davis
Maggie Alfieri
Traci Daly-Smith
Yeilymor Guzman
Carina Mitchell
Cheryl Jackson
Marquis Dixon
Jose J. Aarcia, JR.
Rachel Poole
Rachelle Murphy
Heather Reinhardt
Leslie Giattina
Cassius C. Clay
H. Marty Schelper
Chad Cox
Michael Westbanks
Elizabeth Corbin

Whitney Martin
Sarah Rose Lane
Miranda Harris
Samantha Snair
Loyce Kemp
Lisa Aspy
Ann Pauley
Sally S, Cavalier
Jane K. Walsh
Judy LeFave
Pat Barnes
Dowald Gaymon
Lashawna Ervin
Barrett Martin
Alexis Colbert
Latishia Perry
Brandi Shepard
Libby Eason
Matt Keels
Carolyn Davis
Michael Teal
David Trinidad

Lauren Yerkey
Ruth Ashmore
Seth Manning
Karin Nakazawa
Joseph Handelman
Patsy Dugger
Twalla T. Haley
Pamela Lohr Hendrix
Suzy Compere
Stephanie Pabey
Traci Quinton
Vanessa Sunlin
Stan Dawson
Garrison Hammontree
Leslie Connell
Ed Steeley
Tiffani Gaiters
Michal Spiegelman
Roz Zollinger
Zandra Loggins
Stanley Jones
Margaret Alfieri

OPEN SESSION

Call to Order Mr. Knowles established quorum and called the meeting to order at 9:05a.m.

Agenda Ms. Clay motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to accept the agenda as amended.

Open Session Minutes Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to approve the October 31, 2014 open session minutes as amended.

Licenses to Ratify Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to approve the ratified list of licenses issued October 25, 2014 – December 1, 2014.

Correspondence – Rick Rosen – Body Therapy Institute

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to send a response letter thanking Mr. Rosen for his correspondence and inform him that the NCBTMB school provider code is not the sole factor used to determine recognition status and the decision to grant, deny or withdraw recognition status resides with the Board.

Rule Waiver Variance – Erin Brooke Napier

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to deny the petition for variance of Board Rule 345-4-.02 due to insufficient evidence of substantial hardship.

Rule Waiver Variance – Marvin D. Miller

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to deny the petition for variance of Board Rule 345-4-.02. Mr. Miller may complete the remaining ten (10) hours of continuing education online.

Board Chair’s Report – C. Knowles - Board Recognized Program Audit

- 1. **Recognition Withdrawals** Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to accept the recommendation to withdraw recognition of the programs listed based on program closures.
- 2. **Recognition Approvals** Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the recommendation to grant recognition to the program list as amended.
- 3. **Recognition Pending** Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the list as amended and the recommendation to allow the programs listed until December 31, 2014 to bring their programs into compliance. If all requirements are not satisfied prior to the deadline date, the program will officially be removed from the board recognition list and any students graduating from the program on December 31, 2014 and thereafter, will not be eligible for licensure in the state of Georgia.

Executive Director’s Report – A. Price

Ms. Price presented the Board with statistical data relevant to the processing of applications, the issuance of licenses, complaints/compliance. Ms. Price notified the Board that online renewal applications went live on August 22, 2014 and that as of December 5, 2014 only 62% have renewed their license. Ms. Price updated the Board regarding the pending continuing education tracking system agreement, the status of cases relevant to the FSMTB Invalidated Exam Scores list, and responses received from the Solicitor General Offices regarding massage therapy related criminal cases. The Board accepts the report as presented.

9:30a.m.Board Rule 345-4-.02 Continuing Education Hours Hearing

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF MASSAGE THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.02, CONTINUING EDUCATION HOURS

Purpose: The purpose is to amend the rule and to accept only the continuing education courses for renewal of Massage Therapy license that fall within the realm of the scope of practice for Massage Therapy.

Main Features: Gives a list of unacceptable continuing education courses. These are practices that fall outside the scope of Massage Therapy.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA BOARD OF MASSAGE THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.02, CONTINUING EDUCATION HOURS

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

345-4-.02 Continuing Education Hours. Amended.

(1) Every massage therapist licensed pursuant to this chapter shall be required to complete a minimum of twenty-four (24) continuing education (CE) hours through an approved provider related to the practice of massage therapy as a condition for renewing his or her license for each biennium renewal expiration date except as otherwise provided for in this chapter.

~~(a)~~ (A) 12 of the total 24 CE Hours must include direct hands-on supervised instruction; and

~~(b)~~ (B) The remaining 12 CE Hours may include direct hands-on supervised instruction or other massage therapy related CE hours.

~~(c)~~ (C) CE Hours for renewal must be obtained during the two year renewal cycle beginning November 1st through October 31st of the two year licensure period.

~~(d)~~ (D) Failure to obtain the required CE Hours within the two (2) year licensure period shall result in the Board taking disciplinary action and imposing a fine, including but not limited to, the following:

~~1-~~(i) Public Reprimand and fine of \$500 and,

~~2-~~(ii) Deficient CE Hours must be obtained within two (2) months of the date of notification by the Board of the deficient CE Hours. These CE hours may NOT be used to satisfy the CE requirement of any subsequent renewal cycle.

3-(iii) Falsification of a renewal application affidavit of having obtained the required CE Hours shall result in the Board taking the disciplinary actions noted above (#'s 1 & 2), and, any future incidents may result in additional disciplinary actions up to, and possibly including, revocation of a license to practice massage therapy in Georgia.

(2)(A) Approved providers for Continuing Education may be found on the National Certification Board for Therapeutic Massage and Bodywork website at www.ncbtmb.org. Licensees do not have to be nationally certified by NCBTMB to access the NCBTMB continuing education providers. The Board only accepts those Continuing Education Providers assigned a provider code number by NCBTMB.

(B) The Board will not accept any continuing education courses taken on modalities which are not within the scope of practice massage therapy or as referenced in the exceptions of O.C.G.A. § 43-24A-19 to include but not limited to the following:

(i) Movement practices include, but are not limited to: Alexander Technique, Aston Patterning, Body-Mind Centering®, Feldenkrais Method® of Somatic Education, ISMETA – Registered Somatic Educator, ISEMTA – Registered Somatic Movement Therapist, Laban Movement Analysis, Rolf Institute® Rolf Movement Integration, Trager® Approach to Movement Education.

(ii) Structural Integration practices include, but are not limited to: Hellerwork®, Rolfing® Structural Integration, Structural Integration.

(iii) Energy practices include, but are not limited to: Asian Bodywork Therapy, Acupressure, Amma, AMMA Therapy®, Chi Nei Tsang, Craniosacral Therapy, Jin Shin, Jin Shin Do® Bodymind Acupressure, Jin Shin Jitsu, Jin Shin Jyutsu®, Medical Qigong, Nuad Bo 'Ram (Traditional Thai Bodywork), Okazaki Restorative Therapy, Polarity, Polarity Therapy, Polarity Bodywork Therapy, Qigong, Reiki, Shiatsu (all forms including, but not limited to, Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Macrobiotic Shiatsu, Ohashiatsu®, Quantum Shiatsu, Zen Shiatsu), Shiatsu Anma Therapy, Tuina.

(iv) Reflexology

(3) The Board may consider a waiver or variance of the requirement of CE hours for licensees who can provide acceptable proof of a verifiable illness, disability or hardship that substantially affected their ability to obtain the required CE hours during the prior biennium renewal period through submission to the board of a completed, signed waiver/variance request form *prior* to the biennium renewal expiration date of October 31st of every even numbered year.

(4) An applicant who is licensed **during the second year** of the biennium renewal period shall only be required to provide 12 hours of continuing education (CE) hours through an approved provider for that renewal period.

~~(a)~~ (A) 6 of the total 12 CE Hours must include direct hands-on supervised instruction; and,

~~(b)~~ (B) The remaining 6 CE Hours may include direct hands on supervised instruction or other massage therapy related CE hours.

(5) An applicant having graduated from a Board recognized approved massage therapy education program within one year of their application date shall be exempt from continuing education requirements for their initial biennium renewal period only.

(6) An applicant for reinstatement of a lapsed or revoked license must show along with their completed application and fee payment that they have taken the required twenty-four (24) hours of continuing education, in accordance with this rule, within one (1) year of the date of their reinstatement application to the board.

(7) The continuing education hours used for the reinstatement of a license cannot be used to meet the continuing education hours required for the biennium during which the license was reinstated.

(8) Each licensed massage therapist shall maintain records of attendance and supporting documents for continuing education for a period of three (3) years from the date of attendance.

(9) Reporting and Auditing:

~~(a)~~ (A) Upon applying for license renewal, each massage therapist shall certify to the Board that he/she has completed the continuing educational hours required for license renewal. The method of reporting and auditing continuing education shall be as stated in this Rule.

~~(b)~~ (B) The Board may direct the staff to audit a percentage of randomly selected active renewing licensees, as determined by the Board, for compliance with continuing education requirements. Documentation of completed continuing education hours which the Board deems to be acceptable proof or verification of completion shall include, but not be limited to, the following:

1(i). Attendance and participation at a live presentation such as a workshop, seminar, conference or direct hands-on client care educational program: A certificate of completion or similar documentation that includes a massage therapist license number and the approved provider's number, signed or verified by a program official, and a program or course description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule.

2(ii). Lectures and Multi-Media Courses: For lectures, a certificate of completion, or similar documentation, including a massage therapist license number and the approved provider's number, signed or verified by a program official, and a program description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule. Multi-Media courses shall require the successful completion and submission of a written post experience examination to evaluate material retention. Multi-Media courses include, but are not limited to, audio, audiovisual, closed circuit television, and internet courses.

3(iii). Correspondence Courses: A certificate of completion or similar documentation, including a massage therapist license number and the approved provider's number signed or verified by a program official and a program description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule.

4(iv). Formal self-study, viewing of videotapes in a professional setting, satellite broadcasts, or computer learning activities. Documentation must include:

(i)(a) Verified instructional time by the course sponsor, a certificate of completion or similar documentation that is signed or verified by program official; and

(i)(b) A program description including sponsor, course title, date, program objective or learning outcomes, and description of program content.

Authority: O.C.G.A. §§ 43-24A-20, 43-24A-14 and 43-1-25

Public comments received in writing in reference to BR 345-4-.02:

- | | | |
|--------------------------|-----------------------|--------------------------------|
| 1. William Lane | 26. Terry Sheff | 51. Stephanie Pabey |
| 2. Paula Kaprocki | 27. Patti Denike | 52. Tiffany Shelbamer |
| 3. Jean Robinson | 28. Kathleen Reding | 53. Bonnie Blackstock |
| 4. Kasey Shipp | 29. Betsey Brogan | 54. Chuck Lubect |
| 5. Kathryn Ballard | 30. Arelene Johnston | 55. Camden Clay |
| 6. Laura DeLenoy | 31. Barbara Daupert | 56. Sharyn McClung |
| 7. Jean Robinson | 32. Jean Woodall | 57. Cinday Farrar |
| 8. Tami A. Goldstein | 33. Linda Brown | 58. Maury Stephan |
| 9. David Kirschbaum | 34. Carol Venclik | 59. Stanley Jones |
| 10. A Buckey Knight | 35. Cindy Williams | 60. Raymond Harrison |
| 11. Kerri Shannon | 36. Pernille Stephens | 61. Heather Hake |
| 12. Caroline Davis | 37. Toni Roberts | 62. Roz Zollinger |
| 13. Donna Hall | 38. Dr. Jared Wiskind | 63. Stanley S. Jones, Jr. |
| 14. Kaveri Cornell | 39. Kathleen Gleason | 64. Shawna Brodie |
| 15. Traci Daley | 40. Gizelle Toran | 65. Nathan Brown |
| 16. D. Ellen Maroun | 41. Leslie Conell | 66. Erika Larson |
| 17. Susan Dykes | 42. Adalene Wood | 67. Gwendolyn N.
Szychowski |
| 18. Kathy Kinsey | 43. Renel Jenksin | 68. John Upledger |
| 19. Shalan Hill | 44. Pam Reagin | 69. Maija Salins |
| 20. Ann Pauley | 45. Brenda Martin | 70. Sandra E. Baughman |
| 21. Lucy Gonzales-Romero | 46. Kim Davis | 71. Jane Walsh |
| 22. Karyn Bruck | 47. Patricia Saldana | 72. Jo-Ann Crawley |
| 23. Karen Triana | 48. Rhiannon Swiger | 73. Arelene Johnston |
| 24. Brenda Smith | 49. Twalla Haley | |
| 25. Roger Hoffmire | 50. Shannon Waluk | |

Public comments were made by the following individuals during the hearing relevant to BR 345-4-.02:

- | | | |
|------------------------|-------------------------|---------------------|
| 1. Libby Eason | 7. Ann Pauley | 13. Stephanie Pabey |
| 2. Stanley Jones | 8. Kim T. Davis | 14. Maggie Alfieri |
| 3. Ed Steeley | 9. Toni Roberts | 15. Traci Quinton |
| 4. Stan Dawson | 10. Garrison Hammontree | 16. David Trinidad |
| 5. H. Marty Schelper | 11. Matt Keels | 17. Brandi Shepard |
| 6. Maureen Grady Tatje | 12. Cindy E. Farrar | 18. Carolyn Davis |

Ms. Taylor motioned, and Ms. Johnson 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. Clay, Ms. Johnson Ms. Taylor and Mr. Seagraves.

At the conclusion of Executive Session on Friday, December 5, 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

Ms. Taylor motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to grant permission for the Attorney General to speak on behalf of Board Rule 345-4-.02

Scott Forbes, Assistant Attorney General explained that he is not familiar with the legal advise the previous attorney gave the Board but he did review the Rule and the Board has legal authority to adopt the rule as written

Based on the comments reviewed and heard, Mr. Knowles asked if either member of the Board wished to make a motion in this matter.

Ms. Clay entered a motion to adopt Board Rule 345-4-.02 as presented. There was no second and the motion did not carry.

Mr. Seagraves entered a motion to table Board Rule 345-4-.02 for further review and discussion. There was no second and the motion did not carry.

There being no further motions entered in this matter, Mr. Knowles declared that Board Rule 345-4-.02 will remain as is and the hearing was adjourned at 12:30 PM.

12:45 PM Board Rule Hearing BR 345-4-.03 Continuing Education Providers

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF MASSAGE THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.03, CONTINUING EDUCATION PROVIDERS

Purpose: The purpose is to amend the rule and to accept only the continuing education courses for renewal of Massage Therapy license that fall within the realm of the scope of practice for Massage Therapy.

Main Features: To accept only the continuing education courses for renewal of Massage Therapy license that fall within the realm of the scope of practice for Massage Therapy.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA BOARD OF MASSAGE THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.03, CONTINUING EDUCATION PROVIDERS

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

345-4-.03 Continuing Education Providers

The Georgia Board of Massage Therapy does not pre-approve continuing education courses or programs at this time. The Board will accept continuing education hours from any entity who is recognized/approved as a “Continuing Education Provider” by the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) provided that the hours are related to the scope of practice of massage therapy as defined in O.C.G.A. § 43-24A. Continuing Education Providers recognized by the NCBTMB may be located by contacting the NCBTMB directly or by searching their website, www.ncbtmb.org.

No Public comments were received or offered during the hearing.

Ms. Taylor motioned, Ms. Johnson seconded and the Board voted unanimously in favor of the motion to adopt the proposed amendment of Board Rule 345-4-.03 Continuing Education Providers as presented.

Ms. Taylor motioned, Ms. Johnson seconded and the Board voted unanimously in favor of the motion 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.

There being no further motions entered in this matter, Mr. Knowles declared the hearing in this matter adjourned at 12:50 PM

12:50 PM Board Rule Hearing BR 345-4-.05 Reinstatement of a License

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF MASSAGE THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.05, REINSTATEMENT OF A LICENSE

Purpose: The purpose is to amend the rule to reflect current examination and fingerprinting standards. This is also to clarify information regarding the use of Continuing Education for reinstatement.

Main Features: Expands on the types of national examinations that are acceptable, gives direction regarding fingerprinting, and clarifies the use of Continuing Education for a reinstatement.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF MASSAGE THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING
EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.05,
REINSTATEMENT OF A LICENSE**

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

345-4-.05 Reinstatement of a License. Amended.

- (1) Reinstatement of a revoked or lapsed license is within the discretion of the Board.
- (2) An applicant for reinstatement of a revoked or lapsed license must submit a completed application provided by the board, payment of the required fee and evidence satisfactory to the Board that the applicant:
 - (a) is a citizen of the United States or a permanent resident of the United States; and,
 - (b) ~~submits a photograph of the applicant. Only a passport type (2" X 2") photo taken within the past twelve months will be accepted; and,~~
 - (c) ~~provides consent for the Board to perform a criminal background check; and has a~~ satisfactory result from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the Board. The applicant shall be responsible for all fees associated with the performance of such background check (see the Fingerprint COGENT-GAPS Instructions on the Board website under the Application Downloads link).
 - (d) if the license has been revoked or lapsed for **less than five (5) years**, submission of evidence of completion of twenty-four (24) hours of Board approved continuing education, in accordance with Board Rule 345-4-.02, obtained within one (1) year of the date of the reinstatement application; ~~and/or,~~
 - (e) ~~(d)~~ if the license has been revoked or lapsed for **more than five (5) years**, submission of evidence of completion of twenty-four (24) hours of Board approved continuing education, in accordance with Board Rule 345-4-.02, obtained within one (1) year of the date of the reinstatement application, **AND**, verification of the passage of the ~~FSMTB licensure competency exam, the MBLEx, NCETMB or NCETM exam.~~
- (3) The continuing education hours used for the reinstatement of a license cannot be used to meet the continuing education hours required for the biennium during which the license was reinstated.
- (4) The Board may impose any limits, sanctions, restrictions or other disciplinary actions as a condition of reinstatement it deems necessary.
- (5) The Board may require additional verification of any requirements or credentials as the Board may deem necessary.

Authority of O.C.G.A. §§ 43-1-19(g), 43-24A-14(b), 43-24A-14.

No Public comments were received or offered during the hearing.

Ms. Taylor motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to adopt the proposed amendment of Board Rule 345-4-.05 Reinstatement of a License as presented.

Ms. Taylor motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion 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.

There being no further motions entered in this matter, Mr. Knowles declared the hearing in this matter adjourned at 1:00 PM.

Ms. Denise Taylor tendered her resignation to the Georgia Board of Massage Therapy by letter and dismissed herself from the remainder of the meeting.

Ms. Johnson motioned, and Mr. Seagraves 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. Clay, Ms. Johnson and Mr. Seagraves.

At the conclusion of Executive Session on Friday, December 5, 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

Investigative Interviews

1. M.G. The respondent did not present to the meeting. Ms. Clay motioned, Ms. Johnson seconded and the Board voted unanimously in favor of the motion to refer the case to the Attorney General’s office to research whether or not nerve mobilization is within scope of practice of a massage therapist in the state of Georgia.

Executive Minutes

Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to approve the October 31, 2014 executive session minutes as amended.

Attorney General’s Report- J. Scott Forbes

Mr. Seagraves motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to accept the Attorney General’s Report as presented.

1. MT130012 Accept the Cease and Desist Order as presented.

Cognizant’s Report – J. Clay Mr. Seagraves motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to accept the recommendations made in Executive Session.

1. MT140054 Refer to the Attorney General’s office to include the findings and dispose of this case in conjunction with the companion case in that office.
2. MT140065 Refer to Investigations to obtain additional evidence.
3. MT140070 Close, no action
4. MT150008 Close, no action
5. MT150016 Close, no action
6. MT150017 Refer to investigations to obtain additional evidence in the case to include employment records and a list of clients. Upon receipt of additional evidence, refer to the Attorney General’s Office to schedule a hearing for violation of a Cease and Desist Order and to the District Attorney’s Office to seek criminal prosecution.
7. MT150019 Accept the Cease and Desist Order and refer the case to the Attorney General’s office for a hearing for violation of the order.
8. MT150036 Refer to Attorney General’s office for a voluntary surrender or indefinite suspension
9. MT150014 Close, no action
10. MT150023 Close, no action
11. MT150038 Close, no action
12. MT150035 Close case and renew the license with letter of concern regarding unlicensed practice.

Executive Discussions

1. MT150021 Ms. Clay motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to request the application from archives and refer to Attorney General’s office for legal advice regarding the ability to seek disciplinary action, up to revocation, in this case .
2. MT150039 Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to instruct legal services to request the applicant to submit a copy of the 2013 pay stub which coincides with the 2013 tax return.
3. MT150001 Ms. Clay motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to release application file to NCBTMB.
4. MT140064 Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to release transcripts to NCBTMB and table any further discussion concerning this case pending receipt of additional investigative findings.

School Cognizant’s Report –C. Knowles

Mr. Knowles suggests a revision to BR 345-8-.03 that would require schools to send their Nonpublic Postsecondary Education Commission (NPEC) documentation to the Board when it is renewed. Ms. Clay motioned, Ms. Johnson

seconded, and the Board voted unanimously in favor of the motion to assign Mr. Knowles to draft language amending BR 345-8-.08 to include a requirement that Board recognized schools provide the Board with a copy of their current NPEC certifications to include the expiration date on an annual basis and/or when it is renewed by NPEC.

Mr. Knowles indicated that several other states include a photograph on the license and the measure has proven to decrease incidences of fraud. He asked if the Professional Licensing Boards Division had ever considered this option. Executive Director is to make the inquiry to the Division Director and report the response to the Board during the next scheduled meeting.

Applications for Board Review

Arrests Ms. Johnson motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

1. A.H. Table, pending receipt of a certified copy of a transcript submitted by the school with coursework listed in clock hours.
2. A.G. Table, pending receipt of a transcript that delineates the number of clock hours per subject matter, per course
3. K.S. Table pending receipt of the final disposition of the case
4. M.W. Deny based on criminal history

CE Audits Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

5. S.H.G. Deny renewal and refer to the Attorney General's office to proceed with hearing on the matter.
6. Y.H.L. Must submit proof of twelve (12) hours of in person hands on continuing education within seven (7) business days; if fail to do so, refer to Legal Services for Public Consent Order for License Renewal with a fine of \$500 for failure to obtain the required CE during the biennium as required by BR 345-4-.02(1)(d)(1) and inform her that she must not practice until case is resolved.
7. T.I. Refer to Legal Services for a Public Consent Order for License Renewal with \$500 fine for failure to obtain continuing education during the during the biennium as required by BR 345-4-.02(1)(d)(1) and inform her that she must not practice until case is resolved.
8. C.C.Y. Refer to investigations to obtain evidence related to felony charges in Gwinnett County
9. K.S. Renew; notify the licensee of the twenty-four (24) continuing education hours that will be required for the next renewal cycle.
10. D.D. Rescind the previous decision and approve renewal with letter of concern regarding continuing education requirements.
11. Y.H. Refer to Legal Services for a Public Consent Order for License Renewal with a fine of \$500 fine for failure to obtain continuing education during the biennium as required by board rule 345-4-.02(1)(d)(1).
12. D.S. Deny renewal based on moral turpitude
13. P.T. Table and request a copy of police report.

Endorsement Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

14. G.W. Table and request the investigative file from Florida to include any treatment records or reports.

Reinstatements Applications Ms. Clay motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

15. K.G. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$200 for unlicensed practice from 11/01/2012 to 12/22/2012; Issue the license upon docketing and receipt of fine.
16. J.A. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$1000 unlicensed practice from 11/01/2010 to 11/25/2013 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.
17. S.C. Must submit seven (7) hours of in person continuing education; six (6) hours must be hands on
18. T.H. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$750 for unlicensed practice from 11/01/2012 to 10/10/2014 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.
19. E.H. Upon passing of the MBLEx, Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$4600 for unlicensed practice from 10/31/2008 to 10/30/2014. The fine is to be paid by October 31, 2016; Issue the license upon docketing.
20. P.L. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$750 for unlicensed practice from 11/01/2012 to 10/09/2014 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.

- 21. C. R. Rescind the previous motion and refer to Legal Services for Private Consent Agreement for unlicensed practice from 11/01/2012 to 06/05/2014 with a fine of \$750 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.
- 22. A.S. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$750 for unlicensed practice from 11/01/2012 to 10/20/2014 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.
- 23. D.T Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$750 for unlicensed practice from 11/01/2012 to 10/30/2014 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.
- 24. P.V. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$750 for unlicensed practice from 11/01/2012 to 10/15/2014 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.
- 25. J.W. Refer to Legal Services for Private Consent Agreement for Reinstatement of Licensure with a fine of \$750 for unlicensed practice from 11/01/2012 to 10/28/2014 to be paid within six (6) months in accordance with BR 345-10-.04; Issue the license upon docketing.

Transcripts Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

- 26. Y.D. Deny, no NCBTMB School Provider Code as required in BR 345-8-.03
- 27. Y.Du. Table pending the outcome of case relevant to the school the applicant attended
- 28. X.F. Deny, no NCBTMB School Provider Code as required in BR 345-8-.03
- 29. C.S.K. Deny, no NCBTMB School Provider Code as required in BR 345-8-.03
- 30. H.M. Table for further information regarding the school the applicant attended and its location
- 31. X.R. Deny, no NCBTMB School Provider Code as required in BR 345-8-.03

Application for Licensure Mr. Seagraves motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session:

- 32. V.B. Refer to Legal Services for Private Consent Agreement for Licensure with a fine of \$5000 for unlicensed practice from 07/01/2007 to 06/10/2013 to be paid by October 31, 2016; Issue the license upon docketing. Refer the employer to the Georgia Board of Chiropractic Examiners for aiding and abetting unlicensed practice.

With no further business to be discussed, the meeting was adjourned at 4:37 pm.

Minutes recorded by: Tamara Elliott, Board Support Specialist
Minutes reviewed and edited by: Wanda Jaffe, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: February 27, 2015

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR