

GEORGIA BOARD OF MASSAGE THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
February 28, 2014 * 9:00a.m.

The Georgia Board of Massage Therapy met on Friday, February 28, 2014. The following members were present:

Board Members Present

Craig Knowles-Chair
Denise Taylor-Vice Chair
Jennifer Clay-Cognizant
Jane Johnson
Harold "Freddy" Seagraves-Consumer Member

Administrative Staff Present

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

Attorney General's Office

Stephanie Mason, Assistant Attorney General

Mr. Knowles established quorum and called the meeting to order at 9:07a.m.

OPEN SESSION

Agenda The Board accepts agenda as amended

Applicant Interview

11:00am C.P.Y.Y The applicant did not appear at appointment. The Board reviewed the application and upheld the previous decision to deny application for licensure.

Board Minutes Ms. Johnson motioned, Ms. Taylor seconded, and the Board voted unanimously in favor of the motion to approve the December 6, 2013 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 applicants from December 2, 2013 – February 21, 2014.

PTB Board List Ms. Taylor motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to approve the PTB Board list.

Correspondence from Deb Jackson Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to send response explaining that it is the consensus of the Board that canine massage is not included within the scope of practice of the State of Georgia.

Referral to AG's Office Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a memorandum of advice to update our policies to reflect the board's stance regarding animal massage.

Corr. from John of Winston for Justice The Board accepts as information. Ms. Johnson motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to send letter thanking him for the correspondence.

Correspondence from Kevin Bergeron Ms. Taylor motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to send a no legal advice letter and explain that the Board has not further clarified 43-24A-3 (8) and it is currently a matter under further discussion by the Board.

Correspondence from Lane Goodwin The Board accepts as information. Ms. Clay motioned, Ms. Taylor seconded, and the Board voted unanimously in favor of the motion to send letter thanking her for the correspondence.

Correspondence from Megan Glenn Ms. Johnson motioned, Ms. Taylor seconded, and the Board voted unanimously in favor of the motion to refer Ms. Glenn to Rule 345-4-.02 (3) regarding procedures on how to petition the Board with rule waiver.

Correspondence from Michael Parke The Board accepts as information.

Correspondence from Rick Rosen The Board accepts as information. Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to send letter thanking him for the correspondence.

Correspondence from Stephanie Arnold Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to refer to the scope of practice and exceptions found in Code Section 43-24A.

Board Policy for Review Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to refer Board policy regarding release of Investigative Information to the Attorney General's office for review.

Board Chair's Report –Craig Knowles The Board only wants to review previously denied applications that have provided additional information for reconsideration.

Executive Director's Report Ms. Price presented the Board with statistical data relevant to the processing of applications, complain/compliance, legislative updates, the new website for the Office of Secretary of State, and encouraged the Board members to submit suggestions for information they would like to receive on the report relevant to administrative processes. The Board accepts the report as presented.

Miscellaneous Ms. Taylor motioned, Ms. Johnson seconded, and the Board voted unanimously in favor of the motion to allow any Board member to contact any legislator regarding Senate Bill 205.

Ms. Clay motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to allow Ms. Johnson to represent the Board regarding legislative issues.

The Board clarified that continuing education provider with energy works modalities only count as 12 hours towards continuing education hours for current renewal. Ms. Clay motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to only accept continuing education that is within the scope of practice starting Nov 1, 2014. Specifically the Board will not accept: Energy Practices, Structural Integration, Reflexology and Movement Practices.

Ms. Taylor 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, February 28, 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

Executive Minutes Ms. Taylor motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to approve the December 6, 2013 executive session minutes as amended.

Applications Ms. Clay motioned, Mr. Seagraves seconded, and the Board voted unanimously in favor of the motion to accept the recommendations as presented.

1. A.G. Must provide additional information as to why the school did not have an active NBC code at the time of program and must submit a rule waiver.
2. D.A. Schedule for Investigative Interview
3. M.B. Schedule for Investigative Interview
4. C.C. Approve for licensure
5. J.D. Deny based on criminal history
6. J.E. Table pending outcome criminal case
7. A.G. Approve for licensure
8. J.M. Upon receipt of status of criminal probation approve for licensure with letter of concern; once probation is complete, must notify the Board within 30 days.
9. K.R. Rescind previous denial and approve for licensure
10. C.G. Rescind previous denial and approve for licensure
11. R.H. Rescind previous denial and approve for licensure
12. P.S.O.M. Approve as a recognized school in the State of Georgia
13. D.Z. Deny based on failure to disclose
14. S.J. Approve for Reinstatement
15. T.J.K. Approve for Reinstatement
16. K.P. Approve for Reinstatement
17. S.T. Refer to investigations to obtain personnel records to determine accurate dates of employment. Upon

receipt of evidence from investigations regarding periods of unlicensed practice, refer to legal services for Public CO with fine accordance with the fine scale.

18. I.R. Approve for Reinstatement
19. H.E. Issue with Public Consent Order with fine for unlicensed practice from 11/01/12- present in accordance with the fine scale.
20. K.L. Deny licensure based on transcript fraud
21. S.C. Deny licensure; school is not approved by NCB
22. R.R. Approve for licensure
23. D.U. Deny licensure based on criminal history and school is not approved by NCB
24. P.D. Refer to investigations to obtain accurate employment history and personnel records from July 2007 until present. Upon receipt of evidence from investigations regarding periods of unlicensed practice, refer to legal services for Public Consent Order with fine in accordance with the fine scale.

Attorney General's Report The Board accepts the Attorney General's report as presented. Mr. Knowles motioned, Ms. Taylor seconded, and the Board voted unanimously in favor of the motion to close request for advice memo regarding administrative denial of licensure applicants whose MTEP does not meet the minimum qualifications of the Georgia Board now that a rule/policy is in place.

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

1. MT140053 Close with letter stating outside jurisdiction.
2. MT140054 Refer to investigations and ask for permission for sting operation and attempt to gain an appointment here in Ga.
3. MT130075 Rescind previous motion of referral to Attorney General's office for cease and desist with fine and recommend closure
4. MT130028 Refer to Attorney General's office for unlicensed practice
5. MT130078 Refer to Attorney General's office for unlicensed practice
6. MT130092 Refer to Attorney General's office for unlicensed practice
7. MT130042 Close, no action
8. MT130085 Close, no action
9. MT130088 Close, no action
10. MT140035 Close and flag for reinstatement
11. MT140037 Accept signed cease and desist
12. MT140038 Accept signed cease and desist
13. MT140039 Close, no action

With no further business to be discussed, the meeting was adjourned at 2:38pm

Minutes recorded by:

Tamara Elliott, Board Support Specialist

Minutes reviewed and edited by:

Wanda Jaffe, Licensing Supervisor

Minutes approved on:

April 25, 2014

CRAIG KNOWLES

ADRIENNE PRICE

BOARD CHAIR

EXECUTIVE DIRECTOR