

GEORGIA BOARD OF MASSAGE THERAPY
Board Teleconference Minutes
March 7, 2017 – 4:00 P.M.

The Georgia Board of Massage Therapy met via teleconference on Tuesday, March 7, 2017. The following members were present:

Board Members Present

Craig Knowles, Board Chair
Jennifer Clay, Board Member
Pam Nichols, Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Foster, Board Support Specialist
Kathy Osier, Licensing Supervisor

Attorney General's Office

No Attorney Present

Visitors Present

No Visitors Present

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 4:05 p.m.

OPEN SESSION

Agenda

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the March 7, 2017 meeting agenda as presented.

Correspondence – Laura Embleton – BR 345-8-.02

Ms. Price indicated that Ms. Embleton's correspondence included a question as to the reason the Board chose to require schools to notify the Board of changes within ten (10) days and suggested that the Board consider allowing thirty (30) days. Ms. Price reported that the Governor's Oversight Committee requested additional insight into the Board's logic for the timeframe and as a result, the question is being brought back before the Board.

Mr. Knowles explained that the reason for the limit of 10 days to report faculty changes is directly related to the previous lack of school compliance when the limit was set at 30 days. He stated that when school audits occur, a failure to report faculty changes was frequently the cause of program non-compliance because of the big turnaround in faculty and the hiring of unqualified instructors. Mr. Knowles continued by stating that the timeframe was shortened to address the urgency of notifying the Board of faculty changes so the Board can ensure that the school and faculty member is in compliance with the rules and that the students get instruction from qualified faculty as instruction from an unqualified staff person could negatively impact that student's ability to learn and subsequently achieve licensure.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to notify the Governor's Oversight Committee that the Board has maintained the ten (10) day limit to report faculty changes for the reasons stated by Mr. Knowles.

Discussion – SB2

Mr. Knowles expressed concerns with the proposed legislation of Senate Bill 2 and how it will affect all Boards. The bill is especially concerning because of the new constraints on unscheduled inspections that will specifically affect the Board's ability to work with national agencies in the fight against human trafficking. He stated that it reads as if a substantial allegation into violations of law is not enough just cause for an inspection and makes the Board vulnerable to lawsuits. Mr. Knowles continued that the health, safety and welfare of the public will be greatly compromised by these proposed limits. He said that if notice is given to businesses concerning when they were coming to perform inspections, human trafficking will be even more difficult to expose.

Mr. Knowles also brought up the issue of the proposed constraints on Board staff. He noted that the new processing time limits and added pressures of having to try to obtain information the applicant should have to provide and even

refund money if those limits aren't met will affect the processing of applications by an already understaffed agency. The five-year economic impact study requirement will also strain the agency. Mr. Knowles further mentioned how some of the changes in the bill could have a negative economic impact to other state Boards as it relates to their ability to recover fees for the information they transfer to the Board. He stated that he also does not see any provisions for how the Board is to cover the cost of some of these changes. Mr. Knowles stated that he would like the Board Members to consider reaching out to their representatives about any concerns that they may have about the bill.

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion in support of each individual Board member writing letters and/or contacting their State Representatives and the Governor relevant to their concerns with the passing of Senate Bill 2.

Miscellaneous Discussion – Members of the Public Attending Teleconferences

Ms. Price stated that some members of the public had expressed an interest in attending this teleconference. She related that these individuals were notified that the Board does not have a call in number available to the public for listening in on open session. Ms. Price continued to explain that it has been standard procedure within the agency that if any members of the public wish to take part in any open session they must come to the Board offices. She stated that this is the only way that the Board can ensure that no parties remain on the line when Executive Session begins. Ms. Price clarified that presently the agency does not have a defined method to ensure that members of the public do not return to the call line when the Board is in Executive Session. She remarked that just as the Board may hang up and call in again, so could members of the public, and as a result, any members of the public who wish to be present during open session must come to the Board offices. Ms. Price stated that new members of the Board may not be aware of this and as a result, she wanted to be certain to review it in the event there is a question as to why members of the public cannot presently phone in. She further stated that the agency is establishing uses for new technology and she anticipates there being something available to the public in the future.

Ms. Nichols motioned, 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: Craig Knowles, Jennifer Clay and Pam Nichols.

At the conclusion of Executive Session on Tuesday, March 7, 2017, 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 Discussion

MT160102 – Release of Information

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to release all information related to MT160102 to the Human Trafficking Task Force and to any agency the Attorney General's Office deems necessary in pursuit of a resolution to this case.

Adjournment With no further business to be discussed, the meeting was adjourned at 4:40 p.m.

Minutes recorded by: Michelle Foster, Board Support Specialist
Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: April 28, 2017

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR