

GEORGIA BOARD OF MASSAGE THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Friday, June 23, 2017 - 9:00 a.m.

The Georgia Board of Massage Therapy met on Friday, June 23, 2017. The following members were present:

Board Members Present

Craig Knowles, Board Chair
Pam Nichols, Board Member
Donald Wood, Board Member
Jennifer Clay, Vice Chair (via teleconference)

Administrative Staff Present

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

Board Members Absent

No members absent.

Attorney General's Office Present

David Stubins, Sr. Assistant Attorney General (via teleconference)

Visitors Present

Libby Eason, International Association of Structural Integrators (IASI)
Margaret Shareenko, Atlanta School of Massage
Dwight Bunn
Toshii Cooper
Che' Chinn, International School of Skin, Nailcare & Massage Therapy (ISSNMT)
Ashley Winters
Maria Sanjurjo
Sun Hee Gribat
Joe Gribat

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 9:00 a.m.

OPEN SESSION

Agenda Ms. Nichols motioned, Mr. Wood seconded, and the Board voted unanimously in favor of the motion to accept the agenda as presented.

Open Session Minutes

1. April 26, 2017 Board Meeting Minutes

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the April 26, 2017 open session Board meeting minutes as presented.

2. April 27, 2017 Board Meeting Minutes

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to approve the April 27, 2017 open session Board meeting minutes as presented.

3. April 28, 2017 Board Meeting Minutes

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the April 28, 2017 open session Board meeting minutes as presented.

4. May 11, 2017 Teleconference Minutes

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to approve the May 11, 2017 open session teleconference minutes as presented.

Licenses to Ratify **April 21, 2017 – June 16, 2017**

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies between Board meetings.

Correspondence – Justin Mann, Dir. of Operations – Apology from CE Broker

The Board accepts the correspondence regarding the Apology from CE Broker from Justin Mann, Director of Operations, as information.

Correspondence – Darinda Davis – Spa Category CE Classes

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of notifying the writer that detailed information about any specific course is required in order for the Board to further address her questions.

Correspondence – Request to Speak Before the Board – Toshii Cooper

Ms. Cooper addressed the Board concerning her CE course, Atoning Chakra Massage. She suggested that the Board implement a process to notify CE instructors of course acceptance by the Board to include a listing on the Secretary of State website of such courses. Ms. Cooper further explained that other states in which she is an instructor charge the CE providers an application fee to cover processing. Ms. Price explained to Ms. Cooper that charging such fees is not permitted in the statute so the Board cannot charge CE providers a fee to accomplish this task. Mr. Knowles added that there is no funding available for staff to process the CE applications. He further explained that in 2013, NCBTMB started amending their policy and procedures for CE course approval and the Board is following those amendments as it relates to energy work. Mr. Knowles said that FSMTB also has a new education policy for their CE provider database which removes courses that were previously accepted but will no longer be in the future. He suggested to Ms. Cooper that she discuss her course with Donna Sarvello, VP of Educational Support at NCBTMB to determine if it may be approved in the future.

In regards to Ms. Cooper's comments of how other state Boards process and approve applications, Mr. Knowles explained that other states do not have the same statutes as Georgia and the acceptance parameters for the applications are different which is, in part, the reason why CE courses approved in other states may not be approved for credit towards renewal requirements in Georgia. Some courses may not be in the scope of practice of massage in Georgia.

9:30 a.m. Public Rule Hearing

1. BR 345-5-.02 Licensure by Endorsement – Military Spouses, Service Members and Transitioning Service Members

Mr. Knowles called the hearing in the matter of Board Rule 345-5-.02 Licensure by Endorsement – Military Spouses, Service Members and Transitioning Service Members hearing to order at 9:30 a.m.

SYNOPSIS OF PROPOSED CHANGES TO THE RULES CHAPTER 345-5 LICENSURE
BY ENDORSEMENT, NEW RULE 345-5-.02 MILITARY SPOUSES, SERVICE MEMBERS
AND TRANSITIONING SERVICE MEMBERS

Purpose: The purpose of this proposed new rule is to comply with the mandates of a new Georgia law, O.C.G.A. § 43-1-34.

Main Features: The main features of the proposed new rule amendment are the addition of language for implementation of a process by which military spouses, service members and transitioning service members may qualify for expedited licensure, and to comply with the new code section which mandates that professional licensing boards adopt such rules and regulations no later than July 1, 2017.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE RULE
CHAPTER 345-5 LICENSURE BY ENDORSEMENT, NEW RULE 345-5-.02 MILITARY SPOUSES, SERVICE
MEMBERS AND TRANSITIONING SERVICE MEMBERS

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

Rule 345-5-.02. Endorsement for Military Spouses, Service Members and Transitioning Service Members

(1) As used in this rule, the following terms shall mean:

(a) “Board” means the Georgia Board of Massage Therapy.

(b) “License” means any license issued by the Georgia Board of Massage Therapy.

(c) “Military” means the United States armed forces, including the National Guard.

(d) “Military spouse” means a spouse of a service member or transitioning service member.

(e) “Service member” means an active or reserve member of the armed forces, including the National Guard.

(f) “Transitioning service member” means a member of the military on active duty status or on separation leave who is within 24 months of retirement or 12 months of separation.

(2) Effective July 1, 2017, military spouses, services members and transitioning service members may qualify for expedited processing of the license application by showing that the applicant is a military spouse or transitioning service member and that the applicant has paid the fee and meets the requirements for a license under the law and rules for the type of license for which the applicant has applied.

Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-1-34, 43-1-8, 43-24A-2, 43-24A-7, 43-24A-8, 43-24A-9, 43-24A-13, 43-24A-19.

Written Comments Received

No written comments were received or offered during the hearing.

Verbal Comments Received

Margaret Sharenko, Atlanta School of Massage

Ms. Sharenko asked the Board how this rule will affect those massage therapists who are transitioning out of the state of Georgia to another state. Mr. Knowles explained that since the Board has no jurisdiction over how applications are processed in other states, the statute requiring the rule is only applicable to military spouses, service members and transitioning service members who are applying for licensure in Georgia.

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to adopt the Board Rule 345-5-.02 Licensure by Endorsement - Military Spouses, Service Members and Transitioning Service Members proposed amendment as posted.

The Board discussed the economic impact of Board Rule 345-5-.02 Licensure by Endorsement - Military Spouses, Service Members and Transitioning Service Members upon licensees and noted that there is a positive economic impact in that it allows military service members, transitioning service members and their spouses to obtain a license to work sooner. Mr. Knowles further noted that the revisions to the rule are a result of a statutory requirement to make allowances to expedite licensure for military service members, transitioning service members and their spouses.

Mr. Wood motioned, Ms. Nichols 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.

Mr. Wood motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-19, 43-1-25, 43-1-34, 43-1-8, 43-24A-2, 43-24A-7, 43-24A-8, 43-24A-9, 43-24A-13, 43-24A-19 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.

The hearing adjourned at 9:36 a.m.

Correspondence – Samantha Sherwin – Start of Rolf Institute of SI Program

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to notify the writer that Structural Integration does not fall within the Board’s jurisdiction or the scope of practice of massage therapy in the state of Georgia [O.C.G.A. § 43-24A-19(7)].

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to send NPEC the same notification.

Correspondence – Dr. Camden Clay, DC – Workshop CEU Approval

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to notify the writer that the course would be accepted based upon the course not being classified as a Form under the American Organization for Bodywork Therapies of Asia (AOBTA) and there being no exclusion in Board Policy A8 and A9.

Correspondence – Michael Sitzer – Thai Yoga CE Acceptance

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to notify the writer that the Board has determined that Thai Yoga is a movement practice and does not fall within the scope of massage therapy in the state of Georgia. If the writer feels that the course falls within the scope of practice of massage as is defined in O.C.G.A. 43-24A-3(8) and **does not fall** within the exceptions identified in O.C.G.A. 43-24A-19, they are encouraged to consult with the course provider as well as NCBTMB to change the title and/or curriculum of the course to more accurately reflect its scope as it relates to massage in the state of Georgia. Additionally there is not a grandfather clause as it relates to continuing education coursework.

Discussion – National Certification Board for Therapeutic Massage & Bodywork (NCBTMB)

1. NCBTMB Approved Provider Disciplinary Actions by State (05012017)
2. NCBTMB Certificant Disciplinary Actions by State (05012017)
3. NCBTMB School Compliance Report (05012017)

The Board accepts the correspondence relevant to NCBTMB Approved Provider Disciplinary Actions by State, Certificant Disciplinary Actions by State and the School Compliance Report as information.

Discussion – Libby Eason – Proposal to the Board RE Unqualified Exempted Practitioners

Mr. Knowles identified Ms. Eason for those present and read aloud her correspondence to the Board concerning observing and eliminating those businesses and practitioners who are operating under one of the named exemptions, without necessary qualifications to perform those practices. He stated that the Board is no longer involved with working on statutory changes since the Practice Act Subcommittee disbanded in January 2017. Mr. Knowles said AMTA-GA is proceeding with their work to pass new legislation but the Board is no longer a part of that discussion and has never had the power to lobby for statutory changes.

Mr. Knowles noted that Board has no jurisdiction over business licenses; therefore, the Board has no authority to regulate them nor does the Board issue business licenses. He further indicated that these businesses received their business licenses through the county and city and it is up to those agencies to regulate them.

Ms. Eason countered by stating that O.C.G.A. § 43-24A-19 includes the term “practitioners” and the Board does have the authority to regulate practitioners to ensure they meet the qualifications for exemption. Mr. Knowles explained that the Board cannot fine or sanction practitioners who are operating outside of the scope of massage therapy because there is no license to sanction. Ms. Price added that issuing a Cease and Desist Order to practitioners who engage in the unlicensed practice of massage is the extent to which the Board may act.

Ms. Eason asked if the Board could make these practitioners prove they meet the requirements of the exemption they are claiming. Ms. Price replied that the investigators can ask for proof of exemption but if the practitioner does not provide this information, the only step the Board can take is to issue a Cease and Desist Order if there is evidence that they are practicing massage. Mr. Knowles stated that it is up to each exempted organization to police their own modality.

Ms. Eason asked if a voluntary registration could be implemented for these exempt practitioners in cooperation with the Georgia Board of Massage Therapy. She suggested that a committee be formed to implement the registration. Mr. Knowles responded by saying that a list of all Structural Integrator graduates could be provided to the Board for the purpose of providing the investigators the names of those qualified to use that exemption; however, if the investigators find practitioners operating without proper qualifications, the Board still cannot sanction them because they are not under the Board's jurisdiction. The Board may only be able to notify the organization who qualified those individuals to engage in that modality.

Mr. Stubins interjected that the Board can only regulate people who are engaging in what is defined as the practice of massage therapy. He stated that if someone is practicing massage therapy without a license, the Board can issue a Cease and Desist Order. Mr. Stubins continued that if a person is not licensed in massage therapy and is performing any of the exempted practices, they are free to do so because the Board only regulates people who operate within the scope of massage therapy.

Ms. Price stated that Ms. Eason and some of the other exempted organizations may want to consider implementing a registry similar to that used by certified nursing assistants through the Department of Community Health. Ms. Price explained that it is not a requirement for nursing assistants to register, but the certifications of those people who are registered may be subject to disciplinary action, which is reported on the registry site for consumers and employers to see.

Ms. Eason clarified that most of the people practicing structural integration are really massage therapists who took a weekend course and now call themselves structural integrators when they are actually practicing massage therapy. Ms. Price explained that once the investigators uncover that a practitioner is actually providing massage therapy services, the Board may pursue them for engaging in unlicensed practice.

Open Records Request for Sun Sultzer

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to release the public records regarding Sun Sultzer in accordance with the Open Records Act.

Education Report – C. Knowles

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to accept the Education Report as presented.

1. The Elaine Sterling Institute – USDOE Final Audit Response

The Board accepts the correspondence relevant to the Elaine Sterling Institute – USDOE Final Audit Response as information.

2. The Elaine Sterling Institute – Faculty Change Amendment

The Board accepts the correspondence relevant to the withdrawal of the Elaine Sterling Institute – Faculty Change Amendment as information.

3. West Georgia Technical College – Failure to Renew

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to withdraw recognition status of the massage therapy education program effective June 23, 2017 based on the program's failure to comply with audit.

4. Easy Beauty and Barber

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to deny the application for Board recognition status of the massage therapy education program based on a failure to meet NCBTMB educational requirements.

5. Atlanta University of Health Sciences

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve recognition status for the massage therapy education program based on meeting minimum requirements and having NCBTMB and NPEC approval.

6. Correspondence Regarding Ashiatsu

Mr. Knowles reported that he received a question via email asking for clarification about Ashiatsu continuing education. He wanted to bring this to the Board because he did not remember this ever being a discussion topic. Mr. Knowles continued that there was a concern Ashiatsu would be considered Asian bodywork and would therefore not be an accepted CE course for license renewal. Mr. Knowles said that just because it is listed as Asian bodywork, does not mean it is not accepted by the Board. He reported that it would stand to reason that anyone practicing Ashiatsu would be required to have a massage therapy license since it is manipulation of soft tissue and the statute does not prohibit performing massage using feet.

Ms. Price said that if any communication is to be sent from the Board concerning this correspondence, there needs to be a Board vote to approve the response. Mr. Knowles said he would direct this person to send their correspondence directly to the Board for such a response.

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to notify the writer that Ashiatsu is not an exempted practice and such a course would be accepted by the Board for CE credit toward licensure renewal based upon the course not being classified as a Form under the American Organization for Bodywork Therapies of Asia (AOBTA) and there being no exclusion in Board Policy A8 and A9.

Executive Director's Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, the number of licensees, complaints/compliance matters and the status of renewal applications, to include the number of licenses that were lapsed for failure to renew.

Ms. Price reported that Division Director Durden is still researching the actual costs for utilizing translation services through the Administrative Office of the Courts (AOC) and will get back to the Board with her findings.

Ms. Price reported that FSMTB's Massage Therapy Licensing Database (MTLD) has been launched. She explained that notification was sent to FSMTB regarding the Board's interest in participating, to include the requirement that there must be some type of formal agreement between the Board and FSMTB relevant to the release of information to that database. Ms. Price received a response from Laura Simmons, FSMTB Director of Operations, indicating that they have a Memo of Understanding under development with their legal counsel. Upon its completion, the Memo of Understanding will be sent to the Board's Executive Director to share with the Board for its review.

Ms. Price concluded her report by sharing that Staff received information concerning the efforts of the AMTA-GA Chapter to expand the scope of practice of massage therapy in the state of Georgia. She stated that AMTA-GA was met with opposition from the Georgia Chiropractic Association (GCA) based on their belief that the AMTA-GA was attempting to infringe upon the scope of chiropractic by including manipulation. As a result, GCA was able to stop the legislation from being introduced.

Ms. Nichols motioned, Mr. Wood seconded and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Board's Chair Report – C. Knowles

Mr. Knowles stated that FSMTB's educational policy takes effect next week, July 1, 2017. He explained that schools now are required to authorize their students to take the MBLEx. Students cannot do this outside of their school. Mr. Knowles clarified that this Board has been advocating for this change for two years. He said the policy was passed almost unanimously by the delegation at the FSMTB annual meeting. Mr. Knowles shared that there has been a big problem with applicants having discrepancies between the name of the school listed on the registrant's MBLEx site, the actual test site and their transcripts. Mr. Knowles reported that the recent audit has shown that some applicants took the test before ever attending any school, which is exam fraud. He said that FSMTB has asked the state Boards to notify them of these discrepancies so they can be investigated.

Mr. Knowles further explained that exam fraud affects school pass rates, which in turn affects Title IV provision and can negatively impact the school. He stated that with the new process, each school will have a designated person to notify the Federation of students now eligible to take the exam. If a student applies to take the MBLEx without school authorization, the student will remain in a pending status until such authorization is received. Mr. Knowles

said this system also curtails human trafficking by monitoring who is taking the exam. He noted that he would like each Georgia school with a massage therapy program to be notified of this change by the Board.

Ms. Sharenko posed a question concerning the status of students who take the exam before attending a massage therapy school and requested clarification on steps the individual schools should take if exam fraud is uncovered. Mr. Knowles responded that the students cannot be penalized if they took the MBLEx before July 1, 2017 when this educational policy takes place. He added that not only must the school authorize the students to take the exam, but the school has to be approved and recognized by the state Board which prohibits unrecognized schools from producing fraudulent transcripts.

Ms. Price stated that the main reason the Board requires that schools send in their graduation lists is to further prevent application and exam registration fraud through the sale of fraudulent transcripts.

Ms. Sharenko then asked the Board how the schools can support the Board's efforts going forward. Mr. Knowles responded that school administrators need to be cognizant of their instructor's fulfillment of CE requirements. He suggested that schools require their instructors to turn in their CEs as they are taken in order to guarantee compliance with Board Rules. Mr. Knowles remarked that not everyone was sent a retraction letter by CE Broker in regards to the recent Board CE notifications. He said it is important for the schools to verify their instructors opened a CE Broker account and to verify that the 24 hours of required CE courses are in the correct category to include at least 12 hours of hands-on CE.

Mr. Wood motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the Board Chair's Report as presented.

Mr. Wood motioned, Ms. Nichols 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 the Board members: Craig Knowles, Pam Nichols and Donald Wood.

At the conclusion of the Executive Session of Friday, June 23, 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

Mr. Donald Wood left the meeting at 12:31 p.m. A quorum of the Board was not present and as a result, the members present proceeded with executive session discussions as a Committee of the Board.

Mrs. Jennifer Clay joined the meeting at 1:31 p.m. establishing a quorum.

Scheduled Board Appointments

11:30 Applicant Interview – A.M.W.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and issue the license.

12:00 Applicant Interview – M.S.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to uphold previous motion to deny licensure.

12:30 Applicant Interview – S.H.G.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to uphold previous motion to deny licensure and to withdraw application due to expiration.

1:00 Applicant Interview – Y.C.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to uphold previous motion to deny licensure.

2:00 Applicant Interview – E.R.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind previous motion and issue the license.

Executive Session Minutes

1. April 26, 2017 Executive Board Meeting Minutes

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the April 26, 2017 executive session Board meeting minutes as presented.

2. April 27, 2017 Executive Board Meeting Minutes

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the April 27, 2017 executive session Board meeting minutes as presented.

3. April 28, 2017 Executive Board Meeting Minutes

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the April 28, 2017 executive session Board meeting minutes as presented.

4. May 11, 2017 Executive Teleconference Minutes

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the May 11, 2017 executive session teleconference minutes as presented.

Attorney General's Report – D. Stubins

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's Report as presented.

- | | |
|-----------------|--|
| MT150036 | Move forward with a hearing for revocation of licensure for violating the terms of a consent agreement. |
| MT150083 | Needs current address to send Consent Order. If Respondent fails to comply, proceed with hearing. |
| MT150087 | Close the case. |
| MT150100 | Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to close the case. |
| MT140065 | Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to close case and reopen if any new complaints are filed. |
| MT150088 | Close the case against M.J. and table case against R.G. pending receipt of additional information. |
| MT160010 | Table pending receipt of additional information. |
| MT170008 | Table pending receipt of additional information. |
| MT160098 | Table pending receipt of additional information. |

Cognizant's Report – J. Clay

Ms. Nichols motioned, Mr. Knowles seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

- | | |
|-----------------|---|
| MT170060 | Table pending additional investigation. |
| MT170101 | Refer to Attorney General's Office to issue a Public Consent Order for respondent X.T.Y. with a fine of \$500 for aiding and abetting unlicensed practice. |
| MT170067 | Refer to Attorney General's Office to issue a Public Consent Order for respondent Y.C. with a fine of \$500 for aiding and abetting unlicensed practice. |
| MT170069 | Refer to Attorney General's Office to issue a Public Consent Order for respondent C.L. with a fine of \$500 for aiding and abetting unlicensed practice and to refer respondent C.K. to the Attorney General's Office for a cease and desist hearing. |

Ratification List of Orders Issued By Policy

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to ratify the list of Private Consent Agreements issued in accordance with Board rules and policies between meetings as presented.

Miscellaneous Executive Discussion

1. **MT170056** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to close the case.
2. **MT170089** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a hearing for revocation of licensure or voluntary surrender.
3. **MT170094** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a hearing for revocation of licensure or voluntary surrender.
4. **MT170098** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to Legal Services to issue a Private Consent Order with a fine of \$1000 (\$500 per violation) for failure to complete the C.E. requirements for the 2015-2016 biennium. Fine is to be paid within 90 days of the order docket date. Licensee must submit proof of completion of 12 hours of hands-on CE into CE Broker to satisfy the requirements of the 2014-2016 biennium. CEs submitted to satisfy terms of order may not be applied to the current biennium and flag for CE audit.
5. **MT170107** The Board accepts MT170107 as information.
6. **FSMTB - MTL D Participation Agreement** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to proceed with executing the agreement.
7. **MT170104** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to Legal Services to issue a Private Consent Agreement with a fine of \$1000 (\$500 per violation) for failure to complete the C.E. requirements as outlined in Board Rule 345-4-.02(1)(a) to be paid in full by October 31, 2018. Licensee must submit proof of completion of 12 hours of hands-on CE to satisfy the requirements of the 2014-2016 biennium. CEs submitted to satisfy terms of order may not be applied to the current biennium and flag for CE audit.

Applications for Board Review

Arrest

1. **M.J.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office to issue a Private Consent Agreement for licensure to include (1) one year of probation with quarterly self and employer reports.

CE Audit

2. **L.M.N.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to Legal Services to issue a Private Consent Order with a fine of \$1000 (\$500 per violation) to be paid in full by October 31, 2018. Licensee must submit proof of completion of 12 hours of hands-on CE to satisfy the requirements of the 2014-2016 biennium. CEs submitted to satisfy terms of order may not be applied to the current biennium and flag for CE audit. Notify the massage therapy educational program that the licensee is not eligible to teach until the compliance matter is resolved. If licensee is able to submit proof, close the case with a Letter of Concern regarding timely and accurate recording of CE activities within CE Broker as is required by Board Rule.
3. **H.S.P.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer to Legal Services to issue a Private Consent Order Licensee must submit proof of completion of 12 hours of hands-on CE to satisfy the requirements of the 2014-2016 biennium. CEs submitted to satisfy terms of order may not be used for the current biennium and flag for CE audit. Notify the massage therapy educational program that the licensee is not eligible to teach until the compliance matter is resolved.

Exam

4. **E.N.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to issue the license.

Reinstatement

5. **B.T.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to issue the license.

Transcript Review

6. **A.B.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and issue the license.
7. **S.F.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and issue the license.
8. **K.M.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of denying licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.
9. **T.M.** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of denying licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.

Adjournment With no further business to discuss, the meeting adjourned at 1:55 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: August 25, 2017

CRAIG KNOWLES

BOARD CHAIR

ADRIENNE PRICE

EXECUTIVE DIRECTOR