

**GEORGIA BOARD OF MASSAGE THERAPY**  
**Board Meeting Minutes**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**  
**Friday, August 25, 2017 - 9:00 a.m.**

The Georgia Board of Massage Therapy met on Friday, August 25, 2017. The following members were present:

**Board Members Present**

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

**Administrative Staff Present**

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

**Board Members Absent**

No members were absent.

**Attorney General's Office Present**

David Stubins, Sr. Assistant Attorney General

**Visitors Present**

Che' Chinn, Campus Director, International School of Skin, Nailcare & Massage Therapy (ISSNMT)  
Dwight Bunn  
Margaret Sharenko, Director, Massage Therapy Program, Atlanta School of Massage  
Shijie Guo  
Yan Xiao  
Eun Sil Kim  
CJ Song  
Sarah Rickert  
Charter Piner  
William Miller

**Call to Order** Mr. Knowles established that a quorum was present and called the meeting to order at 9:09 a.m.

**OPEN SESSION**

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

**Open Session Minutes**

**1. June 23, 2017 Board Meeting Minutes**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the June 23, 2017 open session Board meeting minutes as amended to correct grammatical errors and language.

**Licenses to Ratify June 16, 2017 – August 18, 2017**

Ms. Clay motioned, Ms. Nichols 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 – Kristian Googe – Board Requirements for Practicing Exempted Modalities**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer the writer to their county or city ordinances to determine what their business license will allow. The Board does not have jurisdiction over modalities which are outside of the scope of practice of massage therapy in the state of Georgia. The courses may be taken; however, a licensee cannot obtain continuing education credit towards license renewal.

**Correspondence – Antonett Scott – Board Acceptance of Cupping, GUA SHA and Graston Methods for CE**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to notify the writer that CE courses on GUA SHA and Graston Methods would be accepted based upon the modalities falling under the scope of practice of massage therapy in the state of Georgia; that the courses are not classified as a Form under the American Organization for Bodywork Therapies of Asia (AOBTA); and they are not noted as exceptions in Board Policy A8 and A9. Cupping does not fall within the scope of practice of massage therapy in the state of Georgia and would therefore not be an acceptable course for continuing education credit in this state.

#### **Correspondence – Diane Schmidt – Applying Equine CE Towards CE Hours for Licensure**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to notify the writer that the scope of practice of massage therapy does not preclude a licensee from obtaining and receiving CE credit for equine massage therapy.

#### **Discussion – FSMTB**

##### **1. In Touch Newsletter**

The Board accepts the correspondence in reference to FSMTB In Touch Newsletter as information.

##### **2. 2017 Proposed Resolutions**

Ms. Clay motioned, Mr. Knowles seconded and the Board voted unanimously in favor of the motion to appoint Pam Nichols to be the Board's Voting Delegate for the FSMTB Annual Meeting 2017. Ms. Clay motioned, Mr. Knowles seconded and the Board voted unanimously in favor of the motion for the Board's FSMTB Delegate to enter a vote not to pass the three proposed resolutions which will be presented to the Delegate Assembly for a vote during the FSMTB Annual Meeting.

#### **Discussion – NCBTMB**

##### **1. Approved Provider Disciplinary Actions by State**

##### **2. Certificant Disciplinary Actions by State**

##### **3. School Compliance Report**

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.

#### **Education Report – C. Knowles**

No report presented.

#### **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. Ms. Price stated that the Board's request to move forward with the Massage Therapy Licensing Database (MTLD) has received approval by the attorneys of the Secretary of State. She said the agreement should be executed the week of September 4-8, 2017, but full implementation is contingent upon the IT Department's ability to ready the data extraction files. Ms. Price continued her report with information regarding the placement of photographic images on license pocket cards and stated it has been put on hold by the agency due to other IT related projects that must be implemented in accordance with new statutory requirements. She also reported that no new information is available concerning the Board's request to check on translator services to use should it be necessary to have one available for the purposes of a hearing. Ms. Price concluded her report by informing the Board that a new report on continuing education renewal and audit for licensees who are still not in compliance for the 2014-2016 biennium will be completed and processed prior to the Board's October 27, 2017 meeting.

Ms. Nichols motioned, Ms. Clay 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**

No report presented.

#### **Board Member Elections**

**1. Board Chairperson**

Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to elect Craig Knowles as the Board’s Chair.

**2. Vice Chairperson**

Ms. Nichols motioned, Mr. Knowles seconded, and the Board voted unanimously in favor of the motion to elect Jennifer Clay as the Board’s Vice Chairperson.

**3. Education Cognizant**

Ms. Nichols motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to elect Craig Knowles as the Board’s Education Cognizant.

**4. Complaints/Disciplinary Cognizant**

Ms. Nichols motioned, Mr. Knowles seconded, and the Board voted unanimously in favor of the motion to elect Jennifer Clay as the Board’s Complaint/Disciplinary Cognizant.

**Miscellaneous Discussion**

Mr. Knowles clarified to the visitors of the meeting that yesterday, the Board met to conduct a sunset review of Board Rules and Policies and explained that no votes were taken. He stated that Board Rules and Policies were discussed in open session, for members of the public to hear, to the extent that was permitted by law and there was only one visitor present for a portion of the meeting. The Board Members made suggested changes to the rules and policies in light of new practices. Mr. Knowles said the next step is for the Board to vote to send the recommendations to the Attorney General’s Office for a Memorandum of Authority and if there are no objections, the amendments will be posted on the Board website for 30 days to allow for the Public to submit comments. A Public Rules Hearing will follow.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer the following list of Board Rules and Policies discussed during the August 24, 2017 Board meeting to the Attorney General’s Office for a Memorandum of Authority and if no objections noted, vote to post:

- |  |  |
|--|--|
| BR 345-1-.01. Definitions  | BR 345-2-.01. Organization of the Board (Repeal)       |
| BR 345-2-.03. Meetings of the Board (Repeal)   | BR 345-3-.01. Provisional Permits                      |
| BR 345-3-.02. Application for Licensure  | BR 345-4-.01. License Renewal                          |
| BR 345-4-.02. Continuing Education Hours   | BR 345-4-.03. Continuing Education Providers           |
| BR 345-4-.04. Inactive Status  | BR 345-4-.05. Reinstatement of a License               |
| BR 345-5-.01. Licensure by Endorsement   | BR 345-6-.01. Professional and Unprofessional Conduct  |
| BR 345-6-.02. Scope of Practice of Massage Therapy Students                            | BR 345-8-.01. Curriculum Requirements                  |
| BR 345-8-.02. Faculty Requirements   | BR 345-8-.03. Board Recognition Status                 |
| BR 345-9-.01. Exemptions from Licensure (Repeal)                                       | BR 345-10-.01. General Provisions                      |
| BR 345-10-.02. Display of License  | BR 345-10-.03. Advertising                             |
| BR 345-10-.04. Unlicensed Practice (Repeal)  | Policy A6 Provisional Permit: Supervision Requirements |
| Policy A8 Reporting and Auditing Hours   |  |
| Policy A9 Practices or Disciplines Exempt from Massage Therapy Licensure Requirements. |  |

**Ms. Clay 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, Jennifer Clay and Pam Nichols.**

**At the conclusion of the Executive Session of Friday, August 25, 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**

**Scheduled Board Appointments**

- 11:00 a.m.**      **S.G.**      Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to uphold the previous motion.
- 11:30 a.m.**      **S.R.**      Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to amend the previous motion to include a fine of \$200 for Unlicensed Practice from November and December 2015.
- 12:30 p.m.**      **E.S.K.**      Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to uphold the previous motion.
- 1:30 p.m.**      **C.L.P.**      Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to rescind the previous motion and issue the license with a Letter of Concern regarding criminal history.
- 2:00 p.m.**      **W.M.**      Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to rescind the previous motion. Respondent must provide proof of completion of Board approved CE course(s) within 60 days of receipt of notification. If CE hours are not obtained within 60 days, revoke the license failure to meet the qualifications or standards for issuance of the license [O.C.G.A. §§ 43-1-19(a)(1); 43-24A-14(b-d); § 43-24A-17].

### **Investigative Interviews**

- 1:00 p.m.**      **MT170098**      Ms. Clay motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to rescind the previous motion and close the case.

### **Executive Session Minutes**

#### **1. June 23, 2017 Executive Board Meeting Minutes**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the June 23, 2017 executive session Board meeting minutes as presented.

### **Attorney General's Report – D. Stubins**

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

- MT150036**      Rescind the previous motion and close the case.
- MT170067**      Proceed with a Hearing for Revocation of the License.
- MT150088**      Attorney General's Office to refer the case to Fulton and Cobb County authorities.
- MT160010**      Close the case in Attorney General's Office and refer to Investigations to conduct an inspection for unlicensed practice.
- MT150062**      Close the case.
- 1. AG MEMO – MT150019**      Rescind previous motion and close the case.
  - 2. AG MEMO – MT160058**      Rescind previous motion and close the case.
  - 3. AG MEMO – MT160061**      Rescind previous motion and close the case.

### **Legal Services**

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

- 1. LEGAL MEMO – MT170071**      Uphold the previous motion.
- 2. LEGAL MEMO – MT170049**      Uphold the previous motion.
- 3. LEGAL MEMO – MT180055**      Rescind the previous motion and issue the license.

### **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.

- MT160086**      Refer to the Attorney General's Office to issue a Voluntary Surrender or a Hearing for Revocation of Licensure.

- MT170015** Close case with a Letter of Concern regarding advertising of massage therapy services without a license.
- MT170060** Close the case with a Letter of Concern regarding advertising of massage therapy services without a license and refer the Complainant to the local legal authorities to file a complaint.
- MT170087** If Complainant is willing to testify, refer to Attorney General's Office for proceeding with a Hearing for Revocation of Licensure. If no response is received, close the case.
- MT170094** Refer to the Attorney General's Office for a Hearing for Revocation of Licensure.
- MT170100** Refer to the Attorney General's Office for a Hearing for Revocation of Licensure.

**Ratification List of Orders Issued By Policy**

Ms. Clay motioned, Ms. Nichols 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.

**Referrals to Legal Services for Disciplinary Action List for CC Audit**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer the following cases to Legal Services to issue a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensees must submit proof of completion of CE hours in order to satisfy the requirements of the 2014-2016 biennium within 60 days of the docket date of the order. CEs submitted to satisfy the terms of the order may not be used for the current biennium and flag for audit:

<b>MT170108</b>	<b>MT170109</b>	<b>MT170110</b>	<b>MT170112</b>	<b>MT170116</b>	<b>MT170121</b>
<b>MT170122</b>	<b>MT170124</b>	<b>MT170126</b>	<b>MT170127</b>	<b>MT170128</b>	<b>MT170129</b>
<b>MT170130</b>	<b>MT170131</b>	<b>MT170132</b>	<b>MT170135</b>	<b>MT170139</b>	<b>MT170140</b>
<b>MT180003</b>	<b>MT180004</b>	<b>MT180007</b>	<b>MT180012</b>	<b>MT180013</b>	<b>MT180015</b>
<b>MT180017</b>	<b>MT180018</b>	<b>MT180022</b>	<b>MT180024</b>	<b>MT180025</b>	<b>MT180026</b>
<b>MT180027</b>	<b>MT180028</b>	<b>MT180029</b>	<b>MT180030</b>	<b>MT180031</b>	<b>MT180032</b>
<b>MT180033</b>	<b>MT180035</b>	<b>MT180036</b>	<b>MT180037</b>	<b>MT180039</b>	<b>MT180042</b>
<b>MT180044</b>	<b>MT180047</b>	<b>MT180068</b>	<b>MT180069</b>	<b>MT180070</b>	<b>MT180071</b>
<b>MT180072</b>	<b>MT180073</b>	<b>MT180074</b>	<b>MT180075</b>	<b>MT180076</b>	<b>MT180077</b>
<b>MT180079</b>	<b>MT170117</b>	<b>MT170133</b>	<b>MT170138</b>	<b>MT180002</b>	<b>MT180008</b>
<b>MT180009</b>	<b>MT180010</b>	<b>MT180020</b>	<b>MT180023</b>	<b>MT180034</b>	<b>MT180078</b>

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to notify each licensee associated with the following cases that he/she has sixty (60) days from the date of notification to submit proof of completion of the CE Courses and hours which meet the requirements set forth in the laws, rules and regulations under which the license was sought; and a failure to do so, in accordance with the laws, rules and regulations, will result in the revocation of licensure, without a prior hearing, for failure to meet the qualifications or standards for issuance of the license [O.C.G.A. §§ 43-1-19(a)(1); 43-24A-14(b-d); § 43-24A-17]:

<b>MT170113</b>	<b>MT180010</b>	<b>MT170114</b>	<b>MT170118</b>	<b>MT170119</b>	<b>MT180014</b>
<b>MT180021</b>	<b>MT180043</b>	<b>MT180046</b>			

**Executive Discussions**

**1. MT180041**

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

**2. S.H. – Applicant Question re: 2015 Withdrawn Application**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to uphold the previous motion and the applicant must submit a new application for licensure, to include proof of completion of the deficient hours of education, in order to be considered for licensure.

**3. R.M. –Information from School**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to notify the applicant relevant to this case that their school allowed their NCBTMB School Provider Code to lapse and it has now been restored to active status and as a result, the previous motion is rescinded and the license may be issued.

## **Applications for Board Review**

### **Arrest**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in executive session.

1. **B.B.** Issue the license with a Letter of Concern regarding criminal history.
2. **A.O.** Issue the license.

### **CE Audit**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in executive session.

3. **T.M.A.** Refer to Legal Services to issue a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensee must submit proof of completion of deficient CE hours in order 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 audit.
4. **W.M.B.** Close with a Letter of Concern regarding timely and accurate recording of CE activities and certificates within CE Broker as is required by Board Rule.
5. **Q.S.C.** Refer to Legal Services to issue a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensee must submit proof of completion of deficient CE hours in order 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 audit.
6. **M.D.** Approve the CE. Close the case with no action.
7. **J.M.D.** Refer to Legal Services to issue a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensee must submit proof of completion of deficient CE hours in order 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 audit. Notify the massage therapy educational program that the licensee is not eligible to teach until the compliance matter is resolved.
8. **D.A.H.** Close the case.
9. **T.E.M.** Rescind the previous motion and close the case.
10. **J.L.S.** Accept the CE hours and close the case.
11. **M.R.V.** Close the case with a Letter of Case regarding timely and accurate recording of CE activities and certificates within CE Broker as required by Board Rule.
12. **H.Q.W.** Close the case with a Letter of Case regarding timely and accurate recording of CE activities and certificates within CE Broker as required by Board Rule.
13. **N.A.W.** Refer to Legal Services to issue a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensee must submit proof of completion of deficient CE hours in order 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 audit.
14. **C.R.W.** Refer to Legal Services to issue a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensee must submit proof of completion of deficient CE hours in order 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 audit.

### **Inactive Status Request**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in executive session.

15. **V.L.** Approve Inactive Status Request
16. **L.S.** Approve Inactive Status Request
17. **S.V.** Approve Inactive Status Request
18. **D.Y.** Approve Inactive Status Request

### **Reconsideration**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in executive session.

19. **M.S.** Uphold previous motion. The NCBTMB School Provider Code expired December 31, 2012, and as of August 25, 2017, it has not been renewed.

### **Renewal**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in executive session.

20. **C.R.** Lapse license as of August 25, 2017.  
21. **A.W.** Refer to Legal Services for a Private Consent Order with a fine of \$500 to be paid in full prior to October 31, 2018. Licensee must submit proof of completion of deficient CE hours in order 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 audit.

### **Transcript Review**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in executive session.

22. **S.G.** Deny licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.  
23. **L.J.** Deny licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.  
24. **L.L.** Deny licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.  
25. **R.M.** Approve the transcript and issue the license.  
26. **Q.L.** Deny licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.  
27. **Z.W.** Deny licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.  
28. **Y.Y.** Deny licensure based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.  
29. **R.E.** Approve the transcript and issue the license.

### **Miscellaneous Executive Discussions**

#### **1. K.M.**

Mr. Knowles motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to refer the case to the Georgia Board of Chiropractic Examiners.

#### **2. Pending Cases in Attorney General's Office**

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to proceed with a Hearing for Revocation of Licensure for any case where a licensed massage therapist is alleged to have engaged in sexual misconduct or any acts related to the sex trade.

#### **3. W.L.**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to submit a notification to NCBTMB informing them that the certificates of completion from the provider are not being issued in accordance with their policies and procedures.

**Adjournment** With no further business to discuss, the meeting adjourned at 4:04 p.m.

**Minutes recorded by:** Michelle Foster, Board Support Specialist  
**Minutes reviewed and edited by:** Adrienne Price, Executive Director  
**Minutes approved on:** August 31, 2017

CRAIG KNOWLES  
**BOARD CHAIR**

ADRIENNE PRICE  
**EXECUTIVE DIRECTOR**