

GEORGIA BOARD OF MASSAGE THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Friday, December 1, 2017 - 9:00 a.m.

The Georgia Board of Massage Therapy met on Friday, December 1, 2017. The following members were present:

Board Members Present

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

Board Members Absent

None were absent.

Visitors Present

Margaret Sharenko
Quinese Pye
Shanna Lamar
Olivia Hollis Henderson
S. Che Chinn
Myrna Leonard
Yemi Awolola
Michael Clark
Booker Jonas, Jr.
Ida Pendleton
Nancy Wymbbs
Adam Trampe

Administrative Staff Present

Adrienne Price, Executive Director (via teleconference)
Michelle Foster, Board Support Specialist
Kathy Osier, Licensing Supervisor
Josh Waters, Operations and Compliance Manager

Attorney General's Office Present

David Stubins, Senior Assistant Attorney General

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 9:14 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. October 27, 2017 Board Meeting Minutes

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the October 27, 2017 open session Board meeting minutes as amended for grammatical errors.

Licenses to Ratify October 20, 2017 – November 24, 2017

Ms. Nichols motioned, Ms. Clay 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 – CE Course Question – Patricia Kisling

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to notify the writer that the course entitled “Memory, Forgetfulness and the Brain” will not meet the CE requirements renewal of licensure based on the fact that the course content does not fall within the scope of practice of massage therapy in the state of Georgia.

Discussion – Notification Now on Website – BR 345-5-.02. Endorsement for Military Spouses, Service Members and Transitioning Service Members

The Board accepts the notification that BR 345-5-.02. Endorsement for Military Spouses, Service Members and Transitioning Service Members is now on the Secretary of State website as information.

Petition for Rule Waiver

1. Rule Waiver – BR 345-4-.05(2)(c)(ii) – Larry Donald Paul, Jr.

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-4-.05(2)(c)(ii) based on sufficient evidence to substantiate a unique, substantial hardship.

2. Rule Waiver – BR 345-4-.05(2)(c)(ii) – Ebony Minor

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-4-.05(2)(c)(ii) based on sufficient evidence to substantiate a unique, substantial hardship.

Petition for Rule Variance

Rule Variance – BR 345-4-.01(4) – Megan Williams

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-4-.01(4) based on having an expired license. Notify the applicant that an application by endorsement cannot be reviewed based upon the applicant having an active license in Texas as stated in O.C.G.A. § 43-24A-13. Refer the applicant to O.C.G.A. § 43-24A-14(b).

Open Records Request – Amanda Baker

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to release the public records regarding Amanda Baker in accordance with the Open Records Act.

Education Report – C. Knowles

1. New Programs

- a) Altierus Career College – Atlanta West
- b) Altierus Career College – Norcross

The Board tabled discussion pending additional information.

2. Faculty Amendments

- a) Georgia Career Institute

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and approve the faculty amendment.

3. Discussion - IPM – GNPEC Massage Program Review Policy (DRAFT) v2

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to send a Board response thanking GNPEC and notifying them that the Board is in support of IPM – GNPEC Massage Program Review Policy (DRAFT) v4.

4. Miller-Motte Technical Colleges – Augusta and Columbus

- a) Change of Ownership
- b) Copy of Response to Ancora

The Board tabled discussion pending additional information.

5. International School of Skin, Nailcare and Massage Therapy

- a) USDOE Response

The Board accepts the USDOE Response regarding ISSNMT as information.

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to accept the Education Report as 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. Ms. Price provided an update on the Massage Therapy Licensing Database (MTLD).

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.

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, December 1, 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

Ms. Price left the meeting at 10:31 a.m.

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.

MT150051 and MT160008

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to amend the previous Public Consent Order for aiding and abetting unlicensed practice to a fine of \$4000 (\$500 per violation) with two (2) years' probation.

Scheduled Board Appointments

11:00 a.m. MT170124

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to rescind the previous motion from the August 31, 2017 meeting and notify the licensee that they have ninety (90) days from the date of notification to submit proof of completion twelve (12) hours of hands-on CE; and a failure to do so in accordance with the laws, rules and regulations will result in the revocation of licensure, without 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]. CE hours cannot be applied to current biennium requirements.

11:30 a.m. MT180045

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

12:30 p.m. Applicant 2690219

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to table the discussion pending additional information.

1:00 p.m. Applicant 2677967

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to table discussion pending additional information.

Executive Session Minutes

1. October 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 October 27, 2017 executive session Board meeting minutes as presented.

Legal Services

1. LEGAL MEMO

- a) **MT180075** Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the request for reconsideration and rescind the previous motion and reduce the fine to \$200.
- b) **MT180030** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to deny the request for extension and uphold the previous motion. Notify licensee that nail tech certification courses cannot be applied to massage therapy CE requirements.
- c) **MT180031** Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the request for extension and uphold the previous motion.
- d) **MT180017** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and close the case if the provider can send the signed certificate directly to the Board. If requested certificate is not received the Board voted to deny the request for reconsideration and uphold the previous motion.
- e) **MT170110** Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the request for reconsideration and uphold the previous motion.
- f) **MT170115** Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind the previous motion from the May 25, 2017 meeting and notify the licensee that they have ninety (90) days from the date of notification to submit proof of completion twelve (12) hours of CE, six (6) of which must be hands-on; and a failure to do so in accordance with the laws, rules and regulations will result in the revocation of licensure, without 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]. CE hours cannot be applied to current biennium requirements.

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.

- Application 2677478** Deny based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.
- Application 2685680** Deny based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.
- Application 2659238** Deny based on completion of a school with no current, unencumbered NCBTMB School Provider Number in accordance with Board Rule 345-8-.03.

1:30 p.m. Investigative Interview – MT180109

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to table the discussion pending additional information.

Adjournment With no further business to discuss, the meeting adjourned at 1:58 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: December 14, 2017

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR