

GEORGIA BOARD OF MASSAGE THERAPY
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Friday, August 24, 2018 - 9:00 a.m.

The Georgia Board of Massage Therapy met on Friday, August 24, 2018. The following members were present:

Board Members Present

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

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Kathy Osier, Licensing Supervisor
Vince Zagorin, Investigator

Board Members Absent

Kelly Teague, Consumer Member

Attorney General's Office Present

Wylencia Monroe, Senior Assistant Attorney General
David Stubins, Senior Assistant Attorney General

Court Reporter

Pat Hodges, Pat Hodges Court Reporting, Inc.

Visitors Present

Jane Johnson, LMT
Joan Nichols, LMT
Dwight Bunn, LMT
Samantha Yancy, LMT
Charlene Ramos
Nancy Edith Disharoon
Leigh Ann Keels
Matt Keels
Paula San Miguel
Toni Roberts
Loyce Kemp
Ramona Younts
ShaRun Clark
Tiffany Randle
Sheri Bagley

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 9:10 a.m.

OPEN SESSION

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

Open Session Minutes

1. **June 29, 2018 Board Teleconference Minutes**
2. **July 18, 2018 Investigative Committee Meeting Minutes**
3. **August 23, 2018 Investigative Committee Meeting Minutes**

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to approve the June 29, 2018 open session Board teleconference minutes, the July 18, 2018 investigative committee meeting minutes and the August 23, 2018 investigative committee meeting minutes as presented.

Licenses to Ratify June 15, 2018 – August 17, 2018

Ms. King 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 Broker Updates

The Board accepts the correspondence regarding CE Broker updates as information.

Correspondence – Exclusion of Energy Modalities – Cathy Nail

Ms. Nichols motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to notify the writer that the Board thanks them for their correspondence, but the change requested can be only be made through the legislative process as the exclusion of energy modalities is within the statute and not cited within the Board Rules.

Correspondence – Request to Reconsider Thai Massage for CE Credit – Jill M. Burynski, CE Provider

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to notify the writer that the course does not fall under the AOBTA exemptions and therefore may be accepted, unless the course includes Tai Yoga, which is listed within the exemptions.

Correspondence – Request for Action on Sexual Misconduct Cases – Barry E. Morgan, Cobb Solicitor General

The Board tabled the correspondence for discussion in Executive Session.

09:30 a.m. – PUBLIC HEARING – Georgia Board of Massage Therapy vs. Sharon Clark, MT007547

Ms. King 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, Pam Nichols and Cindy King.

At the conclusion of the Executive Session of Friday, August 24, 2018, 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

The Board reconvened the PUBLIC HEARING – Georgia Board of Massage Therapy vs. Sharon Clark, MT007547 at 11:59 a.m.

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to accept the following as the Final Decision and Order of the Board:

After reviewing all of the evidence, the Board found that the respondent violated Ga. Comp R. & Regs. R. 345-6-.01(2)(e)3, and Ga. Comp R. & Regs. R. 345-4-.02(2) as cited in the Matters Asserted. However, as a result of the Board’s deliberations, the Board has concluded that no public disciplinary action is warranted.

The hearing adjourned at 12:01 p.m.

David Stubins left the meeting at 12:01 p.m.

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OPEN SESSION

Correspondence – Request for Action on Sexual Misconduct Cases – Barry E. Morgan, Cobb Solicitor General

The Board recommended to accept the correspondence from Barry E. Morgan, Cobb Solicitor General, as information based on the fact that the letter was not addressed to the Board to provide a response.

Discussion – Federation of State Massage Therapy Boards (FSMTB)

1. FSMTB MTLD (Massage Therapy Licensing Database) Memo

The Board accepts the information regarding MTLD as information.

2. FSMTB 2018 – Bylaw-Amendment – 1

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion for Pam Nichols to enter a vote as the Board Delegate not to pass Bylaw Amendment 1 at the FSMTB 2018 Annual Meeting.

3. FSMTB 2018 – Bylaw-Amendment – 2

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion for Pam Nichols to enter a vote as the Board Delegate not to pass Bylaw Amendment 2 at the FSMTB 2018 Annual Meeting.

4. FSMTB 2018 – Resolution – 1

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion for Pam Nichols to enter a vote as the Board Delegate to pass Resolution 1 at the FSMTB 2018 Annual Meeting. Craig Knowles recused himself from the vote.

5. FSMTB 2018 – Resolution – 2

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion for Pam Nichols to enter a vote as the Board Delegate to pass Resolution 2 at the FSMTB 2018 Annual Meeting.

6. FSMTB 2018 – Policy Committee Recommendations on Amendments/Resolutions

The Board accepts the information regarding FSMTB 2018 Policy Committee Recommendations on Amendments/Resolutions as information.

Discussion – Tian Di Bamboo Massage – Bonny Goslee, LMT, BCTMB

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to send the writer a copy of the Board’s statement regarding continuing education from the home page of the Board website.

Discussion – Identification Cards for Massage Therapists

The Board accepts the information regarding Identification Cards for Massage Therapists as information.

Discussion – BR 345-8-.03 – Records Retention Timeframe – Michael Underwood, SRTC

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to refer the writer to the Nonpublic Postsecondary Education Commission (NPEC), the Department of Education (DOE) and the National Certification Board for Therapeutic Massage & Bodywork (NCBTMB) regarding record retention schedules. The Board recommends that the writer maintain the records according to the entity, which requires they be maintained the longest in order to maintain compliance as the retention schedule is not addressed within the Board Rules.

Petition for Rule Waiver

1. Rule Waiver – BR 345-4-.02(1) – Suzette Gray

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-4-.02(1) based on insufficient evidence to substantiate a financial hardship. Notify licensee she is required to take twelve (12) hours CE, six (6) of which must be hands-on.

2. Rule Waiver – BR 345-4-.05 – Phyllis Russel

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

3. Rule Waiver – BR 345-4-.05(2)(c)(ii) – Elizabeth Clements

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 substantial hardship.

4. Rule Waiver – BR 345-4-.05(2)(c)(ii) – Jennifer Hall

Ms. King 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 substantial hardship.

5. Rule Waiver – BR345-4-.02 – Irina Zimin

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR345-4-.02 based on insufficient evidence to substantiate a substantial. Inform licensee of the option to apply for an Inactive Status.

Petition for Rule Variance

1. Rule Variance - 345-4-.02(a)(d) – Shanice Thomas

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition to vary BR 345-4-.02(a)(d) based on insufficient evidence to substantiate a substantial hardship.

2019 Board Meeting Dates

All meetings are scheduled for Friday at 9:00 a.m.

February 15, 2019

April 12, 2019

June 28, 2019

August 23, 2019

October 25, 2019

December 13, 2019

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the 2019 Georgia Board of Massage Therapy meeting dates as amended.

2019 Investigative Committee Meeting Dates

All meetings are scheduled for Friday at 9:00 a.m.

January 18, 2019

March 15, 2019

May 31, 2019

July 26, 2019

September 20, 2019

November 22, 2019

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the 2019 Georgia Board of Massage Therapy Investigative Committee meeting dates as presented.

Board Member Elections

1. Board Chairperson

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

2. Vice Chairperson

Ms. Nichols motioned, Ms. King seconded, and the Board voted unanimously in favor of the motion to re-elect Jennifer Clay as the Board's Vice Chairperson.

3. Complaints/Disciplinary Cognizant

Ms. Nichols motioned, Ms. King seconded, and the Board voted unanimously in favor of the motion to re-elect Jennifer Clay as the Board's Complaint/Disciplinary Cognizant.

4. Education Cognizant

Ms. Nichols motioned, Ms. King seconded, and the Board voted unanimously in favor of the motion to re-elect Craig Knowles as the Board's Education Cognizant.

5. Application Cognizant

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to re-elect Pam Nichols as the Board's Application Cognizant and Craig Knowles as the Cognizant for transcript review.

6. Investigative Committee

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to re-elect Craig Knowles and Jennifer Clay as the Investigative Committee Board members.

Education Report – C. Knowles

1. Faculty Amendments

a) Gwinnett College of Sandy Springs

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the Gwinnett College of Sandy Springs faculty amendment form as presented.

b) Touch for Healing School of Reiki Massage

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to table the discussion of the Touch for Healing School of Reiki Massage faculty amendment form pending additional information.

2. Program Closures

- a) Altierus Career College – Atlanta West and Norcross
- b) Ogeechee Technical College
- c) Miller-Motte Technical College – Columbus

Ms. Nichols motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to withdraw recognition of Altierus Career College – Atlanta West and Norcross, Ogeechee Technical College and Miller-Motte Technical College – Columbus, and remove them from the recognized massage therapy education program list on the Board website.

3. Program Renewal Applications

- a) Atlanta School of Massage
- b) Peachtree City School of Massage
- c) Woodruff Medical Training & Testing

The Board voted unanimously in favor of the motion to table the following program renewal applications pending Cognizant review.

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 informed the Board of her ongoing participation in the Georgia Statewide Opioid Strategic Planning Meetings. She explained that preventative and recovery measures within the strategic planning goals include things such as the provision of incentives for healthcare professionals who implement preventative and recovery measures. Such measures may involve encouraging the use of alternatives to prescription medications to control pain, i.e. massage therapy, chiropractic and other therapies, and/or granting continuing education credit to licensees who take courses that focus on ways to alleviate or eradicate opioid

abuse and misuse. She indicated that this may be something the Board may wish to consider in the future as there may be courses out there to assist massage therapists with assessing clients who may have an addiction or affinity for opiates.

Ms. King motioned, Ms. Nichols 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 informed the Board that the Investigative Committee has reviewed 112 complaint cases in the last two months. He indicated that as the Board Chair, he was interviewed by the Woodstock Tribune and answered questions concerning the regulation of massage businesses, to which he explained that the Board does not regulate them as they have no statutory authority to do so.

Ms. Price stated the Board has received an increase in the number of requests for information which may be due, in part, to the upcoming elections. She reminded Board members to be mindful of the political climate and continue to adhere to their Code of Ethics and Code of Conduct.

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

Miscellaneous Discussion

1. CE Provider Update on Course Approval

Ms. Nichols motioned, Ms. Clay seconded, and the Board voted unanimously in favor of the motion to approve and post the following statement on the home page of the Board website under the heading of continuing education:

As of November 1, 2016, the Board voted to clearly post on the website that continuing education courses which do not fall within the scope of practice of massage therapy as codified in O.C.G.A. § 43-24A-3(8) will not be accepted by the Board. Courses which are not accepted would include courses relevant to the professions and modalities referenced in O.C.G.A. § 43-24A-19, identified in Board Policy Statement A9 and listed in the Education & Other Information portion of the Board website under the section entitled "Continuing Education Courses Not Accepted By the Board."

The Board encourages all CE Providers, applicants and licensees to reference these resources before offering and/or selecting any course offerings on any site, to include NCBTMB and CE Broker®, which are to be used for the purposes of meeting the continuing education requirements in this state. If a NCBTMB approved continuing education course contains one or more of the subject matters that are noted in any of the aforementioned references, the course will not be accepted to renew the massage license. If a NCBTMB approved continuing education course does not contain any of the subject matters that are not accepted by the Board for license renewal, the course will be accepted if the subject matter falls within the scope of practice of massage therapy as codified in O.C.G.A. § 43-24A-3(8).

2. Request to Release Transcript – Kusmono Arifie

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to release Kusmono Arifie's transcript as requested.

Scheduled Board Appointments

Personal Appearance

11:00 a.m. Application 2714859

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

Investigative Interview

11:30 a.m. MT180018

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to uphold the previous motion and flag for CE audit.

Executive Minutes

1. **June 29, 2018 Executive Board Teleconference Minutes**
2. **July 18, 2018 Executive Investigative Committee Meeting Minutes**
3. **August 23, 2018 Executive Investigative Committee Meeting Minutes**

Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the June 29, 2018 executive session Board teleconference minutes, the July 18, 2018 executive session investigative committee meeting minutes and the August 23, 2018 executive session investigative committee meeting minutes as presented.

Attorney General's Report – W. Monroe

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.

Legal Services

1. Cases for Ratification

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.

- a) **MT190004** Accept the Order/Agreement upon receipt.
- b) **MT190003** Accept the Order/Agreement upon receipt.
- c) **MT190009** Accept the Order/Agreement upon receipt.
- d) **MT190010** Accept the Order/Agreement upon receipt.
- e) **MT190011** Accept the Order/Agreement upon receipt.

2. Requests for Reconsideration

- a) **MT180047** Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and issue license with a Letter of Concern regarding accurate and timely recording of CE.
- b) **MT180134** Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to grant the licensee until January 31, 2019 to pay the fine in full. If fail to comply, the Board will proceed with action in accordance to the terms and conditions of the order.

3. Cases to Close Due to Unresponsiveness

- a) **MT180137** Ms. Clay motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny licensure based on a misrepresentation on the application for licensure. Notify the applicant if they want to appeal this decision, they may wish to review O.G.G.A. § 50-13-9.1(f) and/or O.G.G.A. § 43-1C-3(a). Applicant has 30 days from date of notification to request an appearance before the Board.

Cognizant's Report – J. Clay

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

1. MT150090 Close the case, application withdrawn.
2. MT150093 Close the case, insufficient evidence.
3. MT150125 Close the case, records provided.
4. MT160008 Close the case, matter resolved in MT150051
5. MT160018 Close the case, insufficient evidence.
6. MT160023 Close the case, insufficient evidence.
7. MT160028 Close the case, records provided.
8. MT160043 Close the case on K.A., no jurisdiction.
9. MT160048 Closes the case and refer physician to the Composite Medical Board for aiding and abetting unlicensed practice.
10. MT160069 Close the case, insufficient evidence.
11. MT160071 Close the case, insufficient evidence.

12. MT160077 Close the case, insufficient evidence.
13. MT160085 Rescind and close the case on Respondent D.C.W, no jurisdiction.
14. MT160091 Close the case, resolved with disciplinary action.
15. MT160094 Close the case, insufficient evidence.
16. MT160100 Close the case on S.I.R., no jurisdiction.
17. MT160101 Close the case. If Respondent attempts to reinstate, application will require board review and the case will be reconsidered for action.
18. MT170002 Close the case, no jurisdiction.
19. MT170009 Close the case, insufficient evidence and flag for CE audit for cycles ending 2016 and 2018.
20. MT170016 Refer licensed Respondents to the Attorney General's Office for a Voluntary Surrender or hearing for Revocation of Licensure for Sexual Misconduct. Close the case on Respondents L.W. and L.C., no jurisdiction.
21. MT170029 Accept Voluntary Surrender upon receipt. If fail to submit proceed with action according to Board vote.
22. MT170031 Placed hold on license for audit at renewal and if does not meet CE requirements, deny the renewal of the license 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]
23. MT170037 Close the case, application expired. If attempt to reapply for licensure in the future, present application file and case to the Board for consideration.
24. MT170041 Create a compliance case and monitor.
25. MT170046 Table pending additional investigation. If not new violations identified, close the case.
26. MT170061 Close the case, insufficient evidence.
27. MT170071 Rescind the previous motion. Flag for CE audit for cycles ending 2016 and 2018.
28. MT170076 Close the case, resolved.
29. MT170077 Close the case, insufficient evidence
30. MT170079 Table pending additional investigation.
31. MT170083 Deny licensure based on misrepresentation on the application and close the case.
32. MT170085 Close the case, records provided.
33. MT170087 Table pending additional investigation. If requested information received, proceed with a Hearing for Revocation of Licensure. If information not provided within the designated timeframe, close the case due to insufficient evidence.
34. MT170093 Close the case, no action.
35. MT170096 Close the case and send notification to the complainant as discussed.
36. MT170097 Close the case, no action.
37. MT170102 Close the case, insufficient evidence.
38. MT170107 Close the case and send notification to the complainant as discussed.
39. MT170111 Flag for CE audit for cycles ending 2016 and 2018.
40. MT170113 Flag for CE audit for cycles ending 2016 and 2018.
41. MT170114 Flag for CE audit for cycles ending 2016 and 2018.
42. MT170117 Flag for CE audit for cycles ending 2016 and 2018.
43. MT170119 Flag for CE audit for cycles ending 2016 and 2018.
44. MT170120 Flag for CE audit for cycles ending 2016 and 2018.

45. MT170136 Close the case, no jurisdiction.
46. MT170137 Flag for CE audit for cycles ending 2016 and 2018
47. MT180002 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
48. MT180005 Close the case, resolved.
49. MT180006 Flag for CE audit for cycles ending 2016 and 2018.
50. MT180008 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
51. MT180009 Rescind the previous motion and close the case, resolved. Flag for CE audit for cycle ending 2018.
52. MT180010 Flag for CE audit for cycles ending 2016 and 2018.
53. MT180014 Rescind and close. Flag for CE audit for cycle ending 2018.
54. MT180016 Close the case, resolved. Flag for CE audit for cycle ending 2018.
55. MT180020 Rescind the previous motion. Close the case, resolved.
56. MT180021 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
57. MT180023 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
58. MT180034 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this

59. MT180041 matter, accept upon receipt.
Send notification via certified mail regarding CE requirements. If fail to respond within 30 days, revoke license based on 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].
60. MT180043 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
61. MT180046 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
62. MT180052 Close the case, records provided.
63. MT180066 Close the case, insufficient evidence.
64. MT180068 Refer to Attorney General's Office for a maximum of Revocation of Licensure or minimum Public CO with a fine of \$500 to be paid in full prior to October 31, 2018, proof of completion of CE hours in order to satisfy the requirements of the 2014-2016 biennium within 60 days of order the docket date of the order, and CEs submitted to satisfy the terms of the order may not be applied towards meeting the requirements of the current or future renewal cycles.
65. MT180078 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
66. MT180080 Refer to the Attorney General's Office for a Hearing or Cease and Desist Order regarding aiding and abetting unlicensed practice for Respondent B.J., and On Respondents S.W. and D.C. for engaging in ULP. Refer the case to the county business tax office regarding violations of O.C.G.A. § 36-60-6(c).
67. MT180081 Table Pending Completion of Investigation.
68. MT180082 Refer to Investigations to obtain evidence as discussed.
69. MT180089 Refer to the Georgia Board of Chiropractic Examiners and close the case, no jurisdiction.
70. MT180090 Refer Respondent M.G. to the Attorney General's Office for a Voluntary Surrender or a hearing for

- Revocation of Licensure for aiding and abetting unlicensed practice, advertisement violations to include and Refer Respondent T.D. to the Attorney General's Office for false representation on application for licensure and unlicensed practice.
71. MT180091 Table pending additional investigation.
72. MT180093 Table pending additional investigation.
73. MT180094 Close the case, insufficient evidence.
74. MT180095 Flag for CE audit for cycles ending 2016 and 2018.
75. MT180096 Flag for CE audit for cycles ending 2016 and 2018.
76. MT180097 Flag for CE audit for cycles ending 2016 and 2018.
77. MT180098 Flag for CE audit for cycles ending 2016 and 2018.
78. MT180099 Flag for CE audit for cycles ending 2016 and 2018.
79. MT180100 Flag for CE audit for cycles ending 2016 and 2018.
80. MT180108 Rescind the previous motion and close the case, no action.
81. MT180109 Close the case, resolved.
82. MT180111 Refer to Investigations to obtain evidence as discussed.
83. MT180116 Close the case, resolved.
84. MT180123 Refer to Investigations to obtain evidence as discussed.
85. MT180135 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
86. MT180136 Rescind the previous motion and close the case, resolved.
87. MT180139 Refer to Investigations to obtain evidence as discussed.
88. MT180151 Close the case on Respondent Y.L.C. Refer Respondent S..F. and T.L. to the Attorney General's Office for a Voluntary Surrender or Interim Suspension Order for Sexual Misconduct.
89. MT150068 Close the case, application withdrawn.
90. MT170059 Place hold on the renewal; Consider Private Consent Order to include two (2) years on probation and at least 6 additional, in person, training in Ethics to include, communications, boundaries, draping. The course must be pre-approved by the committee.
91. MT150088 Obtain, under subpoena, certified business office records proving ownership of the property and determine if the respondents R.G. and T.G. have any other business registrations in the City of Roswell.
92. MT160017 Rescind the previous motion and table pending investigations
93. MT160022 Close the case, insufficient evidence.
94. MT160048 Rescind the previous motion and close the case.
95. MT160064 Close the case, insufficient evidence.
96. MT170001 Rescind the previous motion and close the case.
97. MT170007 Amend the previous vote as to K.H.G only to lower the required fine from \$1,000 to \$500.
98. MT170029 Obtain treatment records, discharge summaries, and a statement regarding whether or not Respondent is working. If unable to obtain info, refer for OMPE.

99. MT170058 Close the case as to Respondent S.S., due to insufficient evidence. Obtain, under subpoena, certified business office records proving ownership of the property and determine if the respondents R.G. and T.G. have any other business registrations in the City of Roswell.
100. MT170069 Refer back investigations to obtain a certified copy of the business license application. Then refer to Attorney General's Office for hearing of revocation for C.L. for aiding and abetting unlicensed practice and violations of professional conduct rules 345-6-.01 close against N.S., C.K, and X.J. refer to Attorney General's Office for Cease & Desist orders.
101. MT180002 Lapse license due to failure to provide proof of CE completion despite a deficiency notice.
102. MT180064/ MT180106 Amend previous motion to include a referral to the Stockbridge business license office for operation of an unlicensed salon.
103. MT180153 Add case for referral to Attorney General's Office MT180038.
104. MT180118 Investigative Interview for B.M. to require production of personnel records for current and previous instructors 2015 to present.
105. MT180127 Close the case.
106. MT170009 Close the case, insufficient evidence.
107. MT180134 Offer a monthly payment plan requiring the fine to be paid in full by January 31, 2019. If not paid as required, to be referred to Attorney General's Office for hearing of revocation.
108. MT140077 Return license to Active Status.
109. MT180060 Close the case.
110. MT180091 Once respondent's application for reinstatement is complete issue a Private Consent Order for Reinstatement with fine of \$500 for unlicensed practice from 10-31-2014 to present.
111. MT190006 Refer to Attorney General's Office for a Summary Suspension due to imminent danger.
112. MT180083 Close case and flag for audit on CE and arrests.
113. MT170046 Table pending additional investigation.
114. MT170009 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
115. MT170031 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
116. MT170071 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete,

117. MT170111 a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt. Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
118. MT170113 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
119. MT170014 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
120. MT170117 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
121. MT170119 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
122. MT170120 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
123. MT170137 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete,

124. MT180006 a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt. Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
125. MT180009 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
126. MT180010 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
127. MT180014 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
128. MT180016 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
129. MT180095 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.
130. MT180096 Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete,

131. MT180097

a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.

Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.

132. MT180098

Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.

133. MT180099

Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.

134. MT180100

Refer to the Attorney General's office for a hearing for a maximum of revocation of licensure based on the Respondent making a false representation to the Board on the renewal application or a minimum of a Public Consent Order with a fine of \$50 per hour of CE the Respondent failed to complete, a \$500 fine for making a false attestation on the renewal application and hearing costs. If a settlement is reached by Public Order in this matter, accept upon receipt.

Miscellaneous Executive Discussion

1. MT160033

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to refer to Attorney General's Office for a Public Consent Order for misrepresentation on the renewal application by failing to disclose arrest history. Terms and conditions are to include a fine of \$500; the licensee must submit the results of a criminal background check for next two renewal cycles and flag for CE audit.

2. AG MEMO – BR 345-8-.01 Curriculum Requirements

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to release the Attorney General's Memo of Authority for *BR 345-8-.01 Curriculum Requirements* to the Governor's Office for review.

Applications for Board Review

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

Application 2736291

Issue license with a Letter of Concern regarding criminal history.

Application 2731574

Refer to Legal Services for a Private Consent Agreement for Licensure with a fine of \$500 for false attestation on application for licensure.

- Application 2675038** Table pending receipt of proof of certificates and documentation to support the applicants statements as required by O.C.G.A. § 43-1-19(q)(2). Requested information must be received by October 12, 2018. Failure to respond by deadline will result in the withdrawal of the application due to expiration.
- Application 2748996** Deny based on incomplete application [O.C.G.A. § 43-24A-8(b)].

CE 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 1158031** Accept CE and renew license.

Inactive Status

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

- Application 1761190** Approve request for Inactive Status.
Application 1184281 Approve request for Inactive Status.
Application 2636242 Approve request for Inactive Status.
Application 1143782 Approve request for Inactive Status.

Provisional

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

- Application 2725128** Table pending submission of two acceptable documents verifying current residency. Documentation must be received by October 12, 2018.
Application 2738404 Table pending submission of two acceptable documents verifying current residency. Documentation must be received by October 12, 2018.

Reconsideration Request

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

- Application 2714859** Uphold previous motion to deny.

Reinstatement

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 2684753** Rescind previous motion and issue license with a Letter of Concern regarding misrepresentation on the reinstatement application.
Application 2731087 Table pending receipt of the final disposition of court case. Mr. Knowles recused himself from the vote.

Transcript Review

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.

- Application 2703970** Approve transcript and issue license.
Application 2730380 Approve transcript and issue license.
Application 2744478 Table pending receipt of Assigned School Code Certificate issued by NCBTMB for school.
Application 2748761 Deny based on O.C.G.A. § 43-24A-8(6).
Application 2742288 Deny based on O.C.G.A. § 43-24A-8(6).
Application 2729491 Deny based on O.C.G.A. § 43-24A-8(6).
Application 2712152 Deny based on O.C.G.A. § 43-24A-8(6).
Application 2726476 Deny based on O.C.G.A. § 43-24A-8(6) and false attestation on application for licensure.
Application 2699220 Deny based on O.C.G.A. § 43-24A-8(6) and failure to meet minimum education requirements of BR 345-8-.03.
Application 2717199 Deny based on O.C.G.A. § 43-24A-8(6).

Adjournment With no further business to discuss, the meeting adjourned at 4:30 p.m.

Minutes recorded by:

Michelle Hornaday, Board Support Specialist

Minutes reviewed and edited by:

Kathy Osier, Licensing Supervisor, Adrienne Price, Executive Director

Minutes approved on:

September 28, 2018

CRAIG KNOWLES

BOARD CHAIR

ADRIENNE PRICE

EXECUTIVE DIRECTOR