

**GEORGIA BOARD OF MASSAGE THERAPY**  
**Board Meeting Minutes**  
**Professional Licensing Boards**  
**237 Coliseum Drive, Macon, GA**  
**Friday, February 15, 2019 - 9:00 a.m.**

The Georgia Board of Massage Therapy met on Friday, February 15, 2019. The following members were present:

**Board Members Present**

Craig Knowles, BCTMB, LMT, CNMT, Chair  
Jennifer Clay, LMT, CNMT, Vice Chair  
Cindy King, LMT, CMT, NMT, Board Member

**Administrative Staff Present**

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

**Board Members Absent**

Pam Nichols, LMT, CNMT, HNC, Board Member

**Attorney General's Office Present**

Wylencia Monroe, Senior Assistant Attorney General

**Visitors Present**

Cindy Farrar, LMT  
Margaret Sharenko, Atlanta School of Massage  
Andrew Dacres, International School of Skin, Nailcare, and Massage Therapy  
Christopher Quattlebaum  
Patricia DiBenedetto  
Dwight Bunn  
Pat Neri, Georgia Nonpublic Postsecondary Education Commission (GNPEC), Program Manager  
Magda Rivers, Georgia Nonpublic Postsecondary Education Commission (GNPEC)  
Robert D. Lamar, LMT

**Call to Order** Mr. Knowles established that a quorum was present and called the meeting to order at 9:30 a.m.

**OPEN SESSION**

**Agenda**

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

**Open Session Minutes**

**1. January 18, 2019 Board Teleconference Minutes**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to approve the January 18, 2019 open session Board teleconference minutes as presented.

**Licenses to Ratify November 30, 2018 – February 8, 2019**

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 – Attorney General Chris Carr Announcements**

**1. Lawsuit Against Opioid Manufacturers and Distributors**

**2. Opioid Lawsuit Certification of Public Importance**

The Board accepts the information regarding Attorney General Chris Carr's Announcements as information.

**Discussion – CE Broker System Upgrades and Audit Features**

The Board accepts the correspondence relevant to CE Broker System Upgrades and Audit Features as information.

**Discussion – Request for Apprenticeships in Massage – Barbara Evans**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to notify the writer that the state law does not allow for apprenticeships. The Board recommends that the writer contact the placement officers at massage therapy educational programs as a resource to identify qualified therapists.

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

1. **01-01-19 Approved Provider Disciplinary Actions by State**
2. **01-01-19 Certificant Disciplinary Actions by State**
3. **01-01-19 School Compliance Report**
4. **02-01-19 Approved Provider Disciplinary Actions by State**
5. **02-01-19 Certificant Disciplinary Actions by State**
6. **02-01-19 School Compliance Report**

The Board accepts the correspondence relevant to the January and February 2019 NCBTMB Approved Provider Disciplinary Actions by State, Certificant Disciplinary Actions by State and the School Compliance Report as information.

**Discussion – Federation of State Massage Therapy Boards (FSMTB)**

1. **FSMTB – In Touch E-Newsletter – January**

Mr. Knowles briefed the Board concerning the FSMTB CE Registry stating that Georgia does not use this feature as it involves a fee for use to licensees. He continued that Georgia uses CE Broker because there is no charge unless the licensee opts to select the upper tier notifications and reminder capabilities. He reiterated that the State will not require licensees to use the service because it involves a charge for use.

The Board accepts the correspondence relevant to FSMTB as information.

**Petition for Rule Variance**

1. **BR 345-5-.01 – Katrina Farber**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-5-.01 due to the fact that the applicant does not meet statutory requirement for endorsement and the Board cannot waive the statute [O.C.G.A. § 43-24A-13(4)]. Applicant must apply by examination.

**Petition for Rule Waiver**

1. **BR 345-4-.05(2)(c)(ii) – Julia Gulley**

Ms. Clay motioned, Ms. King 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.

2. **BR 345-4-.02 – Annette Smith**

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

**Education Report – C. Knowles**

1. **Applications for Recognition Status**
  - a) **Miller-Motte Technical College – Augusta**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the application for recognition status upon receipt of unexpired NPEC authorization by March 29, 2019.

2. **Request for Full Recognition Status**
  - a) **Woodruff Medical Training and Testing**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to approve the application for recognition status and notify school to submit new NPEC authorization within ten (10) days of expiration date.

3. **Renewal & Audit Applications**
  - a) **Cohutta Healing Arts Institute**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to renew the application for recognition status upon receipt of current NCBTMB approval code and unexpired NPEC authorization by March 29, 2019.

**b) Georgia Career Institute**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to renew recognition status.

**c) Georgia Massage School**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to renew recognition status and notify the school to submit the program's new NPEC authorization within ten (10) days of expiration date.

**d) Gwinnett College of Business – Lilburn**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to renew recognition status and notify the school to submit the program's new NPEC authorization within ten (10) days of expiration date.

**e) Gwinnett College of Sandy Springs**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to renew the recognition status and notify the school to submit the program's new NPEC authorization within ten (10) days of expiration date.

**f) International School of Skin, Nailcare, and Massage Therapy**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to renew the recognition status and notify the school to submit the program's current NCBTMB approval code and new NPEC authorization within ten (10) days of expiration date.

**g) Touch for Healing School of Reiki Massage**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to renew recognition status.

**h) Peachtree City School of Massage**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to renew recognition status and notify school to submit the program's new NPEC authorization within ten (10) days of expiration date.

**i) Wiregrass Georgia Technical College**

Table discussion for Executive Session.

**j) Atlanta University of Health Sciences**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to renew the recognition status and notify the school to submit the program's current NCBTMB approval code and new NPEC authorization within ten (10) days of expiration date.

**k) Augusta School of Massage**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to renew the recognition status and notify the school to submit the program's current NCBTMB approval code and new NPEC authorization within ten (10) days of expiration date.

**l) Southern Regional Technical College**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to request clarification from school how one instructor can teach the entire program. Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion for staff to renew recognition status pending Cognizant review of additional requested information.

#### **4. Withdrawal of Recognition Status**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to withdraw recognition status from the following massage therapy educational programs:

- a) **A Gathering Place – Wellness Education Center, LLC**
- b) **Miami-Jacobs Career College**
- c) **Virginia College – Savannah**
- d) **Georgia Northwestern Technical College**

#### **Georgia Nonpublic Postsecondary Education Commission (GNPEC) Liaison – Pat Neri, Program Manager – Exempt Institution Coordinator**

Ms. Neri addressed the Board regarding GNPEC's role in reviewing massage therapy educational programs in the state of Georgia. She stated there had been some misunderstandings in the past that the Board was approving schools and now she understands that massage therapy education programs must have approval from GNPEC, NCBTMB and the Board. She continued that there have been some positive changes to GNPEC's policies and she provided the Board members handouts, which included GNPEC's Massage Program Review Policy and Initial On-Site Visit Form.

Mr. Knowles explained that schools must first have an NCBTMB approval code and NPEC authorization prior to submitting an application for recognition status to the Georgia Board of Massage Therapy.

Ms. Neri stated that she welcomes feedback from the Board especially in regards to what to look for in the facility inspections and citations, for example, the number of tables in a classroom. Mr. Knowles explained that due to enrollment variations, the number of student enrollments would determine the number of appropriate tables needed so the ratio and not number would be more applicable here.

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to allow the Education Cognizant to communicate directly with GNPEC between Board meetings.

#### **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, license renewals and complaints/compliance matters. She also updated the Board on the status of the Massage Therapy Licensing Database Agreement and the soft stop for renewal applications as it relates to CE violations. The report also reminded Board Members of their obligation to submit their Annual Affidavit of a Public Official to the Ethics Commission prior to January 31, 2019.

Ms. Price updated the Board that the NCBTMB Approved Provider, Certificant and School actions will now be posted on the Georgia Board of Massage Therapy website based on their December 2018 vote and the approval of NCBTMB.

Ms. Price provided the Board information regarding their vote to increase the reactivation fee to reflect the same amount as the reinstatement fee. She said the change has been assigned to the IT Team's project list for updating the database, accounting systems, etc. to reflect the fee increase. Ms. Price will update the Board when the process has been completed and the fee schedule has been updated on the website to reflect the change.

Ms. Price then gave an update on the status of the pre-filed bills and resolutions of the Georgia General Assembly that have the potential to affect the business of the Board.

Ms. Clay motioned, Ms. King 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 addressed the Board to remind them not to answer inquiries from applicants and/or licensees regarding their application status. He stated that applicants have made numerous attempts to reach out to Board members recently and that all questions are to be referred back to staff with no further discussion.

The scheduled Board meeting on Friday, October 24, 2019 will be moved to Thursday, October 10, 2019 due to scheduling conflicts to ensure a quorum of the Board will be present.

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

### **Miscellaneous Discussion**

#### **1. Records Request – Golden Razor Academy of Cosmetology**

Table discussion for Executive Session.

**Ms. Clay motioned, Ms. King 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 Cindy King.**

**At the conclusion of the Executive Session of Friday, February 15, 2019, 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**

### **Investigative Interviews**

#### **11:00 a.m. MT190047**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to notify applicant that an application for Reinstatement of Licensure must be submitted. CE Hours attained are sufficient for reinstatement. Applicant must obtain 24 hours that meet CE requirements for 2020 renewal biennium.

#### **11:30 a.m. MT190038**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind previous motion and issue Letter of Concern regarding misrepresentation on application for licensure.

### **Executive Minutes**

#### **1. January 18, 2019 Executive Teleconference Minutes**

Ms. Clay motioned, Ms. King and the Board voted unanimously in favor of the motion to approve the January 18, 2019 executive session Board teleconference minutes as presented.

### **Attorney General's Report – W. Monroe**

- 1. AG MEMO – BR 345-4-.03 Continuing Education Providers**
- 2. AG MEMO – BR 345-4-.04 Inactive Status**
- 3. AG MEMO – BR 345-4-.05 Reinstatement of a License**

Ms. Clay motioned, Ms. King and the Board voted unanimously in favor of the motion to post BR 345-4-.03 Continuing Education Providers, BR 345-4-.04 Inactive Status, and BR 345-4-.05 Reinstatement of a License with the recommended changes from the Attorney General's Office and to release the memoranda from the Attorney General's Office to the Governor's Office.

Ms. King 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 Memo**

### 1. Cases for Ratification

- a) **MT190054** Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to uphold previous motion and deny request for reconsideration. Offer for reinstatement with a Consent Agreement is available for 30 days. If does not agree to terms or submit a signed order, the application for reinstatement is denied.
- b) **MT190058** Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to accept the order upon receipt.
- c) **MT190057** Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to accept the order upon receipt.

### 2. Appearances

- a) **MT190047** Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to notify applicant that an application for Reinstatement of Licensure must be submitted. CE Hours attained are sufficient for reinstatement. Applicant must obtain 24 hours that meet CE requirements for 2020 renewal biennium.
- b) **MT190038** Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to rescind previous motion and issue Letter of Concern regarding misrepresentation on application for licensure.

### 3. Request for Reconsideration

- a) **MT190024** Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to deny the request for a reduction in fine, grant request for removal of term “knowingly” from order. If Respondent does not sign order within 30 days, deny reinstatement.

### Miscellaneous Executive Discussion

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

- 1. **MT190062** Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].
- 2. **Application 2766805** Table.
- 3. **MT190054** Uphold previous motion and deny request for reconsideration. Offer for reinstatement with Consent Agreement is available for 30 days. If does not agree to terms or submit a signed order, the application for reinstatement is denied.
- 4. **MT190001** Schedule Investigative Interview.
- 5. **Application 1835609** Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to notify licensee to submit proof of 24 hours CE for 2018 biennium, if unable to produce, refer to Legal Services for Private Consent Order with a \$300 fine for failure to meet CE requirements for renewal of licensure [O.C.G.A. § 43-24A-14(b) and BR 345-4-.02]. Must submit proof of completion of 6 hours of CE. CE submitted to meet the requirements of the order may not be used for future renewal biennium. Flag for CE Audit.
- 6. **Wiregrass Georgia Technical College**

Ms. Clay motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to notify the massage therapy educational program to submit a Petition for Rule Variance or Waiver from NPEC based on a failure to meet the requirements of BR 345-8-.03(1)(f); and, verification that the school is approved by the Technical College System of Georgia. Must also submit to the Board an explanation to justify how one instructor is qualified and able to teach an entire massage therapy education program.

## **7. Records Request – Golden Razor Academy of Cosmetology**

Ms. King motioned, Ms. Clay seconded and the Board voted unanimously in favor of the motion to deny the records request for Golden Razor Academy of Cosmetology based on O.C.G.A. §§ 43-1-2(k) and 43-1-19(k).

### **Applications for Board Review**

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

- Application 2763967**      Schedule Investigative Interview.
- Application 2757424**      Refer to Attorney General’s Office for a Hearing or Public Consent Agreement for Licensure to include a minimum of probation for 4 years, substance abuse stipulations, quarterly employer, personal and aftercare reports with random drug screens and practice limitations to include no home visits or travel assignments during the period of probation [O.C.G.A. § 43-1-19(a)(4),(6), and (10)].
- Application 2770200**      Schedule Investigative Interview.
- Application 2772919**      Deny based O.C.G.A. § 43-1-19A(4).
- Application 2750547**      Refer to Legal Services for a Private Consent Agreement for Licensure with a fine of \$300 for unlicensed practice from May 18, 2018 – July 18, 2018 [O.C.G.A. §§ 43-1-19(a)(7); 43-24A-15].

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

- Application 1087932**      Renew license and close case with Letter of Concern regarding CE compliance.
- Application 2734507**      Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].
- Application 1082861**      Refer to Legal Services for a Private Consent Order for Renewal of Licensure with a fine of \$500 for failure to meet renewal requirements for 2014-2016 renewal biennium in accordance with [O.C.G.A. § 43-24A-14(b) and BR 345-4-.02].
- Application 1236870**      Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].
- Application 1801649**      Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].
- Application 1287435**      Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].
- Application 1098162**      Must complete 12 hands-on hours CE within 60 days based upon the completion of coursework that is not within the scope of massage therapy practice in the state of

Georgia. If submission of proof of CE is not received within 60 days, lapse the license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].

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

**Application 2306464** Approve request for inactive status.

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 2738404** Deny request for provisional permit based on failure to meet the requirements of BR 345-3-.01(2).

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

**Application 2784142** Reinstate license.

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 1079710** Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].

**Application 2506700** Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].

**Application 1795061** Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].

**Application 1786027** Renew license with Letter of Concern regarding workplace violence.

**Application 2499000** Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].

**Application 2674497** Lapse license due to failure to meet requirements for renewal of licensure based on [O.C.G.A. § 43-24A-14(b)].

**Application 1235761** Renew license with Letter of Concern regarding CE compliance.

**Application 2607821** Schedule Investigative Interview. Must provide all court documents for 2017 case.

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 2777543** May withdraw application within 30 days of notification. If fail to do so, application will be denied based on failure to meet educational requirements [BR 345-8-.03(7)(b)].

**Application 2769214** Deny based on failure to demonstrate successful completion of a board recognized educational program [O.C.G.A. § 43-24A-8(b)(6) and BR 345-8-.03(6)].

**Application 2753671** Schedule Investigative Interview.

- Application 2762084** Table pending additional information.
- Application 2746993** Deny based on failure to demonstrate successful completion of a board recognized educational program [O.C.G.A. § 43-24A-8(b)(6) and BR 345-8-.03(6)].
- Application 2681409** Deny based on failure to demonstrate successful completion of a board recognized educational program [O.C.G.A. § 43-24A-8(b)(6) and BR 345-8-.03(6)].
- Application 2744571** Deny based on failure to demonstrate successful completion of a board recognized educational program [O.C.G.A. § 43-24A-8(b)(6) and BR 345-8-.03(6)].
- Application 2765632** Deny based on failure to demonstrate successful completion of a board recognized educational program [O.C.G.A. § 43-24A-8(b)(6) and BR 345-8-.03(6)].
- Application 2705730** Deny based on failure to demonstrate successful completion of a board recognized educational program [O.C.G.A. § 43-24A-8(b)(6) and BR 345-8-.03(6)].
- Application 2776321** Table pending additional review.

**Adjournment** With no further business to discuss, the meeting adjourned at 2:24 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:** March 1, 2019

**CRAIG KNOWLES**  
**BOARD CHAIR**

**ADRIENNE PRICE**  
**EXECUTIVE DIRECTOR**