

GEORGIA BOARD OF MASSAGE THERAPY
Board Teleconference Minutes
Friday, March 1, 2019 – 12:00 p.m.

The Georgia Board of Massage Therapy met via teleconference on Friday, March 1, 2019. The following members were present:

Board Members Present

Craig Knowles, BCTMB, LMT, CNMT, Chair
Pam Nichols, LMT, CNMT, HNC, Board Member
Cindy King, LMT, CMT, NMT, Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist

Board Members Absent

Jennifer Clay, LMT, CNMT, Vice Chair

Attorney General's Office Present

Wylencia Monroe, Senior Assistant Attorney General

Visitors Present

No visitors present.

Administrative Staff Absent

Kathy Osier, Licensing Supervisor

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 12:00 p.m.

OPEN SESSION

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

Open Session Minutes

1. January 18, 2019 Investigative Committee Minutes

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

2. February 15, 2019 Board Meeting Minutes

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to approve the February 15, 2019 open session Board meeting minutes as presented.

Discussion – H.B. 242

Mr. Knowles provided the Board with an update on the current version of the Georgia Massage Therapy Practice Act that is being considered in the Georgia General Assembly.

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion for Mr. Knowles to initiate discussions with Nevada, Florida and TN certification Boards and representatives regarding the removal of reflexology from the exemptions in their respective states' practice acts. Mr. Knowles stated that he would provide updates in his Board Chair report as he receives feedback.

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 Board members: Craig Knowles, Pam Nichols and Cindy King.

At the conclusion of Executive Session on Friday, March 1, 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

Executive Session Minutes

1. January 18, 2019 Executive Session Investigative Committee Minutes

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to approve the January 18, 2019 executive session investigative committee meeting minutes as presented.

2. February 15, 2019 Executive Board Meeting Minutes

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the February 15, 2019 executive session Board meeting minutes as presented.

Legal Services MEMO

1. Case for Ratification – MT190050

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to accept the agreement and/or order upon receipt and authorize the Executive Director to sign with Express Permission of the Board Chair.

2. Open Records Request – MT009749 – Brandi Rogers, Criminal Investigator Office of the District Attorney for Gwinnett Judicial Circuit

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to release all requested application, complaint and investigative records responsive to the request for license MT009749 to the Criminal Investigator Office of the District Attorney for Gwinnett Judicial Circuit.

Investigative Committee Report, J. Clay

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

- MT170058** Close. The Respondent's license has lapsed. Should the Respondent seek to be reinstated in the future, the Board will reconsider the case.
- MT170094** Table pending notification to Respondent to provide the Board proof of hands on continuing education from 2016-2018. Allow 30 Days for response from the date of notification receipt. After timeframe elapses, refer to Attorney General's Office for hearing for revocation of licensure on the grounds of aiding and abetting unlicensed practice, failure to report nolo plea for aiding and abetting unlicensed practice and should Respondent be unable to provide documentation supporting compliance with the requirements of renewal add the violation of making a misrepresentation on an application for renewal for the Continuing Education violation. The Board will accept a voluntary surrender.
- MT180157** Table pending an Investigative Interview.
- MT170029** Table pending an Investigative Interview.
- MT180093** Close.
- MT170079** Close the case.
- MT170078** Send a Letter of Concern regarding discrepancies in documentation provided to the Board and instruct the Respondent that in the future they must review all documentation submitted to the Board for accuracy and completeness.
- MT170087** Table for Board discussion.
- MT180060** Close.
- MT180062** Refer to the Attorney General's Office for advice.

- MT180068** Refer to the Attorney General's Office for a hearing for revocation based on misrepresentation on the renewal application with respect to completion of CE for the 2014-2016 renewal period. The Board will accept a Public Consent Order with a Reprimand to include a fine of \$600, due upon docketing.
- MT180078** Rescind the previous motion and close case.
- MT180081** Close the case.
- MT180122** Close the case.
- MT180123** Table pending additional investigation.
- MT180135** Close with strong Letter of Concern regarding possible future disciplinary action with respect to representations to the Board regarding Continuing Education and the same with respect to a renewal application.
- MT180161** Close the case. The Respondent's license has lapsed. Should the Respondent seek to be reinstated in the future, the Board will reconsider the case.
- MT190001** Table pending additional investigation.
- MT190021** Close the case.
- MT190023** Close the case, no jurisdiction.
- MT190026** Close the case. The license has lapsed.
- MT190034** Close the case. Insufficient Evidence.
- MT190035** Table pending additional information.
- MT190036** Close the case. Insufficient Evidence.
- MT190040** Schedule Investigative Interview.
- MT190043** Close the case and issue the license with Letter of Concern for advertising and using the credentials of a massage therapist without licensure.
- MT190051** Close the case. No jurisdiction. Refer to GNPEC.
- MT190046** Share Investigative materials with Homeland Security and other municipalities investigating the case per the request of SOS investigator.

Miscellaneous Executive Discussion

1. MT180091

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to rescind previous motion to refer to Attorney General's Office. The Board will revisit case facts of the case along with the reinstatement application.

Applications

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 2785491 Deny licensure based on a failure to meet educational requirements [O.C.G.A. § 43-24A-8(6)].

Adjournment With no further business to be discussed, the meeting was adjourned at 12:47 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Adrienne Price, Executive Director
Minutes approved on: 04/10/2019

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR