

GEORGIA BOARD OF MASSAGE THERAPY
Board Teleconference Minutes
Wednesday, April 10, 2019 – 8:30 a.m.

The Georgia Board of Massage Therapy met via teleconference on Wednesday, April 10, 2019. The following members were present:

Board Members Present

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

Administrative Staff Present

Adrienne Price, Executive Director
Kathy Osier, Licensing Supervisor

Board Members Absent

Jennifer Clay, LMT, CNMT, Vice Chair

Attorney General's Office Present

Melissa Tracy, Assistant Attorney General
Kirsten Daughdril, Senior Assistant Attorney General

Visitors Present

No visitors present.

Administrative Staff Absent

Michelle Hornaday, Board Support Specialist

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 8:33 a.m.

OPEN SESSION

Agenda

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

Open Session Minutes

1. **March 1, 2019 Board Teleconference Minutes**
2. **March 15, 2019 Open Session Investigative Committee Minutes**

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to approve the March 1, 2019 open session Board teleconference minutes and the March 15, 2019 open session investigative committee minutes as presented.

Petition for Rule Variance – BR 345-4-.02(a)(d) – Shanice Thomas – MT010462

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-4-.02(a)(d) based on the fact that the petitioner is not subject to the rule for variance as the license has lapsed by operation of law. Alternatively, to the extent that the petitioner is subject to the rule, the variance is denied due to insufficient evidence to demonstrate a substantial hardship

Petition for Rule Waiver – BR 345-4-.04(1)(3) – Richard Delamar – MT005325

The Board tabled discussion for Executive Session.

Miscellaneous Discussion

1. Renewal & Audit Applications

- a) Southern Regional Technical College
- b) Wiregrass Georgia Technical College

Ms. Nichols motioned, Ms. King seconded and the Board voted unanimously in favor of the motion to allow the Education Cognizant to provide guidance to the Staff concerning the additional information that each program must submit in order to complete their renewal and audit applications; and, further direct Staff to send notification of such to each program with an indication that the additional information must be received in the Board office prior to the next scheduled Board meeting.

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 Wednesday, April 10, 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. March 1, 2019 Executive Board Teleconference Minutes

2. March 15, 2019 Executive Session Investigative Committee Minutes

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the March 1, 2019 executive session Board teleconference minutes and the March 15, 2019 executive session investigative committee minutes as presented.

Executive Session Discussion

1. Discussion – TITLE 43 CHAPTER 24A – HB242 – Georgia Massage Therapy Practice Act

Mr. Knowles informed the Board that HB 242 has passed and has been referred for the Governor’s signature. He applauded the efforts of the legislators for changes in the law that will prohibit the development of unfair city ordinances and oppressive regulations upon licensees in certain jurisdictions. He continued by stating that the Board now has the ability to audit, inspect and penalize massage therapy education programs. Schools that continue to violate Board Rules may be subject to harsh fines and penalties up to a felony conviction if the violations are substantiated.

2. Discussion – Petition for Rule Waiver – BR 345-4-.04(1)(3) – Richard Delamar – MT005325

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-4-.05 based on insufficient evidence to demonstrate a substantial hardship especially in consideration of the requirements outlined in BR 345-4-.04(3).

Ms. King motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to offer the petitioner the option to surrender the license and enclose an Order for Voluntary Surrender with the petition denial letter.

3. NCBTMB CE Review on Burn Scar Course

Mr. Knowles provided the Board with an update regarding NCBTMB’s review of the Burn Scar CE courses that were in question by the Board. He stated that NCBTMB has suspended the CE Provider pending further review. Their VP of Education will be providing the Board with further information following their May 1, 2019 Committee meeting.

Adjournment With no further business to be discussed, the meeting was adjourned at 9:20 a.m.

Minutes recorded by: Kathy Osier, Licensing Supervisor

Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor, Adrienne Price, Executive Director

Minutes approved on: April 26, 2019

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR