

GEORGIA BOARD OF MASSAGE THERAPY
Board Meeting Agenda
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
Friday, August 23, 2019 - 9:00 a.m.

The Georgia Board of Massage Therapy met on Friday, August 23, 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

Board Members Absent

Jennifer Clay, LMT, CNMT, Vice Chair

Visitors Present

Margaret Sharenko, Atlanta School of Massage
Jane Johnson, LMT
Joan Nichols
Toni Roberts, LMT

Administrative Staff Present

Adrienne Price, Executive Director
Amanda Califf, Licensing supervisor

Attorney General's Office Present

Melissa Tracy, Assistant Attorney General

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 9:05 a.m.

OPEN SESSION

Agenda

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

Discussion – Board Rules Chapter 345

The Committee continued their review of the remaining rules in Board Rules Chapter 345. After careful consideration the Committee recommended referring the following rules as amended to the full Board for review during the August 30, 2019 meeting.

1. Chapter 345-6. Standards for Massage Therapy Educational Programs

345-6-.01. Board Recognition Status Requirements

- (1) A massage therapy educational program which is located within the state of Georgia is eligible to become recognized if the program submits a complete application and fee to the Board and the following requirements are met:
- (a) The program complies with the requirements of this rule and the standards for curriculum and faculty set forth in Board Rules Chapter 345-6;
 - (b) The program must possess a current, unencumbered National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) School Provider Code; and,
 - (c) The program must possess a current, unencumbered Nonpublic Postsecondary Education Commission (NPEC) Authorization number; or,

1. A postsecondary institution of the Technical College System of Georgia that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or its equivalent; or,
 2. A postsecondary institution that is accredited by an accrediting agency recognized by the United States Department of Education and that is authorized or approved by a professional licensing board, department, or agency in another state, jurisdiction, or territory whose standards have been determined by the board to be equivalent to the Nonpublic Postsecondary Education Commission.
- (d) The program requires each student to achieve a minimum grade of 70% and a minimum attendance of 70% per course throughout the program in order to receive credit for the attainable clock hours awarded to any massage therapy related course and clinical work and provides the student with a copy of this requirement;
- (e) The program maintains a current, written program catalog to include but not limited to information relevant to the philosophy and objectives of the program, and course outlines or syllabi for all massage therapy courses;
- (f) The program maintains a student handbook and provides a copy to each student;
- (g) The program maintains a permanent student records that summarize the credentials for admission to include the following:
1. Age at the time of admission to the program;
 2. A copy of the high school diploma in English or its recognized equivalent;
 3. Documentation of citizenship status in the United States or a permanent resident of the United States;
 4. Attendance;
 5. Grades and other records of performance;
 6. Identity of the instructor for each course in which the student was enrolled;
 7. Any transfer hours the student received credit for which were attained from another program or school;
- (h) On or before January 31st of each year, the program must submit a list of massage therapy educational program graduates for the previous calendar year. The list must include the following information for each graduate:
1. Full name;
 2. Date of birth;
 3. Enrollment and graduation date; and,
 4. Last four digits of their social security number.

- (2) Massage Therapy educational programs located outside the state of Georgia may be recognized by the Board at its sole discretion if:
- (a) The program meets the requirements as codified in O.C.G.A. 43-24A-3(4); and,
 - (b) The program holds and maintains a current and unencumbered NCBTMB School Provider Code; and,
 - (c) The program substantially equals or exceeds the Georgia requirements for Board recognized massage therapy educational programs set forth in rules Board Rules Chapter 345-6.
- (3) The recognition of massage therapy educational programs located outside of the United States is at the discretion of the Board. In evaluating the program, the program will be required to submit an application along with additional information to include but not limited to:
- (a) Transcripts that have been translated by a reputable and verifiable credential evaluation service approved by the Board; and,
 - (b) Proof that the massage therapy educational program substantially equals or exceeds the Georgia requirements for Board recognized massage therapy educational programs as established in Board Rules Chapter 345-6.

345-6-.02. Curriculum Requirements

In order for applicants to be eligible for licensure he or she must have completed (graduated) from a board recognized massage therapy educational program. In order for the massage therapy educational program of a school to be recognized by the Board, the program must have a minimum curriculum of five-hundred (500) total supervised clock hours of classroom and hands-on instruction at the board recognized massage therapy educational program location approved by the Board. Community events must also be supervised by the faculty or staff identified in the program application as approved by the Board.

- (a) For purposes of this rule, "supervised" means the supervisor is physically on-site, qualified and immediately available.
- (b) The minimum required subject matter and activities and the minimum required hours are as follows:
 1. A minimum of one hundred twenty-five (125) hours of human anatomy, physiology and kinesiology;
 2. A minimum of forty (40) hours of pathology;
 3. A minimum of two-hundred hours (200) in massage therapy theory, technique and practice, which must include instruction in clinical techniques and hands-on clinical practice and must include, at a minimum, the following subject matters:

effleurage/gliding; petrissage/kneading; compression; friction, tapotement/percussion; vibration; direct pressure; superficial warming techniques; pumping; stretching; jostling; shaking; rocking;

4. A minimum of one hundred twenty-five (125) hours of instruction in contraindications, benefits, universal precautions, body mechanics, massage history, client data collection, documentation, and legalities of massage, professional standards including draping and modesty, therapeutic relationships and communications;
5. A minimum of ten (10) hours of instruction in ethics and business (to include a minimum of six (6) hours in ethics); and,
6. Of the five hundred (500) total clock hours, the curriculum must include a minimum of fifty (50) hours in supervised student clinical practice, but no more than sixty (60) hours in supervised student clinical practice. Nothing in this rule shall be construed to prohibit a massage therapy school that has a curriculum greater than five hundred (500) hours from having more supervised student clinical practice so long as it has at least four hundred and forty (440) hours of in-class supervised instruction.
7. If an applicant transfers from a board recognized massage therapy education program into another board recognized massage therapy education program and any of the clock hours from the original program(s) are accepted as a part of the program to which the applicant transferred, the name of the original program and the clock hours accepted from that program must be identified on the transcript provided to the Board. If the transferred hours are not from a board recognized massage therapy educational program, the hours may not be used to satisfy the curriculum requirements of this rule.

345-6-.03. Faculty Requirements.

- (1) In order to be a board recognized massage therapy educational program, the program must have a student to faculty ratio in the lab/clinical/community area that shall not exceed twenty (20) students to one (1) instructor, with no more than ten (10) student therapists and ten (10) students serving as clients. Lecture classes are not subject to this ratio.
- (2) All licensed faculty must maintain compliance with all statutes and rules governing their practice to include but not limited to all renewal requirements.
- (3) Lead faculty for lab, clinical and community courses shall hold a current Georgia massage therapy license and must demonstrate competence in their respective areas of teaching as evidenced by a minimum of a Bachelor's degree or 4 years of experience in the course(s) they will be teaching.

- (4) Lead faculty for human sciences courses (anatomy, pathology, physiology) are not required to hold a massage therapy license; however, the faculty member must demonstrate competence in their respective areas of teaching as evidenced by a minimum of a Bachelor's degree or 4 years of experience in the course(s) they are teaching.
- (5) All program faculty members must teach at the physical address which has been provided to the Board on the program's application to become a board recognized massage therapy educational program.
- (6) The Board shall be notified in writing of any program faculty changes within ten (10) days of the date the change becomes effective.
- (7) In order to be a board recognized massage therapy educational program that utilizes faculty assistants, the program shall establish and maintain policies that outline the qualifications, duties and procedures for use of faculty assistants including, but not limited to, the following requirements:
 - (a) Faculty assistants for lab, clinical and community courses must have an active Georgia massage therapy license;
 - (b) Faculty assistants shall work under the direct supervision of approved faculty;
 - (c) Faculty assistants shall not be used as substitutes or replacements for regular faculty;
and,
 - (d) Faculty assistants shall not be responsible for the overall evaluation of any student.
- (8) Faculty assistants are not required to have a minimum of a Bachelor's degree or 4 years of experience.
- (9) When student clinical practice is being performed on the general public, the supervising clinical faculty instructor(s) shall hold a current Georgia massage license.

345-6-.04. Reconstitution or Discontinuation of a Massage Therapy Educational Program

- (1) When a board recognized massage therapy educational program that is located within the state of Georgia is:
- (a) Sold to a new owner and no other changes have occurred, within ten (10) days the current owner must:
 - 1. Inform the Board of new ownership; and,
 - 2. Provide the Board with proof that the current owner notified the new owner of the requirement to submit a copy of the unencumbered, NCBTMB School Provider Code and NPEC Authorization Number certificates (or any similar documents from any equivalent agency as identified in paragraph 1 subsections g and h above) that were issued to them as the new owner.
 - (b) Moving or expands to another location, the program must submit, in writing, the physical and mailing addresses associated with the new location(s). Such notification must occur at least thirty (30) days before the move or expansion takes place.
 - (c) Only changing the title of the program or the name of the school, the program must submit the name change in writing to the Board within ten (10) days.
 - (d) Changing faculty and faculty assignments, the program director or coordinator must submit and complete the Faculty Amendment Form within ten business days of the change in faculty; and,
 - 1. The program must ensure that all licensed faculty must maintain compliance with all statutes and rules governing their practice to include but not limited to all renewal requirements; and,
 - 2. If the program is notified that any licensed faculty is out of compliance with the Board laws and rules, the faculty member may not teach until such time that he or she has provided proof of having satisfied all requirements of their respective licensing board.
 - (e) Amending the program curriculum, a new application must be submitted prior to the implementation of the changes to include a new, unencumbered NCBTMB School Provider Code and NPEC Authorization Number or any similar documents from an equivalent entity as identified in paragraph 1 subsections g & h above.
 - (f) Under investigation by any entity, the program must notify the Board in writing within 10 business days of the date the program became aware. Such notification shall include a copy of the notice the program received informing them of the pending investigation.
 - (h) Does not admit any students in a calendar year, the program must close unless approval has been granted by the Board based on the justification for continuation submitted to the Board.

(2) When a board recognized massage therapy educational program that is located within the state of Georgia is discontinued or closes, the program shall:

(a) Notify the Board in writing of the intent to discontinue or close the massage therapy educational program to include:

1. A timetable;

2. A plan for students to complete the course of study or transfer to another board recognized massage therapy educational program.

(b) Be responsible for providing for the permanent retention and security of student and graduate records and ensuring the permanent safekeeping and availability of records of the massage therapy educational program.

345-6-.05. Renewal, Withdrawal and Reinstatement of Recognition Status

- (1) To maintain recognition status, a board recognized massage therapy educational program shall:
 - (a) Submit a complete Renewal and Audit Application and fee a minimum of 60 days prior to March 31st of even or odd years, according to the expiration date the program is provided in the program approval notice issued by the Board; and,
 - (b) Provide documentation of a passing percentage of at least eighty (80) percent of all first-time takers of MBLEx for each graduating class.
- (2) If a Board recognized program does not meet or fails to comply with the requirements of the Georgia Massage Therapy Practice Act and Board Rules Chapter 345-6, the Board may:
 - (a) Provide notice to the program of incidences of noncompliance and require that each be corrected within a time period specified by the Board; and,
 - (b) Take disciplinary action as codified in O.C.G.A. § 43-24A-17; or,
 - (d) Withdraw the recognition status of the program when continued, documented noncompliance with the rules fails to be corrected within a time period specified by the Board. If recognition status is withdrawn, the Board will notify the massage therapy educational program in writing of the actual date of withdrawal and indicate the program status on the Board website. Prior to the actual date of withdrawal, the program shall:
 1. Provide the Board a list of students who are currently enrolled in at least one massage therapy course when recognition is withdrawn; and,
 2. Submit a written plan for each student's completion of the program, if such will occur before the actual date of withdrawal, or for their transfer to another board recognized massage therapy educational program;
 3. Notify all current students in writing of the withdrawn recognition status within ten business days from receipt of the Board's notice. Such notification must also include a statement indicating that students who graduate from an unrecognized program will not be eligible for licensure.
- (2) Before the Board will consider restoring a massage therapy education program to a Board recognized status, the program must submit a new application; and,
 - (a) Document compliance with all relevant statutes and rules; and,
 - (b) Provide evidence that the students that were enrolled in the program at the time that the recognition status was withdrawn have successfully graduated from or transferred to another board recognized massage therapy education program.

2. Chapter 345-7. Discipline

345-7-.01. General Provisions

- (1) Upon finding that a violation has occurred, in accordance with O.C.G.A. § 43-1-19 and 43-24A-7, the Board has the authority to refuse to grant or renew a license to a person, revoke the license of a person licensed by the Board, or discipline or sanction any person or entity found by the Board to have committed a violation of the referenced chapters.
- (2) In addition, the Board may impose any or all, but not limited to, the following:
 - (a) Public or Private Reprimand;
 - (b) Letter of Concern;
 - (c) Imposition of Fine(s);
 - (d) Period of Probation;
 - (e) Cease and Desist Order;
 - (f) Any other action the Board may deem appropriate, up to and including possible suspension and/or revocation of the professional license.
 - (g) Assess costs against the violator for expenses relating to the investigation and administrative action.
- (3) The Board may consider each violation as a separate violation and impose a fine of not more than \$500 for each convicted offense, \$1000 per subsequent conviction and/or possible imprisonment, in accordance with O.C.G.A. §§ 43-24A-15, 43-1-20 and 43-24A-24.
- (4) Mitigating circumstances may be taken into account in varying the sanctions subject to the Board's discretion. Mitigating circumstances shall not include failure to notify the Board of an address change or failure to receive a renewal application or reminder notice.

Rule 345-7-.02. Display of License

- (1) All licensees shall display their license certificate or a photocopy thereof in an appropriate and public manner at each location at which he or she practices.
- (2) In a mobile practice, licensees shall display their license certificate or a photocopy thereof in an appropriate and public manner. Such display may be achieved by displaying the license on their person or on the premises where the massage therapy services are performed.

Rule 345-7-.03. Advertising

- (1) It shall be considered a violation of the massage therapy practice act to:
 - (a) Publicly misrepresent oneself to be a massage therapist in any form unless the individual has an active, valid license issued by the Board to practice massage therapy in Georgia;
 - (b) Advertise massage therapy services in conjunction with escort or dating services, adult entertainment, or illegal acts relating to sex related crimes
 - (c) Advertise false, misleading, or deceptive practices or images as it relates to massage therapy.
- (2) Only duly licensed massage therapists practicing in accordance with the Board rules and Georgia law may practice massage therapy in Georgia, or, use in connection with their own name or that of their business or employer, the terms massage, massage therapy, massage therapist, massage practitioner, or the letters M.T. or L.M.T. or any other representation either directly or indirectly, indicating to the general public that massage therapy is provided or available.
- (3) Actively licensed massage therapist shall include their Georgia massage therapy license number on all forms of advertisement.
- (4) Establishments providing massage therapy services by more than one licensed massage therapist shall include on all forms of advertisement the following statement: "Georgia Licensed Massage Therapists."

The committee recommended that Board Rules Chapter 345 as amended and rationales be referred to the full Board for review during the August 30, 3019 meeting.

Board Policies

Policies and procedures protect the employees and agents of the Board, the Board, applicants and licensees by establishing board approved guidelines for processing items that are submitted to the Board. When in place, they eliminate the possibility that an employees or agents of the Board will make unauthorized and arbitrary decisions on behalf of the Board without the statutory authority to do so. They also allow room for processes to become more efficient between regularly scheduled board meetings.

After careful consideration of the current Board Policy Manual, the Committee recommended repealing it in its entirety so as to organize them in the same order as they are addressed in statutes and rules and in some cases eliminate those which are no longer relevant or necessary because they are addressed in the statute or the rules. The committee further recommended to present the Board Policy Manual as amended to the full Board for review during

the August 30, 2019 meeting with the rationales being tabled for further discussion during that meeting. The repealed version of the Board Policy Manual is provided as Attachment B and the amended version of the Board Policy Manual is provided as Attachment C.

Adjournment With no further business to be discussed, the meeting was adjourned at 2:05 p.m.

Minutes recorded by: Amanda Califf, Licensing Supervisor

Minutes reviewed and edited by: Adrienne Price, Executive Director

Minutes approved on: August 30, 2019

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR

ATTACHMENT

B



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

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GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A1

Category: Applications **Policy:** ■

Title: Administrative Issuance of Licenses **Procedure:** □

Statutory Basis: OCGA § 43-24A-7 through 13

Rule Basis: Chapter 345-3 through 8

The Board approves the administrative issuance of licenses by application, reinstatement or endorsement between meetings for applicants who:

- 1) meet all the current requirements for licensure in Georgia;
- 2) have not been disciplined by any other board;
- 3) meet the requirements as outlined in Policy A2; and
- 4) have never been adjudged mentally incompetent, unable to practice by reason of illness, or received treatment for chemical dependence, drugs and/or alcohol.

Licenses administratively issued between board meetings, will be ratified by the Board at their next scheduled meeting.

Adopted: 02-22-2008

Revised: 06-25-2010

Revised: 08-28-2015



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A2

Category: ~~Applications~~ **Policy:** ~~■~~
Title: ~~Staff Approval of Applications for Licensure and Renewal~~ **Procedure:** ~~■~~
~~Related to Criminal Offenses~~

Statutory Basis: ~~OCGA § 43-24A-8; §43-1-19(a)(j)~~
Rule Basis: ~~Chapter 345-3 through 8~~

The Georgia Board of Massage Therapy accepts the following guidelines for review of applications for licensure and renewal which indicate that the applicant has an arrest and/or conviction. Applications that do not fall within the parameters indicated below will be referred to the Board Cognizant and/or the Board for consideration.

Offense	Freq.	Time Period	Other	Action
DUI	One Time	No Time Period	No active probation / No active parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Alcohol
DUI	Two Times	More than four years between convictions	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Alcohol
Bad Checks, Municipal Ordinance Violations, Driving with Suspended/Revoked License	Two Times	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Petit Theft, Shoplifting, Non-Violent Property Crimes (not related to drugs)	Two Times	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Felony Conviction for Non-Violent Property Crimes (i.e. Shoplifting, Theft By Taking, Theft By Deception, Burglary, Larceny, Vandalism, etc.)	One Time	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Marijuana Possession of Less than One Ounce	One Time	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Drugs
Misdemeanor Offenses with the Exception of Drug Related Misdemeanor Crimes	No Limit	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Any offenses of a sexual nature	No Limit	No Time Period	N/A	Must be presented to the Board.

Date Adopted: ~~12-03-2012~~
 Date Revised: ~~10-25-2013~~
 Date Revised: ~~06-27-2014~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A3

Category: ~~Applications~~ **Policy:** ~~■~~
Title: ~~Lapsed/Late Renewal Period Fees~~ **Procedure:** ~~□~~

Statutory Basis: ~~OCGA § 43-24A-7 through 13~~

Rule Basis: ~~Chapter 345-3 through 8~~

~~Increase the current penalty fee for failure to renew by the October 31st every even numbered year from \$85 US dollars to \$150 US Dollars effective with the October 31, 2010 renewal cycle.~~

~~Adopted: 04-03-2009~~

~~Revised: 06-25-2010~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A4

Category: Applications **Policy:**
Title: Recognition of Out of State "Massage Therapy Educational Programs" **Procedure:**

Statutory Basis: OCGA § 43-24A-3, 8 and 13

Rule Basis: Chapter 345-8

~~For those applications for licensure as a massage therapist in Georgia, received on or after July 01, 2007, the massage therapy education programs in states outside of Georgia's borders must have an assigned school code from the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB), meet the Board's curriculum requirements set forth in Board Rule 345-8 .01, and meet one of the following:~~

- ~~• The massage therapy education program is recognized or approved by that state's Board of Massage Therapy, or other licensing or regulatory Board or Authority; or~~
- ~~• The massage therapy education program is recognized or approved by that state's Board of Education or a recognized equivalent; or~~
- ~~• The massage therapy education program is recognized or approved by that state's Nonpublic Postsecondary Education Commission or a recognized equivalent.~~

~~Finally, the Board reserves the right to request additional information as it deems necessary.~~

~~Date Adopted:~~ 05-04-2007



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A5

Category: Applications **Policy:** ■

Title: Board Recognized Massage Therapy Education Programs **Procedure:** ■

Statutory Basis: OCGA § 43-24A-3, 8 and 13

Rule Basis: Chapter 345-8

The Board authorizes the administrative staff to request from the applying program/school, in writing, any additional information necessary for the educational representative to review the application prior to making his/her recommendation to the full Board for approval/denial of the program/school. All pending school programs will continue to be processed to receive Board recognition. The Board will conduct an annual review of the list of Board Recognized Educational Programs. If the program no longer meets the requirements established by the Board it shall be removed from the list in accordance with the Board Rules.

Georgia Schools (Physically located in the state of Georgia):

- The massage therapy education program in GA must have had a current, active Certificate of Authorization from the Georgia NPEC for the year the applicants transcript indicates attendance and completion;
- Transcripts for Georgia massage therapy education programs without a current certificate of authorization from the Georgia NPEC will not be accepted by the Board.
- University System or DTAE programs may be accepted based upon board approval.

Massage Therapy Programs physically located outside of the state of GA:

- An applicant for massage therapy licensure in GA who attended and completed/graduated from a massage therapy education program outside of the state of GA:
 - MT Educational programs must be a program recognized and approved by the state's regulatory authority or entity to meet the massage therapy licensure requirements for that state; or,
 - If the state of the MT Educational Programs does not require licensure or certification as a massage therapist, the MT Educational Programs must be accredited by a reputable and verifiable credentialing entity; and,
 - Must have the MT Educational Programs provide written verification of the applicant's physical presence on the school's campus; physical attendance to classes and clinical; and,
 - Curriculum must meet the minimum GA requirements pursuant to Board rule 345-8-.01; and,
 - Current contact information for MT Educational Program's school official who is providing the Board this information— school will be contacted to verify this information.
 - University System or DTAE programs may be accepted upon board approval.

Adopted: 10-2006

Revised: 06-25-2010

Revised: 06-27-2014



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A6

Category: ~~Applications~~ **Policy:** ~~■~~
Title: ~~Provisional Permit: Supervision Requirements~~ **Procedure:** ~~■~~

Statutory Basis: ~~OCGA § 43-24A-3(10); 8 and 9~~
Rule Basis: ~~BR 345-3-.01~~

~~A Georgia licensed Massage Therapist can only supervise one provisional permit holder at any given time.~~

~~Adopted: 10-25-2013~~
~~Revised: 08-25-2017~~
~~Effective: _____~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A7

Category: ~~Application~~ **Policy:** ~~■~~
Title: ~~Release of Transcript and Score Report~~ **Procedure:** ~~□~~
Statutory Basis: ~~OCGA § 43-24A-7 through 13~~
Rule Basis: ~~Chapter 345-3 through 8~~

~~The School Cognizant Board Member can release transcripts and score report information to either NCBTMB or FSMTB when inconsistencies are noted between those documents. The Cognizant will submit a list of notifications drafted between meetings to be ratified by the Board.~~

~~Adopted: 06 27 2014~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A8

Category: ~~Application (Renewal)~~ **Policy:** ~~■~~
Title: ~~Reporting and Auditing Hours~~ **Procedure:** ~~□~~

Statutory Basis: ~~43-1-19(a),(d), & (h); 43-24A-7(a)(1),(2) & (3); 43-24A-17(a); 43-24A-14(b); 43-24A-20~~
Rule Basis: ~~_____~~

~~(1) At the time of license renewal, each licensee shall certify to the Georgia Board of Massage Therapy that he/she has completed the continuing education (CE) hours required within the two-year licensure period for license renewal.~~

~~(2) The staff of the State Examining Boards shall audit the continuing education of licenses at a percentage determined by the Board, randomly selected, in the state per biennium for compliance with all rules and regulations.~~

~~(3) A licensee who has failed to complete the continuing education requirements for any reason, to include a failure to register and record activities within the online recording and reporting system approved by the Board, shall be subject to a Public or Private Reprimand which may include a fine of \$500 per violation, a requirement that any deficient CE Hours be obtained within three (3) months of the effective date of the Public Reprimand and other conditions as determined by the Board.~~

~~(4) The CE hours used to satisfy the terms of a Public or Private Reprimand may NOT be used to satisfy the CE requirement of any subsequent renewal cycle.~~

~~(5) Any future incidences on noncompliance with CE requirements may result in additional disciplinary actions up to, and possibly including, revocation of a license to practice massage therapy in Georgia.~~

~~Adopted: 08-28-2015~~

~~Revised: 08-25-2017~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A9

Category: Application **Policy:** ■
Title: Exceptions to Massage Therapy Licensure Requirements **Procedure:** ■
Statutory Basis: OCGA § § 43-24A-19
Rule Basis: N/A

For policy purposes, the Georgia Board of Massage Therapy proposes the following, non-inclusive and/or non-comprehensive, listing of practices or disciplines by name that the Board considers to fall within the exceptions of the law and are outside of the scope of massage therapy practice in the state of Georgia and not accepted for continuing education credit:

Movement practices include, but are not limited to:

Alexander Technique
Aston Patterning
Body Mind Centering®
Feldenkrais Method® of Somatic Education
ISMETA — Registered Somatic Educator
ISEMTA — Registered Somatic Movement Therapist
Laban Movement Analysis
Rolf Institute® Rolf Movement Integration
Trager® Approach to Movement Education

Structural Integration practices include, but are not limited to:

Hellerwork®
Rolfing® Structural Integration
Structural Integration

Energy practices include, but are not limited to:

Asian Bodywork Therapy
Acupressure
Amma
AMMA Therapy®
Chi Nei Tsang
Craniosacral Therapy
Jin Shin
Jin Shin Do® Bodymind Acupressure
Jin Shin Jitsu
Jin Shin Jyutsu®



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

Energy practices continued...:

Medical Qigong

Nuad Bo 'Rarn (Traditional Thai Bodywork)

Okazaki Restorative Therapy

Polarity

Polarity Therapy

Polarity Bodywork Therapy

Qigong

Reiki

Shiatsu (*all forms including, but not limited to, Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Macrobiotic Shiatsu, Ohashiatsu®, Quantum Shiatsu, Zen Shiatsu*)

Shiatsu Anma Therapy

Tuina

In addition, for policy purposes and clarification, the Georgia Board of Massage—Therapy developed the following regarding exemptions to licensure with the above identified practices or disciplines notated under the applicable provisions as set forth in the statute.

Massage Therapy Board—Ga. Law—Exceptions
(termed “exemptions” by the Board for purposes of the rule):

O.C.G.A. § 43-24A-19. Exceptions

Nothing in this chapter shall be construed to affect, restrict, or prevent the practice, services, or activities of:

(1) A person licensed, registered, or certified under any other chapter or article under Title 43 while engaged in the professional or trade practices properly conducted under authority of such other licensing laws, provided that such person shall not use the title of massage therapist;

(2) A person pursuing a course of study leading to a degree or certificate as a massage therapist in an educational program recognized by the board, if such person is designated by title indicating student status and is fulfilling uncompensated work experiences required for the attainment of the degree or certificate;

(3) A nonresident person rendering massage therapy up to 60 days during a 12-month period for treatment of a temporary sojourner only, provided that such nonresident massage therapist holds a license, registration, or certification from another state, jurisdiction, or country if the requirements as determined by the board for licensure are substantially equal to the requirements contained in this chapter or provided that such nonresident massage therapist is currently nationally certified in therapeutic massage and bodywork;



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A9 CONTINUED...

~~(4) A person duly licensed, registered, or certified in another jurisdiction, state, territory, or a foreign country when incidentally in this state to provide service as part of an emergency response team working in conjunction with disaster relief officials or as part of a charity event with which he or she comes into the state;~~

~~(5) A person who restricts his or her practice to the manipulation of the soft tissue of the human body to hands, feet, or ears who does not have the client disrobe and does not hold himself or herself out as a massage therapist;~~

- ~~●—Reflexology~~

~~(6) A person who uses touch, words, and directed movement to deepen awareness of existing patterns of movement in the body as well as to suggest new possibilities of movement while engaged within the scope of practice of a profession with established standards and ethics, provided that his or her services are not designated or implied to be massage or massage therapy;~~

- ~~●—Alexander Technique~~

- ~~●—Aston Patterning~~

- ~~●—Body-Mind Centering®~~

- ~~●—Feldenkrais Method® of Somatic Education~~

- ~~●—ISMETA—Registered Somatic Educator~~

- ~~●—ISEMTA—Registered Somatic Movement Therapist~~

- ~~●—Laban Movement Analysis~~

- ~~●—Rolf Institute® Rolf Movement Integration~~

- ~~●—Trager® Approach to Movement Education~~

~~(7) A person who uses touch and movement education to effect change in the structure of the body while engaged in the practice of structural integration, provided that he or she is a member of, or whose training would qualify for membership in, the International Association of Structural Integrators and provided that his or her services are not designated or implied to be massage or massage therapy;~~

- ~~●—Hellerwork®~~

- ~~●—Rolfing® Structural Integration~~

- ~~●—Structural Integration~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

~~POLICY A9 CONTINUED...~~

~~(8) A person who uses touch to affect the energy systems, polarity, acupoints, or Qi meridians, also known as channels of energy, of the human body while engaged within the scope of practice of a profession with established standards and ethics, provided that his or her services are not designated or implied to be massage or massage therapy;~~

- ~~• Asian Bodywork Therapy~~
- ~~• Acupressure~~
- ~~• Amma~~
- ~~• AMMA Therapy®~~
- ~~• Chi Nei Tsang~~
- ~~• Craniosacral Therapy~~
- ~~• Jin Shin~~
- ~~• Jin Shin Do® Bodymind Acupressure~~
- ~~• Jin Shin Jitsu~~
- ~~• Jin Shin Jyutsu®~~
- ~~• Medical Qigong~~
- ~~• Nuad Bo 'Rarn (Traditional Thai Bodywork)~~
- ~~• Okazaki Restorative Therapy~~
- ~~• Polarity~~
- ~~• Polarity Therapy~~
- ~~• Polarity Bodywork Therapy~~
- ~~• Qigong~~
- ~~• Reiki~~
- ~~• Shiatsu (all forms including, but not limited to, Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Macrobiotic Shiatsu, Ohashiatsu®, Quantum Shiatsu, Zen Shiatsu)~~
- ~~• Shiatsu Anma Therapy~~
- ~~• Tuina~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A9 CONTINUED...

(9) A person who was engaged in massage therapy practice prior to July 1, 2005; provided, however, the prohibition of subsection (c) of Code Section 43-24A-15 shall apply to such a person on and after July 1, 2007.

(10) Other examples of courses that would not be accepted include any courses on yoga, cupping, kinesiotaping or kinesiology taping, light therapy and CPR.

NOTE: THIS BOARD POLICY HAS BEEN INTRODUCED TO ASSIST THE STAFF OF THE PROFESSIONAL LICENSING BOARDS LICENSING DIVISION AND THE INVESTIGATIONS DIVISION IN UNDERSTANDING SOME OF THE MANY AND VARIED EXCEPTIONS OR EXEMPTIONS UNDER THE MASSAGE THERAPY PRACTICE ACT (O.C.G.A. § 43-24A). THIS LISTING IS NOT INCLUSIVE AND WILL BE UPDATED AS DETERMINED BY THE BOARD. STAFF OF THE PROFESSIONAL LICENSING BOARD DIVISION SHALL NOT INTERPRET GEORGIA LAW PERTAINING TO THE SCOPE OF PRACTICE OF LICENSED PROFESSIONS UNDER TITLE 43 OF THE O.C.G.A. PLEASE VISIT THE WEBSITE TO ALSO REVIEW THE LIST OF CONTINUING EDUCATION COURSES NOT ACCEPTED BY THE BOARD.

Adopted: _____ 05-04-2007

Revised: _____ 08-25-2017

Effective: _____



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A10

Category: Applications **Policy:** ■

Title: Clock Hour Conversions for Board Recognized Massage Education Programs

Statutory Basis: OCGA § 43-24A-3, 8 and 13

Rule Basis: Chapter 345-8

It is the policy of the Georgia Board of Massage Therapy to accept a transcript which is not presented in clock hours only if the massage therapy education program has achieved recognition by this Board **AND** the applicant's transcript is consistent with the transcript that was submitted to the Board when the massage therapy education program gained recognition status.

Any applicant for licensure who completed or graduated from a program that has not gained recognition status by this Board, will be required to cause the submission of a transcript which:

- 1) Reflects credits in the form of clock hours; or,
- 2) Includes documentation which showing the conversion factor(s) of semester or credit hours into clock hours.

~~Adopted: June 25, 2016~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A11

Category: ~~Applications~~ **Policy:** ~~■~~
Title: ~~Inactive Status~~ **Procedure:** ~~■~~

Statutory Basis: ~~O.C.G.A § 43-24A-14(e)~~

Rule Basis: ~~Chapter 345-4-.04~~

~~The Board staff may administratively approve an application for inactive status if:~~

- ~~1) The application is postmarked as received in the Board office on or before October 31st of even numbers years;~~
- ~~2) The license meets the requirements of Board Rule 345-4-.04; and,~~
- ~~3) The license meets the requirements as outlined in Board Policies A1 and A2.~~

~~A list of licenses placed in an active status between board meetings in accordance with the rules and policies of the Board, will be ratified by the Board at their next scheduled meeting.~~

~~Adopted 10/28/2016~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D1

Category: ~~Discipline~~ **Policy:** ~~■~~

Title: ~~Investigative Files~~ **Procedure:** ~~■~~

Statutory Basis: ~~O.C.G.A. § 43-1-19(h)(2); OCGA § 43-24A~~

Rule Basis: ~~N/A~~

Pursuant to the provisions of ~~OCGA § 43-24A~~, it is the policy of the Georgia Board of Massage Therapy to authorize the Board staff to release investigative information to the following law enforcement agency and/or lawful licensing authority:

- ~~1. All Georgia County and/or Judicial Circuit District Attorney Offices~~
- ~~2. All Georgia County and/or Judicial Circuit District Solicitor General Offices~~
- ~~3. All Georgia County, Judicial Circuit, and/or City Police/Investigations Departments.~~
- ~~4. Georgia Bureau of Investigation (GBI)~~
- ~~5. Federal Bureau of Investigation (FBI)~~
- ~~6. United States Department of Homeland Security (DHS)~~
- ~~7. United States Immigration and Customs Enforcement (Investigative arm of DHS)~~
- ~~8. United States Drug Enforcement Administration (DEA)~~
- ~~9. State Licensing Boards~~

Provided that the written request for investigative information is requested for the purpose of:

- ~~a. Conducting a Board investigation which may lead to disciplinary action; or~~
- ~~b. An investigation which may require criminal prosecution by a law enforcement agency or lawful licensing authority for offenses which are a violation of the laws, rules and policies of the Georgia board of Massage Therapy.~~

The Board staff shall notify the Board of such request and/or release in writing and such written notification shall become part of the Board's record of investigation. Any release of information shall include statements regarding the statutory confidentiality of investigations by the Board under the provisions of Title 43 of the Official code of Georgia Annotated.

A list of investigative files released under the terms of this policy will be presented to the Board to be ratified during the Board's next regularly scheduled meeting and will be reflected in the Board minutes.

Adopted: ~~10-2006~~

Revised: ~~06-25-2010~~

Revised: ~~06-27-2014~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D2

Category: ~~Discipline~~ **Policy:** ■
Title: ~~Board Chair Express Consent for Executive Director to~~ **Procedure:** ■
~~Sign Consent Orders/Agreements~~

Statutory Basis: ~~O.C.G.A § 43-1-19; §43-24A~~

Rule Basis: ~~N/A~~

~~Between Board meetings, the Chair gives express consent for the Board's Executive Director, on the Chair's behalf, to sign a consent agreement or order signed by the applicant or licensee. The Executive Director will present to the full Board at the next scheduled meeting those individuals licensed in this manner for ratification.~~

~~Adopted: 10-19-2007~~

~~Revised: 06-25-2010~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D3

Category: ~~Discipline~~ **Policy:** ■
Title: ~~Suspended Licenses Due to Non-Payment of Student~~ **Procedure:** ■
~~Loans and/or Child Support~~

Statutory Basis: ~~O.C.G.A § 43-1-19; §43-24A~~

Rule Basis: ~~N/A~~

~~The Executive Director or designated staff may suspend a license for nonpayment of student loans/child support, upon proper notification, between board meetings, and, further move that the listing be ratified at each subsequent board meeting.~~

~~Adopted: 11-02-2007~~

~~Revised: 06-25-2010~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D4

Category: ~~Discipline~~ **Policy:** ~~■~~
Title: ~~Unlicensed Practice~~ **Procedure:** ~~■~~

Statutory Basis: ~~O.C.G.A § 43-1-19; §43-24A~~
Rule Basis: ~~BR 345-10-.01 and .04~~

~~Applications received indicating unlicensed practice on or after March 1, 2008 will be pursued, investigated and disciplined to the full extent of the law as the Board is allowed under the Massage Therapy Practice Act and the General Provisions statute governing all boards.~~

~~Adopted: 02-22-2008~~
~~Revised: 06-25-2010~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D5

Category: ~~Discipline~~ **Policy:** ■
Title: ~~Voluntary Cease & Desist Orders Effective Upon Docketing~~ **Procedure:** ■

Statutory Basis: ~~O.C.G.A. § 43-1-19; §43-24A~~

Rule Basis: ~~Chapter 345-10~~

Pursuant to a vote of the Georgia Board of Massage Therapy (“Board”) on August 25, 2017, the Board authorizes employees or agents conducting an investigation on behalf of the Board to offer an individual (“Respondent”) a voluntary cease and desist order for the unlicensed practice of massage therapy under the provisions of O.C.G.A. § 43-1-20.1. A voluntary cease and desist order (“C & D Order”) may be offered to a Respondent if the employee or agent of the Board personally witnesses the following:

- (a) ~~The Respondent’s actively engaging in the practice of massage therapy without the Respondent holding an active and valid license issued by the Board pursuant to O.C.G.A. 43-24A Chapter 24 of Title 43.~~
- (b) ~~The Respondent’s representation as being a licensed massage therapist in written materials, advertisements, media products, name tags and other written material or media without holding an active and valid license;~~
- (c) ~~The Respondent’s verbal representation that he or she is a licensed massage therapist without holding an active and valid license; or,~~
- (d) ~~The Respondent producing and/or possessing a forged, altered or invalid license, or application or resume used to apply for or to obtain the Respondent’s licensure or employment as a licensed massage therapist in the state of Georgia.~~

The employee or agent of the Board must inform the Respondent of the following at the time a voluntary C & D is offered to the Respondent:

- (a) ~~Respondent’s signing the Voluntary Cease and Desist Order is optional and not mandatory.~~
- (b) ~~If the Respondent signs the Voluntary C & D Order, the Order will be processed and docketed as a public order of the Board. Upon docketing, Respondent’s pending case before the Board for unlicensed practice will be considered to be resolved. The Board reserves the right to investigate any information it receives, after the Order is docketed and effective, that the Voluntary C & D Order has been violated.~~
- (c) ~~If the Respondent does not sign the Voluntary C & D Order, the Board may issue a notice of hearing and hold a public hearing before the Board. At the hearing the evidence presented shall include, but may not be limited to, allegations that the Respondent engaged in the unlicensed practice of massage therapy. Based upon the evidence presented, the Board will determine whether to issue a C & D Order prohibiting the Respondent from violating Georgia law by engaging in the practice of massage therapy~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

~~without a license. If a C & D Order is issued by the Board, the Order shall become effective upon docketing and shall be considered a public Order of the Board.~~

- ~~(d) The violation of any C & D Order issued pursuant to O.C.G.A. § 43-1-20.1 shall subject the person violating the order to further proceedings before the Board, and the Board shall be authorized to impose a fine not to exceed \$500.00 for each transaction constituting a violation of the Order. Each treatment occurring on each day that an unlicensed person practices massage therapy on a patient or client may constitute a separate transaction which violates the terms of an effective C & D Order.~~
- ~~(e) Initial judicial review of a C & D Order issued by the Board pursuant to O.C.G.A. § 43-1-20.1, or the judicial review of an action for enforcement of an effective C & D Order, is available solely in the Superior Court of Bibb County, which is the domicile of the Board.~~

~~Adopted: 04-11-2008~~

~~Revised: 08-25-2017~~

~~Effective: _____~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D6

Category: ~~Discipline~~ **Policy:** ■
Title: ~~Voluntary Surrender of Licensure Orders Effective~~ **Procedure:** ■
~~Upon Docketing~~

Statutory Basis: ~~O.C.G.A § 43-1-19; §43-24A~~
Rule Basis: ~~BR 345-10-.01~~

~~It is the policy of the Georgia Board of Massage Therapy to accept all Voluntary Surrender of Licensure orders upon receipt in the Board office, and, in addition, to authorize the Board Chairperson or his/her designee to execute the Order(s) and to authorize the Order(s) to be docketed. It is the intent of the Board that the orders will be in effect upon docketing. The Georgia Board of Massage Therapy will ratify the docketed Voluntary Surrender orders at its next meeting after the date of docketing and include a list of the approved orders in the Board's meeting minutes.~~

~~Adopted: 06-20-2008~~
~~Revised: 06-25-2010~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D7

Category: ~~Discipline~~ **Policy:** ~~■~~
Title: ~~Continuing Education Fine Scale Policy~~ **Procedure:** ~~■~~

Statutory Basis: ~~O.C.G.A § 43-1-19; §43-24A~~
Rule Basis: ~~BR 345-4-.02 and .03; BR 345-10-.01~~

~~A licensee shall be subject to disciplinary action to include a Public Reprimand, consisting of but not limited to, a fine of \$500 per violation and a requirement that any deficient CE Hours be obtained within two (2) months of the effective date of the Public Reprimand should it be determined that the licensee:~~

- ~~1. Failed to obtain the required CE Hours within the two (2) year licensure period; or,~~
- ~~2. Falsely certifies that he/she has completed the continuing education requirement for renewal in accordance with Board rules; or,~~
- ~~3. Failed to register and ensure all CE Hours are recorded within an online recording and reporting system approved by the Board.~~

~~Adopted: 10-27-2010~~
~~Revised: 08-28-2015~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D8

Category: ~~Discipline~~ **Policy:** ~~■~~
Title: ~~Fine Scale Policy: Non Licensure Advertisement~~ **Procedure:** ~~■~~

Statutory Basis: ~~O.C.G.A § 43-1-19; §43-24A~~

Rule Basis: ~~345-10-.01 and .03~~

The following fine scale has been established for licensees who fail to place his/her license number on all forms of advertisement as required per Rule 345-10-.03 (3) Advertising.

- ~~1st occurrence \$100.00 fine and the issuance of a private consent order~~
- ~~2nd occurrence \$200.00 fine and the issuance of a public consent order~~
- ~~3rd occurrence \$500.00 fine and public consent order with possible revocation of licensure.~~

~~Adopted: 02-16-2012~~



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D9

Category: _____ **Discipline:** _____ **Policy:** ■
Title: _____ **Notifications of FSMTB & NCBTMB Disciplinary Actions** _____ **Procedure:** ■

Statutory Basis: _____ O.C.G.A § 43-1-19; §43-24A

Rule Basis: _____

~~Pursuant to Board vote on June 24, 2016, it is the policy of the Georgia Board of Massage Therapy to authorize staff to initiate an investigation into the disciplinary actions taken by Federation of State Massage Therapy Boards (FSMTB) or the National Certification Board of Therapeutic Massage and Bodywork (NCTBTMB) against any Georgia applicant or NCBTMB Approved Continuing Education Provider, NCBTMB Certificant and/or Massage Therapy Education Program licensed and/or recognized in the state of Georgia by requesting the investigative records from FSMTB or NCBTMB.~~

~~Adopted: 06/24/2016~~

ATTACHMENT

C



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

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GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A1

Category: Applications **Policy:** ■
Title: Administrative Issuance of Licenses **Procedure:** □

Statutory Basis: OCGA § 43-24A-7 through 13
Rule Basis: Chapter 345-3 through 8

The Board approves the administrative issuance of licenses by application, reinstatement or endorsement between meetings for applicants who:

- 1) meet all the current requirements for licensure in Georgia;
- 2) have not been disciplined by any other board;
- 3) meet the requirements as outlined in Policy A2; and
- 4) have never been adjudged mentally incompetent, unable to practice by reason of illness, or received treatment for chemical dependence, drugs and/or alcohol.

Licenses administratively issued between board meetings, will be ratified by the Board at their next scheduled meeting.

Adopted: 02-22-2008
Revised: 06-25-2010
Revised: 08-28-2015



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A2

Category: Applications
Title: Staff Approval of Applications for Licensure and Renewal
 Related to Criminal Offenses

Policy: ■
Procedure: ■

Statutory Basis: OCGA § 43-24A-8; §43-1-19(a)(j)
Rule Basis: Chapter 345-3 through 8

The Georgia Board of Massage Therapy accepts the following guidelines for the administrative review of applications for licensure and renewal that reveal a history of arrest(s) and/or conviction(s). Applications that do not fall within the parameters indicated below will be referred to the Board Cognizant and/or the Board for consideration.

Offense	Freq.	Time Period	Other	Action
DUI	One Time	No Time Period	No active probation / No active parole	Issue the license.
DUI	Two Times	More than four years between convictions	No probation / No parole	Issue the license.
Bad Checks, Municipal Ordinance Violations, Driving with Suspended/Revoked License	Two Times	No Time Period	No probation / No parole	Issue the license
Petit Theft, Shoplifting, Non-Violent Property Crimes (not related to drugs)	Two Times	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Felony Conviction for Non-Violent Property Crimes (i.e. Shoplifting, Theft By Taking, Theft By Deception, Burglary, Larceny, Vandalism, etc.)	One Time	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Marijuana Possession of Less than One Ounce	One Time	No Time Period	No probation / No parole	Issue the license.
Misdemeanor Offenses with the Exception of Drug Related Misdemeanor Crimes	No Limit	No Time Period	No probation / No parole	If conviction is older than five years proceed with licensure. If conviction is less than five years license with LOC Criminal
Any felony conviction for drugs, crimes of moral turpitude, or offenses of a sexual nature	No Limit	No Time Period	N/A	Must be presented to the Board.

Date Adopted: 12-03-2012; Revised: 10-25-2013; 06-27-2014



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A3

Category: Applications **Policy:**

Title: Lapsed/Late Renewal Period Fees **Procedure:**

Statutory Basis: OCGA § 43-24A-7 through 13

Rule Basis: Chapter 345-3 through 8

Increase the current penalty fee for failure to renew by the October 31st every even numbered year from \$85 US dollars to \$150 US Dollars effective with the October 31, 2010 renewal cycle.

Adopted: 04-03-2009; Revised: 06-25-2010



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A4

Category: Applications **Policy:** ■
Title: Board Recognized Massage Therapy Education Programs **Procedure:** ■
Statutory Basis: OCGA § 43-24A-3, 8 and 13
Rule Basis: Chapter 345-8

The Board authorizes the administrative staff to request from the applying program/school, in writing, any additional information necessary for the educational representative to review the application prior to making his/her recommendation to the full Board for approval/denial of the program/school. All pending school programs will continue to be processed to receive Board recognition. The Board will conduct an annual review of the list of Board Recognized Educational Programs. If the program no longer meets the requirements established by the Board it shall be removed from the list in accordance with the Board Rules.



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A5

Category: Application
Title: Release of Transcript and Score Report

Policy: ■
Procedure: □

Statutory Basis: OCGA § 43-24A-7 through 13
Rule Basis: Chapter 345-3 through 8

The School Cognizant Board Member can release transcripts and score report information to either NCBTMB or FSMTB when inconsistencies are noted between those documents. The Cognizant will submit a list of notifications drafted between meetings to be ratified by the Board.

Adopted: 06-27-2014



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A6

Category: Application (Renewal)
Title: Reporting and Auditing Hours

Policy: ■
Procedure: □

Statutory Basis: 43-1-19(a),(d), & (h); 43-24A-7(a)(1),(2) & (3); 43-24A-17(a); 43-24A-14(b); 43-24A-20
Rule Basis:

(1) At the time of license renewal, each licensee shall certify to the Georgia Board of Massage Therapy that he/she has completed the continuing education (CE) hours required within the two year licensure period for license renewal.

(2) The staff of the State Examining Boards shall audit the continuing education of licenses at a percentage determined by the Board, randomly selected, in the state per biennium for compliance with all rules and regulations.

(3) A licensee who has failed to complete the continuing education requirements for any reason, to include a failure to register and record activities within the online recording and reporting system approved by the Board, or falsely certified that he/she has completed the continuing education requirement for renewal in accordance with Board rules; or, shall be subject to a Public or Private Reprimand which may include a fine of \$500 per violation, a requirement that any deficient CE Hours be obtained within three (3) months of the effective date of the Public Reprimand and other conditions as determined by the Board.

(4) The CE hours used to satisfy the terms of a Public or Private Reprimand may NOT be used to satisfy the CE requirement of any subsequent renewal cycle.

(5) Any future incidences on noncompliance with CE requirements may result in additional disciplinary actions up to, and possibly including, revocation of a license to practice massage therapy in Georgia.

Adopted: 08-28-2015; Revised: 08-25-2017



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY A7

Category: Applications **Policy:** ■
Title: Clock Hour Conversions for Board Recognized Massage Educational Programs
Statutory Basis: OCGA § 43-24A-3, 8 and 13
Rule Basis: Chapter 345-8

It is the policy of the Georgia Board of Massage Therapy to accept a transcript which is not presented in clock hours only if the massage therapy educational program has achieved recognition by this Board **AND** the applicant's transcript is consistent with the transcript that was submitted to the Board when the massage therapy education program gained recognition status.

Any applicant for licensure who completed or graduated from a program that has not gained recognition status by this Board, will be required to cause the submission of a transcript, in English, which:

- 1) Reflects credits in the form of clock hours; or,
- 2) Includes documentation which showing the conversion factor(s) of semester or credit hours into clock hours.

Adopted: June 25, 2016



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D1

Category: Discipline **Policy:** ■
Title: Investigative Files **Procedure:** ■

Statutory Basis: O.C.G.A. § 43-1-19(h)(2); OCGA § 43-24A
Rule Basis: N/A

Pursuant to the provisions of OCGA § 43-24A, it is the policy of the Georgia Board of Massage Therapy to authorize the Board staff to release investigative information to the following law enforcement agency and/or lawful licensing authority:

1. All Georgia County and/or Judicial Circuit District Attorney Offices
2. All Georgia County and/or Judicial Circuit District Solicitor General Offices
3. All Georgia County, Judicial Circuit, and/or City Police/Investigations Departments.
4. Georgia Bureau of Investigation (GBI)
5. Federal Bureau of Investigation (FBI)
6. United States Department of Homeland Security (DHS)
7. United States Immigration and Customs Enforcement (Investigative arm of DHS)
8. United States Drug Enforcement Administration (DEA)
9. State Licensing Boards

Provided that the written request for investigative information is requested for the purpose of:

- a. Conducting a Board investigation which may lead to disciplinary action; or
- b. An investigation which may require criminal prosecution by a law enforcement agency or lawful licensing authority for offenses which are a violation of the laws, rules and policies of the Georgia board of Massage Therapy.

The Board staff shall notify the Board of such request and/or release in writing and such written notification shall become part of the Board's record of investigation. Any release of information shall include statements regarding the statutory confidentiality of investigations by the Board under the provisions of Title 43 of the Official code of Georgia Annotated.

A list of investigative files released under the terms of this policy will be presented to the Board to be ratified during the Board's next regularly scheduled meeting and will be reflected in the Board minutes.

Adopted: 10-2006; Revised: 06-25-2010; 06-27-2014



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D2

Category:	Discipline	Policy: ■
Title:	Board Chair Express Consent for Executive Director to Sign Consent Orders/Agreements	Procedure: ■
Statutory Basis:	O.C.G.A § 43-1-19; §43-24A	
Rule Basis:	N/A	

Between Board meetings, the Chair gives express consent for the Board's Executive Director or designee, on the Chair's behalf, to sign a consent agreement or order signed by the applicant or licensee. The Executive Director will present to the full Board at the next scheduled meeting those individuals licensed in this manner for ratification.

Adopted: 10-19-2007; Revised: 06-25-2010



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D3

Category:

Discipline

Policy: ■

Title:

Unlicensed Practice

Procedure: ■

Statutory Basis:

O.C.G.A § 43-1-19; §43-24A

Rule Basis:

BR 345-10-.01 and .04

Applications received indicating unlicensed practice will be pursued, investigated and disciplined to the full extent of the law as the Board is allowed under the Georgia Massage Therapy Practice Act and the General Provisions statute governing all boards.

Adopted: 02-22-2008; Revised: 06-25-2010



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D4

Category: Discipline **Policy:** ■
Title: Voluntary Cease & Desist Orders Effective Upon Docketing **Procedure:** ■

Statutory Basis: O.C.G.A § 43-1-19; §43-24A
Rule Basis: Chapter 345-10

Pursuant to a vote of the Georgia Board of Massage Therapy (“Board”) on August 25, 2017, the Board authorizes employees or agents conducting an investigation on behalf of the Board to offer an individual (“Respondent”) a voluntary cease and desist order for the unlicensed practice of massage therapy under the provisions of O.C.G.A. § 43-1-20.1. A voluntary cease and desist order (“C & D Order”) may be offered to a Respondent if the employee or agent of the Board personally witnesses the following:

- (a) The Respondent’s actively engaging in the practice of massage therapy without the Respondent holding an active and valid license issued by the Board pursuant to O.C.G.A. 43-24A Chapter 24 of Title 43.
- (b) The Respondent’s representation as being a licensed massage therapist in written materials, advertisements, media products, name tags and other written material or media without holding an active and valid license;
- (c) The Respondent’s verbal representation that he or she is a licensed massage therapist without holding an active and valid license; or,
- (d) The Respondent producing and/or possessing a forged, altered or invalid license, or application or resume used to apply for or to obtain the Respondent’s licensure or employment as a licensed massage therapist in the state of Georgia.

The employee or agent of the Board must inform the Respondent of the following at the time a voluntary C & D is offered to the Respondent:

- (a) Respondent’s signing the Voluntary Cease and Desist Order is optional and not mandatory.
- (b) If the Respondent signs the Voluntary C & D Order, the Order will be processed and docketed as a public order of the Board. Upon docketing, Respondent’s pending case before the Board for unlicensed practice will be considered to be resolved. The Board reserves the right to investigate any information it receives, after the Order is docketed and effective, that the Voluntary C & D Order has been violated.
- (c) If the Respondent does not sign the Voluntary C & D Order, the Board may issue a notice of hearing and hold a public hearing before the Board. At the hearing the evidence presented shall include, but may not be limited to, allegations that the Respondent engaged in the unlicensed practice of massage therapy. Based upon the evidence presented, the Board will determine whether to issue a C & D Order prohibiting the Respondent from violating Georgia law by engaging in the practice of massage therapy



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

without a license. If a C & D Order is issued by the Board, the Order shall become effective upon docketing and shall be considered a public Order of the Board.

- (d) The violation of any C & D Order issued pursuant to O.C.G.A. § 43-1-20-.1 shall subject the person violating the order to further proceedings before the Board, and the Board shall be authorized to impose a fine not to exceed \$500.00 for each transaction constituting a violation of the Order. Each treatment occurring on each day that an unlicensed person practices massage therapy on a patient or client may constitute a separate transaction which violates the terms of an effective C & D Order.
- (e) Initial judicial review of a C & D Order issued by the Board pursuant to O.C.G.A. § 43-1-20.1, or the judicial review of an action for enforcement of an effective C & D Order, is available solely in the Superior Court of Bibb County, which is the domicile of the Board.

Adopted: 04-11-2008; Revised: 08-25-2017



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D5

Category: Discipline **Policy:** ■
Title: Voluntary Surrender of Licensure Orders Effective Upon Docketing **Procedure:** ■

Statutory Basis: O.C.G.A § 43-1-19; §43-24A
Rule Basis: BR 345-10-.01

It is the policy of the Georgia Board of Massage Therapy to accept all Voluntary Surrender of Licensure orders upon receipt in the Board office, and, in addition, to authorize the Board Chairperson or his/her designee to execute the Order(s) and to authorize the Order(s) to be docketed. It is the intent of the Board that the orders will be in effect upon docketing. The Georgia Board of Massage Therapy will ratify the docketed Voluntary Surrender orders at its next meeting after the date of docketing and include a list of the approved orders in the Board's meeting minutes.

Adopted: 06-20-2008; Revised: 06-25-2010



GEORGIA BOARD OF MASSAGE THERAPY

POLICIES AND PROCEDURES

POLICY D6

Category: Discipline **Policy:** ■
Title: Notifications of FSMTB & NCBTMB Disciplinary Actions **Procedure:** ■

Statutory Basis: O.C.G.A § 43-1-19; §43-24A
Rule Basis:

Pursuant to Board vote on June 24, 2016, it is the policy of the Georgia Board of Massage Therapy to authorize staff to initiate an investigation into the disciplinary actions taken by Federation of State Massage Therapy Boards (FSMTB) or the National Certification Board of Therapeutic Massage and Bodywork (NCTBTMB) against any Georgia applicant or NCBTMB Approved Continuing Education Provider, NCBTMB Certificant and/or Massage Therapy Education Program licensed and/or recognized in the state of Georgia by requesting the investigative records from FSMTB or NCBTMB.

Adopted: 06/24/2016