

GEORGIA BOARD OF MASSAGE THERAPY
Board Zoom Meeting Minutes
Friday, February 19, 2021 - 9:00 a.m.

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, February 19, 2021. The following members were present:

Board Members Present

Craig Knowles, BAS, LMT, BCTMB, CNMT, Chair
Pam Nichols, LMT, CNMT, HNC, Vice Chair
Jayne Boyles Curry, Consumer Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Charlotte Mason, Licensing Supervisor
Meagan Doss, Complaints/Compliance Analyst

Board Members Absent

No members absent.

Attorney General's Office Present

Melissa Tracy, Assistant Attorney General

Visitors Present

Che Chinn
Dr. Anissa Jones
Sharon Remaly
Vivian Davis
Nathalie Gregory

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 9:03 a.m.

OPEN SESSION

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

Open Session Minutes – January 25, 2021 Board Zoom Meeting Minutes

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to approve the January 25, 2021 open session Board zoom meeting minutes as presented.

Licenses to Ratify: December 4, 2020 – February 12, 2021

Ms. Curry motioned, Ms. Nichols 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.

Discussion – Polaris Project Report – How Corporate Secrecy Facilitates Human Trafficking in Illicit Massage Parlors

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to post the Polaris Project Report on the Board website if permission granted by the organization.

Discussion – Policy A4 – MT NCJS Applicant Privacy Rights Notification Standard Operating Procedure

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a Memorandum of Authority and if no objections, refer to the Governor's Office along with the memo for review and approval.

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

1. **Response to Georgia Board RE: Request for All Actions**
2. **01-01-21 Approved Provider Disciplinary Actions by State**
3. **01-01-21 Certificant Disciplinary Actions by State**
4. **01-01-21 School Compliance Report**
5. **02-01-21 Approved Provider Disciplinary Actions by State**
6. **02-01-21 Certificant Disciplinary Actions by State**
7. **02-01-21 School Compliance Report**

The Board accepts the correspondence in reference to NCBTMB as information.

Petition for Rule Variance – BR 345-4-.04(1) Lisa Dougherty MT002250

The Board tabled discussion for Executive Session.

Petitions for Rule Waiver

1. BR 345-4-.01-.02(d) Donna Waters MT005034

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-4-.01-.02(d) based on insufficient evidence to substantiate a substantial hardship.

2. BR 345-4-.05 & 345-4-.02 Cortni Bass MT009597

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-4-.05 & 345-4-.02 based on sufficient evidence to substantiate a substantial hardship.

3. BR 345-4-.05 James Robert Garner MT002144

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-4-.05 if petitioner can substantiate continuous maintenance of a license in another jurisdiction.

4. BR 345-4-.05(2)(c)(ii) Rhonda Miller MT010778

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-4-.05(2)(c)(ii) based on sufficient evidence to substantiate a substantial hardship.

5. BR 345-4-.05(2)(c)(ii) Veronica Santure MT003251

Ms. Nichols motioned, Ms. Curry 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.

6. BR 345-4-02 LaChasha Cooper MT001105

The Board tabled discussion for Executive Session.

7. BR 345-4-05 Joshua Allen MT006522

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-4-.05 based on inability to waive statutory requirements as reinstatement is an operation of law and cannot be waived.

Education Report – C. Knowles

The Board tabled discussion for Executive Session.

Executive Director’s Report – A. Price

The Board tabled the discussion until after Executive Session.

Board’s Chair Report – C. Knowles

The Board tabled the discussion until after Executive Session.

Ms. Nichols motioned, Ms. Curry seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2 (k); 43-1-19 (h) and 50-14-2 (1) to receive and review information pertaining to applications, pending cases investigative reports and enforcement matters and to receive the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Board members: Craig Knowles, Pam Nichols, and Jane Curry.

At the conclusion of Executive Session on Friday, February 19, 2021, 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

Petitions for Rule Variance / Waiver

1. BR 345-4-.04(1) Lisa Dougherty MT002250

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-4-.04(1) based on inability to waive statutory requirements as reinstatement is an operation of law and cannot be waived.

2. BR 345-4.1-.02(d) Donna Waters MT005034

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to rescind previous motion and grant the petition to waive BR 345-4.1-.02(d) based on compliance with Board Rule 345-4-0.1-.02 Emergency Rule on Continuing Education Hours.

3. BR 345-4-02 LaChasha Cooper MT001105

Ms. Curry motioned, Ms. Nichols 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. Request for Reconsideration – JSG School of Massage Therapy

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

2. New Program Application – Oconee School of Therapeutic Massage RMP-000023

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the application for recognition status for the massage therapy educational program and issue the license.

3. Program Renewals

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the renewal of licensure and recognition status for the following massage therapy educational programs.

- a) Albany Therapeutic Massage Education Program_RMP-000003
- b) Augusta School of Massage_RMP-000006
- c) Coastal Pines Technical College_RMP-000007
- d) Georgia Massage School_RMP-000010
- e) Gwinnett College - Lilburn_RMP-000011
- f) Gwinnett College - Sandy Springs_RMP-000012
- g) International School of Skin, Nailcare and Massage Therapy_RMP-000013
- h) Peachtree City School of Massage_RMP-000014
- i) Touch for Healing Reiki School of Massage_RMP-000016
- j) Wiregrass Georgia Technical College_RMP-000017

4. Program Change – New Program

- a) Atlanta University of Health Sciences

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the program change for the massage therapy educational program. Must submit an application to renew the current board recognized program prior to March 31, 2021 to maintain the license.

- b) Southern Regional Technical College

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the program change for the massage therapy educational program and renew the license.

5. Program Closure – Cohutta Healing Arts Institute – RMP-000008

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to withdraw recognition of the massage therapy educational program due to program closure.

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, to include massage therapy programs, board meeting statistics, renewal statistics and complaints/compliance matters. In addition, the report addressed the following topics with the Board:

- License Print Capabilities for Schools
- CE Broker Tracking
- Interim Division Director
- Board Member Vacancies
- Georgia General Assembly
- Annual Ethics Commission Affidavit of Public Officer Filings

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to accept the Executive Director’s Report as presented.

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to schedule Rules Committee Meeting, Friday, March 19, 2021 to begin at 12:00 p.m.

Board’s Chair Report – C. Knowles

Mr. Knowles updated the Board on the status of pending legislation to amend the Georgia Massage Therapy Practice Act.

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the Board Chair to continue conversations with AMTA-GA government relations regarding any pending legislative changes.

Scheduled Board Appointments

11:00 a.m. Applicant 2906216

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to rescind previous motion to deny and table pending additional information.

Executive Session Minutes – January 25, 2021 Executive Session Board Zoom Meeting Minutes

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the January 25, 2021 executive session Board Zoom meeting minutes as presented.

Attorney General’s Report – M. Tracy

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

- 1. MT170016** Close the case. Should the Respondent apply for reinstatement, the allegations of the complaint will be considered at that time.
- 2. MT200058** Close the case on Respondent K.K.

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the Attorney General’s Report as presented.

Investigative Committee Report – C. Knowles

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

- MT190039** Schedule an Investigative Interview.
- MT190109** Deny license renewal and refer to investigations as discussed. Upon receipt of investigative information, refer to the Attorney General’s Office for a hearing for Revocation of licensure or Voluntary Surrender.
- MT210002** Deny renewal of license and refer to the Attorney General’s Office for a hearing for Revocation of licensure or Voluntary Surrender or Interim Suspension Order.
- MT210009** Refer to Investigations as discussed.
- MT210022** Table pending additional information.
- MT210026** Close the case.
- MT210027** Respondent 1, Close the case. Respondent 2 refer to the Attorney General’s Office for a hearing for a Public Consent Order with a fine of \$500 for violating a Cease and Desist Order. As for Respondent 3 and Respondent 4, refer to the Attorney General’s Office for a Hearing for a Public Consent Order for Revocation of licensure, or Voluntary Surrender or a Public Consent Order with terms and conditions as discussed.
- MT210035** Table and notify Respondent and attorney as discussed. Schedule an Applicant Interview.

MT210041 Close the case. If the Respondent attempts to reinstate, the Board will review the information in the case. Refer case file to local law enforcement.

MT210060 & MT200107 Close the case. If the respondent attempts to reinstate, the Board will review the information in the case. Refer the case to local law enforcement.

MT210072 Close the case.

MT190120 Refer to the Attorney General's Office for a Public Consent Order Lifting Suspension with terms and conditions as discussed.

Miscellaneous Executive Discussion – MT210038

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to grant request for payment extension. Must be paid in full 30 days from date of notification.

Applications for Board Review

Reinstatements

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

Applicant 2895371 Issue the license.

Applicant 2904184 Issue the license.

Applications

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

Applicant 2910506 Issue the license.

Applicant 2846047 Uphold based on the failure to meet requirements of O.C.G.A. § 43-24A-8(b)(6); BR 345-8-.03(6). program never approved by NCBTMB and based on transcript unable to determine the curriculum requirements were met.

Applicant 2902385 Table pending additional investigation. Program does not meet requirements of 345-8-.03(6). May submit a petition for rule variance or waiver for consideration by the Board.

Arrests

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

Applicant 2905557 Issue the license.

Inactive Status Request

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

Applicant 1090381 Deny request for inactive status. Reinstatement is an operation of law and cannot be waived.

Renewals

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

- MT210073** Refer to Legal Services for a Public Consent Order with a fine of \$500 for falsely attesting to meeting CE requirements, and flag for CE audit.
- MT210074** Refer to Legal Services for a Public Consent Order with a fine of \$500 for failing to meet CE requirements within the biennium, and flag for CE audit.
- MT180169** Deny renewal and refer to the Attorney General's Office for a hearing for revocation of the license based on failure to meet requirements for the renewal of the license.
- MT210069** Refer to Attorney General's Office for a hearing for revocation based on failure to meet renewal requirements. May consider settlement of Public Consent Order for Renewal of Licensure with a \$1000 fine for false attestation to CE and insurance requirements to be paid by October 22, 2022 if obtains insurance before hearing is set.
- MT210070** Refer to Legal Services for a Public Consent Order with a fine of \$1000 for falsely attesting to meeting CE requirements and insurance, and flag for CE audit.
- MT210076** Refer to Legal Services for a Public Consent Order with a fine of \$500 for falsely attesting to meeting insurance requirements, and flag for CE audit.
- MT210086** Refer to Legal Services for a Public Consent Order for Renewal of Licensure with a fine of \$1000 for failure to meet CE and insurance requirements as required by statute and rules. Fine must be paid in full prior to October 31, 2022. CE taken during January 2021 may not be applied towards meeting CE requirements for the biennium ending October 31, 2022. Flag for CE Audit.
- MT210087** Refer to Legal Services for a Public Consent Order for Renewal of Licensure with a fine of \$1000 for failure to meet CE and insurance requirements as required by statute and rules. Fine must be paid in full prior to October 31, 2022. Must complete 1.5 hours of CE which cannot be applied towards meeting CE requirements for the biennium ending October 31, 2022. Flag for CE Audit.
- MT210089** Deny license renewal and refer to the Attorney General's Office for a hearing for revocation of licensure based on submission of fraudulent documentation to the Board for renewal. Share application materials with the TN Massage Board.
- MT210097** Renew the license with a Letter of Concern regarding accurately and timely response to the Board and meeting the requirements of law in order to maintain and renew the license.
- MT210068** Refer to Attorney General's Office for a Private Consent Order to include monitoring for a period of four (4) years, quarterly personal, employer and aftercare reports, random drug screens. May petition to terminate monitoring after three (3) years of documented sobriety.

Transcript Review

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

- Applicant 2897620** Table pending additional information. Program does not meet requirements of BR 345-8-.03(6). May submit a petition for rule variance or waiver for consideration by the Board.
- Applicant 2896609** Deny licensure based on failure to meet educational requirements [O.C.G.A. §§ 43-24A-3(4), 43-24A-8(b)(6) and Board Rules 345-8-.01 and 345-8-.03(6)].
- Applicant 2871184** Table pending additional information. If all requirements met, issue the license.
- Applicant 2884390** Issue the license.
- Applicant 2885808** Issue the license.
- Applicant 2899174** Issue the license.
- Applicant 2898622** Deny licensure based on failure to meet educational requirements [O.C.G.A. §§ 43-24A-3(4), 43-24A-8(b)(6) and Board Rules 345-8-.01 and 345-8-.03(6)].
- Applicant 2885082** Accept Ohio Examination as equivalent and issue the license.
- Applicant 2901763** Table pending additional information. If all requirement met, issue the license.
- Applicant 2889301** Issue the license.

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to refer the following applications to the Education Cognizant for review, if all requirements are met to include but not limited to clock hour conversions, issue the license.

- Applicant 2907282**
- Applicant 2915398**
- Applicant 2918125**
- Applicant 2907230**
- Applicant 2867303**
- Applicant 2922385**
- Applicant 2905624**
- Applicant 2904059**
- Applicant 2904181**

Adjournment With no further business to be discussed, the meeting was adjourned at 2:40 p.m.

Minutes recorded by: Adrienne Price, Executive Director
Minutes reviewed and edited by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: March 23, 2021

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR