

GEORGIA BOARD OF MASSAGE THERAPY
Board Zoom Meeting Minutes
Friday, August 13, 2021 - 9:00 a.m.

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, August 13, 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
Michelle Hornaday, Board Support Specialist
Meagan Doss, Complaints/Compliance Analyst

Board Members Absent

No members absent.

Attorney General's Office Present

Melissa Tracy, Senior Assistant Attorney General
Caroline Lugo, Assistant Attorney General
Alexis Cromartie, Assistant Attorney General

Visitors Present

Christine Degbor
Danielle Pates
Sherman Curtis
Michael
Alex Newman
Edin Dino Hasanovic

Administrative Staff Absent

Charlotte Mason, Licensing Supervisor

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 9:00 a.m.

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion 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, August 13, 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

Scheduled Board Appointments

9:30 a.m. Applicant 2901643

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to rescind the previous decision and to table a decision until October 1, 2021 pending the receipt of additional documentation as requested.

Alexis Cromartie joined the meeting at 9:48 a.m.

10:00 a.m. Applicant 2884036

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

Executive Session Minutes

1. June 25, 2021 Executive Session Zoom Meeting Minutes

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to approve the June 25, 2021 Executive Session Zoom Meeting minutes as presented.

2. July 23, 2021 Executive Session Investigative Committee Zoom Meeting Minutes

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to approve the July 23, 2021 Executive Session Investigative Committee Zoom meeting minutes as presented.

Attorney General's Report – M. Tracy

Cara Lugo joined the meeting at 10:03 a.m.

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.

1. AG MEMO – MT210022

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to rescind the request for advice.

2. AG MEMO – MT180069

After additional discussion, Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office, close the case and renew the license.

Cara Lugo left the meeting at 10:21 a.m.

Legal Services MEMO – Cases for Ratification

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to accept the following orders upon receipt.

- 1. MT210137**
- 2. MT210193**
- 3. MT210096**

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:

- | | |
|-----------------|--|
| MT180083 | Close the case, insufficient evidence. |
| MT220004 | Refer to Legal Services for a Public Consent Order for License Renewal with terms and conditions as discussed for failure to disclose an arrest. |
| MT190056 | Table pending additional information. If information received, refer to the Attorney General's Office for a hearing for Revocation or Voluntary Surrender. If information not obtainable, close the case due to insufficient evidence. |
| MT190109 | Deny renewal and refer to the Attorney General's Office for a hearing for Revocation or a Voluntary Surrender. |
| MT200078 | Accept the Voluntary Cease and Desist Order and close the case. |

- MT200126** Refer to the Attorney General’s Office for a hearing for a Cease and Desist Order.
- MT200128** Close the case. Refer to the city/county municipalities for review.
- MT200133** Close the case. Refer to the city/county municipalities for review.
- MT200153** Schedule for an Investigative Interview and Refer to the city/county municipalities for review.
- MT200155** Close the case. Refer to the city/county municipalities for review.
- MT200157** Refer Respondent 1 and Respondent 5 to the Attorney General’s Office for a hearing for Revocation of Licensure or Voluntary Surrender and Respondents 2, 3 and 4 for a Cease and Desist hearing.
- MT200158** Close the case and refer to the city/county municipalities for review.
- MT200159** Close the case and refer to the city/county municipalities for review.
- MT200160** Close the case, insufficient evidence.
- MT210001** Close the case, insufficient evidence and notify the Complainant that they may wish to consider exploring any civil remedies that may be available to them.
- MT210003** Schedule an Investigative Interview with both the Respondent and the Complainant.
- MT210055** Renew with a Letter of Concern regarding insurance and submit a complaint to the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB) as discussed.
- MT210086** Uphold previous motion to refer to Legal Services for a Public Consent Order for Renewal of Licensure with terms and conditions as discussed.
- MT210134** Release the complaint to the Texas Board of Massage Therapy and submit a complaint to Federation of State Massage Therapy Boards (FSMTB) as discussed.
- MT220003** Close the case, no jurisdiction and notify the Complainant that they may wish to consider exploring any civil remedies that may be available to them.

Miscellaneous Executive Discussion – MT190012

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General’s Office for advice regarding grounds to proceed with action in this case.

Applications for Board Review

Arrests

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 2884037** Issue the license with a Letter of Concern regarding criminal history.
- Applicant 2929107** Issue the license with a Letter of Concern regarding criminal history and action in another jurisdiction.
- Applicant 2899459** Deny based on O.C.G.A. § 43-1—19(a)(8).

Applicant 2939443 Issue the license with a Letter of Concern regarding criminal history.

Applicant 2946720 Schedule for Applicant Interview during next Investigative Committee meeting and request the applicant to provide proof of completion of terms of probation.

Reinstatements

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

Applicant 2950446 Issue the license.

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 2858774 Deny based on failure to meet educational requirements [BR 345-8-.01].

Applicant 2939572 Deny based on failure to meet educational requirements [BR 345-8-.01].

Applicant 2940818 Deny based on failure to meet educational requirements [BR 345-8-.01 and O.C.G.A. § 43-24A-8].

Applicant 2935828 Deny based on failure to meet educational requirements [BR 345-8-.01 and O.C.G.A. § 43-24A-8].

Applicant 2903833 Deny based on failure to meet educational requirements [BR 345-8-.03(6) and O.C.G.A. § 43-24A-8].

Applicant 2910416 Deny based on failure to meet educational requirements [BR 345-8-.03(6) and O.C.G.A. § 43-24A-8].

Applicant 2887621 Deny based on failure to meet educational requirements [BR 345-8-.01 and O.C.G.A. § 43-24A-8].

Applicant 2889810 Deny based on failure to meet educational requirements [BR 345- 8-.03(6) and O.C.G.A. § 43-24A-8].

Applicant 2899115 Deny based on failure to meet educational requirements [BR 345- 8-.03(6), O.C.G.A. §§ 43-24A-3(4); 43-24A-8(b)(6)].

Applicant 2928701 Deny based on failure to meet educational requirements [BR 345- 8-.03(6), O.C.G.A. §§ 43-24A-3(4); 43-24A-8(b)(6)].

Applicant 2908829 Issue the license.

OPEN SESSION

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

Open Session Minutes

1. June 25, 2021 Open Session Zoom Meeting Minutes

2. July 23, 2021 Executive Session Investigative Committee Zoom Meeting Minutes

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to approve the June 25, 2021 Open Session Zoom Meeting minutes and the July 23, 2021 Open Session Investigative Committee Zoom Meeting minutes as presented.

Licenses to Ratify: June 4, 2021 – August 6, 2021

Ms. Nichols motioned, Ms. Curry 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 – National Certification Board for Therapeutic Massage and Bodywork (NCBTMB)

- 1. 07-01-21 Approved Provider Disciplinary Actions by State**
- 2. 07-01-21 Certificant Disciplinary Actions by State**
- 3. 07-01-21 School Compliance Report**
- 4. 08-01-21 Approved Provider Disciplinary Actions by State**
- 5. 08-01-21 Certificant Disciplinary Actions by State**
- 6. 08-01-21 School Compliance Report**

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

Petitions for Rule Variance

1. BR 345-8-.01 Aleta Medea Mackey

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-8-.01 on the basis that the Board does not have the authority to vary the statutory requirements.

2. BR 345-8-.03 Robert McKee

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 345-8-.03 based on sufficient evidence to substantiate a substantial hardship.

3. BR 345-8-.01 & .02 Magneta Gonzalez

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 345-8-.01 & .02 based on sufficient evidence to substantiate a substantial hardship.

4. BR 345-8-.03(6) Emily Martin

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-8-.03(6) based on insufficient evidence to substantiate a substantial hardship. Notify applicant they may submit a new and complete petition with additional information.

5. BR 345-8-.01 The Elaine Sterling Institute RMP-000009

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-8-.01 based on insufficient evidence to substantiate a substantial hardship.

6. BR 345-4-.02(1) & (4) Jennifer Phillips MT005155

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to grant the petition for variance of BR 345-4-.02(1) & (4) based on sufficient evidence to substantiate a substantial hardship by October 31, 2022.

Petitions for Rule Waivers

1. BR 345-4-.05 Christine Degbor MT006693

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 based on sufficient evidence to substantiate a substantial hardship.

2. BR 345-3-.02(2)(c) Stephanie Henry

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-3-.02(2)(c) based on sufficient evidence to substantiate a substantial hardship.

3. BR 345-3-.02(2) Vickie Greenaway

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-3-.02(2) on the basis that the Board does not have the authority to vary the statutory requirements.

4. BR 345-4-.05 Gwen Melkonian MT006497

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-.05 based on insufficient evidence to substantiate a substantial hardship. Notify FSMTB that the Board approves the applicant to retake the exam.

5. BR 345-8-.01 Laura Lowrey

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-8-.01 based on insufficient evidence to substantiate a substantial hardship.

6. BR 345-8-.01 Nefertiti Bagley

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-8-.01 based on insufficient evidence to substantiate a substantial hardship. Notify applicant they may submit a new and complete petition with additional information.

7. BR 345-8-.03(6)(a) Corey Smith

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-8-.03(6)(a) based on sufficient evidence to substantiate a substantial hardship.

Alexis Cromartie left the meeting at 12:00 p.m.

Education Report – C. Knowles

1. Education Report – Georgia School Combined Performance Report 01.01.2020 to 12.31.2020

The Board accepts the correspondence regarding the 2020 Georgia School Combined Performance Report, as information.

2. Faculty Amendment – International School of Skin, Nailcare & Massage Therapy_RMP-000013

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the faculty amendment for the massage therapy education program.

3. Curriculum Change – Oconee School of Therapeutic Massage_RMP-000023

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to accept the curriculum change for the massage therapy education program.

4. Notice of Partial Change on Ownership – Georgia Massage School_RMP-000010

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the partial change of ownership for the massage therapy education program.

Discussion – 2021 Board Meeting Dates

All meetings are scheduled to begin Fridays at 9:00 a.m.

a) 2022 Board Meetings

February 18, 2022
April 22, 2022
June 10, 2022
August 12, 2022
October 28, 2022
December 2, 2022

b) 2022 Investigative Committee Meetings

January 21, 2022
March 18, 2022
May 20, 2022
July 22, 2022
September 16, 2022
November 18, 2022

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to accept the 2020 Board meeting dates as amended.

Board Member Elections

Board Chair

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to elect Craig Knowles as the Board Chair.

Vice Chair

Ms. Curry motioned, Mr. Knowles seconded and the Board voted unanimously in favor of the motion to elect Pam Nichols as the Vice Chair.

Investigative Committee Chair

Mr. Knowles motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to elect Pam Nichols as the Investigative Committee Chairperson.

Education Cognizant

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to elect Craig Knowles as the Education Cognizant.

Rules Committee

Mr. Knowles motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to elect Pam Nichols as the Rules Committee member.

Arrest Cognizant

Ms. Nichols motioned, Mr. Knowles seconded and the Board voted unanimously in favor of the motion to elect Jane Curry as the Arrest Cognizant.

Applications Cognizant

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to elect Craig Knowles as the Applications Cognizant.

Executive Director’s Report – A. Price

The 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 topic of interest with the Board:

- Board Member Vacancies
- Changes at the Office
- New Administrative Policy Regarding Applications

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.

Board’s Chair Report – C. Knowles

Mr. Knowles addressed the Board regarding the upcoming FSMTB Annual Conference October 7-9, 2021 in Charlotte, NC. Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion for Mr. Knowles to advise Ms. Curry regarding the upcoming elections and resolutions as this is her first Annual Meeting and she is the designated Board Representative from Georgia.

Mr. Knowles noted that the group working on the Interstate Compact will be meeting in DC on August 31, 2021. He clarified for meeting visitors that he was chosen as one of 20 individuals across the country to assist in developing language for the profession of Massage Therapy. Mr. Knowles stated that the compact development process will take approximately one and a half to two years to complete. He will provide an update from that meeting during the October 29, 2021 Board Zoom meeting.

Adjournment With no further business to be discussed, the meeting was adjourned at 1:34 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Adrienne Price, Executive Director
Minutes approved on: September 28, 2021

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR