

GEORGIA BOARD OF MASSAGE THERAPY
Board Zoom Meeting Minutes
Friday, December 3, 2021 - 9:00 a.m.

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, December 3, 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
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
Elizabeth Simpson, Assistant Attorney General
Sandra Bailey, Assistant Attorney General
Betsy Cohen, Assistant Attorney General

Visitors Present

Natasha Bertrand
Sharon Remaly, LMT, Government Relations Chair,
American Massage Therapy Association (AMTA)
Heather Kazmark, Program Manager, Government Relations, American Massage Therapy Association (AMTA)

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 9:01 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.

Ms. Nichols motioned, Ms. Curry 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, December 3, 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

Attorney General's Report – M. Tracy

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

1. The Board takes special notice that in lieu of discipline, the following individuals have surrendered their license:

Bennie Glosson MT001436
Reginald Haynes MT011079
Matthew Tompkins MT012352

Sandra Bailey left the meeting at 9:19 a.m.

2. AG MEMO – MT200058

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to rescind the previous motion and refer to the Attorney General’s Office for a Public Consent Order for License Renewal for employment practices in violation of O.C.G.A. § 43-24A-15(c) with terms and conditions as discussed in Executive Session.

Elizabeth Simpson left the meeting at 9:34 a.m.

Executive Session Minutes

- 1. November 17, 2021 Executive Session Zoom Meeting Minutes**
- 2. November 19, 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 November 17, 2021 Executive Session Zoom Meeting minutes and the November 19, 2021 Executive Session Investigative Committee Zoom Meeting Minutes as presented.

Scheduled Board Appointments

10:30 Applicant 2952860

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

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to schedule a meeting via Zoom for Monday, December 20, 2021 to begin at 8:30 a.m. for the purpose of reviewing petitions for rule variance/waiver.

11:00 Applicant 2969857

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

Investigative Committee Summary Report – P. Nichols

Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to accept the Investigative Committee Summary Report as presented.

- MT200156** Close the case, due to insufficient evidence.
- MT210003** Close the case with a letter of concern regarding client consent BR 345-6-.01(1)(e).
- G.V.S.** Send letter of deficiency via certified mail. Must provide proof of completion of terms of criminal probation and certified copies of any treatment records.
- MT220039** Approve Respondent 1 to take the MBLEx. Must take additional in-person, in class, supervised coursework and meet all other requirements before license can be issued. Refer to investigations to obtain additional documentation as discussed. Refer Respondent 2 to the Attorney General’s Office for a hearing or Public Consent Order with a public reprimand to include a fine of \$500 for violation of BR 345-8-.01 Fine is to be paid within 90 days of the docket date of the order.
- MT180072** Notify the Respondent by certified mail of status of noncompliance with current Private Consent Order. If Respondent does not submit proof of compliance with the terms of the

order within the specified timeframe, deny the license renewal and refer to the Attorney General's Office for a hearing for Revocation of Licensure.

- MT190039** Refer to Investigations as discussed. Once received, schedule an Investigative Interview.
- MT210049** Refer to Investigations as discussed. If the Respondent does not respond, refer to the Attorney General's Office for a Cease and Desist Order. Notify the Georgia Department of Public Health.
- MT210109** Close the case.
- MT210119** Refer Respondent 1 to the Attorney General's Office for a hearing for aiding and abetting unlicensed practice with a fine of \$1000 and investigative cost. Refer Respondents 2 and 3 to the Attorney General's Office for a Cease and Desist Order. Schedule an Investigative Interview with Respondent 4.
- MT210126** Close the case, due to insufficient evidence.
- MT210141** Close with a letter of concern regarding advertizing violations [BR 345-6-.01(2)(e)].
- MT220033** Close the case.
- MT220044** Refer to the New Jersey Board of Massage Therapy and close the case.
- MT220050** Refer to Investigations as discussed.
- MT200153** Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to close the case, due to insufficient evidence.

Miscellaneous Executive Discussion – Correspondence 1

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to forward correspondence to the Florida Board of Massage Therapy.

Applications for Board Review

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 2963625** Issue license with Letter of Concern regarding failure to disclose an arrest on application for licensure. Flag for CE Audit.
- Applicant 2983556** Issue license with Letter of Concern regarding criminal history.
- Applicant 2957482** Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to deny based on felony charge of moral turpitude. The Board made the finding that the conviction is related to the profession based on the nature of the crime and the fact that the conviction is so recent. [O.C.G.A. 43-1-19(q)]. Release application materials to another certifying agency in accordance with O.C.G.A. 43-1-2(k).
- Applicant 2976043** Refer to Legal Services for Public Consent Agreement to include a fine of \$500 for failure to disclose an arrest on application for licensure. Must be paid within 90 days of order docket date. Flag for CE Audit.

- Applicant 2974667** Refer to Legal Services for Public Consent Agreement to include a fine of \$500 for failure to disclose an arrest on application for licensure. Must be paid within 90 days of order docket date. Flag for CE Audit.
- Applicant 2949161** Refer to Legal Services for Public Consent Agreement to include a fine of \$500 for failure to disclose an arrest on application for licensure. Must be paid within 90 days of order docket date. Flag for CE Audit.
- Applicant 2982559** Reinstate the license.
- Applicant 2980170** Reinstate the license with Letter of Concern regarding criminal history

OPEN SESSION

Open Session Minutes

1. **November 17, 2021 Open Session Zoom Meeting Minutes**
2. **November 19, 2021 Open 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 November 17, 2021 Open Session Zoom Meeting minutes and the November 19, 2021 Open Session Investigative Committee Zoom Meeting minutes as presented.

Licenses to Ratify: October 22, 2021 – November 26, 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.

Correspondence – Offer to Research Programs Under Suspicion for Diploma Mills

The Board accepts the correspondence presented, as information.

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

1. **11-01-21 Approved Provider Disciplinary Actions by State**
2. **11-01-21 Certificant Disciplinary Actions by State**
3. **11-01-21 School Compliance Report**
4. **12-01-21 Approved Provider Disciplinary Actions by State**
5. **12-01-21 Certificant Disciplinary Actions by State**
6. **12-01-21 School Compliance Report**

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

Petitions for Rule Variance

1. **BR 345-4-.02 Sullivan, Margaret**

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-.02 based on insufficient evidence to substantiate a substantial hardship.

Adrienne Price joined the meeting at 10:45 a.m.

2. **BR 345-4-.05 Marshall, Lee**

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-4-.05 based on insufficient evidence to substantiate a substantial hardship.

Petition for Rule Waiver – BR 345-8-.03(1) Denise Wisenbaker

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(1) based on sufficient evidence to substantiate a substantial hardship.

Education Report – C. Knowles

No report provided.

Betsy Cohen joined the meeting at 11:05 a.m.

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

Ms. Curry motioned, Ms. Nichols 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 expressed gratitude to Board members, the Attorney General’s Office and to staff and for wonderful year with the challenges of Zoom meetings. And he acknowledged the hard work done by everyone for the benefit of the profession.

Melissa Tracy left the meeting 11:18 a.m.

Adjournment With no further business to be discussed, the meeting was adjourned at 11:21 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Charlotte Mason, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: December 20, 2021

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR