

**GEORGIA BOARD OF MASSAGE THERAPY**  
**Board Zoom Meeting Minutes**  
**Friday, February 18, 2022 - 9:00 a.m.**

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, February 18, 2022. 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, Assistant Attorney General  
Kristen Daughdril, Senior Assistant Attorney General  
Elizabeth Simpson, Assistant Attorney General

**Visitors Present**

Allyson Schofield  
Mai Lin Petrine, JD, Federation of State Massage Therapy Boards, Director of Legal & Regulator Affairs  
Ashley Hernandez  
Michael Reynolds  
Michelle Van Bommel  
Giselle Toran, LMT  
Dr. Rudy Scarfalloto, DC  
Pat Neri, Georgia Nonpublic Postsecondary Education Commission (GNPEC), Program Manager

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

**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, February 18, 2022, 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**

**1. MT210102** Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to grant the request to withdraw the renewal application. If attempts to reinstate, Respondent will be subject to all reinstatement requirements as the Board may establish by rule.

**2.** Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to amend the previous motion for referrals made to the Attorney General's Office on renewal cases discussed during the October 29, 2021 to remove unnecessary verbiage as the standard referral is sufficient.

**3. MT220057 & MT170069** Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to withdraw the request for advice regarding the ability to deny initial licensure and reinstatement of a license for five (5) applicants who completed educational programs that have been revoked and table pending additional investigation.

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.

### **Executive Session Minutes**

- 1. December 20, 2021 Executive Session Zoom Meeting Minutes**
- 2. January 21, 2022 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 December 20, 2021 Executive Session Zoom Meeting minutes and the January 21, 2022 Executive Session Investigative Committee Zoom Meeting Minutes as presented.

### **Scheduled Board Appointments**

**10:30 a.m. Applicant 2957482** Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to table pending additional information as outlined in O.C.G.A. § 43-1-19(q)(1-2). Once received, refer to Cognizant for review.

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

**11:00 a.m. MT220080** Ms. Nichols motioned, Ms. Curry 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 Private Consent Agreement for Licensure with a fine of \$500 for false attestation on application for licensure. Fine to be paid before issuance of licensure. Flag for CE Audit.

**11:30 a.m. Applicant 2959416** Ms. Curry motioned, Ms. Nichols seconded and the Board voted unanimously in favor of the motion to uphold the previous motion.

**12:30 p.m. MT220083** Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to table pending receipt of additional information. If not received within 30 days, withdraw the application due to expiration.

### **Legal services MEMO**

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. Cases for Ratification**

- a) MT220072
- b) MT220079
- c) MT220080
- d) MT220082
- e) MT220081
- f) MT220083

Accept the orders as received.

## **2. Request for Reconsideration – MT220048**

Uphold previous motion.

## **3. Cases for Closure Due to Unresponsiveness**

- a) MT210070 Refer to Attorney General's Office for a Public Consent Order with a fine of \$1000 for falsely attesting to meeting CE requirements and insurance, and flag for CE audit.
- b) MT210076 Refer to Attorney General's Office for a Public Consent Order with a fine of \$500 for falsely attesting to meeting insurance requirements, and flag for CE audit. Fine must be paid within 90 days of the docket date.
- c) MT220008 Refer to Attorney General's Office for a Public Consent Agreement for Licensure with a reprimand and fine of \$500.00 for failure to disclose an arrest.

## **Investigative Committee Summary Report – P. Nichols**

- MT200022** Close the case. Reinstate the license.
- MT200047** Terminate probation and restore the license to an active status.
- MT210083** Refer to the Attorney General's Office for a hearing for a Cease and Desist Order.
- MT210084** Accept the Voluntary Cease and Desist Order and close the case.
- MT210100** Close the case.
- MT220016** Close the case due to lack of evidence. Refer to the North Carolina Board of Massage Therapy.
- MT220033** Refer the investigative file to law enforcement to seek criminal prosecution.
- MT220053** Renew the license with a Letter of Concern regarding arrest and close the case.
- MT220054** Renew the license with a Letter of Concern regarding failure to respond timely to Board requests and close the case.
- MT220055** Renew the license with a Letter of Concern regarding arrest and close the case.
- MT220058** Close the case.
- MT220066** Close the case. Send a reminder to Georgia licensed massage therapy educational programs that Board Rule 345-8-.01(g) stipulates that if an applicant transfers from another massage therapy education program into a massage therapy education program recognized by this Board 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 education program, the hours may not be used to satisfy the curriculum requirements of this rule.
- MT210102** Notify the Respondent of the option to withdraw the renewal application. However, if the Respondent attempts to reinstate, the Board will reopen the case and refer it to the Attorney

General's Office for a hearing or Public Consent Order for Reinstatement with terms and conditions as discussed in Executive Session.

**MT200106** Refer to the Attorney General's Office to draft an order lifting the suspension and restoring the license to active status.

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

**Miscellaneous Executive Discussion - FSMTB – Invalidated MBLEx Results 01.28.22**

The Board accepts the notification from FSMTB regarding invalidated MBLEx results as information.

**Applications for Board 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:

**Arrests**

**Applicant 2979847** Issue the license with a Letter of Concern regarding criminal history.

**Applicant 2986766** Issue the license.

**Applicant 3002275** Issue the license.

**Applicant 2998500** Refer to Legal Services for Public Consent Agreement for Licensure with a \$500 fine for failure to disclose an arrest on application. Fine must be paid prior to issuance of license. Flag for CE audit.

**CE Audit**

**MT220040** If the licensee fails to demonstrate having satisfied CE requirements, refer to Legal Services for a Public Consent Order with terms as discussed in Executive Session.

**MT Program**

**Applicant 2963628** Deny based on failure to meet qualifications O.C.G.A. 43-1-19(a)(1).

**Reinstatements**

**Applicant 3000933** Refer to Legal Services for a Public Consent Agreement for Reinstatement of Licensure with a reprimand and fine of \$500.00 for unlicensed practice from October 31, 2020 – February 10, 2022. Flag for CE audit.

**Transcript Review**

**Applicant 2991297** Deny based on failure to meet the minimum educational requirements of O.C.G.A. § 43-24A-8(b)(6) and Board Rule 345-8-.03(6)(a). Release transcript to Tennessee Board of Massage Therapy for review based upon the Executive Session discussion.

**Applicant 3002711** Table pending additional information.

**Applicant 2931012** Schedule an Applicant Interview.

**Applicant 2976916** Deny based on failure to meet the educational requirements of O.C.G.A. § 43-24A-8(b)(6) and Board Rule 45-8-.03(6)(a).

Melissa Tracy joined the meeting at 12:18 a.m.  
Elizabeth Simpson left the meeting at 12:19 p.m.

**Applicant 2995800** Refer to Legal Services for Public Consent Agreement for Licensure with a fine of \$500 for failure to disclose an arrest on application. Fine must be paid prior to issuance of licensure. Flag for CE audit.

**Applicant 2998614** Deny based on failure to meet the educational requirements of O.C.G.A. § 43-24A-(8) (b) (6) and Board Rule 345-08-.01.

**OPEN SESSION**

**Open Session Minutes**

1. **December 3, 2021 Open Session Zoom Meeting Minutes**
2. **December 20, 2021 Open Session Zoom Meeting Minutes**
3. **January 21, 2022 Open 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 December 3, 2021 Open Session Zoom Meeting minutes as amended, the December 20, 2021 Open Session Zoom Meeting Minutes, and the January 21, 2022 Open Session Investigative Committee Zoom Meeting minutes as presented.

**Licenses to Ratify: November 26, 2021 – February 11, 2022**

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. **01-01-22 Approved Provider Disciplinary Actions by State**
2. **01-01-22 Certificant Disciplinary Actions by State**
3. **01-01-22 School Compliance Report**
4. **02-01-22 Approved Provider Disciplinary Actions by State**
5. **02-01-22 Certificant Disciplinary Actions by State**
6. **02-01-22 School Compliance Report**

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

**Federation of State Massage Therapy Boards (FSMTB)**

1. **In Touch E-Newsletter January 2022**
2. **In-Touch E-Newsletter February 2022**

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

**Petitions for Rule Variance**

1. **BR 345-4-.02 Tavia Peterson**

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-.02 based on insufficient evidence to substantiate a substantial hardship and the basis for the rule cited does not pertain to that which is requested.

**2. BR 345-8-.03(6) Kristie J. Carver**

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(6) based on sufficient evidence to substantiate a substantial hardship and the requirements of the underlying rule have been met.

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

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-.04(1) based on the fact that the petitioner is not subject to the rule for variance as the license has lapsed by operation of law.

**Petitions for Rule Waiver**

**1. BR 345-4-.05(2)(c)(ii) Heather Michelle Sharkey**

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.

**2. BR 345-4-.02 Marco Chase MT004781**

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 as the rule cited is not relevant to the request. May resubmit petition with the correct rule reference and provide clarity regarding the request with greater documentation and explanation from the petitioner.

**3. BR 345-4-.05(2)(c)(ii) Tamara Donaldson**

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.

**4. BR 345-4-.05 Safiar Taliaferro**

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.

**5. BR 345-4-.05 Jamie Nunn**

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) based on sufficient evidence to substantiate a substantial hardship.

**6. BR 345-8-.03(1)(e) Michele Jeanne Van Bommel**

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

**7. BR 345-4-.02(4) Valeria Posada**

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-.02(4) based on insufficient evidence to substantiate a substantial hardship as the rule cited is not relevant to the request.

## **Education Report – C. Knowles**

### **1. New Program Application – North Georgia Nursing Academy, LLC**

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to deny the license for recognition status for the massage therapy educational program based on failure to meet requirements of Board Rule 345-8-.02.

### **2. Faculty Amendment – 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 faculty amendment for the massage therapy educational program with the exception noted in executive session.

### **3. Renewals**

#### **a) The Elaine Sterling Institute\_RMP-000009**

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

#### **b) Georgia Career Institute\_RMP-000002**

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 massage therapy educational program.

### **4. Program Closure – Touch for Healing Massage School\_RMP-000016**

Ms. Nichols motioned, Ms. Curry seconded and the Board voted unanimously in favor of the motion to accept the notification of school closure as of October 2021.

### **5. Program Violation – Atlanta University of Health Sciences\_RMP-000005**

Table for Executive Session.

## **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
- Georgia General Assembly
- Annual Ethics Commission Affidavit of Public Officer Filings

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**

### **1. AMTA Input Helps Remove Massage Parlor from NAICS 2022 Update**

### **2. Requests to AMTA-GA for Statutory Amendments**

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to approve the recommended amendments to the Georgia Massage Therapy Practice Act, refer them to the AMTA Government Relations team to consider proposing to the Georgia General Assembly and allow Mr. Knowles to operate as the Liaison to AMTA-GA in regard to the recommendations. The recommended amendments, if passed into law, will

assist the Board with ensuring applicants for licensure are qualified to practice and combat the epidemic of human trafficking.

**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, February 18, 2022, 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**

**Education Report – C. Knowles – Program Violation – Atlanta University of Health Sciences RMP-000005**

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

**Adjournment** With no further business to be discussed, the meeting was adjourned at 2:02 p.m.

**Minutes recorded by:** Michelle Hornaday, Board Support Specialist  
**Minutes reviewed and edited by:** Adrienne Price, Executive Director  
**Minutes approved on:** April 22, 2022

**CRAIG KNOWLES**  
**BOARD CHAIR**

**ADRIENNE PRICE**  
**EXECUTIVE DIRECTOR**