

GEORGIA BOARD OF MASSAGE THERAPY
Board Zoom Meeting Minutes
Friday, August 12, 2022 - 9:00 a.m.

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, August 12, 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
Stephanie Bone', LMT, BWS, LDS, CR, Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Meagan Doss, Licensing Supervisor
Malika Benoit, Complaints/Compliance Analyst

Board Members Absent

No members absent.

Attorney General's Office Present

Melissa Tracy, Assistant Attorney General

Visitors Present

Traci Daly-Smith, Campus President, Atlanta School of Massage (ASM)
Alyssa Lucas, Program Director, Atlanta School of Massage (ASM)
Laura Embleton, Government Relations Director, Associate Bodywork and Massage Professionals (ABMP)
Ashley Hernandez, Government Relations, Federation of State Massage Therapy Boards (FSMTB)
Anthony Muhammad
Leslie Jacobs
Jocelyn Marrero
1 Unidentified caller
House of Sharon

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, Jane Curry, and Stephanie Bone'.

At the conclusion of Executive Session on Friday, August 12, 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

Scheduled Board Appointments

9:30 a.m. Applicant 3014300

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 Public Consent Order to include probation for a minimum of four (4) years with practice restrictions and quarterly personal reports as discussed.

10:00 a.m. Applicant 3008672

Ms. Bone' motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to rescind the previous motion to deny. Table pending receipt of additional information which must be received within 30 days from the date of notice for Cognizant review. If not received or standards are not met, withdraw the application due to expiration.

Executive Session Minutes

- 1. July 18, 2022 Executive Session Zoom Meeting Minutes**
- 2. July 22, 2022 Executive Session Investigative Committee Zoom Meeting Minutes**

Ms. Nichols motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to approve the July 18, 2022 Executive Session Zoom Meeting minutes and the July 22, 2022 Executive Session Investigative Committee 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. AG MEMO – MT220110**

Rescind previous motion to refer to the Attorney General's Office, close the case and renew the license.

- 2. AG MEMO – MT220132**

Rescind previous motion to refer to the Attorney General's Office, close the case and issue the license.

- 3. AG MEMO – Closing Multiple Renewal Cases**

MT220117 / MT220121 / MT220122 / MT220139

Rescind previous motion to refer to the Attorney General's Office and close the cases. Renew licenses with a Reservations of Rights letter regarding the 2020 renewal cycle.

MT210070 / MT210076

Rescind previous motion to refer to the Attorney General's Office, renew the licenses and close the cases.

- 4. AG MEMO – MT200018, MT210091, and MT180139 / MT200095 – Closing Multiple C&D Cases**

Rescind previous motion to refer to the Attorney General's Office, release investigative files MT180139 & MT200095 to local city county business office and close the cases due to insufficient evidence.

- 5. AG MEMO – MT210119**

Rescind motion to refer to the Attorney General's Office, accept the required documentation and close the case. If Respondent applies for licensure, the Board will reconsider the facts of the case.

- 7. AG MEMO - MT220115**

Rescind previous motion to refer to the Attorney General's Office, renew the license and close the case.

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

Investigative Committee Summary Report – P. Nichols

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

- MT230001** Table pending review by the Education Cognizant.
- MT210119** Refer to Investigations. Once case complete, refer to the Attorney General’s Office for a Cease-and-Desist Order and to the business licensing authority.
- MT220087** Table pending additional investigation.
- MT180062** Refer to Investigations and present the findings back to the Investigative Committee for review.
- MT190029** Close the case and release investigative file to the local law enforcement.
- MT190132** Close the case.
- MT200089** Close the case.
- MT210049** Refer investigative file to local law enforcement.
- MT210075** Conduct a site inspection in three (3) months, investigate as discussed in Executive Session.
- MT220020** Schedule an Investigative Interview.
- MT220036** Refer licensed personnel to the Attorney General’s Office for Aiding and Abetting Unlicensed Practice. Refer unlicensed personnel to Attorney General’s Office for Cease & Desist. Refer complaint to local Business License Office to pursue for Aiding and Abetting Unlicensed Practice and Unlicensed Practice.
- MT220041** Close the case with a Letter of Concern regarding inappropriate draping [Board Rule 345-6-.01(1)(g)].
- MT220097** Close the case.

Miscellaneous Executive Discussion – MT220161

Ms. Bone’ motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to refer to the Attorney General’s Office for a Memorandum of Legal Advice and send notification to the City of Roswell regarding compliance with O.C.G.A. §§ 43-24A-30 - 43-24A-33.

Applications for Board Review

Arrests

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

- Applicant 3038907** Issue the license.
- Applicant 3022462** Refer to Legal Services for a Public Consent Agreement for Licensure with a reprimand and fine of \$500.00 for failure to disclose an arrest. Fine must be paid in full prior to issuance of license. If a signed agreement and fine payment is not received within 30 days of receipt of notice, withdraw the application due to expiration.

- Applicant 3014663** Refer to the Attorney General’s Office for a Public Consent Order to include probation for a minimum of four (4) years with practice restrictions to include no mobile massage, no massage business ownership, direct supervision by a Georgia licensed massage therapist and quarterly personal reports, and quarterly reports from the supervising therapist.
- Applicant 3035875** Issue the license and flag for CE Audit.
- Applicant 3022787** Issue the license with a Letter of Concern regarding failure to disclose criminal history.
- Applicant 3029523** Issue the license.
- Applicant 3018855** 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 2957482** Accept the CO and issue the license.
- Applicant 3031402** Table. Within 30 days of notice, the applicant must submit proof that the program is accredited and approved by the U. S. Department of Education at time of attendance and graduation. If fail to submit proof, deny based on failure to meet educational requirements [BR 345-08-.3(6)(a) and O.C.G.A. § 43-24A-8].
- Applicant 3005652** Issue the license and flag for CE audit.
- Applicant 3006337** Issue the license and flag for CE audit.

OPEN SESSION

Open Session Minutes

1. July 18, 2022 Open Session Zoom Meeting Minutes

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to approve the July 18, 2022 Open Session Zoom Meeting minutes as presented.

2. July 22, 2022 Open Session Investigative Committee Zoom Meeting Minutes

Ms. Bone’ motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to approve the July 22, 2022 Open Session Investigative Committee Zoom Meeting minutes as presented.

Licenses to Ratify: June 3, 2022 – August 5, 2022

Ms. Nichols motioned, Ms. Bone’ 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 – Request to be Added to the Professional Associations Section of the Website - Laura B. Embleton, Government Relations Director

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to notify the writer that the requested information will be added to the Board website.

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

1. **07-01-22 Approved Provider Disciplinary Actions by State**
2. **07-01-22 Certificant Disciplinary Actions by State**
3. **07-01-22 School Compliance Report**
4. **08-01-22 Approved Provider Disciplinary Actions by State**
5. **08-01-22 Certificant Disciplinary Actions by State**
6. **08-01-22 School Compliance Report**

Ms. Bone’ motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to accept and add current reports to the website.

Federation of State Massage Therapy Boards (FSMTB)

1. **The Interstate Massage Compact (IMpact) Stakeholder Review**
2. **In Touch E-Newsletter August 2022**

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

Petitions for Rule Variance

1. **BR 345-4-.02(ii) and BR 345-4-.02(4) – Taylor Gerard**

Ms. Nichols motioned, Ms. Bone’ seconded, and the Board voted unanimously in favor of the motion to deny the petition for variance of BR 345-4-.02(ii) and BR 345-4-.02(4) based on insufficient evidence to substantiate a substantial hardship. May submit a new petition citing the correct rule and providing proof of substantial hardship.

2. **BR 345-4-.05 – Danielle Austina Stewart**

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-.05 based on insufficient evidence to substantiate a substantial hardship. The petitioner does not have an active license; therefore, the cited rule is not relevant to the petition request. May submit a new petition citing the appropriate rule reference and providing proof of substantial hardship.

3. **BR 345-4-.02 – Dale Keller Undercofler MT000080**

Ms. Bone’ 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 based on sufficient evidence to substantiate a substantial hardship.

4. **BR 345-8-.01 – Nefertiti Bagley**

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

Petitions for Rule Waiver

1. **BR 345-4-.05 – Anthony Muhammad**

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.

2. **BR 345-4-.05 – Joelle C Burns MT006022**

Ms. Bone' motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-04-.05 based on insufficient evidence to substantiate a substantial hardship.

3. BR 345-4-.05 – Shantara Nicole Redmon MT008149

Ms. Nichols motioned, Ms. Bone' 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.

4. BR 345-3-.02(2)(c) Elena Borovskikh

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-3-.02(2)(c) based on insufficient evidence to substantiate a substantial hardship. May submit a new petition citing the appropriate rule reference and providing proof of substantial hardship.

5. BR 345-5-.01 – Yuka Saylor

Ms. Bone' motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-5-.01 based on sufficient evidence to substantiate a substantial hardship.

6. BR 345-8-.03 – Dionte Rashaad Kitchen

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

7. BR 345-8-.03 – Daysha Shalom White

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

8. BR 345-8-.03(1)(c) – Lois Florence Reinhard

Ms. Bone' motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to deny the petition to waive BR 345-8-.03(1)(c) based on insufficient evidence to substantiate a substantial hardship. May submit a new petition citing the appropriate rule reference and providing proof of substantial hardship.

9. BR 345-8-.01 – Jennifer Renee Hight

Ms. Nichols motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-8-.01 based on sufficient evidence to substantiate a substantial hardship; and deny the petition to waive O.C.G.A. 43-24A-3(4) and 43-24A-8(b)(6) on the basis that the Board does not have the authority to waive a statutory requirement.

10. BR 345-4-.02 – Beverly Wilson MT006291

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to notify the petitioner that if she is able to submit proof of medical injury which is sufficient evidence to substantiate the hardship, the petition to waive BR 345-4-.02 is granted. Such proof must be received by September 12, 2022. If fail to do so, deny the petition based on insufficient evidence to substantiate a hardship.

11. BR 345-4-.02 – Nahatai Hall MT011532

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

12. BR 345-4-.05(c)(ii) – Earl Wesley Davis MT005905

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

13. BR 345-4-.05(c)(ii) – Verniece Arnetta Bailey MT005810

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

14. BR 345-4-.05 – Zaneishia Lynch MT008188

Ms. Bone' 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 operation of law.

Discussion – Board Rule 345-6-.02. Curriculum Requirements

Ms. Nichols motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to refer Board Rule 345-6-.02. Curriculum Requirements to the Attorney General's Office for a Memorandum of Authority and if no objections, vote to post.

Discussion – CE Broker Report

- 1. Monthly CE Broker Report – July 2022**
- 2. CE Broker – Price Increase on Paid Subscription Services (Effective October 3, 2022)**

The Board accepts the correspondence in reference to the monthly CE Broker Report, as information.

2023 Board Zoom Meeting Dates

All meetings are via Zoom on Friday at 9:00 a.m.

Full Board Meeting Dates

February 17, 2023
April 21, 2023
June 16, 2023
August 11, 2023
October 27, 2023
December 1, 2023

Investigative Committee Meeting Dates

January 20, 2023
March 17, 2023
May 19, 2023
July 21, 2023
September 15, 2023
November 17, 2023

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to approve the 2023 Board meeting dates as presented.

Board Member Elections

Chair

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

Education Cognizant

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

Applications Cognizant (Reinstatements / Renewals)

Mr. Knowles motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to elect Stephanie Bone' as the Board Applications Cognizant.

Arrest Cognizant

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

Rules Committee

Mr. Knowles motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to re-elect Pam Nichols as the Board Rules Committee Chair and to appoint Stephanie Bone' to the Rules Committee as Vice Chair.

Investigative Committee Chair

Ms. Curry motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to re-elect Pam Nichols as the Investigative Committee Chair.

Investigative Committee Vice Chair

Ms. Curry motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to re-elect Craig Knowles as the Investigative Committee Vice Chair.

FSMTB Board Delegate

Ms. Nichols motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to appoint Jane Curry as the FSMTB Board Delegate.

Education Report – C. Knowles

1. Change in Ownership – Georgia Massage School_RMP-000010

Ms. Bone' motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to accept the change in ownership for the massage therapy educational program as indicated.

2. Faculty Amendment – Atlanta School of Massage_RMP-000004

Ms. Nichols motioned, Ms. Bone' seconded, and the Board voted unanimously in favor of the motion to approve the faculty amendment for the massage therapy educational program.

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, and complaints/compliance matters. In addition, the report addressed the following topic of interest with the Board:

- Board Member Vacancies
- MTLD
- IMPact
- Rules Hearing

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 welcomed new Board Member, Stephanie Bone’. He provided an update on the Interstate Massage Therapy Compact. He then stated that he continues to reach out to AMTA, local and national chapters, concerning proposed amendments to the Georgia Massage Practice Act and they continue to be unresponsive. He indicated he did hear from the new President of AMTA-GA who indicated that they are in conversations with the national chapter. He stated will continue to try as the Board requested.

Mr. Knowles reminded visitors that renewal is now open. He apprised the Board that he was recently inducted into the World Massage Festival Hall of Fame in the Class of 2022.

Ms. Curry motioned, Ms. Bone’ seconded, and the Board voted unanimously in favor of the motion for staff to send notification of Mr. Knowles’ induction to the Governor’s Office.

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

Adjournment With no further business to be discussed, the meeting was adjourned at 2:00 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist
Minutes reviewed and edited by: Meagan Doss, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: August 26, 2022

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR