

**GEORGIA BOARD OF MASSAGE THERAPY
Board Zoom Meeting Minutes
Friday, February 17, 2023 - 9:00 a.m.**

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, February 17, 2023. The following members were present:

Board Members Present

Craig Knowles, BAS, LMT, BCTMB, CNMT, Chair
Pam Nichols, LMT, CNMT, HNC, Vice Chair
Jane 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
Toni Moore, Complaints/Compliance Analyst

Board Members Absent

No members absent.

Attorney General's Office Present

Bryon Thernes, Assistant Attorney General

Visitors Present

Traci Daly-Smith, Atlanta School of Massage
Adam Driggers, Alpha School of Massage
Michael
Rose Howard
Georgia Ashiatsu at Southern Sole
Matthew Tompkins
Rachel Stancil, Augusta School of Massage
Vincent Zagorin, PLB Investigator

Call to Order Mr. Knowles established that a quorum was present and called the meeting to order at 9:02 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, February 17, 2023, 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

Stephanie Bone joined the meeting at 9:24 a.m.

Executive Session Minutes

1. January 9, 2023 Executive Session Zoom Meeting Minutes
2. January 20, 2023 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 January 9, 2023 Executive Session Zoom Meeting minutes and the January 20, 2023 Executive Session Investigative Committee Zoom Meeting Minutes as presented.

Attorney General's Report – B. Thernes

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

Scheduled Board Appointments

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:

9:30 a.m.	Applicant 3041739	Rescind previous decision to deny, and issue license.
10:00 a.m.	Applicant 3035985	Uphold previous motion to deny.
10:30 a.m.	Applicant 3053051	Uphold the previous motion. Notify applicant they may submit a new application along with a petition for rule variance with supporting documentation as discussed in Executive Session.
11:00 p.m.	Applicant 3047881	Uphold previous motion to deny.

Legal Services MEMO

1. Cases for Ratification

- a) MT230036
- b) MT230035
- c) MT230091

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

2. Request for Reconsideration – MT230050

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

3. Miscellaneous Investigative Request

Ms. Nichols motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to open investigation on listed entities for unlicensed practice and sexual misconduct and release ongoing investigation materials to the law enforcement entities presented.

Investigative Committee Summary Report – P. Nichols

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

MT170089	Deny the request to lift the suspension and refer to the Attorney General's Office for a Revocation of Licensure based upon violations as discussed.
MT190046	Refer Respondent 1 to Legal Services for a Public Consent Order with terms and conditions as discussed.

	Refer Respondent 2 to Legal Services for a Public Consent Order with terms and conditions as discussed.
	Refer Respondents 3, 4 and 5 to the municipality for Code of Ordinances Violations and close the case.
	Close the case, no action on Respondent 6.
MT190124	Close the case.
MT190125	Close the case with a Letter of Concern regarding record keeping.
MT200048	Close the case.
MT210054	Close the case.
MT210105	Close the case.
MT220001	Close the case.
MT220046	Close the case.
MT220052	Refer to the Attorney General's Office for a Psychosexual Mental Physical Examination.
MT220105	Refer to the Attorney General's Office for denial of the renewal application as discussed.
MT230029	Refer to the Attorney General's Office for an Amended Public Consent Order with terms and conditions as discussed.
MT230033	Deny the inactive status application. Notify the Respondent of the current licensure status and reinstatement requirements.
MT230041	Close the case.
MT230044	Close the case.

Miscellaneous Executive Discussion

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. Transcript Reviews

- a) **Applicant 2941261** Issue the license.
- b) **Applicant 2917745** Table and refer to FSMTB.
- c) **Applicant 2933480** Deny based on failure to meet educational standards [BR 345-8.-01].

- 2. **MT220087** Refer to the Attorney General's Office for a Public Consent Order with terms and conditions as discussed in Executive Session.

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 3063765	Issue license with a Letter of Concern regarding criminal history.
Applicant 3058038	Issue the license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication.
Applicant 3075764	Refer to Attorney General's Office for a Public Consent Agreement for Licensure with a fine of \$500.00 for failure to disclose arrest on application for licensure. Fine must be paid in full prior to the issuance of license. Flag for CE Audit.
Applicant 3065074	Issue license with a Letter of Concern regarding criminal history.
Applicant 3070046	Issue license with a Letter of Concern regarding criminal history.

Renewals

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

- Applicant 2780072** Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1000.00 for false attestation on renewal application and failure to meet CE requirements within the biennium. Fine must be paid in full by October 31, 2024. CE submitted to meet the renewal requirements may not be used to meet CE requirements for future license renewals. Flag for CE Audit.
- Applicant 2693697** Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1000.00 for false attestation and failure to meet CE requirements. Fine must be paid in full by October 31, 2024. Must submit proof of completion on [24] hours of CE [12 Live / online and 12 General] within 90 days of the order docket date. CE submitted to satisfy the terms of the order may not be used to meet future CE requirements for license renewal. Flag for CE Audit
- Applicant 1058308** Renew license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication.
- Applicant 2968054** Renew license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication.
- Applicant 1098405** Renew license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication.
- Applicant 2768293** Renew license with a Letter of Concern regarding criminal history.
- Applicant 2974664** Renew license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication.
- Applicant 2730192** Renew license with a Letter of Concern regarding criminal history.
- Applicant 2769864** Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1000.00 for false attestation on renewal application and failure to meet CE requirements within the biennium. Fine must be paid by October 31, 2024. CE submitted to meet the renewal requirements may not be used toward next renewal. Flag for CE Audit.
- Applicant 2578268** Table pending additional information and refer to the Cognizant to process as discussed in Executive Session.
- Applicant 2996317** Renew license with a Letter of Concern regarding accurate and timely completion of CE. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.
- Applicant 2481291** Renew license with a Letter of Concern regarding criminal history.
- Applicant 2554669** Renew license with a Letter of Concern regarding criminal history.
- Applicant 2673007** Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1000.00 for false attestation on renewal application and failure to meet CE requirements within the biennium. Fine must be paid in full by October 31, 2024. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.

Applicant 1809646	Renew license with a Letter of Concern regarding criminal history.
Applicant 2448731	Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1000.00 for false attestation on renewal application and failure to meet CE requirements within the biennium. Fine must be paid in full by October 31, 2024. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.
Applicant 2727057	Renew the license.
Applicant 1739568	Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$500.00 for false attestation on renewal application. The fine must be paid in full within 90 days of the order docket date. Must provide the Board with a certified copy of the final disposition of the criminal case within 10 days of adjudication. Flag for CE Audit. Board reserves right to sanction license based on final disposition.
Applicant 2945873	Renew license with a Letter of Concern regarding criminal history.
Applicant 1795667	Table pending additional information and refer to the Cognizant to process as discussed in Executive Session.
Applicant 3001826	Renew license with a Letter of Concern regarding criminal history.
Applicant 1079018	Renew license with a Letter of Concern regarding criminal history.
Applicant 2657446	Table pending receipt of additional information and refer to the Cognizant to process as discussed in Executive Session.
Applicant 1089641	Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1500.00 for false attestation, failure to provide proof of insurance, and failure to meet CE requirements. Fine must be paid in full by October 31, 2024. Must submit proof of completion on [12] hours of live/in person CE within 90 days of the docket date. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.
Applicant 3010025	Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$500.00 for failure to meet CE requirements. Fine must be paid in full and must submit proof of completion of [12] hours live CE within 90 days of the order docket date. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.
Applicant 2837445	Renew license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication.
MT220023	Renew license with a Reservations of Rights Letter. Must provide a certified copy of the final disposition of the criminal case to the Board within 10 days of adjudication. Refer to Investigations for additional information as discussed in Executive Session.
Applicant 2701179	Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$500.00 for failure to meet CE requirements. Fine must be paid in full within 90 days of the order docket date. Must submit proof of completion of [12] hours of hands-on, in-person CEs within 90 days of the order docket date. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.

Applicant 2673220 Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$1000.00 for false attestation on renewal application and failure to meet CE requirements within the biennium. Fine must be paid by October 31, 2024. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.

Applicant 2561708 Renew the license.

Applicant 1212445 Refer to Attorney General's Office for a Public Consent Order for Renewal of Licensure with a reprimand and fine of \$500.00 for failure to meet CE requirements. Fine must be paid in full within 90 days of the order docket date. Must submit proof of completion of [23] hours of CE of which [12] hours must be hands on, in-person, within 90 days of the order docket date. CE submitted to meet the renewal requirements may not be used to satisfy the CE requirements for future license renewals. Flag for CE Audit.

Applicant 2940722 Renew license with a Letter of Concern regarding criminal history.

Transcript Reviews

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 3052506 Deny licensure based on failure to meet educational standards [Board Rule 345-8-.01].

Applicant 3058292 Deny licensure based on failure to meet educational standards based on completion of online curriculum hours in violation of Board Rule 345-8-.01. May wish to submit a Petition for Rule Waiver/Variance with new application if the current application is expired.

Applicant 3069887 Deny licensure based on failure to meet educational standards [Board Rule 345-8-.03 and O.C.G.A. § 43-24A-4(A-C)].

Applicant 3065768 Deny licensure based on failure to meet educational standards based on completion of online curriculum hours in violation of Board Rule 345-8-.01.

Applicant 3066684 Issue license with a Letter of Concern regarding criminal history.

Applicant 3070201 Deny licensure based on failure to meet statutory requirements for licensure [O.C.G.A. § 43-24A-8(b)7].

Applicant 3059416 Deny licensure based on failure to meet educational standards based on completion of online curriculum hours in violation of [Board Rule 345-8-.01]. If application has not expired want to submit a Petition for Rule Waiver/Variance.

Massage Therapy Educational Programs

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:

Curriculum Changes

Applicant 2973232 Approve massage therapy education program curriculum change.

Faculty Amendments

Applicant 2855288 Approve massage therapy education program faculty amendment.

Applicant 2855303 Approve massage therapy education program faculty amendment.

Initial Applications

Applicant 3052204 Issue the license.

Applicant 3075125 Table pending additional information.

Renewals

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

Applicant 2855275 Renew the license.

Applicant 2855303 Renew the license.

Applicant 2855325 Renew the license.

Applicant 2855354 Renew the license.

Violations

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 2855302 Refer to the Attorney General's Office for a Public Consent Order for failure to submit graduate lists for 2020 and 2022 in accordance with requirements of the Board with a fine of \$1000 to be paid within 90 days of the docket date of the order. Future violations may result in revocation of the program license.

OPEN SESSION

Open Session Minutes

- 1. January 9, 2023 Open Session Zoom Meeting Minutes**
- 2. January 20, 2023 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 January 9, 2023 Open Session Zoom Meeting Minutes, and the January 20, 2023 Open Session Investigative Committee Zoom Meeting Minutes as presented.

Licenses to Ratify: November 25, 2022 – February 10, 2023

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 – Change in Meeting Format Concern – Libby Eason

Ms. Bone’ motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to notify the writer that the change was made in respect for, and in observance of, the schedules of all interested parties for the purpose of maximizing the efficiency of the meeting platform.

Correspondence – Appeal to Consider CE – Alex LaPierre MT012979

Ms. Curry motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to notify the writer that the scope of practice is established within the statute. Any amendments to the statute must be done by the legislature. It is recommended that the writer contact their legislator.

Federation of State Massage Therapy Boards (FSMTB) – In Touch E-Newsletter February 2023

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

Discussion – Interstate Massage Compact Model Legislation (IMpact)

- 1. North Carolina Board of Massage and Bodywork Therapy Correspondence**
- 2. FSMTB Response to North Carolina Board of Massage and Bodywork Therapy Correspondence**

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

Discussion – CE Broker Report

- 1. MT Monthly CE Broker Report – December 2022**
- 2. MT Monthly CE Broker Report – January 2023**

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

Discussion – Proposed Administrative Licensing Policy

Ms. Nichols motioned, Ms. Bone’ seconded, and the Board voted unanimously in favor of the motion to develop an Administrative Licensing Policy for the Board to expedite processing relative to arrest and convictions.

Petitions for Rule Waiver

- 1. BR 345-4-.05 Habibah Williams**

Ms. Curry motioned, Ms. Bone’ 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 as the Board cannot waive law.

- 2. BR 345-4-.02 Beverly Yvonne Wilson_MT006291**

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-.02 based on sufficient evidence to substantiate a substantial hardship and notify the petitioner that online hours submitted to satisfy the CE requirements for the renewal ending October 31, 2022 may not be used to satisfy the CE requirements for any future renewals.

- 3. BR 345-04-.05(2)(c)(i) Edna I Amaral 3067764_MT002479**

Ms. Bone’ motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to grant the petition to waive BR 345-04-.05(2)(c)(i) based on sufficient evidence to substantiate a substantial hardship.

4. BR 345-4-.05 May Tatum Savini

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 based on sufficient evidence to substantiate a substantial hardship.

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
- MTLT
- IMpact
- Georgia General Assembly
- Rules Hearing
- CE Provider Updates for CE Broker
- Annual Ethics Commission Affidavit of Public Officers

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

The Board scheduled a meeting via Zoom on Monday, March 13, 2023 at 12:00 p.m. for the purpose of reviewing a Petition for Rule Waiver/Variance.

Board's Chair Report – C. Knowles

No report presented.

Adjournment With no further business to be discussed, the meeting was adjourned at 3:15 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: March 13, 2023

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR