

GEORGIA BOARD OF MASSAGE THERAPY
Board Zoom Meeting Minutes
Friday, April 21, 2023 - 9:00 a.m.

The Georgia Board of Massage Therapy met via Zoom meeting on Friday, April 21, 2023. 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

Board Members Absent

No members absent.

Visitors Present

Habibah Williams

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist
Meagan Doss, Licensing Supervisor

Attorney General's Office Present

Bryon Thernes, Assistant Attorney General
Alexis Cromartie, Assistant Attorney General

Administrative Staff Absent

Toni Moore, Complaint/Compliance Analyst

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. Bone' motioned, Ms. Curry 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, April 21, 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

Executive Session Minutes – April 14, 2023 Executive Session Zoom Meeting Minutes

Ms. Nichols motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to approve the April 14, 2023 Executive Session Zoom Meeting minutes as presented.

Attorney General's Report – B. Thernes

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

1. **AG MEMO – MT210027** Rescind referral to Attorney General's Office and close the case.
2. **AG MEMO – City of Roswell** Draft letter to City of Roswell as discussed.
3. **AG MEMO – MT190116_MT210083** Rescind referral to Attorney General's Office and close the cases. Will revisit complaints if new information is received.

4. **AG MEMO – MT200157** Rescind referral to Attorney General’s Office and close the case.
5. **Cases for Ratification** Accept the following orders upon receipt:
- a) **MT230115**
 - b) **MT230117**

Scheduled Board Appointments

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:

9:30 a.m. Applicant 3059416

Uphold the previous motion to deny based on failure to meet educational requirements and to include an additional basis of failure to disclose the status of another professional license on the application. Notify the applicant the program provided a graduate list, and the Respondent is not listed as a graduate of the program.

10:00 a.m. Applicant 3070201

Rescind previous motion to deny, accept the additional information as presented and issue the license.

10:30 a.m. MT230112

Approve the request to withdraw the application and close the case. License will lapse by operation of law. Accept signed letter to withdraw the petitions submitted upon receipt.

11:00 a.m. Applicant 3085070

Uphold the previous motion to deny based on failure to meet educational requirements. Notify the applicant the program provided a graduate list, and the Respondent is not listed as a graduate of the program.

Legal Services MEMO – Request for Reconsideration – MT230053

Ms. Bone’ motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to deny the request for reconsideration and refer to the Attorney General’s Office for a Public Consent Agreement 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 within 90 days of the docket date. Must submit proof of completion on [12] hours of CE obtained via direct, hands-on, supervised instruction within 90 days of the docket date. Flag for CE Audit.

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.

- MT150098** Deny petition to terminate probation. Notify Respondent as discussed. If no response, refer to the Attorney General’s Office for hearing for revocation of the license.
- MT210136** Refer case to Investigations as discussed.
- MT220037** Close the case, insufficient evidence.
- MT220063** Refer to the Attorney General’s Office for a hearing for a Cease & Desist Order.
- MT220075** Close the case, no jurisdiction.

- MT220103** Close the case, insufficient evidence.
- MT230003** Notify the North Carolina Board of Massage Therapy as discussed.
- MT230007** Close case due to no jurisdiction and refer the complaint to the Georgia Composite Medical Board.
- MT230043** Refer to Investigations as discussed.
- MT230061** Refer to Investigations as discussed.
- MT230071** Request complainant to provide information as discussed. If fail to provide the requested information, close the case, no action.

Miscellaneous Executive Discussion – MT230105

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 Public Consent Order for License Renewal with terms and conditions as discussed in Executive Session and send a notification to the CE Provider identified via certified mail and CE Broker as discussed.

Ms. Bone’ motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to notify CE Broker of webinars not counting as Live-Hands On CE to fulfill those renewal requirements.

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 3082451** Reinstate the license with a Letter of Concern regarding false attestation on reinstatement application.
- Applicant 3075232** Reinstate the license with a Letter of Concern regarding false attestation on reinstatement application.
- Applicant 3076004** Deny based on history of unlicensed practice and failure to meet educational requirements.
- Applicant 3087269** Issue license with a Letter of Concern regarding criminal history.
- Applicant 3078958** Refer to the Attorney General’s Office for a Public Consent Agreement for Reinstatement with a reprimand and fine of \$500.00 for failure to disclose an arrest. The fine must be paid in full prior to reinstatement of licensure. Flag for CE Audit.

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:

- Applicant 2855288** Approve the massage therapy educational program faculty amendment.
- Applicant 3075125** Approve the massage therapy educational program and issue the license.
- Applicant 2855337** Renew the license.
- Applicant 2855340** Table pending additional information.

- Applicant 2973232** Renew the license.
- Applicant 2915014** Approve the curriculum and handbook change and renew the license.
- Applicant 2855348** Renew the license.
- Applicant 3045665** Table pending additional information.
- Applicant 2855318** Approve the massage therapy education program faculty amendment.

Reinstatement

- Applicant 3078131** Refer to the Attorney General’s Office for a Public Consent Agreement for Licensure with a reprimand and fine of \$500.00 for unlicensed practice from November 1, 2021 – February 17, 2022. Flag for CE Audit.

Renewals

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

- Applicant 3010025** Amend previous motion to reduce required 12 hours of CE via direct, hands-on, supervised instruction CE to six (6) hours in accordance with BR 345-4-.02(4)(a)(b).

Transcript Review

- Applicant 3067742** Deny application for licensure based on failure to meet educational requirements. Applicant must retake all online hours from a Board approved massage therapy program before reapplying as all coursework must be obtained via supervised instruction in accordance with Board Rule 345-8-.01.
- Applicant 3073738** Deny based on failure to meet educational requirements. Coursework must be obtained via supervised instruction in accordance with Board Rule 345-8-.01.
- Applicant 308097** Refer to the Attorney General’s Office for a Public Consent Agreement for Licensure with a fine of \$500 for advertising massage therapy services without a license in violation of O.C.G.A. § 43-24A-15(a)(1). Flag for CE Audit.
- Applicant 3061714** Deny based on failure to meet educational and statutory requirements in accordance with O.C.G.A. § 43-24A-8(6) & (7).

OPEN SESSION

Open Session Minutes – April 14, 2023 Open Session Zoom Meeting Minutes

Ms. Nichols motioned, Ms. Curry seconded, and the Board voted unanimously in favor of the motion to approve the April 14, 2023 Open Session Zoom Meeting Minutes as presented.

Licenses to Ratify: February 11, 2023 – April 14, 2023

Ms. Curry 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 – Opposition to An Interstate Compact – NC Board of Massage and Bodywork Therapy

The Board accepts the correspondence from NCMBT as information.

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

1. 03-01-23 Approved Provider Disciplinary Actions by State
2. 03-01-23 Certificant Disciplinary Actions by State
3. 03-01-23 School Compliance Report
4. 04-01-23 Approved Provider Disciplinary Actions by State
5. 04-01-23 Certificant Disciplinary Actions by State
6. 04-01-23 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 (March 2023)
2. In Touch E-Newsletter (April 2023)
3. Membership Renewal Notice

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

Discussion – Monthly CE Broker Report – February 2023

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

Petition for Rule Variance – BR 345-3-.02(2)(b) – Elizabeth Perna

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

Petitions for Rule Waiver

1. BR 345-08-.03(6)(a) Elena Borovskikh

Ms. Bone' motioned, Ms. Nichols seconded, and the Board voted unanimously in favor of the motion to table the decision pending receipt of school accreditation. If not received by May 12, 2023, deny the petition to waive BR 345-08-.03(6)(a) based on insufficient evidence to substantiate a substantial hardship. If received by May 12, 2023, refer for Cognizant review.

2. BR 345-4-.02 Habibah M 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-.02 based on insufficient evidence to substantiate a substantial hardship. May submit a new petition citing the correct Board Rule and substantiating a hardship.

3. BR 345-8-.01 Ying Chen

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.

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
- MTL D
- Georgia General Assembly
- Rules Hearing

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.

Board’s Chair Report – C. Knowles

Mr. Knowles reported that as Board Chair, he created the Georgia Human Trafficking Summit, with the Board’s blessing. The Summit met April 19, 2023 in Atlanta, Georgia. Speakers included those representing Homeland Security Investigations, Center for Countering Human Trafficking, Polaris, Street Grace, Federation of State Massage Therapy Boards, Thomson Reuters Special Services, LLC, The Network, and others from state and local law enforcement agencies. The most important take-aways included the importance of interagency collaboration during investigative processes and how such collaborations may look, the role of regulation, understanding and combatting the intersection of sex trafficking with the massage therapy profession, identifying available victim and survivor services, and implementing data collection practices to benefit investigations. Board members shared what they learned personally and that the Summit was an impressive success.

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 4:25 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: June 16, 2023

CRAIG KNOWLES
BOARD CHAIR

ADRIENNE PRICE
EXECUTIVE DIRECTOR