

MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
October 27 & 28, 2014

Time: 9:00 a.m. C.S.T.

Location: 665 Main Stream Drive
HRB Conference Center
1st Floor, Iris Room
Nashville, TN 37243

Members Present: Ed Bolden, LMT Chairperson
Cynthia Jagers, LMT, Secretary
Marvis Burke, LMT
Julie J. Wray, LMT
Christi Cross, Citizen Member
Michael Velker, Citizen Member

Members Absent: Bethann Easterly, LMT

Staff Present: Lisa Lampley, Board Director
Kimberly Hodge, Board Manager
Dale Hill, Board Administrator
Marc Guilford, Assistant General Counsel

The meeting was called to order at 9:21 a.m. by Mr. Ed Bolden, Board Chairperson.

Election of Officers

The Board elected the following officers for calendar year 2015:

A motion was made by Ms. Cross and seconded by Ms. Wray to nominate Ms. Marvis Burke as Secretary. The nomination was approved and the motion carried. A motion was made by Ms. Cross and seconded by Ms. Burke to nominate Mr. Bolden as Chairperson. The nomination was approved and the motion carried.

Minutes

Ms. Cross made a motion to approve the August 11 & 12, 2014 minutes as written. Ms. Jagers seconded the motion. The motion carried.

Applicant Interviews

Britt Cunningham, LMT

Mr. Cunningham was asked to appear before the Board to explain why he answered “no” to his massage therapist application regarding any convictions other than a minor traffic offense. Mr. Cunningham’s criminal background check revealed a 1987 conviction for driving under the influence. After a brief explanation, a motion was made by Mr. Velker to grant the license. The motion was seconded by Ms. Cross. The motion carried.

Jianrong Pan, LMT

Mr. Pan was asked to appear before the Board to explain why she answered “no” to her massage therapist application regarding any convictions other than a minor traffic offense and address concerns regarding her transcript from Royal Irving in California. Ms. Pan’s criminal background check revealed a 2008 conviction for practicing massage therapy without a license in Colorado. Her educational institution is currently not an approved school by the California Massage Therapy Council. After a brief explanation, a motion was made by Mr. Velker to grant the license. The motion was seconded by Ms. Wray. The motion carried with Ms. Burke and Ms. Cross opposed.

Mingzhen Bao, LMT – Massage Establishment

Ms. Bao appeared before the Board to explain concerns regarding matters related to a Cease and Desist letter sent from the Office of General Counsel for her massage establishment JC Acupressure Massage in Cordova, TN. Ms. Bao explained that she misunderstood the requirements for an establishment license, but upon receiving the cease and desist letter she immediately filed application for an establishment license and closed her business. After a brief discussion, Ms. Cross made a motion, seconded by Mr. Velker to grant the license. The motion carried.

Crystal Ann Burrows, LMT

Ms. Burrow appeared before the Board to explain a 2009 conviction for theft and a 2010 violation of probation for non-payment of fines. Based on the information in Ms. Burrow’s file, she was requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at that meeting and stated that the assessment indicated no signs or symptoms of chemical dependency or other disorder. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Jagers to grant the license. The motion carried.

Sarah Elizabeth Dawson, LMT

Ms. Dawson appeared before the Board to explain a 2011 conviction for reckless driving. Based on the information in Ms. Dawson’s file, she was requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at that meeting and stated that the assessment indicated no signs or symptoms of chemical dependency or other disorder. After a brief

discussion, Ms. Cross made a motion, seconded by Ms. Jagers to grant the license. The motion carried.

Peter Sedges, LMT

Mr. Sedges appeared before the Board to explain a 2007 conviction for illegal operation of a motor vehicle and a 2011 conviction for driving under the influence (DUI). Based on the information in Mr. Sedges's file, he was requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at that meeting and stated that the assessment indicated no signs or symptoms of chemical dependency or other disorder. Dr. Bolden stated on record that Mr. Sedges graduated as a student from Arbor College and currently worked for him as a secretary at the college. Mr. Bolden also stated that he wouldn't vote in the decision regarding Mr. Sedge's license but felt that he could be impartial. After a brief discussion, Ms. Cross made a motion, seconded by Mr. Velker to grant the license. The motion carried.

Candise Hogsed, LMT

Ms. Hogsed appeared before the Board at the August 11, 2014 to explain why she answered "no" to the application question regarding disciplinary action on a license or certificate. Ms. Hogsed had a 2008 adverse finding on her CNA certification verification of physical abuse from the Georgia Board. After a brief discussion, the Board deferred Ms. Hogsed's application to allow her the opportunity to submit additional information to the Board's Administrative office regarding the revocation of her CNA certification. At the October 27, 2014 meeting, Ms. Smithson appeared and advocated for Ms. Hogsed. After a discussion, Mr. Velker made a motion, seconded by Ms. Burke to grant the license. The motion carried with Ms. Cross opposed.

James Adams

Mr. Adams appeared before the Board to explain his 2013 felony convictions for nine (9) counts of false statement to obtain property or credit. Each conviction related to a single separate property appraisal. Based upon his convictions, Mr. Adams received ten (10) years of probation and was required to pay restitution. The Massage Board's policy regarding applicant's currently on criminal probation gives the Board the discretion to either deny the application or defer the application until the applicant completes his/her probation. Ms. Cross made a motion for the Board not to consider Mr. Adams licensure application for a massage therapist based upon the Board's policy regarding applicant's currently on criminal probation. Ms. Burke seconded the motion, and the motion carried. Mr. Adams withdrew his application. Ms. Cross made a motion, seconded by Mr. Velker to allow Mr. Adams to withdraw his massage therapist application. The motion carried.

April Dawn Gibson

Ms. Gibson appeared before the Board to explain her 1998 conviction for offering of prostitution. Based upon Tennessee Ann. Code 63-18-105(2), an applicant is not eligible to be

licensed as a massage therapist that has been convicted of the offense of prostitution or sexual misconduct. Ms. Cross made a motion, seconded by Ms. Burke to deny Ms. Gibson’s massage therapist application. The motion carried.

Alfredo Rodriguez & Guojun Gong – Panda Acupressure Massage, LLC (Knoxville)

Mr. Bolden stated on record that he participated in the investigation and therefore recused himself from consideration of the application. Ms. Jagers proceeded as chair and lead the Board’s discussion. Mr. Rodriguez appeared before the Board to explain concerns regarding matters related to a Cease and Desist letter sent from the Office of General Counsel to Wentao Wang for his massage establishment Panda Acupressure Massage in Knoxville, TN. Mr. Rodriguez purchased the establishment from Mr. Wang. Based upon a statement from Mr. Bolden and an affidavit from Tom Lane, investigator employed by the Tennessee Department of Investigation, both men witnessed the establishment operating without a license after Mr. Rodriguez had purchased and filed an establishment application with the Tennessee Massage Board. Ms. Cross made a motion, seconded by Ms. Wray to deny the application. The motion carried with Mr. Velker opposed.

Alfredo Rodriguez & Guojun Gong – Panda Acupressure Massage, LLC (Maryville)

Mr. Rodriguez appeared before the Board to answer and explain concerns regarding his establishment application. The Board was concerned about Mr. Rodriguez ability to properly own and operate a massage establishment and the safety and welfare of the public. After a brief discussion, Ms. Cross made a motion, seconded by Mr. Bolden to deny the application. The motion carried with Mr. Velker opposed and Ms. Burke abstained.

Laura Ruth Blocker, LMT

Ms. Blocker appeared before the Board to explain her 2011 conviction for negligent homicide. Based on the information in Ms. Blocker’s file, she was requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at that meeting and stated that she was not able to advocate for Ms. Blocker. Ms. Smithson was unable to advocate due to not receiving the requested paperwork from an approved counselor. After a detailed discussion, Mr. Velker made a motion, seconded by Ms. Wray to grant the license. The motion carried with Ms. Jagers and Ms. Cross opposed.

Administrator/Directors Report

As of September 30, 2014 there were 4374 licensed massage therapists and 1641 licensed massage establishments.

Following is the license status since the last meeting:

THERAPISTS	ESTABLISHMENTS
July 2014	July 2014
Newly Licensed – 60	Newly Licensed – 16
Reinstate Applications – 0	Reinstate Applications – 4

Retired- 28	Retired – 10
New Applications- 46	New Applications- 17

THERAPISTS	ESTABLISHMENTS
August 2014	August 2014
Newly Licensed – 67	Newly Licensed – 25
Reinstate Applications – 12	Reinstate Applications - 8
Retired- 23	Retired – 11
New Applications- 39	New Applications- 31

THERAPISTS	ESTABLISHMENTS
September 2014	September 2014
Newly Licensed – 62	Newly Licensed – 29
Reinstate Applications – 11	Reinstate Applications- 4
Retired- 36	Retired- 9
New Applications- 45	New Applications- 24

Investigation/Disciplinary Report

Ms. Nichelle Dorroh, disciplinary coordinator, reported that there were currently twenty-three (23) new open complaints. There were twenty-one (21) new complaints for massage therapists and two (2) new open complaints for massage establishments in the Office of Investigations.

Continuing Education Waiver Request

Davita Carlene Hungate, LMT

Ms. Hungate requested a waiver for twenty-five (25) continuing education hours for the 2011/2012 continuing education cycle due to family medical reasons. After a brief explanation, Ms. Cross made a motion; seconded by Mr. Velker, to defer the waiver request until the February 2015 Board meeting to allow Ms. Hungate time to submit documentation showing proof that she completed her 2013/2014 continuing education cycle. The motion carried.

Office of General Counsel Report

Mr. Marc Guilford, Board Attorney, reported that the Office of General Counsel (OGC) currently has one hundred and thirty (130) open cases pertaining to the Massage Licensure Board. Most of these cases are continuing education violation cases. He also reported that he is currently working on the rulemaking packet. Mr. Guilford reported that there was no new legislation directly related to massage therapy.

Consent Order

Mark D. Wilezopolski, LMT - #9103

Mr. Guilford, Board Attorney, presented and discussed a consent order for Mark D. Wilezopolski. Mr. Wilezopolski was granted a massage license on August 17, 2011 and has a current expiration

date of December 31, 2015. On October 12, 2014 Mr. Wilezopolsi admitted placing his hand under a client's underwear and touching her groin and genitals. Mr. Wilezopolsi further admitted that he had had sexual relationships with other clients while working at other establishments. Mr. Wilezopolsi's actions violated TENN. CODE ANN. 63-18-108(7)(12) and Comp.R. & Regs 0870-01-19(1)(i)(k)(l). Mr. Wilezopolsi's massage license was voluntarily surrendered and carries the same force and effect of a revocation of the license. Voluntarily surrendered is considered as formal discipline. Ms. Cross made a motion, seconded by Mr. Velker to approve the consent order. The motion carried.

Agreed Order

Armen J. Demerdjian, LMT - #4573

Ms. Hannah Lanford, Assistant General Counsel, presented and discussed the agreed order for Armen J. Demerdjian. Mr. Demerdjian failed to obtain twenty-one (21) approved hours of continuing education in the 2009-2010 continuing education cycle. His license was placed on probation and will remain on probation until all civil penalties and costs are paid in full. He was assessed one (1) Type B Civil Penalty in the amount of Three Hundred dollars (\$300.00) and twenty-one (21) Type C Civil Penalties for in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of One Thousand Three Hundred Fifty Dollars (1,350.00) plus cost of case not to exceed two hundred dollars (\$200.00). Mr. Velker made a motion, seconded by Ms. Jagers to approve the agreed order. The motion carried.

Ratify Agreed Citation for Lapsed License

Upon review by the Board, a motion was made by Ms. Cross, seconded by Ms. Burke, to ratify the following Agreed Citations:

Kasy Britt-Kenley, Owner, Professional Massage and Bodywork

Ms. Britt-Kenley agreed to pay a civil penalty in the amount of \$700.00 for operating a massage establishment on a lapsed license for ten (10) months. The motion carried.

Jennifer Lytle, Owner, N 2 Skin

Ms. Lytle agreed to pay a civil penalty in the amount of \$900.00 for operating an unlicensed massage establishment for six (6) months. The motion carried.

Tammy Kaye Stumpf, LMT

Ms. Stumpf agreed to pay a civil penalty in the amount of \$300.00 for practicing massage therapy on a lapsed license for six (6) months. The motion carried

Laura Allison Ashley, LMT

Ms. Ashley agreed to pay a civil penalty in the amount of \$400.00 for practicing massage

therapy without a valid license for seven (7) months. The motion carried

Juliana E. Glasgow-Trotman, LMT

Ms. Glasgow-Trotman agreed to pay a civil penalty in the amount of \$300.00 for practicing massage therapy on a lapsed license for six (6) months. The motion carried

Ratify Agreed Citations for Continuing Education Violations

Upon review by the Board, a motion was made by Ms. Cross, seconded by Ms. Burke, to ratify the following Agreed Citations:

Rahema D'lal Abdel-Jaber, LMT

Mr. Abdel-Jaber agreed to pay civil penalties in the amount of \$250.00 for failing to obtain four (4) hours of continuing education during the 2011/2012 continuing education cycle.

Lisa Susan Balabas, LMT

Ms. Balabas agreed to pay civil penalties in the amount of \$250.00 for failing to obtain four (4) hours of continuing education during the 2011/2012 continuing education cycle.

Debra Ann Ballou, LMT

Ms. Ballou agreed to pay civil penalties in the amount of \$300.00 for failing to obtain six (6) hours of continuing education during the 2011/2012 continuing education cycle.

Melissa Rae Collins, LMT

Ms. Collins agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Kimberly Annette Cox, LMT

Ms. Cox agreed to pay civil penalties in the amount of \$675.00 for failing to obtain twenty-one (21) hours of continuing education during the 2011/2012 continuing education cycle.

Brenda Lynne Croxton, LMT

Ms. Croxton agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2011/2012 continuing education cycle.

Regan Jordan Dougall, LMT

Ms. Dougall agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2011/2012 continuing education cycle.

Aurora Freida Fontanilla, LMT

Ms. Fontanilla agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Walter Vernon Guice, LMT

Mr. Guice agreed to pay civil penalties in the amount of \$400.00 for failing to obtain ten (10) hours of continuing education during the 2011/2012 continuing education cycle.

Sandra Natalie Gwaltney, LMT

Ms. Gwaltney agreed to pay civil penalties in the amount of \$725.00 for failing to obtain twenty-three (23) hours of continuing education during the 2011/2012 continuing education cycle.

Gloria L. Hansen, LMT

Ms. Hansen agreed to pay civil penalties in the amount of \$350.00 for failing to obtain eight (8) hours of continuing education during the 2011/2012 continuing education cycle.

Judith S. Helfant, LMT

Ms. Helfant agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Sharon E. Howard, LMT

Ms. Howard agreed to pay civil penalties in the amount of \$250.00 for failing to obtain four (4) hours of continuing education during the 2011/2012 continuing education cycle.

Lauren Nicole Jeffrey, LMT

Ms. Jeffrey agreed to pay civil penalties in the amount of \$750.00 for failing to obtain twenty-four (24) hours of continuing education during the 2011/2012 continuing education cycle.

Kathy Carolene Kirkland, LMT

Ms. Kirkland agreed to pay civil penalties in the amount of \$250.00 for failing to obtain four (4) hours of continuing education during the 2011/2012 continuing education cycle.

Zlatko Kozlica, LMT

Ms. Kozlica agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2011/2012 continuing education cycle.

Sally J. Logan, LMT

Ms. Logan agreed to pay civil penalties in the amount of \$425.00 for failing to obtain eleven (11) hours of continuing education during the 2011/2012 continuing education cycle.

Lindsay Rene McGinnis, LMT

Ms. McGinnis agreed to pay civil penalties in the amount of \$300.00 for failing to obtain six (6) hours of continuing education during the 2011/2012 continuing education cycle.

Noelle J. McIntyre, LMT

Ms. McIntyre agreed to pay civil penalties in the amount of \$250.00 for failing to obtain four (4) hours of continuing education during the 2011/2012 continuing education cycle.

Misty L. Nichols, LMT

Ms. Nichols agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Lisa Nicole Pace, LMT

Ms. Pace agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2011/2012 continuing education cycle.

Gay Byington Pelham, LMT

Ms. Pelham agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Cynthia R. Phillips, LMT

Ms. Phillips agreed to pay civil penalties in the amount of \$475.00 for failing to obtain thirteen (13) hours of continuing education during the 2011/2012 continuing education cycle.

Mi Kyong Ramey, LMT

Ms. Ramey agreed to pay civil penalties in the amount of \$325.00 for failing to obtain seven (7) hours of continuing education during the 2011/2012 continuing education cycle.

Yolanda Nicole Seay, LMT

Ms. Seay agreed to pay civil penalties in the amount of \$350.00 for failing to obtain eight (8) hours of continuing education during the 2011/2012 continuing education cycle.

Wendy Jane Soomers, LMT

Ms. Sommers agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Brendan Jack Sweetman, LMT

Mr. Sweetman agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2011/2012 continuing education cycle.

Elizabeth Anne Turnbull, LMT

Ms. Turnbull agreed to pay civil penalties in the amount of \$275.00 for failing to obtain five (5) hours of continuing education during the 2011/2012 continuing education cycle.

Baolin Wang, LMT

Mr. Wang agreed to pay civil penalties in the amount of \$600.00 for failing to obtain eighteen (18) hours of continuing education during the 2011/2012 continuing education cycle.

Carla Gayle Wilburn, LMT

Ms. Wilburn agreed to pay civil penalties in the amount of \$575.00 for failing to obtain seventeen (17) hours of continuing education during the 2011/2012 continuing education cycle.

The motion carried.

Ratifications

Ms. Wray made a motion to approve all new and reinstated licenses for massage therapists and massage establishments issued from July 15, 2014 through October 14, 2014. Ms. Cross seconded the motion. The motion carried.

Massage Therapists

TIFFANY NICOLE ABBOTT	XINHONG MA
HONGYAN ALDREDGE	BREE DANIEL MACHRY
PRESTON WILLIAM ALEXANDER	PAMELA GAYLE MARSEE
LISA MARIE ALLEN	SHERI LYNN MARTIN
AMY ANN ALTADONNA	REBECCA JANINE MCBRAYER
LINDA RUTH ANDREWS	JESSIE ELIZABETH MEGGINSON
NANCY ANN ARMSTRONG	BRANDON LEWIS MITCHELL
LAURA ALLISON ASHLEY	PATRICIA ANN MOORE

PATRICIA SUSANNE AUTRY	JESSICA ALANE MORGAN
AUSTIN SETH BAILEY	JIMI KATE MORRISON
JOSHUA HARRISON BAMFIELD	ERIN T MURRAY
ELIZABETH OSINGA BARNETT	HU NAN
TRACY ALISON BENNETT	CHUNE NIU
TARSHA YVETTE BLAYLOCK	REAGAN REBECCA NOLEN
ERIC LLOYD BROOKS	TRISHA BETH OLDROYD
LESLEY KIRA BROWN	JENNIFER ELISABETH OURSLER
AALIYAH LASHONDA BUTLER	KATHELYN RAE PACK
CRISTY LYNN CALDWELL	KRISTIE JUNE PARNELL
KRYSTAL LEANDRA CARDEN	FAITH ANNE PATTERSON
JIA CHAI	STEPHANIE LYNN PENDER
JUANHONG CHEN	KATRINA ANN PERRIMAN
YING CHEN	TAYLOR MACKENZIE POLI
YUMEI CHEN	DAVID AUSTIN POWELL
NONA ESTHER CLARK	TRAVIS DANIEL RAINS
BREANNA TAYLOR COLLINS	CHANDRA LYNN RILEY
LATANIA MARIA CRAIG	DAMARA LINETTE RILEY
LILLIAN REBECCA CROSS	JOHNATHAN KELLY RITCH
JANE FRANCIS DAVIS	DAWN CHRISTY ROCKEY
LISA MICHELLE DAVIS	JAMES OWEN RODGERS
JENNAVIE LYNN DIESTELOW	MARKTHOMAS O ROGERS
TIFFANY ROSE DODSON	RONNIE NORENE RUBIN
CIERRA FAITH DUNBARR	RUSSELL W. SAINDON
PATRICIA DAWN EVOLA	CASSANDRA LOUISE SAMPLEY
HAIYAN FAN	JOY THERESA SCHLITZ
ALLYSON SHROPSHIRE FORD	KRYSTEN KECK SCOTT
ASHLEY NICOLE FOX	GINA M SEAGRAM
CASSANDRA ELIZABETH FREEMAN	CASEY MICHELLE SHAW
VERONICA MARIE GAHL	LEAH MARIE SHUGART
DUANE DUNCAN GIBSON JR	MANIESHA LASAL SIMMONS
MICHAEL GREGORY GREER	SHENIQUA DENISE SIMS
LAURA BETH GRINDSTAFF	CHARLES THOMAS SMITH
CHRISTOPHER RAY GROSS	KASI JEAN SPARKS
LINDSAY ANN GUNTHER	JEDADIAH LUCAS STEWART

NATHALIE CAROLINA HAMILTON	CATHERINE ALICE STOUT
SHELBY NICOLE HANDLEY	KATHY LYNNE STUTEVILLE
AARON W HARRELL	XIULI SUN
TAMALA W HARRELL	LYNETTE RAE SWAN
EVA LOUISE HARRIS	CHRISTAL ALDEAN TARPLEY
LYNTHANY LACE HARRIS	AMANDA LEIGH TAYLOR
MICHAEL T.K. HATCHETT	TEKEDRA YVETTE TERRY
CHELSEA DANIELLE HAWES	VALERIE NASHELLE THARPE
KASSANDRA LYNN HAYS	KANEISHA SHONTA THOMAS
CRAIG CHRISTOPHER HILL	JOHN JOSEPH TOMETICH
KATHARINE LEIGH HILL	JAMEELAH YASMINE VAUGHAN
SHIKENA LATRELL HUDSON	TENGONE Y VENGCHIEM
DAVREEKA AUDURA HUGHES	KATHRYN GINGLES VERNER
WENDY ALAINE HUTCHINSON	NATALIE LYNN WAGNER
JENNIFER SUZANNE HUTH	AMY LEIGH WALTER
DONNA MAY JENSEN	AMY BOYER WEBB
ANNA BROOKS JOHNS	FENG WEI
ASUKA JOHNSON	MACKENZIE BRYCE WELCH
JENNIFER KAY KELLEY	AMANDA KAY WHITTEMORE
JORDAN LEE KILPATRICK	JEAN ANN WILLIAMS
ERIN MICHELLE LAFRAMBOISE	LORI MARIN WILLIAMS
JESSICA MEGAN LANDERS	MIKI BREE WOOD
AUDREY REBECCA LANG	JOYCE ANN WOODBECK-CAREY
ANNE MICHELLE LEE	SONYA JANITA WOODS
KAVEANA RENAI LEWIS	JONATHAN AARON YOUNG
VICKI RENEE LEWIS	TAMMY LAURETTE YOUNG
WHITNEY ANN LEWIS	JANE ELIZABETH YOUNGER
LI LI	DEBRA ELIZABETH ZATORSKY
MARLEAH JOANN LIDDLE	ZHIYING ZHAO
LIJUAN LIU	HONG ZHOU
STACIE LATRESE LOVE	XIAO ZHOU
DONGHONG LU	LANXI ZHUO
LONG MA	JANICE L. ZIRKENBACK

Massage Establishments

VENUS DE MILO MED SPA	DON CAMPBELL LMT
LIFE LIGHT CHIROPRACTIC CENTER	GEORGIA CAREER COLLEGE
ROYAL TEASE SALON AND SPA	XU WELLNESS CENTER
HALE SPRINGS INN	TALLY CHIROPRACTIC SERVICES DBA: HEALTH
THE BLING BEAUTY BAR	KNOXVILLE HEALING CENTER
THERAPEUTIC MASSAGE BY TERESA	LESLIE BEACH MASSAGE AND BODYWORK
MIDTOWN YOGA TOO / MIDTOWN YOGA, LLC	DIVINE TOUCH SALON AND SPA
NATURAL NAIL AND TAN	FOR YOUR WELLNESS CHIROPRACTIC LLC
NELSON CHIROPRACTIC, PLLC	LILLI SMITH LMT INTEGRATIVE MASSAGE THER
THERAPEUTIC TOUCH MASSAGE THERAPY	A GLIMMER OF HOPE
APPLE CORPORATE WELLNESS, INC	DONALD C KELLEY
ARLINGTON PHYSICAL THERAPY, LLC	LAFLEUR'S HEALING ARTS
A SERENE TOUCH MASSAGE THERAPY & BODYWOR	RELIEF! BEAUTY SPA
MASSAGE YIJIN	ROYAL SPA
MASSAGE YIJIN	MERLE NORMAN COSMETICS & DAY SPA
SANCTUARY MASSAGE & BODYWORK	MERLE NORMAN COSMETICS & DAY SPA
THE WILLOW MASSAGE THERAPY	ME FRANKLIN LLC DBA MASSAGE ENVY
HEALING EARTH	NSN LLC DBA NASHVILLE SCHOOL OF MASSAGE
BETTER LIFE THERAPEUTIC MASSAGE	AMAZING MASSAGE
AESTHETICS & WELLNESS SOLUTIONS LLC	ESSENTIAL HEALTH MASSAGE
THE SALON AND COMPANY	YELLOW COTTAGE MASSAGE
TEMENOS	HEART MIND BODY NEUROMUSCULAR MASSAGE
100% CHIROPRACTIC	RENU LASER CENTER
DESIREE' RYMAN, LMT	BETTER BODY THERAPEUTIC MASSAGE
REVIVE MASSAGE LLC	MADE WELL MASSAGE THERAPY
MASSAGE ENVY	THE KNEADED TOUCH
SOUTH OF NEW YORK - SALON & SPA	CAVI MEDSPA OF NASHVILLE, LLC
TREE OF LIFE MASSAGE	RAJA HOT YOGA/BRIGHT LIGHT LLC
MASSAGE THERAPY AT BOURBON BLISS DEPOT	TRULA MCNEASE MASSAGE THERAPIST
DELTA MASSAGE	

Massage Therapists Reinstated

KATHERINE SUE BARBER MT	KIMBERLY DENISE JACKSON
KRISTIANA E. BIGGS-WALKER	KYLE GIBSON JONES
MELODY LYNN BLEVINS	AMANDA ROSEMARY LAWSON

ELIZABETH MARIE BOHAN	LIA LOVEDAY LAYMAN
MELISSA RENEE BOND	ERIN LONG
APRIL RAE MARIE BROWN	LEWINFRED ANTONIO SHACK
NANCY E COOP	ELIZABETH SHEA STREET
THEOPHILUS BRENN COOPER	TAMMY KAYE STUMPF
KIVA LOUISE CRUTCHER	LORI ANNE TEFFETELLER
REGAN JORDAN DOUGALL	PRISCILLA KAY WADE
LAUREN A EDMONDS	TAMMY MICHELLE WALKER
JUSTIN NEIL EVERETT	RACHEL SARA WANYOIKE
NATALIE DAWN GILBERT	AMANDA BETH WATKINS
AMY ELIZABETH GIVENS	CATHEY D. WILLIAMS
JULIANA E. GLASGOW-TROTMAN MT	TIFFANY RENEE' WOODS
GRETCHEN JOHANNA GRAGG	

Massage Establishments Reinstated

BARBARA CLENIN, DBA TOTAL HEALTH	MILDRED SHEARENE CONNER, LMT
EASTSIDE TANNING	N2 SKIN
HANDS ON HEALTH:THERAPEUTIC MASSAGE	PROFESSIONAL MASSAGE AND BODYWORK
HICKS CHIROPRACTIC	THE MASSAGE CLINIC
JOHN BURRELL, LMT	THE SPA @ BEAR COVE FALLS
MAINSTREET INTEGRATIVE HEALTH	VIBRANT LIFE HEALTH AND WELLNESS
MASSAGE BACK TO HEALTH CLINIC	

Continuing Education Waiver Requests

Angela Cannon, LMT

Ms. Cannon requested a waiver for two (2) continuing education hours for the 2011/2012 continuing education cycle in ethics. Mr. Cross made a motion, seconded by Mr. Velker, to approve the waiver request. The motion carried.

Charlotte L. Custer, LMT

Ms. Custer requested a waiver for eight (8) continuing education hours for the 2011/2012 continuing education cycle due to family medical reasons. Ms. Cross made a motion, seconded by Ms. Burke, to approve the waiver request. The motion carried.

Teresa Annette Paul, LMT

Ms. Paul requested a waiver for twenty-five (25) continuing education hours for the 2011/2012 continuing education cycle due to family medical reasons. After a brief explanation, Mr. Velker made a motion; seconded by Ms. Wray, to defer the waiver request until the February 2015 Board meeting to allow Ms. Paul time to submit documentation showing proof that she completed her 2013/2014 continuing education cycle. The motion carried.

Mary Kathryn Roberts, LMT

Ms. Roberts requested a waiver for four (4) continuing education hours for the 2011/2012 continuing education cycle in Tennessee Law & Ethics. Ms. Roberts stated in her waiver request that she was unaware that she was required to take additional hours. Ms. Cross made a motion, seconded by Ms. Wray, to deny the waiver request. The motion carried.

Shannon Wise, LMT

Ms. Wise requested a waiver for twenty-five (25) continuing education hours for the 2011/2012 continuing education cycle due to family medical reasons. Ms. Wise was non-compliant with her 2009/2010 cycle. Mr. Velker made a motion, seconded by Ms. Cross, to deny the waiver request. The motion carried.

Ratification of Continuing Education Waivers Approved by the Chair

At the November 4, 2013 meeting, the Board voted to grant the chairperson the authority to review and approve, on an individual basis, continuing education waiver requests for two (2) hours or less so long as the two hours are not TN law and ethics. Ms. Wray made a motion, seconded by Ms. Cross, to ratify the waiver request list that Mr. Bolden initially reviewed and approved. The motion carried.

Approved Continuing Education Courses

Ms. Cross made a motion, seconded by Mr. Velker, to approve the following continuing education courses:

1. “Medical Massage Session 2” – 12 hrs. – Derek Myers, DC – TN090314-52
2. “Postural Assessment” – 12 hrs. – William E. Mullins III, LMT – TN072314-53
3. “Aromatherapy” – 6 hrs. – Teri Carrick, L, Ac. , LMT – TN091514-54
4. “Tennessee Law & Ethics” – 4 hrs. – Teri Carrick, L, Ac. , LMT – TN091514-55
5. “Head, Neck, and Shoulders: Body Work for Unwinding Tension and Injury” – 4 hrs. – Teri Carrick, L, Ac., LMT – TN091514-56

Review Board Correspondence

International Association of Structural Integrators – Model Practice Act

The Board of Directors sent a letter to the Board that outlined several concerns regarding the Model Practice Act that was recently adopted by the Federation of State Massage Therapy Boards. The Board had a brief discussion regarding the letters. No action was taken by the Board.

Trellany Plunk, LMT – “Live Webinars”

Ms. Plunk requested that the Board clarify whether the Ben Benjamin continuing education courses were acceptable classes to meet the “live webinar” requirements. The Board defined a live interactive webinar at the October 27, 2014 meeting as a course/class where the instructor is presenting a real time presentation through audio visual and interacts with the participant with question and answer periods throughout the presentation. Based upon the Board’s definition, the Ben Benjamin continuing education course wouldn’t meet the requirements for a live interactive webinar.

Erica Wilson, LMT –Statutes and Regulations

The Tennessee Massage Board is currently working on revising the rules in preparation for a rule making hearing in 2015. Ms. Wilson sent an e-mail with suggestions regarding the rule changes. The Board had a brief discussion regarding the e-mail. No action was taken by the Board.

Office of General Counsel Report – Continuing Education Audit

Mr. Guilford and Ms. Andrea Huddleston, Chief Deputy General Counsel, was present at the meeting and requested that the Board consider reducing their continuing education audit from 100%. They explained that the volume of cases in the Office of General Counsel for continuing education is prohibiting more serious cases from being worked and addressed and is taking many resources to work the CE cases. After a discussion, Ms. Cross made a motion to decrease the continuing education audit starting January 1, 2015 for the 2013/2014 cycle to 50% and to allocate excess money to Office of General Counsel to process all cases. Mr. Velker seconded the motion, and the motion carried.

Changes for the Rule Making Hearing for Rule 0870-01 and 0870-02

1. **0807-02-.01(5)(6) – Strike** -As of November 1, 2014 the NCBTMB is no longer offer the National Exam and therefore should be stricken from the rule. Ms. Cross made a motion, seconded by Mr. Velker to strike 0870-02.01(5)(6). The motion carried.
2. **0870-02-.02(3)(j) – Add** – The transcript shall include the following information and must be embossed with the seal of the school. Ms. Cross made a motion, seconded by Ms. Jaggars to add the additional language to the rule. The motion carried.
3. **0870-02-.02(3)(b) – Strike & Replace** - The program curriculum shall include current exam approved by the Board. Ms. Cross made a motion, seconded by Ms. Burke to

approve the new language to the rule. The motion carried.

4. **0870-02-.08 – Strike-** Ms. Cross made a motion to strike the entire fee section of the rules. Ms. Wray seconded the motion, and the motion carried.
5. **0870-02.02(3)(d)** – The Board decided that each Tennessee approved massage school has the authority to decide where in their 500(+) hour curriculum to add the two (2) classroom presentation by the impaired professional assistance program.
6. **0870-02.02(3)(e) – Strike & Replace** - Ms. Burke made a motion, seconded by Ms. Wray to change the rule to read: The program must document that each student has signed and dated an acknowledgement that they understand the requirements for licensure, specifically the provisions regarding criminal convictions, prior to enrollment in the program. The motion carried.

Discuss & take action on policy regarding applicants with felony convictions

The Board decided that they approved of the current policy regarding felony convictions and that no action was necessary at this time.

Re-instating Inspection of Establishments

At the August 2014 meeting the Board was divided on reinstating unannounced inspections due to privacy issues and therapists' various work hours. After discussion, the Board decided to defer the topic until the October 27, 2014 Board Meeting. They requested that the Administrative staff research how other states perform unannounced inspections and what data is gathered from the inspections.

At the October 27, 2014 the Board discussed re-instating unannounced inspections. The Administrative Office presented documents from other state massage Boards that perform unannounced inspections. After polling the Board, all Board members that were present were in support of unannounced inspections. After a discussion, Ms. Wray made a motion, seconded by Ms. Jagers, to create an Inspection Task Force to create ideas and recommendations to present to the Board at the February 9, 2015 Massage Board Meeting. Mr. Bolden appointed Ms. Cross, Mr. Scott Bailey, and Kimberly Hodge to be on the Inspection Task Force. The motion carried.

Continuing Education Via Live Interactive Webinars

The Board was asked to define what was acceptable to be considered and counted as a “live interactive webinar.” After a brief discussion, Ms. Cross made a motion for a policy to be created stating that a live interactive webinar is defined as a course/class where the instructor is presenting a real time presentation through audio visual and interacts with the participate with question and answer periods throughout the presentation. Mr. Velker seconded the motion, and the motion carried. Ms. Cross made a motion, seconded by Ms. Jagers for the Board’s definition to become effective January 2, 2015. The motion carried.

Ms. Cross also made a motion that a policy be created stating that the Tennessee Law class can only be taught as a live interactive webinar or live in person. Ms. Jagers seconded the motion, and the motion carried.

Discuss & Vote on Application Review Committee (ARC)

The Board discussed creating an Application Review Committee to review and make initial determinations regarding therapist and establishment applications. The Board decided that after the Committee had made its initial determination, the Committee's decisions and suggestions would be presented to the Board. The Board would then decide whether to ratify the Committee's decision or reject the Committee's decision at the following Board meeting. The Board determined that the Committee would consist of one Board member, the Board's Director, and the Board's Manager. Mr. Guilford would also be present at the meeting for legal guidance and the Peer Assistance Program would be present to advocate for applicants that went through an assessment. The Board agreed that allowing the Committee to review the files and make the initial determination would allow more time for Board business to be discussed and resolved. Mr. Velker made a motion, seconded by Ms. Cross, to approve the Application Review Committee. The motion carried. Mr. Velker volunteered to be the first Board Member on the Application Review Committee.

Applicant with Discipline on License Appearing before the Board for Establishment License

After a brief discussion the Board decided that they approved of their current policy of requiring all applicants with previous discipline on their license to appear before the Board when applying for an establishment license. No action was taken.

Discuss Classroom Interpreters for Foreign Language Students

Mr. Bolden expressed that he felt as though this discussion was outside of the purview of the Board and was more a discussion that should be addressed with Tennessee Higher Education Commission. No action was taken.

Appearance of Newly Approved Tennessee Massage Schools

Rule 0870-02-.02(b) requires that the program director shall appear before the Board as part of the initial approval process and that the curriculum shall be presented at the meeting. At the October 27, 2014 meeting Ms. Dawn Fortune-Brown, Program Director for the Nashville School of Massage, was present and introduced herself and her program to the Board. Dr. Donald Woods, Executive Director and Co-Founder of Excel Dental, was present and introduced himself and his school to the Board. Ms. Dee Vickers, Director of Gould's Academy of Massage, was also present and introduced herself and her school to the Board. Each school's curriculum was submitted for review and approved by a Massage Consultant.

Annual Institutional Program Report

Ms. Cross made a motion, seconded by Ms. Wray to approve the Annual Institutional Program Report. The report will be due to the Board by December 31 of each year and will follow the

reporting requirements of the Tennessee Higher Education Commission. Each school will be required to report their numbers from July 1-June 30. The motion carried and the form was adopted by the Board.

Federation of State Massage Therapy Boards

The 2014 FSMTB meeting was held in Tucson, AZ. Mr. Bolden, Ms. Wray, Ms. Burke, and Ms. Hodge attended the Annual Federation Meeting. Each attendee gave a brief statement regarding their positive experience at the annual meeting.

The FSMTB and NCBTMB announced that the NCBTMB would no longer be offering their licensure exam as of November 1, 2014. The NCBTMB will focus on their National Board Certification exam. Mr. Bolden, who was elected at last year's FSMTB meeting to chair a task force that would focus on vetting quality continuing education providers, gave a presentation of the resolution that was adopted by the Board of Directors and then by the delegates at the 2014 meeting. The resolution now allows the FSMTB to be an approver of continuing education sponsors. This will allow ongoing online vetting for continuing education. Mr. Bolden was also asked to run in 2015 as a Board Member for the FSMTB. The 2015 Federation of State Massage Therapist Board Annual Meeting will be held on October 8nd – 10th, 2015 in Albuquerque, NM.

MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
October 27 & 28, 2014

Time: 9:00 a.m. C.S.T.

Location: 665 Main Stream Drive
HRB Conference Center
1st Floor, Iris Room
Nashville, TN 37243

Members Present: Ed Bolden, LMT Chairperson
Cynthia Jagers, LMT, Secretary
Marvis Burke, LMT
Julie J. Wray, LMT
Christi Cross, Citizen Member
Michael Velker, Citizen Member
Bethann Easterly, LMT

Staff Present: Lisa Lampley, Board Director
Kimberly Hodge, Board Manager
Dale Hill, Board Administrator
Marc Guilford, Assistant General Counsel

The meeting was called to order at 9:18 a.m. by Mr. Ed Bolden, Board Chairperson.

Applicant Interviews

Rongzhen Lui, LMT

Ms. Lui appeared before the Board to explain inconsistencies in her massage therapist application. Ms. Lui had whited out her primary work address on her practitioner profile, and the establishment listed was not a licensed establishment. The administrative office also requested that Ms. Lui provide proof of her original employment verification and driver's license. Ms. Lui's first language is Mandarin. Therefore, the Tennessee Massage Board administrative office provided an interpreter from the Tennessee Foreign Language Institute for the interview. The interpreter, Ms. Elizabeth Huang, translated the Board's questions and concerns regarding Ms. Lui's licensure application that she submitted for a Massage Therapist in Tennessee. After a brief discussion, Mr. Velker made a motion, seconded by Ms. Wray, to approve the application. The motion carried with Ms. Cross and Ms. Burke opposed.

Xian Yuan Li – Dingzu Massage

Ms. Li appeared before the Board to explain concerns regarding her working without a massage

therapist license and her owning and operating an establishment without a license. Ms. Li's first language is Mandarin. Therefore, the Tennessee Massage Board administrative office provided an interpreter from the Tennessee Foreign Language Institute for the interview. The interpreter, Ms. Elizabeth Huang, translated the Board's questions and concerns regarding the inconsistencies in Ms. Li's licensure application that she submitted for a Massage Establishment in Tennessee. Ms. Li admitted that she had been providing chair massage to her clients. Upon further discussion, Mr. Velker made a motion to deny the license on the grounds of violation of Tenn. Code Ann. 63-18-108 (9), has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the Board issued pursuant to this chapter and Tenn. Code Ann. 63-18-104(b) Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other time that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law. After Mr. Velker offered the facts behind her motion, Ms. Cross seconded the motion, and the motion carried. Ms. Cross made a motion, seconded by Ms. Easterly for her file to be sent to investigations for a case to be opened on her for practicing massage without a license and opening and operating an establishment without a license. The motion carried with Mr. Velker opposed.

Contested Case Hearing

Ping Li

Ms. Li was present and represented by her attorney, Mr. Joel Crim. Mr. Marc Guilford, Assistant General Counsel, represented the State of Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge, Thomas Stovall.

Ms. Li's application for licensure as a Tennessee massage therapist was denied at the May 5, 2014 meeting. The Board based their decision on Tenn. Code Ann. 63-18-108 (1), is guilty of fraud in the practice of massage or fraud or deceit in the licensee's admission to the practice of massage, and Tenn. Code Ann. 63-18-107(12) is guilty of unethical or unprofessional conduct. After listening to all the evidence and testimony given by Ms. Li and her husband, Donald Stec, Mr. Guilford requested that the case be dismissed due to lack of evidence. Mr. Guilford based his request on Judge Stovall's instructions to the Board that the respondent was responsible for the burden of proof. Neither Ms. Li nor her attorney, Joel Crim, submitted a completed application for licensure to prove that Ms. Li met all the requirements to be licensed as a Tennessee Massage Therapist. Ms. Cross made a motion, seconded by Ms. Jagers to dismiss the case with prejudice due to lack of sufficient evidence by the petitioner. The motion carried with a roll call vote. Mr. Velker was opposed.

Nathan Hoffman, LMT -474

Mr. Hoffman was present and was not represented by counsel. Mr. Matthew Gibbs, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge, Thomas Stovall.

Mr. Hoffman failed to obtain nineteen (19) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing his license in May 2012, Mr. Hoffman falsely indicated that he had completed all required continuing education. Mr. Hoffman testified that he had never received the documents for the 2009/2010 audit. Mr. Hoffman also showed documents to prove that he had lost all his continuing education certificates due to a flood. Upon discussion and review, Ms. Cross made a motion, seconded by Ms. Wray to dismiss the case. The Board felt as though Mr. Hoffman completed his continuing education requirements for the 2009/2010 continuing education cycle and therefore, didn't violate the Tennessee Massage Statues. The motion carried and the case was dismissed against Mr. Hoffman.

Secret L. Rackley, LMT – 8195

Ms. Rackley was present and was not represented by counsel. Ms. Hannah Lanford, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge, Thomas Stovall.

Ms. Rackley failed to obtain twenty-five (25) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in June 2013, Ms. Rackley falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Rackley had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Rackley's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Easterly to accept the proposed order as written. The motion carried. Ms. Rackley's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Default Orders

Virginia Ann Hewitt, LMT - 3064

Ms. Hewitt was not present and was not represented by counsel. Mr. Matt Gibbs, Assistant General Counsel, represented the State. The hearing was presided over by Administrative Law Judge Thomas Stovall. Mr. Gibbs submitted proof that Ms. Hewitt had been duly notified of the hearing and moved for default. The motion for default was granted.

Ms. Hewitt failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in July 2012, Ms. Hewitt falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Hewitt had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Hewitt's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Burke to accept the proposed order as written. The motion carried. Ms. Hewitt's license was suspended. She is required to make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle. Ms. Hewitt's massage therapist license shall be placed on probation immediately following the suspension and will remain on probation until all civil penalties and costs are paid in full.

Shenika Nicole Williams, LMT - 3064

Ms. Williams was not present and was not represented by counsel. Mr. Matt Gibbs, Assistant General Counsel, represented the State. The hearing was presided over by Administrative Law Judge Thomas Stovall. Mr. Gibbs submitted proof that Ms. Williams had been duly notified of the hearing and moved for default. The motion for default was granted.

Ms. Williams failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 and twenty-five (25) approved hours of continuing education in the 2011-2012 continuing education cycles. Upon renewing her license in December 2011 and January 2014, Ms. Williams falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Williams had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Williams's conduct constitutes grounds for discipline. A motion was made by Mr. Velker and seconded by Ms. Wray to accept the proposed order with an amendment to #13 of the order to two (2) Type B Civil Penalties in the amount of five hundred dollars (\$500.00) for a total assessment of three thousand five hundred dollars (\$3,500.00). The motion carried. Ms. Williams's license was suspended. She is required to make-up all continuing education hours and penalty hours for the 2009-2010 and 2011-2012 continuing education cycles. Ms. Williams's massage therapist license shall be placed on probation immediately following the suspension and will remain on probation until all civil penalties and costs are paid in full.

Quintus D. Thomas, LMT - 5300

Mr. Thomas was not present and was not represented by counsel. Ms. Hannah Lanford, Assistant General Counsel, represented the State. The hearing was presided over by Administrative Law Judge Thomas Stovall. Ms. Lanford submitted proof that Mr. Thomas had been duly notified of the hearing and moved for default. The motion for default was granted.

Mr. Thomas failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 and twenty-five (25) approved hours of continuing education in the 2011-2012 continuing education cycles. Upon renewing his license in April 2011 and May 2013, Mr. Thomas falsely indicated that he had completed all required continuing education. Upon discussion and review, the Board found that Mr. Thomas had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining his required continuing education hours. Mr. Thomas's conduct constitutes grounds for discipline. A motion was made by Mr. Velker and seconded by Ms. Burke to accept the proposed order with an amendment to #11 of the order to two (2) Type B Civil Penalties in the amount of three hundred dollars (\$300.00) for a total assessment of three thousand one hundred dollars (\$3,100.00). The motion carried. Mr. Thomas's license was suspended. He is required to make-up all continuing education hours and penalty hours for the 2009-2010 and 2011-2012 continuing education cycles. Mr. Thomas's massage therapist license shall be placed on probation immediately following the suspension and will remain on probation until all civil penalties and costs are paid in full.

Consent Order

Andrea N. Norris, LMT – 1462

Ms. Lanford, Assistant General Counsel, presented and discussed the consent order for Andrea N. Norris. Ms. Norris failed to obtain twenty-five (25) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in February 2013, Ms. Norris falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Norris had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Norris's conduct constitutes grounds for discipline. A motion was made by Mr. Velker and seconded by Ms. Burke to accept the consent order as written. Ms. Norris's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Jie Allen, LMT – 9241

Ms. Lanford, Assistant General Counsel, presented and discussed the consent order for Jie Allen. Ms. Allen failed to obtain twenty-five (25) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in April 2013, Ms. Allen falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Allen had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Allen's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Mr. Velker to accept the consent order as written. Ms. Allen's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Katrina L. Ferguson, LMT – 6445

Ms. Lanford, Assistant General Counsel, presented and discussed the consent order for Katrina L. Ferguson. Ms. Ferguson failed to obtain five (5) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in June 2011, Ms. Ferguson falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Ferguson had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Ferguson's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Easterly to accept the consent order as written. Ms. Ferguson's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle.

Agreed Order

Jennifer L. Keeton, LMT - 1924

Ms. Hannah Lanford, Assistant General Counsel, presented and discussed the agreed order for Jennifer L. Keeton. Ms. Keeton failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Her license was placed on probation and

will remain on probation until all civil penalties and costs are paid in full. Ms. Cross made a motion, seconded by Ms. Burke to approve the agreed order as written. The motion carried.

Rebecca A. Beckman, LMT - 6088

Ms. Hannah Lanford, Assistant General Counsel, presented and discussed the agreed order for Rebecca A. Beckman. Ms. Beckman failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Ms. Beckman retired her massage therapist license. She is required to pay all civil penalties and cost and make-up all deficient and penalty hours before re-instating her massage license. Ms. Cross made a motion, seconded by Ms. Jaggars to approve the agreed order as written. The motion carried.

Consent Orders

Belinda C. Gomes, LMT - 6897

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Belinda C. Gomes. Ms. Gomes failed to obtain four (4) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in May 2013, Ms. Gomes falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Gomes had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Gomes's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Burke to accept the consent order as written. Ms. Norris's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Tawayna G. Eady, LMT – 3601

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Tawayna G. Eady. Ms. Eady failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in August 2011, Ms. Eady falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Eady had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Eady's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Wray to accept the consent order as written. Ms. Eady's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle.

Bethany D. Dillard, LMT – 5602

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Bethany D. Dillard. Ms. Dillard failed to obtain twenty-one (21) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in January 2012, Ms. Dillard falsely indicated that she had completed all required continuing education. Upon

discussion and review, the Board found that Ms. Dillard had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Dillard's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Burke to accept the consent order as written. Ms. Dillard's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle.

Chasiti N. Conroy, LMT – 5083

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Chasiti N. Conroy. Ms. Conroy failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in April 2014, Ms. Conroy falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Conroy had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Conroy's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Mr. Velker to accept the consent order as written. Ms. Conroy's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle.

Janice F. Alford-Sanders, LMT – 4178

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Janice F. Alford-Sanders. Ms. Alford-Sanders failed to obtain two (2) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in July 2013, Ms. Alford-Sanders falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Alford-Sanders had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Alford-Sanders's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Wray to accept the consent order as written. Ms. Alford-Sanders's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Steve R. Cate, LMT – 5072

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Steve R. Cate. Mr. Cate failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in October 2013, Mr. Cate falsely indicated that he had completed all required continuing education. Upon discussion and review, the Board found that Mr. Cate had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining his required continuing education hours. Mr. Cate's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Burke to accept the consent order as written. Mr. Cate's license was placed on probation, and he was required to pay all civil penalties and costs and make-up all continuing education

hours and penalty hours for the 2009-2010 continuing education cycle.

Katie A. Huff, LMT – 7696

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Katie A. Huff. Ms. Katie A. Huff failed to obtain two (2) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in May 2013, Huff falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Huff had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Huff's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Burke to accept the consent order as written. Ms. Huff's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Lynnetta M. Logan, LMT – 5586

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Lynnetta M. Logan. Ms. Logan failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in March 2014, Ms. Logan falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Logan had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Logan's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Easterly to accept the consent order as written. Ms. Logan's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle.

Latoshia D. Towns, LMT – 3948

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Latoshia D. Towns. Ms. Towns failed to obtain seventeen (17) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon renewing her license in July 2013, Ms. Towns falsely indicated that she had completed all required continuing education. Upon discussion and review, the Board found that Ms. Towns had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Towns's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Easterly to accept the consent order as written. Ms. Towns's license was placed on probation, and she was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

Peter W. Peterson, LMT – 6817

Mr. Gibbs, Assistant General Counsel, presented and discussed the consent order for Peter W. Peterson. Mr. Peterson failed to obtain twenty-five (25) approved hours of continuing education in the 2009-2010 continuing education cycle. Upon renewing her license in June 2012, Mr.

Peterson falsely indicated that he had completed all required continuing education. Upon discussion and review, the Board found that Mr. Peterson had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining his required continuing education hours. Mr. Peterson's conduct constitutes grounds for discipline. A motion was made by Ms. Cross and seconded by Ms. Wray to accept the consent order as written. Mr. Peterson's license was placed on probation, and he was required to pay all civil penalties and costs and make-up all continuing education hours and penalty hours for the 2009-2010 continuing education cycle.

Yurong Ma, LMT - 10155

Mr. Guilford, Board Attorney, presented and discussed a consent order for Yurong Ma. Mr. Ma was granted a massage license on December 13, 2013 and has a current expiration date of July 31, 2016. On October 13, 2012 Ms. Ma took the Massage and Bodywork Licensure Exam "MBLEx" and received a passing score. On July 14, 2014, the Board received notification from the FSMTB that Ms. Ma's MBLEx score had be invalidated and that she would have to "wait a period of twelve (12) months from the date of the invalidation before reapply to take the exam. As July 14, 2014, Ms. Ma had not received a passing score on an examination approved by the Board. Ms. Ma's actions violated TENN. CODE ANN. 63-18-108(7)(9) and Comp.R. & Regs 0870-01-.04(1)(f). Ms. Ma's massage license was revoked which is considered as formal discipline. Ms. Ma is able to apply for a new license upon retaking and passing the MBLEx exam. Mr. Velker made a motion, seconded by Mr. Cross to approve the consent order. The motion carried.

Katherine Dyas, LMT – 9020

Mr. Guilford, Board Attorney, presented and discussed a consent order for Katherine Dyas. Ms. Dyas was granted a massage license on August 25, 2011 and has a current expiration date of October 31, 2014. On April 22, 2014 Ms. Dyas was convicted of driving under the influence. Ms. Dyas promptly reported her conviction to the Board and completed her DUI class and community service on early May 2014. Ms. Dyas's actions violated TENN. CODE ANN. 63-18-108(2). Ms. Dyas's massage license was reprimanded. Reprimand is considered as formal discipline. Ms. Cross made a motion, seconded by Mr. Velker to approve the consent order. The motion carried.

Peer Assistance Program

At the recent meeting of the Tennessee Massage Licensure Board held on October 27 – 28, 2014, a discussion was held regarding the impaired professional assistance program and the current contract with Lighthouse Professional Services, Inc.

Members of the Board expressed concerns regarding the services currently being provided. Specifically, these concerns related to the lack of visits to all massage school programs as required by Rule 0870-02-.02(3)(d) and the incompleteness of the video presentation regarding the services provided by Lighthouse Professional Services, Inc. The Board stated that the contract amount was increased in March 2014 for the purpose of providing funding for salary and travel to conduct program visits to each school and to provide funding for completion of the video to be presented to graduating classes that you were unable to attend in person. As of this date, the video has not been completed and there are still several schools which have not been visited.

The Board is concerned that the scope of services and the expectations of the board are not being met at this time.

The Board requested that the following information be included in the annual report to be presented at the February 9 -10, 2015 board meeting:

- Number of clients referred by the Board; number of face-to-face meetings for these clients; number of these clients requiring on-going monitoring and/or further evaluation
- Number of clients self-reporting; number of face-to-face meetings for these clients; number of these clients requiring on-going monitoring and/or further evaluation
- Number of clients referred by others-(school, co-worker, family member, etc.); number of face-to-face meetings for these clients; number of these clients requiring on-going monitoring and/or further evaluation
- Number of clients drug-tested (broken down by referral category)
- Details of process/procedures used for different reported issues (e.g. substance abuse, sexual misconduct, criminal offenses)
- Procedures for addressing/resolving customer service complaints and personality conflicts
- Location, date, time, and attendance number of school presentations

These minutes were ratified at the meeting held on February 9 – 10, 2015.