

**MINUTES  
TENNESSEE MASSAGE LICENSURE BOARD  
NOVEMBER 2, 2015**

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

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

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

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

The meeting was called to order at 9:36 a.m. by Dr. Ed Bolden, Board Chairperson. Dr. Bolden welcomed everyone to the meeting and encouraged the students to attend the Board meetings and become an active part of the massage and body work profession. Dr. Bolden said the reason the Board exists is to protect the health, welfare and safety of the citizens of the state of Tennessee. Dr. Bolden welcomed and thanked Ms. Marcela Collins for her service as Vice President on the Board of the Federation of State Massage Therapy Boards. Prior to conducting business, Lisa Lampley conducted a roll call to establish a quorum. A quorum was present.

**Minutes**

Upon review of the August 11-12, 2015 minutes, Ms. Cross made a motion, seconded by Ms. Burke, to approve the minutes as written. The motion carried.

**Conflict of Interest Policy**

Marc Guilford, Assistant General Counsel, reviewed the conflict of interest policy. The purpose of the policy is to assure that the individual interests of the board members do not conflict with their responsibilities to the Board to which they are appointed. Mr. Guilford requested that each Board member sign the Policy.

**Applicant Interviews**

### **Ailing Lu**

Ms. Ailing Lu was asked to appear before the Board to answer and explain concerns regarding the educational transcript submitted for her massage therapy application. Ms. Lu's application was first reviewed by the Applicant Review Committee at the October 14, 2015 meeting. Ms. Lu was present at the April 16, 2015 meeting, and the ARC Committee recommended denial of Ms. Lu's massage therapist application. The Committee's decision was based on evidence of several inconsistencies in her file, which included Ms. Lu's verification from Virginia reflecting that she attended a different school than what she listed on her application. Ms. Lu was not present at the meeting. Ms. Cross made a motion; seconded by Ms. Wray to proceed with a discussion and decision regarding Ms. Lu's massage therapist application. The motion carried. After a brief discussion, Mr. Velker made a motion, seconded by Ms. Burke to deny Ms. Lu's massage therapist application based on T.C.A 63-18-108 (1)(7). The motion carried.

### **Jinshuang Song**

Ms. Jinshuang Song was asked to appear before the Board to answer and explain concerns regarding the educational transcript submitted for her massage therapy application. Ms. Song's transcript reflects that she graduated from California Trinity, which is now listed as an unapproved school on the California Massage Therapy Council (CAMTC) website. Ms. Song's MBLEx scores also reflected that she graduated from East West Institute of Hand Therapy, which is also an unapproved school on the CAMTC website. Ms. Song was not present at the meeting. Ms. Cross made a motion; seconded by Mr. Velker to proceed with a discussion and decision regarding Ms. Song's massage therapist application. The motion carried. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Easterly to deny Ms. Song's massage therapist application based on T.C.A 63-18-105 (b)(3)(A) and T.C.A 63-18-108 (1). The motion carried. The Board also requested that the Administrative Office report Ms. Song's MBLEx score discrepancy to the Federation of State Massage Therapy Board.

### **Jenny Yi, LMT**

Ms. Jenny Yi requested that her reinstatement application be deferred for review at the February 8, 2016 Massage board Meeting. Ms. Cross made a motion, seconded by Wray to defer Board action on Ms. Yi's reinstatement application until the February 8, 2016 board meeting. The motion carried.

### **Haiyan Bernhardt, LMT – Blue Moon Asian Massage**

The Board reviewed the establishment application for Haiyan Bernhardt, a licensed massage therapist, who applied for an establishment license for Blue Moon Asian Massage in Murfreesboro, TN. Ms. Bernhardt originally submitted an establishment application to own and operate Blue Moon on February 14, 2014 after receiving a letter from the Office of General Counsel for operating without an establishment license. Ms. Bernhardt then withdrew her application to own and operate Blue Moon and Mr. Jeff Griswold applied for an establishment license for Blue Moon. Mr. Griswold then inactivated his establishment license on November 3, 2014. Upon inactivating his establishment license for Blue Moon, Mr. Joe Staz and Ms. Haiyan Bernhardt submitted an application to own and operate Blue Moon. Due to lack of required information, Ms. Bernhardt and Mr. Staz's file was closed. The establishment continued to

operate without a license. Ms. Bernhardt submitted a new establishment application on March 6, 2015. Upon the file's completion, Ms. Bernhardt was requested to appear before the Application Review Committee for owning and operating an unlicensed establishment. The ARC initially denied the establishment application at the July 17, 2015 meeting, and then the Board approved the denial of Ms. Bernhardt's establishment application at the August 11, 2015 meeting. The Board's decision at the August 11, 2015 meeting was based on evidence that the location for which Ms. Bernhardt had applied for licensure had been open and operating without a license, which was a violation of T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b).

Ms. Bernhardt was present and the Tennessee Massage Board administrative office provided an interpreter from the Tennessee Foreign Language Institute for her interview. The interpreter, Ms. Jiao Hoggard, translated the Board's questions and concerns regarding Ms. Bernhardt's massage establishment licensure application. On September 24, 2015 Department of Health staff called the phone number associated with Blue Moon, and was able to schedule an appointment for September 25, 2015 at 9 a.m. and 6 p.m. with a female named Cocoa. Ms. Bernhardt told the Board that the number associated with the establishment had been disconnected. After a discussion, Ms. Cross made a motion, seconded by Ms. Wray to deny Ms. Bernhardt's massage establishment application based on T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b). The motion carried with Mr. Velker opposed.

### **Jeff Griswold – Blue Moon Asian Massage**

The Board reviewed the establishment application for Jeff Griswold who applied to reactivate his establishment license for Blue Moon Asian Massage in Murfreesboro, TN. Mr. Griswold inactivated his establishment license on November 3, 2014. Upon inactivating his establishment license for Blue Moon, Mr. Joe Staaz and Ms. Haiyan Bernhardt submitted an application to own and operate Blue Moon. Due to lack of required information, Ms. Bernhardt and Mr. Staaz's file was closed. The establishment continued to operate without a license. Ms. Bernhardt submitted a new establishment application on March 6, 2015. Upon the file's completion, Ms. Bernhardt was requested to appear before the Application Review Committee for owning and operating an unlicensed establishment. The ARC initially denied the establishment application at the July 17, 2015 meeting, and then the Board approved the denial of Ms. Bernhardt's establishment application at the August 11, 2015 meeting. The Board's decision at the August 11, 2015 meeting was based on evidence that the location for which Ms. Bernhardt had applied for licensure had been open and operating without a license, which was a violation of T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b).

Based on the Board's decision at the August 11, 2015 meeting, Mr. Griswold was requested to appear before the Board to answer additional questions. Mr. Griswold was present for the meeting. Mr. Griswold stated that he never owned Blue Moon, and that the establishment had always been owned and operated by Ms. Haiyan Bernhardt. Mr. Griswold also stated that during the time that he held the establishment license that he made sure that everyone that worked in the establishment was licensed and adhered to the rules. After a detailed discussion, Mr. Velker made a motion to approve Mr. Griswold's reinstatement application for Blue Moon. The motion failed. Ms. Cross made a motion, seconded by Ms. Jagers to deny Mr. Griswold's reinstatement application for Blue Moon based upon T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b). The motion was approved with Mr. Velker opposed and Ms. Wray abstaining.

### **Xiaozhu Hong, LMT – Hong Massage**

Ms. Xiaozhu Hong appeared before the Board to answer and explain concerns regarding her establishment applications. The Board reviewed new establishment applications for Xiaozhu Hong, a licensed massage therapist who applied for establishment licenses for Hong Massage in Knoxville, TN. Ms. Hong's previous establishment applications were denied at the May 4, 2015 meeting due to evidence that showed Ms. Hong's establishments had been open and in operation before being approved for an establishment license. Upon the Board reviewing Ms. Hong's establishment applications at the August 10, 2015 meeting, it was determined that Ms. Hong had continued to operate Hong Massage after the Board had directed her at the May 4, 2015 meeting to close the establishment. This determination was based on evidence from the Knox County Sheriff Department that Hong Massage was open for business as of July 15, 2015, and that the Knoxville County Vice raided Ms. Hong's establishment on Thursday August 6, 2015 for operating an unlicensed establishment and employing unlicensed massage therapist.

The Tennessee Massage Board administrative office provided an interpreter from the Tennessee Foreign Language Institute for the interview. The interpreter, Ms. Jiao Hoggard, translated the Board's questions and concerns regarding Ms. Hong's licensure application for Hong Massage. Ms. Hong was present for her interview. The Board reviewed an e-mail dated August 7, 2015 from the Knox County Sheriff Department that stated that the case against Hong Massage was an ongoing investigation. After a discussion, Ms. Cross made a motion, seconded by Mr. Velker, to defer Ms. Hong's establishment application until the February 8, 2016 to allow Ms. Hong the opportunity to provide the Board documentation of the case being closed. The motion carried.

Later that evening, Ms. Hong asked that the Board reconsider her establishment application. Mr. Guilford explained to the Board that Ms. Hong's attorney had faxed over the final disposition of the case against the unlicensed therapist that was employed by Ms. Hong. After reviewing the new documents, Ms. Cross made a motion, seconded by Ms. Wray to reconsider Ms. Hong's establishment application. After further discussion, Ms. Cross made a motion, seconded by Ms. Wray, to approve Ms. Hong's establishment application for Hong Massage. The motion carried.

### **Tian Xia – Foot Retreat Massage**

Ms. Tian Xia appeared before the Board to answer and explain concerns regarding her establishment applications. The Board reviewed the establishment applications for Tian Xia, a registered reflexologist, who applied for establishment licenses for Foot Retreat Massage in Chattanooga, TN. Ms. Xia was requested to appear before the Board based on evidence that showed Ms. Xia's establishments had been open and in operation before being approved for an establishment license. The Tennessee Massage Board administrative office provided an interpreter from the Tennessee Foreign Language Institute for the interview. The interpreter, Ms. Jiao Hoggard, translated the Board's questions and concerns regarding Ms. Xia's establishment licensure application for Foot Retreat Massage. Ms. Xia was present for her interview. Ms. Xia stated that the establishment was not officially open and that all services that had been offered were for free. The Board reviewed an online Yelp review and documents advertising Groupon. After a discussion, Mr. Velker made a motion to approve Ms. Xia's establishment application for Foot Retreat Massage. The motion failed. Ms. Cross made a motion, seconded by Ms. Wray to deny Ms. Xia establishment application for Foot Retreat Massage based upon T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b). The motion was approved with Mr. Velker and Ms. Easterly opposed.

### **Jie Prater, LMT – Chinatown Massage Therapy**

The Board reviewed the establishment application for Jie Prater, a licensed massage therapist, who applied to reactivate her establishment license for Chinatown Massage Therapy in Murfreesboro, TN. Mr. Guilford, Massage Board Counsel, informed the Board that the Office of General Counsel had a case against Chinatown Massage Therapy for unlicensed practice, but that the case had been closed. The Tennessee Massage Board administrative office provided an interpreter from the Tennessee Foreign Language Institute for the interview. The interpreter, Ms. Jiao Hoggard, translated the Board's questions and concerns regarding Ms. Prater's establishment reactivation application for Chinatown Massage Therapy. Ms. Prater was present for her interview. Chinatown's license expired on October 31, 2014, but Ms. Prater admitted that she establishment was open and operating until April 2015. The Board reviewed documentation from Chinatown's web site that showed that appointments could currently be made for services at the establishment, and a Board Member was able to make an appointment on the website. After a discussion, Ms. Cross made a motion, seconded by Ms. Jaggars to deny Ms. Prater's reactivation of establishment application for Chinatown Massage Therapy based upon T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b). The motion was approved.

### **Alvin R. Massey & Jodi Mehlenbacher – Massey Medical Weight Loss Center**

Mr. Alvin Massey and Ms. Jodi Mehlenbacher appeared before the Board to answer and explain concerns regarding their establishment application that was received in the Board's Administrative Office on July 1, 2015. The Board reviewed the establishment application for Alvin Massey and Jodi Mehlenbacher, who applied for an establishment license for Massey Medical Weight Loss Center in Chattanooga, TN. They were requested to appear before the Board based on evidence that showed that Massey Medical Weight Loss Center had been open and offering massage services before being approved for an establishment license. Mr. Massey stated to the Board that the establishment had hired a massage therapist and had been offering massage services since May 2015. After a discussion, Ms. Cross made a motion seconded by Ms. Wray to deny the establishment license. The motion failed. Mr. Velker made a motion, seconded by Ms. Easterly to approve the establishment license with civil penalties. The motion failed. After further discussion, Ms. Cross made a motion, seconded by Ms. Jaggars to deny the license based on T.C.A 63-18-108 (1)(7) and T.C.A 63-18-104 (a)(b). The motion was approved with Mr. Velker and Ms. Easterly opposed. Ms. Rosemarie Otto, Director of Health Related Boards, requested that a case be opened against Massey Medical Weight Loss Center. Ms. Otto explained that it is not generally legally sound for a layperson to own a medical practice pursuant to the Corporate Practice of Medicine Doctrine that applies to Tennessee.

### **Rodney Mitchell – Rodney Mitchell Style Bar and Spa**

Mr. Rodney Mitchell appeared before the November 2, 2015 Board to answer and explain concerns regarding his establishment application. He was requested to attend the November 2015 Board meeting based on evidence that the location for which he had applied for licensure had been open and operating without a license. Mr. Mitchell was also requested to appear before the Board to explain why he answered "no" to his ownership or disclosure form regarding any convictions other than a minor traffic offense. Mr. Mitchell's criminal background check revealed a 2002 conviction for a DWI and a 2004 DUI. At the November 2, 2015 meeting, the Board voted to deny Mr. Mitchell's establishment application based on T.C.A 63-18-108 (1)(7)

and T.C.A 63-18-104 (a)(b). Mr. Mitchell was instructed by the Board to cease offering massage services until he was approved for an establishment license.

The Board reviewed the new establishment application for Rodney Mitchell who applied for an establishment license for Rodney Mitchell Style Bar and Spa in Nashville, TN. Mr. Mitchell's ownership and disclosure form was completed correctly, and he ceased all massage services at his establishment. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Wray to approve Mr. Mitchell's establishment license. Mr. Velker made an amendment to the motion, seconded by Ms. Easterly, to approve a conditional license and assess \$1,100.00 in civil penalties for owning and operating an unlicensed establishment for eight (8) months. The amended motion was approved with Ms. Cross opposed.

### **Danna Beth Davis, LMT – Salon Prive Suites**

Ms. Danna Beth Davis, a licensed massage therapist, applied for a massage establishment license for Salon Prive Suites in Knoxville, TN. Ms. Davis was requested to appear before the Board to explain why she answered "no" on her ownership or disclosure form regarding any convictions other than a minor traffic offense. Her criminal background check revealed a 1991 conviction for driving under the influence (DUI). After a brief explanation, Ms. Wray made a motion, seconded by Ms. Easterly to grant the license. The motion carried.

### **Damita Eyre Shaw, LMT**

Ms. Damita Eyre Shaw applied to reinstate her massage therapist license. Ms. Shaw requested to appear before the Board due to a case in the Office of General Counsel for a 2009/2010 continuing education violation. Ms. Shaw was deficient 25 hours during the 2009/2010 cycle, and then she retired her license in October 2012. Ms. Shaw explained to the Board that she was unable to complete her continuing education requirements due to personal issues and financial hardship. After a discussion, Ms. Burke made a motion, seconded by Mr. Velker to reinstate and grant Ms. Shaw a probationary massage license. The conditions of Ms. Shaw's probationary license requires her to pay a civil penalty of \$200.00 and complete 20 hours of continuing education in addition to her required 25 hours of continuing education by December 31, 2016. The motion carried.

### **Rainye Lynette Johnson**

Ms. Johnson 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. Ms. Johnson's criminal background check revealed a 2015 conviction for driving on a suspended license. After a brief explanation, Ms. Cross made a motion, seconded by Ms. Burke to grant the license. The motion carried.

### **Randolph Harned Mack**

Mr. Randolph Mack appeared before the Board to answer and explain concerns regarding his massage therapist application. Mr. Mack was asked to attend the meeting because his massage therapist application was initially deferred by the Application Review Committee at the October 14, 2015 meeting. The Committee's decision was based upon evidence that Mr. Mack had worked for over 11 years in Tennessee Rolfing, which based upon the Tennessee Massage Board

rules and statutes, required Mr. Mack to be licensed as a massage therapist. Mr. Mack explained to the Board that he had been operating in good faith, and didn't believe he was performing massage. Instead he felt that Rolfing was the restructuring of the body instead of manipulating the soft tissue. After a detailed discussion, Ms. Wray made a motion, seconded by Ms. Cross to grant Mr. Mack a probationary massage license. The conditions of Mr. Mack's probationary license requires him to pay a civil penalty of \$5,500.00 for continuing to work for compensation for 11 months after receiving the cease and desist letter from the Office of General Counsel, and complete his required 25 hours of continuing education, which include 2 hours of Tennessee Law and Ethics, by December 31, 2016. The motion carried.

**Rhonda Sue King**

Ms. Rhonda King requested to appear before the Board to explain the documents in her massage licensure file. Ms. King had convictions for disorderly conduct, worthless checks, and multiple criminal convictions for theft. Based on the Board's Criminal Conviction policy, the Administrative staff referred Ms. King to the Tennessee Professional Assistance Program, which is the Board's peer assistance program. Ms. King disagreed with the recommendations in the report from TnPAP. After a discussion, Mr. Velker made a motion, seconded by Ms. Cross to defer Ms. King's application until she has completed the process with TnPAP. The motion carried.

**Administrator/Directors Report**

As of September 30, 2015 there were 4,260 licensed massage therapists and 1,647 licensed massage establishments.

Following is the license activity since the last meeting:

<b>THERAPISTS</b>	<b>ESTABLISHMENTS</b>
<b>July 2015</b>	<b>July 2015</b>
Newly Licensed – 48	Newly Licensed – 21
Reinstate Applications – 11	Reinstate Applications – 2
Retired- 15	Retired – 3
New Applications- 41	New Applications- 22

<b>THERAPISTS</b>	<b>ESTABLISHMENTS</b>
<b>August 2015</b>	<b>August 2015</b>
Newly Licensed – 67	Newly Licensed – 28
Reinstate Applications – 9	Reinstate Applications – 5
Retired- 10	Retired – 1
New Applications- 41	New Applications- 20

<b>THERAPISTS</b>	<b>ESTABLISHMENTS</b>
<b>September 2015</b>	<b>September 2015</b>
Newly Licensed – 47	Newly Licensed – 20
Reinstate Applications – 7	Reinstate Applications- 4
Retired- 14	Retired- 7
New Applications- 50	New Applications- 19

### **Office of Investigation/Disciplinary Report**

Ms. Nichelle Dorroh, Disciplinary Coordinator, reported there are currently fifty-eight (58) open complaints against massage therapists and twenty-nine (29) open complaints against massage establishments in the Office of Investigations.

### **Office of General Counsel Report**

Mr. Marc Guilford stated there is currently an estimated 220 open cases in OGC that pertain mostly to continuing education. He spoke to the Board regarding the redline rules for the Board to review on Tuesday November 9, 2015. After the Board's review and approval of the redline rules, the packet will continue in the process toward a rulemaking hearing.

### **Ratify Agreed Citations for Lapsed Licenses**

Ms. Cross made a motion, seconded by Ms. Burke to approve the list of Agreed Citations for lapsed licenses:

#### **Reka Noemi Tokics, Responsible Person, Relache Spa at Gaylord Opryland Resort (1542)**

Ms. Tokics agreed to pay a civil penalty in the amount of \$200.00 for operating a massage establishment on a lapsed license for five (5) months. The motion carried.

#### **Dr. Douglas C. Tomanelli, LMT, Owner, Hixson Spine Center of Chattanooga (2819)**

Dr. Tomanelli agreed to pay a civil penalty in the amount of \$300.00 for operating a massage establishment on a lapsed license for six (6) months. The motion carried.

### **Ratify Agreed Citations for Continuing Education Violations**

Upon review, Ms. Cross made a motion, seconded by Ms. Burke to approve the list of Agreed Citations:

#### **Chekanda Alexander, LMT**

Ms. Alexander 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.

#### **Tracy Deanne Cleavelin, LMT**

Ms. Cleavelin agreed to pay civil penalties in the amount of \$175.00 for failing to obtain one (1) hour of continuing education during the 2011/2012 continuing education cycle.

#### **Susan Hope Crain, LMT**

Ms. Crain agreed to pay civil penalties in the amount of \$575.00 for failing to obtain seventeen



(17) hours of continuing education during the 2013/2014 continuing education cycle.

Eric Dennis, LMT

Mr. Dennis 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.

Debra Gilmore, LMT

Ms. Gilmore agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2009/2010 continuing education cycle.

Lusita Gorgonio, LMT

Ms. Gorgonio agreed to pay civil penalties in the amount of \$575.00 for failing to obtain seventeen (17) hours of continuing education during the 2013/2014 continuing education cycle.

Rebekah Lynne Head, LMT

Ms. Head 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.

Sharon Marji Howse, LMT

Ms. Howse agreed to pay civil penalties in the amount of \$400.00 for failing to obtain ten (10) hours of continuing education during the 2013/2014 continuing education cycle.

Andrew D. Jackson, LMT

Mr. Jackson agreed to pay civil penalties in the amount of \$650.00 for failing to obtain twenty (20) hours of continuing education during the 2013/2014 continuing education cycle.

Katherine Irene Jones, LMT

Ms. Jones 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 I. Matthews, LMT

Ms. Matthews agreed to pay civil penalties in the amount of \$250.00 for failing to obtain four (4) hours of continuing education during the 2013/2014 continuing education cycle.

Crystal W. Owen, LMT

Ms. Owen 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.

James Edward Petty, LMT

Mr. Petty 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.

Cornelia Jane Quimby, LMT

Ms. Quimby agreed to pay civil penalties in the amount of \$200.00 for failing to obtain two (2) hours of continuing education during the 2013/2014 continuing education cycle.

Nicole Rosand Ransom, LMT

Ms. Ransom agreed to pay civil penalties in the amount of \$175.00 for failing to obtain one (1) hour of continuing education during the 2013/2014 continuing education cycle.

Kenneth C. Schellhammer, LMT

Mr. Schellhammer 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.

Jennifer Schmid Sloan, LMT

Ms. Sloan 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.

Mildred Joy Townsend, LMT

Ms. Townsend agreed to pay civil penalties in the amount of \$350.00 for failing to obtain eight (8) hours of continuing education during the 2013/2014 continuing education cycle.

Shannon M. Webb, LMT

Ms. Webb 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.

Haden Pete York, LMT

Mr. York agreed to pay civil penalties in the amount of \$225.00 for failing to obtain three (3) hours of continuing education during the 2013/2014 continuing education cycle.

**Ratifications**

Ms. Cross made a motion, seconded by Ms. Burke, to approve the lists of ratification for initial and reinstated licenses for massage therapists and massage establishments with the amendment to remove Xuejiao Guo from the list of massage therapists. The ratification included initially approved and approved conditional licenses from the October 14, 2015 Application Review Committee. Ms. Xuejiao Guo's massage license was not ratified due to an audit of her education

by the Federation of State Massage Therapy Boards. The motion carried.

**Massage Therapist**

Abercrombie Jennifer Robin	Martis Megan Nicole
Abner Justin C.	Mason Antwon
Adcock Christopher Lee	Mason Lynessa Renee
Aldrdaree Shareen	Mastrocola Jocelyn Terese
Aponte Jacqueline Trisha Gail	Mcelhose Shannon Jean
Armstrong Cherissa Gale	Mceuen Chelsea Renee
Arnett Preston James	Mcguire Johanna Lee
Ball Kimberly Jane	Mckee Erica Danielle
Baylor Danielle Lanae	Medlen Tamara Eveningstar
Bizub Kimberly Irene	Meng Xianjun
Blackburn Faegheh H.	Metz Shane David
Blackwood Eric Franklin	Miller Karen Denise
Bloom Jeffrey Carl	Mo Zhong Ying
Boles Kelly Ann	Moon Carla Dawn
Borders Karissa Hope	Morgan Tracey Lynn
Bosquez Kirstan Shallah	Musantry Hope Marie
Bourke Rachel Ellen	Neal Michelle Nicole
Bowerman Leroy Joe	Nelson Trevor Brackman
Bowman Christi Lyn	Newman Christopher Lee
Brandt Chasity Winchester	Nicastro Nora
Brewer Kerry Lynn	Nielsen Valerie Renee
Brewer Toni Kristabelle	Nolen Candace Beth
Brotz Penny Lynn	O'Bryant Ashley Anne
Burns Tina Marie	Painter Bethany Shay
Byrd Renee Marie	Parker Annalisa Irene
Canterbury Shane Mark	Payton Jason Otis
Carcilli James Edwin	Pei Xiaojie
Carlin Jenna Christine	Peterman Melissa Anne
Carter Deborah Kaye	Pol Katherine Grace
Carter Joel W.	Polster Amy Lynn
Carter Stephanie Chermaine	Poulton Rana Lynette
Coleman Gabrielle Ellise	Reed Carolyn Renee'
Collins Andrew Joseph	Ruddell Kala Rosalyn
Combs James Jack	Sanders Wesley Adam
Cook Lacey Austin	Schepman Jennifer Catherine
Cornwell Kayla Brobeck	Shook Jack Rodney Jr.
Cox Kelly Marie	Slagle Sherri Lynne
Crane Jessica Lanae	Smith Alison Louise

Cross Eilese Jeneane	Smith Tia Kay
Crutcher Emily Taylor	Soyring Katie Jean
Davis Latoya S.	Spires Jasper Carey
Edwards Andrea Lee	Stahl Michael Gregory
Elsie Sarah	Steele Brandon Ray
Fan Guoquan	Stockton Thomas E.
Fisk Erin Lynne	Strauser Tiffany Ann
Gaylor Robin Denee'	Sun Cho Chun
Graham Meredith D.	Swab Bruce Harlan II
Greene Nancy E	Swink Pj
Gudnason Linda D.	Teague Sara Marie
Guo Lihua	Theis Morgan Janette
Guo Xuejiao	Tietjen Debra Meshel
Hamilton Cindy Elizabeth	Uren Caleb Conley
Hammond Tiffany Marie	Wade Nunley Jesse IV
Haney Lisa Josette	Wemyss Amanda Lynn
Holly Heather L.	White Rachel Leanna
Huff Jordyn Kim	White Xiangying
Hughes Julie Myra	Whitfield Annalynn L.
Huskey Kristyn Danielle	Wiley John Daniel
Jockers Cynthia L.	Williams Janetta Elaine
Johnson Kimberly Diane	Williams Jessica Molly
Johnson Rebecca Sharyl	Williams Michelle Marie
Jordan Angela Ruth	Williams Tiffany Rae
Joyal Jan Elizabeth	Willis Tiana Leigh
Keller Jessica Rae Ann	Wolkiewicz Shannon Patrick
Kleckner Charlene Ann	Wolters Brittany Sue
Klingbeil Tammie Lynn	Wysong Heather Jeanne
Lasko Elise Ann	Xin Jie
Leake Lorin Renee	Xing Xiaoli
Looper Mary Helen	Yang Caiying
Love Peter Wesley	Yarnall Robin Elizabeth
Loy Blake Aaron	Yeager Allison Elizabeth
Luffman Bobby Wallace	Zhang Juan
Lundy Vaydra Jane	Zhang Wenping
Magouirk Amy Rene	Zhao Haifeng
Manis Jessica Peyton	Zhou Jinwei
Marshall Cassandra Mary	

**Massage Therapists Reinstated**

Boucher Michelle Jeannine	Tennison Chalee
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Crutcher Candi Lynne	Thomas Tammy Lynnette
Davis Darisa Kaye	Wells Samantha Elizabeth
Ferguson Katrina Lynn	Williams Shenika Nicole
Gossett Karman Shea	Baker Gina Michelle
Hulbert Stephen George	Blevins Samuel Lee
Krogh Karen Lee	Deribert Colette Louise
Lambert Maureen	Fleisig Rise' Joanna
Lee Betty Ann	Gilmore Debra S.
Lux Amber Dawn	Hillger Christy L
Newgarden Gaudioso Carrie L	Hinton David Gene
Rodriguez Lana Michelle	Owen Crystal West
Surface Luann	Thaxton Lavada Paige

### **Massage Establishments**

A Touch Of Kindness	Massage By Jennavie
Adore Salon & Spa Llc	Massage Envy Spa Hixson
Anna Lynn Whitfield Lmt	Meridian Massage
Appalachian Acupuncture Healing Arts Center	Minor Med Walk In Clinic
Athletic Restoration Pllc	Mint Salon & Spa
Back And Body Works	Mountain Springs Massage Therapy
Baomin Lu DbA Health Massage	New Dawn Massage Therapy
Be Joyful Massage Therapy	New York Styles
Bodywork By Gretchen	Peabody Management Inc DbA Feathers Spa
Bombshells Salon & Spa	Peace Kneaded
Brenda AjjeH-Cleer DbA Distinctive Aesthetics	Peregrine Center
Calm Creek Massage	Pure An Organic Salon
Caring Hands Massage Therapy	Relache Spa At Gaylord Opryland Resort
Carrington Park Apartments	Relax Massage
Delta Groove Yoga	Restructure Sports Therapy
Diana Horenzy	Schumacher Chiropractic Wellness Center
Doctors Medical Group Llc	Second Wind Massage Llc
Down To Earth Knoxville (Robert Anderson)	Shane Ginder - Therapeutic Massage & Bodywork
Elements Yoga Lounge	Taylor Spine And Sports Rehabilitation Pllc
Expressions Hair Designs Inc.	The Art Of Touch & Curiosity Emporium
Firefly Massage	The Haven Day Spa And Salon
Foot Spa	The Palms Therapeutic Massage Centre
Grow	The Parlor Salon & Spa
Ha Le' Mind And Body	Therapeutic Massage For Healthcare Professionals Llc
Healing Arts Center	Therapeutic Remedies
Holistic Therapy Services	Tranquil Moments Massage
Human Touch Therapy	Transcendence Massage

I Choose 2 Relax	Tulahoma Chiropractic & Medical Center
Kingston Therapeutic Massage	Wanderlust Massage And Wellness
Kneading Together Massage	Wholesome Health Lounge
Kneading-A-Massage Cynthia L Fleet	Woodhouse Day Spa - Chattanooga Tn
Madison Waldron Lmt	Yuanjie Yang
Mara Rutherford Massage	

**Massage Establishments Re-Activated**

Batino Valley	Meadowsweet Massage And Wellness
Friends And Family Massage Care	Tom Gallaher Md Pllc Dba Gallaher Plastic & Spa M.D.
Gina Michelle Baker Lmt	Blanced Body Massage Spa
Islands Of Paradise Massage	Cumberland Neuromuscular Therapy
Jeannie Fitzgerald Lmt	Illumination Massage & Bodywork
Massage Envy Spa	Quantum Neuroscience Center

**Approved Continuing Education Courses**

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

1. “Tennessee Law for Massage Therapists”–2 hrs. – William E. Mullins, LMT – TN091815-30
2. “Ethics of Touch”–2 hrs. – William E. Mullins, LMT – TN091815-31
3. “Introduction to Postural Assessment”–12 hrs. – William E. Mullins, LMT – TN091815-32
4. “Tennessee Law”–2 hrs. – Charlene R. Gaffney, LMT – TN102315-33

**Presentation by the Tennessee Professional Assistance Program (TnPAP)**

Mr. Mike Harkreader, Executive Director of TnPAP, and Ms. Elaine Eaton, Administrative Director, were present at the meeting and provided the Statistical Report for the Tennessee Professional Assistance Program for the period July 1, 2015 to September 30, 2015. Currently TnPAP is monitoring two (2) massage therapists and one (1) establishment owner. There have been seven (7) Board referrals and one (1) client whose file was closed for declining services.

The Board made a motion to adjourn at 4:45 pm. The motion carried.

**MINUTES  
TENNESSEE MASSAGE LICENSURE BOARD  
NOVEMBER 3, 2015**

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

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

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

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

The meeting was called to order at 9:36 a.m. by Dr. Ed Bolden, Board Chairperson. Dr. Bolden said the reason the Board exists is to protect the health, welfare and safety of the citizens of the state of Tennessee. Prior to conducting business, Lisa Lampley conducted a roll call to establish a quorum. A quorum was present.

**Consent Order**

**Charnold Hale, L.M.T. – 469**

Mr. Guilford, Board Attorney, presented and discussed a Consent Order for Charnold Hale. Charnold Hale, License No. 469, was a co-owner and director of Chattanooga Massage Institute in Chattanooga, TN. While teaching and supervising student clinics, Mr. Hale was observed impaired (smelling of alcohol, slurred and incoherent speech, angry outburst, and sleeping in class) by multiple students and instructors on several occasions. On March 18, 2014, Mr. Hale slapped a female student on her buttocks after demonstrating a massage technique. On April 1, 2014, during class, Mr. Hale demonstrated a pectoral stretch on a student receiving a massage and injured the student. Mr. Hale admitted to a Tennessee Department of Health investigator during an interview that he had “a couple of beers” that day while working. He also admitted to repeatedly walking into classrooms where female students were changing clothing without knocking or announcing his presence. In 2014, Mr. Hale allowed two students under the age of eighteen (18) to enroll at CMI,

which violated the Tennessee Massage Board rules. Mr. Hale violated T.C.A 63-18-108 (4)(7)(9)(12), TENN. COMP. R. & REGS 0870-01-.19(1)(o), and 0870-02-.04(1). Based on the facts, Mr. Hale's massage therapist license is suspended, and he must petition for an Order of Compliance and personally appear before the Board in order for the suspension to be lifted. Mr. Hale is not allowed to teach or supervise over massage therapy students while his license is suspended. He is also required to obtain an evaluation by the Board's impaired practitioner program (TnPAP), complete all treatment recommendations, and, if needed, enter into a monitoring agreement with TnPAP and maintain 100% compliance with the terms of TnPAP. Mr. Hale agreed to pay two Type B civil penalty of five hundred dollars (\$500.00) for a total of one thousand dollars (1,000.00) and costs not to exceed three thousand dollars (\$3,000.00). If the Board finds that Mr. Hale has complied with all terms and lifts his suspension, Mr. Hale's license will immediately be placed on probation. After a discussion, Mr. Velker made a motion, seconded by Ms. Cross to approve the Consent Order as written. The motion carried.

### **Annie Ogle, L.M.T. – 10171**

Mr. Guilford, Board Attorney, presented and discussed a Consent Order for Annie Ogle, License No. 10171. Ms. Ogle was granted a massage license on December 2, 2013, and worked as an unlicensed massage therapist at the Alternative Center of Giles County from at least late July 2013 through late November 25, 2013. She admits to performing 22 massages at the Alternative Center of Giles County in Pulaski, TN. Based on the facts, Ms. Ogle violated T.C.A 63-18-104(a), 63-18-108(5)(7)(9)(12), and TENN. COMP. R. & REGS 0870-01-.03(1) and 0870-01-.05. Ms. Ogle's massage therapist license is placed on probation for a period of at least one (1) year for the effective date of this order. She is also assessed four (4) Type B civil penalties in the amount of two hundred fifty dollars (\$250.00), representing one such civil penalty for each month of practice prior to becoming licensed in Tennessee, for a total of one thousand dollars (\$1,000.00), and costs not to exceed three thousand dollars (\$3,000.00). After at least one year has passed from the effective date of this order, and Ms. Ogle has complied with all other conditions of this order, the probation shall automatically be lifted and her license shall be unencumbered. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Easterly, to approve the Consent Order as written. The motion carried.

### **David Andrew Spence, L.M.T. – 8103**

Devin Wells, Deputy General Counsel, presented and discussed the Consent Order for David Andrew Spence. Mr. Spence failed to obtain thirteen (13) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon discussion and review, the Board found that Mr. Spence had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining his required continuing education hours. Mr. Spence's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the consent order as written. The motion carried.

Mr. Spence's license was placed on probation. He was assessed one (1) Type B Civil Penalty in the amount of three hundred dollars (\$300.00), and thirteen (13) Type C Civil Penalties in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of Nine Hundred Fifty Dollars (\$950.00). He was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00,



and make up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

**Brenton Taylor Harris, L.M.T. – 7119**

Devin Wells, Deputy General Counsel, presented and discussed the Consent Order for Brenton Taylor Harris. Mr. Harris failed to obtain four (4) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon discussion and review, the Board found that Mr. Harris had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining his required continuing education hours. Mr. Harris's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the Consent Order as written. The motion carried.

Mr. Harris's license was placed on probation. He was assessed four (4) Type C Civil Penalties in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of Two Hundred Dollars (\$200.00). He was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00, and make up the required two (2) hours of Tennessee Law and two (2) hours of Ethics for the 2011-2012 continuing education cycle.

**Rebecca Carol Burks, L.M.T. – 5668**

Devin Wells, Deputy General Counsel, presented and discussed the Consent Order for Rebecca Carol Burks. Ms. Burks failed to obtain seven (7) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon discussion and review, the Board found that Ms. Burks had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Burks's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the Consent Order as written. The motion carried.

Ms. Burk's license was placed on probation. She was assessed one (1) Type B Civil Penalty in the amount of three hundred dollars (\$300.00), and seven (7) Type C Civil Penalties in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of Six Hundred Fifty Dollars (\$650.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00, and make up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

**Daniel Paul Hageman, L.M.T. – 4496**

Devin Wells, Deputy General Counsel, presented and discussed the Consent Order for Daniel Paul Hageman. Mr. Hageman failed to obtain nine (9) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon discussion and review, the Board found that Mr. Hageman had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining his required continuing education hours. Mr. Hageman's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the Consent Order as written. The motion carried.

Mr. Hageman's license was placed on probation. He was assessed one (1) Type B Civil Penalty in the amount of three hundred dollars (\$300.00), and nine (9) Type C Civil Penalties in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of Seven Hundred Fifty Dollars (\$750.00). He was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00, and make up all continuing education hours and penalty hours for the 2011-2012 continuing education cycle.

### **Agreed Orders**

#### **Kimberly Collins-Davis, L.M.T. – 9489**

Mr. Guilford, Board Attorney, presented and discussed an Agreed Order for Kimberly Collins-Davis, License No. 9489. Ms. Collins-Davis was granted a massage license on May 9, 2012. She rented a room and practiced massage at Hair in XS from January 2013 through May 2013, which was an unlicensed establishment located in Murfreesboro, TN. Ms. Collins-Davis admitted to performing between ten (10) to thirty (30) massages per week while working at Hair in XS. Based on the facts, Ms. Collins-Davis violated T.C.A 63-18-104(a) and 63-18-108(10). Ms. Collins-Davis's massage therapist license was reprimanded. She is also assessed one (1) Type B civil penalty in the amount of three hundred dollars (\$300.00) plus five Type C civil penalties in the amount of one hundred dollars (\$100.00) each, for a total of eight hundred dollars (\$800.00). She is also assessed cost not to exceed two hundred dollars (\$200.00) that must be paid within 12 months of the effective date of the Agreed Order. Ms. Cross made a motion, seconded by Ms. Burke, to approve the Agreed Order as written. The motion carried.

#### **Sharon L. Crisp, L.M.T. – 7577**

Stefan C. Cange, Assistant General Counsel, presented and discussed the Agreed Order for Sharon L. Crisp. Ms. Crisp failed to obtain twenty-five (25) approved hours of continuing education in the 2011-2012 continuing education cycle. Upon discussion and review, the Board found that Ms. Crisp had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Crisp's conduct constitutes grounds for discipline. To avoid further administrative action, Ms. Crisp voluntarily surrendered her massage therapist license. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the Agreed Order as written. The motion carried.

### **Continuing Education Audit**

Ms. Andrea Huddleston, Chief Deputy General Counsel, addressed the Board and requested that the Board reduce the percentage of licensees audited for continuing education. Ms. Huddleston explained that the Massage Board was utilizing 25% of resources in staff out of forty-eight (48) Boards that are audited for continuing education. Ms. Rosemarie Otto, HRB Director, addressed the Board and stated that she was in support of the reduction for the massage continuing education audit. She stated that the reduction would allow Board staff to work with the Federation of State Massage Therapy Boards (FSMTB) on the Human Trafficking Resolution that was presented by Tennessee and passed at the FSMTB Annual Conference. After a detailed

discussion, Ms. Wray made a motion, seconded by Ms. Burke to reduce the massage continuing education audit rate to 5% of licensees. After further discussion, Ms. Wray amended the motion to reduce the continuing education audit rate to 10% of licensees. Ms. Burke seconded the motion. The motion carried with Mr. Velker opposed.

### **Board Correspondences**

#### **Lewis W. Lyons –Interpretation of Rule 0870-01-.17(t) for Feather Spa @ the Peabody Hotel**

Ms. Lisa Lampley, Massage Board Director, read a letter from Lewis W. Lyons, attorney for Feather Spa located in the Peabody Hotel. Mr. Lyons requested that the Board provide guidance on the interpretation of Rule 0870-01-.17(t) regarding prohibited advertising content. Peabody Hotel requested the Board's guidance on the incentive program the hotel wanted to offer to the staff. Specifically, the Peabody desired to provide a compensation incentive or bonus program for front desk or concierge staff that referred customers to the spa. Peabody requested that the Board provide a formal opinion on whether the proposed incentive program would be precluded under Rule 0870-01-.17(t). After a brief discussion, Ms. Cross made a motion, seconded by Ms. Wray requesting that the Office of General Counsel draft a letter from the Board stating it is the Board's formal opinion that the employees of the Peabody Hotel were not considered to be a third party. The motion carried.

#### **Approval Request for School Curriculum**

The Board reviewed a request from Cumberland Institute of Holistic Therapies requesting approval to offer a 500 hour Holistic Bodywork program, which emphasizes energetic modalities, and to continue to offer the school's approved Traditional Western Massage program. Students would be required to take the same core classes in both 500 hour programs. Ms. Mary McDaniel and Mr. Steve Somers were present for the meeting. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Wray to approve Cumberland Institute's Holistic Bodywork program. The motion carried.

#### **Discuss and Approve the Updated Lapsed License Policy**

Mr. Marc Guilford presented an updated lapsed license policy for the Board to review. The updated policy requires that applications that reflect that an individual or establishment has worked in excess of twelve (12) months on an expired license be required to appear before the Application Review Committee or the Board to determine if the license should be reinstated and, if so, to assess civil penalties. Upon review and discussion, Ms. Cross made a motion, seconded by Ms. Burke to accept the updated lapsed license policy. The motion carried.

#### **Discuss and Approve Annual Report from approved Tennessee Massage Schools**

Dr. Bolden reported to the Board that the Annual report was pending to allow additional time for all Tennessee-approved Massage Schools to submit the report to the Board's Administrative Office. A comprehensive Annual report will be provided at the February 8, 2016 Board Meeting.

### **Discuss and Approve Prorated Continuing Education Policy**

Mr. Marc Guilford presented the Prorated Continuing Education policy for the Board to review. The policy requires that all massage therapists whose licenses are active during any portion of the continuing education cycle be required to complete continuing education hours according to the proration chart outlined in the policy. Massage therapist that have been licensed for any portion of a cycle would be required to complete at minimal four (4) hours of continuing education: two (2) hours pertaining to Tennessee statutes and rules concerning massage therapists and establishments (Rule 0870-01-.12(1)(b)), and two (2) hours pertaining to the management of practicing massage therapy, professional ethics, or substance abuse (Rule 0870-01-.12(1)(c)). Massage therapists who allow their licenses to expire in lieu of submitting an affidavit of retirement shall be required to earn all twenty-five (25) continuing education hours as set forth in Rule 0870-01-.12(1). Upon review and discussion, Ms. Cross made a motion, seconded by Ms. Burke to accept the prorated continuing education policy. The motion carried.

### **Discuss and Review Rule Amendments to Chapter 0870-01 and 0870-02 General Rules Governing Massage Therapy and Educational Programs**

Dr. Bolden requested that Rule 0870-01-12(5)(b)(1) be changed in the rulemaking packet to reflect the removal of the National Commission for Certifying Agencies (N.C.C.A). The justification for this change is that the N.C.C.A does not certify massage courses. Mr. Guilford provided the Board a detailed explanation for the process of approval of the rule packet.

### **Discuss Survey and Consider Core Curriculum Being Offered Online**

At the August 2015 Massage Board meeting, Dr. Bolden requested that the Board discuss core curriculum being offered online. Dr. Bolden felt that the Board would begin to see an increase in the near future of transcripts from other states that reflected science and ethics classes being taught online. Currently the Tennessee Massage Board rules require that all core curriculum education be obtained in a classroom. After a discussion, Dr. Bolden recommended that a survey be created and sent to all approved Tennessee massage schools requesting the schools' opinion on offering online core curriculum courses and providing feedback on the specific courses that should be allowed to be offered online.

A survey regarding core curriculum being offered online was mailed to the administrative office of all approved Tennessee Massage Schools. The Board received a response from sixteen (16) out of a total of twenty-six (26) Tennessee Massage Schools. Seventy-five percent (75%) of respondents felt that a portion of the required massage curriculum could be taught in a legitimate online format. Respondents felt that classes that pertained to ethics, law, anatomy/physiology, pathology, business, charting/documentation, marketing, student success, and pharmacology could be taught in an online format. After a discussion, Ms. Easterly made a motion, seconded by Ms. Cross to allow the Tennessee Law and Ethics Task Force to collect data and recommendations regarding online core curriculum being offered and accepted in other states. The motion carried.

## **Election of Officers**

The Board elected the following officers for calendar year 2016:

Mr. Velker nominated Ms. Easterly for Secretary. Ms. Jagers nominated Ms. Burke for Secretary. After a written vote, the Board elected Ms. Burke as Secretary of the Board. A motion was made by Ms. Burke and seconded by Ms. Cross to nominate Mr. Bolden as Chairperson. The nomination was approved and the motion carried.

## **Federation of State Massage Therapy Boards**

Dr. Bolden, Ms. Easterly, Ms. Burke, Ms. Jagers, Ms. Otto, Ms. Baca-Chavez, and Ms. Hodge attended the 2015 Annual Federation of State Massage Therapy Boards Meeting and Conference held in Albuquerque, NM. Each attendee gave a brief statement regarding their positive experience at the meeting.

The Tennessee Board had a strong presence at the annual meeting. Ms. Burke presented the Tennessee Resolution regarding Human Trafficking, which was unanimously approved by the State Boards. The Federation will be creating a taskforce to discuss and research how to address and combat human trafficking in the massage profession. Ms. Burke was also nominated and elected to the Nominating Committee, which is responsible for interviewing and vetting candidates to be elected to the Federation Board. Dr. Bolden was nominated and elected as the Vice President of the Federation's Board of Directors. The 2016 Federation of State Massage Therapy Boards Annual Meeting will be held on October 6 – 8, 2016 in Cleveland, OH.

## **Discussion**

The Board had a brief discussion regarding transcripts received in the Board's administrative office that reflect that a student had obtained more hours than the Tennessee Massage program was approved for by Tennessee Higher Education Commission and the Board. The Board had no objections to transcripts reflecting hours obtained in addition to the program's approved curriculum. No further action was taken by the Board.

The Board made a motion to adjourn at 2:42 pm. The motion carried.

**These minutes were approved at the February 8 – 9, 2016 meeting.**