

MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
October 24, 2016

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
Marvis Burke, LMT, Secretary
Julie J. Wray, LMT
Christi Cross, Citizen Member
Bethann Easterly, LMT
Michael Velker, Citizen Member

Members Absent: Cynthia Jagers, LMT

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

The meeting was called to order at 9:26 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 bodywork 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. Prior to conducting business, Lisa Lampley conducted a roll call to establish a quorum. A quorum was present.

Minutes

Upon review of the August 8, 9, 2016 minutes, Ms. Cross made a motion, seconded by Ms. Burke, to approve the minutes as written. The motion carried.

Directors Report

As of October 17, 2016 there were 4,283 licensed massage therapists and 1,653 licensed massage establishments.

Following is the license status since the last meeting:

THERAPISTS	ESTABLISHMENTS
August 2016	August 2016
Newly Licensed – 57	Newly Licensed – 26
Reinstate Applications – 17	Reinstate Applications – 3

Retired- 16	Retired – 9
New Applications- 50	New Applications- 27

THERAPISTS	ESTABLISHMENTS
September 2016	September 2016
Newly Licensed – 42	Newly Licensed – 22
Reinstate Applications – 3	Reinstate Applications – 4
Retired- 15	Retired – 8
New Applications- 36	New Applications- 14

Office of Investigation/Disciplinary Report

Ms. Nichelle Dorroh, Disciplinary Coordinator, reported the Board currently has thirty-two (32) open complaints against massage therapists and fourteen (14) open complaints against massage establishments in the Office of Investigations.

Office of General Counsel Report

Mr. Marc Guilford stated there are currently an estimated 90 open cases in OGC. He briefly discussed with the Board the process of the rulemaking hearing and that the Rule Packet would be sent to the Attorney General’s Office for legality check after the Board approved the changes.

Rule Making Hearing

Marc Guilford called the Rule Making Hearing to order at 9:35 a.m. with a roll call. Mr. Guilford reviewed the changes to Chapter 0870-01 governing licensed massage therapist and establishments and Chapter 0870-02 governing massage therapy educational programs. After reviewing and discussing the comments submitted by public and all suggested rule changes for Chapter 0870-01, Dr. Bolden made a motion, seconded by Ms. Burke to approve all Rules under Chapter 0870-01 as amended. Mr. Guilford conducted a roll call vote, and the motion carried. After reviewing all suggested rule changes for Chapter 0870-02, Dr. Bolden made a motion, seconded by Ms. Cross to approve all Rules under Chapter 0870-02 as amended. Mr. Guilford conducted a roll call vote, and the motion carried.

Applicant Interviews

Shu Yuan Chen

Ms. Shu Yuan Chen appeared before the Board to answer and explain concerns regarding her educational transcript submitted from Brightness Massage School for the Blind for her massage therapy application. Ms. Chen’s application was first reviewed by the Applicant Review Committee at the October 13, 2016 meeting. Ms. Chen was present at the October 13, 2016 meeting, and the ARC Committee recommended denial of Ms. Chen’s massage therapist application. The Committee’s decision was based on evidence that Ms. Chen’s attendance sheets submitted by Mr. Andrew Jiang, Director and school owner of Brightness Massage School for the Blind, to the Tennessee Higher Education Commission were not consistent with the dates of attendance on the transcript that was submitted to the Massage Licensure Board from Brightness. The interpreter, Ms. Jiao Hoggard, translated the Board’s questions regarding Ms. Chen’s massage

therapist licensure application. Upon review of the attendance records provided by Brightness School and Ms. Chen's statement regarding the dates of attendance, Mr. Velker made a motion, seconded by Ms. Cross, to deny Ms. Chen's massage therapist application based on T.C.A 63-18-108(1)(12) and T.C.A 63-18-105(b)(3)(A). The motion carried.

Li Wang

Ms. Li Wang appeared before the Board to answer and explain concerns regarding her educational transcript submitted from Brightness Massage School for the Blind for her massage therapy application. The Board's concern was based on evidence that Ms. Wang's attendance sheets submitted by Mr. Andrew Jiang, Director and school owner of Brightness Massage School for the Blind, to the Tennessee Higher Education Commission were not consistent with the dates of attendance on the transcript that was submitted to the Massage Licensure Board from Brightness. The interpreter, Ms. Jiao Hoggard, translated the Board's questions regarding Ms. Wang's massage therapist licensure application. Upon review of the attendance records provided by Brightness School and Ms. Wang's statement regarding the dates of attendance, Ms. Cross made a motion, seconded by Mr. Wray, to deny Ms. Wang's massage therapist application based on T.C.A 63-18-108(1)(12) and T.C.A 63-18-105(b)(3)(A). The motion carried.

Yuhong Wang

Ms. Yuhong Wang was asked to appear before the Board to answer and explain concerns regarding her educational transcript submitted from Just For Your Health for her massage therapy application. Ms. Wang's application was first reviewed by the Applicant Review Committee at the October 13, 2016 meeting. Ms. Wang was present at the October 13, 2016 meeting, and the ARC Committee recommended denial of Ms. Wang's massage therapist application. The Committee's decision was based on evidence that the massage school Ms. Wang attended offered core curriculum hours online. Per the Board's Distance Learning Policy and Rule 0870-01-04(1)(e) of the Tennessee Massage Licensure Board, the transcript must show that the applicant has successfully completed a massage, bodywork, and/or somatic therapy curriculum(s) consisting of no less than five hundred (500) classroom hours specifically delineated in required areas. The Committee's decision was also based on evidence that the massage school that Ms. Wang attended was subsequently unapproved by the California Massage Therapy Council. The interpreter, Ms. Jiao Hoggard, translated the Board's questions regarding Ms. Wang's massage therapist licensure application. After a brief discussion, Mr. Velker made a motion, seconded by Ms. Cross, to deny Ms. Wang's massage therapist application based on T.C.A 63-18-105(b)(3)(A). The motion carried.

Mei Lou – Eastern Pearl Therapeutic Massage

Ms. Mei Lou appeared before the Board with her attorney to answer and explain concerns regarding her massage establishment application. Ms. Lou's establishment application was first reviewed by the Applicant Review Committee at the October 13, 2016 meeting. Ms. Lou was present at the October 13, 2016 meeting, and the ARC Committee recommended denial of Ms. Lou's massage establishment application. The Committee's decision was based on evidence that the establishment had been open and operating without a massage establishment license since July 2016. After a detailed discussion, Ms. Cross made a motion, seconded by Mr. Velker to

deny Ms. Lou's establishment application based on T.C.A 63-18-108(5)(7)(12). The motion carried.

Christopher Blair Knott

Mr. Christopher Blair Knott appeared before the Board to answer and explain concerns regarding his misdemeanor convictions involving a DUI, possession of a controlled substance, and theft of property. Based on the information in Mr. Knott's massage application, he was requested to contact the Tennessee Professional Assistance Program for an evaluation. TnPAP closed Mr. Knott's file due to him being unable to comply with the enrollment requirements. Mr. Knott asked the Board to defer his application to allow him time to work with TnPAP. After a brief discussion, Ms. Cross made a motion, seconded by Mr. Velker, to defer action on Mr. Knott's therapist application file to allow him time to meet TnPAP's requirements. The motion carried.

Stacey Maxwell-Krockenberger

Dr. Maxwell-Krockenberger appeared before the Board at the May 2, 2016 Board Meeting to have her educational documentation reviewed for approval. Dr. Maxwell-Krockenberger submitted an application for licensure as a massage therapist in Tennessee. Upon review of her file, the administrative office determined that Dr. Maxwell-Krockenberger neither met the educational requirements for licensure through the standard application process nor for licensure by reciprocity. At the May 2, 2016 the Board voted to defer action on Dr. Maxwell-Krockenberger's file to allow her time to contact the school she attended and requested that an official transcript be sent to the Board. Dr. Maxwell-Krockenberger requested to appear before the Board at the October 24, 2016 meeting with her attorney. She requested to withdraw her massage therapist application. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Wray to allow Dr. Maxwell-Krockenberger to withdraw her massage application. The motion carried.

Michael C. Free

Mr. Michael C. Free appeared before the Board to answer and explain concerns regarding his misdemeanor convictions involving public intoxication, multiple DUIs, assault. Based on the information in Mr. Free's massage application, he was requested to contact the Tennessee Professional Assistance Program for an evaluation. The evaluation recommended that Mr. Free participate in an outpatient substance use disorder treatment program and execute a monitoring agreement. Mr. Free notified TnPAP that he didn't agree with the evaluation recommendations. Therefore, TnPAP had no choice but to close his file. Mr. Free asked the Board to defer his application to allow him time to work with TnPAP. After a brief discussion, Ms. Burke made a motion, seconded by Ms. Cross, to defer action on Mr. Free's therapist application file to allow him time to meet TnPAP's requirements. The motion carried.

Nina Kuzina – Nina Kuzina Fine Art, LLC

Ms. Nina Kuzina appeared before the Board with her attorney, Mr. Wayne Crim, to answer and explain concerns regarding her massage establishment application. Ms. Kuzina's establishment, Bucca Foot Spa, had been open and operating without a massage establishment license since July 2014. Ms. Kuzina's establishment application was first reviewed by the Applicant Review

Committee at the July 19, 2016 meeting and then by the Board at the August 8, 2016 meeting. Ms. Kuzina was present at both meetings, and her file was denied based on T.C.A 63-18-108(5)(9)(12) . At the August 8, 2016 meeting, the Board instructed Ms. Kuzina to cease offering massage services and to remove all massage advertisement from the web. Ms. Kuzina complied with the Board's requirements and submitted a new establishment license application. After a discussion, Ms. Cross made a motion, seconded by Ms. Burke to approve Ms. Kuzina's establishment application and assess \$4,700.00 dollars in civil penalties based on the Board's Unlicensed Establishment Policy. The motion carried.

Jay & Jacquelyn Hennessy – SunSpa DaySpa & Tanning Salon

Mr. Jay Hennessy appeared before the Board to answer and explain concerns regarding his massage establishment application. Mr. Hennessy's establishment application was first reviewed by the Applicant Review Committee at the October 13, 2016 meeting. Mr. & Mrs. Hennessy were present at the October 13, 2016 meeting, and the ARC Committee recommended denial of the Hennessy's massage establishment application for SunSpa DaySpa & Tanning Salon. The Committee's decision was based on evidence that the establishment had been open and operating without a massage establishment license since May 2015. After a very long and detailed discussion, Ms. Cross made a motion to deny the application. The motion failed. Ms. Easterly made a motion, seconded by Ms. Wray to approve the establishment application and assess \$1,800.00 dollars in civil penalties per the Board's Unlicensed Establishment Policy. The motion carried with Ms. Cross opposed.

Angel Boone – Relaxation by Angel

Ms. Angel Boone was not present to answer and explain concerns regarding her massage establishment application. Ms. Boone had multiple criminal convictions, which included a 2008 failure to appear, 2009 DUI, 2010 public intoxication, 2011 possession and casual exchange, 2012 reckless driving and implied consent, and 2015 (2) DUI's and simple possession of Xanax. Ms. Boone failed to comply with TnPAP's monitoring requirements based on her evaluation. After a brief discussion, Ms. Wray made a motion, seconded by Ms. Cross, to deny Ms. Boone's establishment application for Relaxation by Angel based upon T.C.A 63-18-108 (1)(2)(5)(7)(12). The motion carried.

Destany Fulton – Relaxation by Angel

Ms. Destany Fulton was not present to answer and explain concerns regarding her massage establishment application. Ms. Fulton was requested to appear before the Board based on evidence that the establishment had been open and operating without a massage establishment license After a brief discussion, Ms. Cross made a motion, seconded by Ms. Burke, to deny Ms. Fulton's establishment application for Relaxation by Angel based upon T.C.A 63-18-108(1)(5)(7)(12). The motion carried.

Brandon Lashawn Woods – TnPAP

Mr. Woods appeared before the Board at the August 8, 2016 meeting to answer and explain concerns regarding his misdemeanor conviction involving public intoxication, and to explain why

he answered “no” on his therapist application regarding any convictions other than a minor traffic offense. Based on the information in Mr. Wood’s massage application, he was requested to contact the Tennessee Professional Assistance Program for an evaluation. Based upon his evaluation, Mr. Woods was required to execute a TnPAP monitoring agreement. At the August 8, 2016 Board meeting, Mr. Woods agreed to adhere to the requirements and sign a monitoring agreement. Based upon Mr. Woods’s agreement, Ms. Cross made a motion, seconded by Ms. Burke to grant Mr. Woods a conditional massage therapist license. The conditions consisted of Mr. Woods signing the monitoring contract and remaining in compliance with the contract throughout the terms of the agreement. As of October 24, 2016, Mr. Woods had failed to fulfil the requirements of his monitoring agreement with TnPAP and withdrew his participation in the program due to his move to Kansas. After a brief discussion, Ms. Burke made a motion, seconded by Cross to deny Mr. Wood’s massage therapist application based upon criminal convictions and substance abuse. The motion carried.

Krista M. Yorlano

Ms. Krista M. Yorlano didn’t appear before the Board to answer and explain concerns regarding her 2013 misdemeanor criminal convictions involving possession of marijuana and drug paraphernalia. Based on the information in Ms. Yorlano’s massage application, she was requested to contact the Tennessee Professional Assistance Program for an evaluation. Based upon his evaluation, Ms. Yorlano was required to sign a monitoring agreement and complete an 8 hour drug and alcohol abuse online class. Ms. Yorlano declined TnPAP’s service and decided to move outside of Tennessee. Ms. Cross made a motion, seconded by Ms. Burke to deny Ms. Yorlano’s application based on T.C.A. 63-18-108 (2)(4). The motion carried.

David Crossland – AAA Massage Therapy

Mr. David Crossland’s establishment application was first reviewed by the Applicant Review Committee at the October 13, 2016 meeting. Mr. Crossland were present at the October 13, 2016 meeting, and the ARC Committee recommended that he be allowed to withdraw his massage establishment application for AAA Massage Therapy. Mr. Crossland’s establishment application was withdrawn.

Ameyo Edjo

Ms. Ameyo Edjo didn’t appear before the Board to answer and explain concerns regarding her massage therapist application. Based upon the massage therapist application submitted by Ms. Edjo, it appeared that she practiced as an unlicensed massage therapist in New York and New Jersey. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Burke, to deny Ms. Edjo’s massage therapist application based on T.C.A. 63-18-108(5)(12). The motion carried with Mr. Velker opposed.

DaoLiang Jin

DaoLiang Jin didn’t appear before the October 13, 2016 Application Review Committee or the October 24, 2016 Board meeting to answer and explain concerns regarding the inconsistencies in his massage therapy application. The Board’s concern was that Mr. Jin’s MBLEx report showed that he attended East West Institute of Hand Therapy, which is on the California Massage

Therapy Council (CAMTC) unapproved list, but he listed that he attended American & European Massage in NC on his Tennessee massage application. After a brief discussion, Ms. Cross made a motion, seconded by Ms. Burke to deny Mr. Jin's massage application based on T.C.A. 63-18-108(1)(7)(12). The motion carried.

Applicant File Review – Education and MBLEx Concerns

1. MBLEx Scores –

- a. **Yibo Zhao** - MBLEx score doesn't match school listed on Tennessee Massage application and school reported on the application (VIP Beauty School) had its school code revoked by the National Certification Board of Therapeutic Massage and Bodywork for several serious discrepancies in VIPBS supporting documentation. Ms. Cross made a motion, seconded by Ms. Burke, to deny the application based on T.C.A. 63-18-108(1)(7)(12). The motion carried.

2. Schools on Pending California Massage Therapist List – Applicants listed below attended schools that are currently pending for approval or denial on the CAMTC list. Ms. Cross made a motion, seconded by Ms. Burke, to deny all applications based upon the schools not currently being approved by the CAMTC. The motion carried.

- a. Chao Lu – Aberdeen College
- b. Hongyan Wang - Aberdeen College
- c. Cheng Qing Xu – Aberdeen College
- d. LiHui Zhang - Aberdeen College
- e. Huiyu Zheng - Aberdeen College
- f. Guofu Wang – Alhambra Medical University
- g. Suna Zhang - Alhambra Medical University
- h. RongXiu Cai – Angeles College
- i. Wenjing Lin - Angeles College
- j. Tracy Wei Wang - Angeles College
- k. Min Yang – Hamilton College
- l. Xuewen Wu – University of East-West Medicine
- m. Rui Cheng - University of Western California
- n. Lei Zhang – University of Western California

3. Schools not present on the CAMTC List - Applicants listed below attended schools that are currently not listed on the CAMTC's approved, pending, or unapproved list of massage schools. Ms. Cross made a motion, seconded by Mr. Velker, to deny all applications based upon the schools not currently being approved by the CAMTC. The motion carried and MBLEx discrepancies were reported to the Federation of State Massage Boards (FSMTB).

- a. Yue Dong – Santa Ana Beauty College
- b. Xiaohui Meng – Santa Ana Beauty College – (MBLEx)
- c. Lin Moore - Santa Ana Beauty College
- d. Rongyan Guan – Lincoln Institute – (MBLEx)

- e. Ting Wei - Lincoln Institute
- f. Ke Hou – American E/W Medical Institute
- g. Minghuna Bao – South Baylo University
- h. Ying Zhang – South Baylo University
- i. Maria Joanna Briddle – Ahern’s Massage Therapy School

4. Unapproved CAMTC List - Applicants listed below attended schools that are currently listed as unapproved on the CAMTC list. Ms. Cross made a motion, seconded by Ms. Burke, to deny all applications based upon the schools not currently being approved by the CAMTC. The motion carried.

- a. Tian Xia – California Vocational Cosmetology College
- b. Jing Yu - Just for Your Health College of Massage

5. Online School Curriculum – Academy of Oriental Therapy – Applicants listed below attended a massage therapy school that offered core curriculum hours online. Based upon the Board’s Distance Learning Policy and Rule 0870-01-04(1)(e) of the Tennessee Massage Licensure Board, the transcript must show that the applicant has successfully completed a massage, bodywork, and/or somatic therapy curriculum(s) consisting of no less than five hundred (500) classroom hours specifically delineated in required areas. Ms. Cross made a motion, seconded by Ms. Burke, to deny all applications based on on T.C.A 63-18-105(b)(3)(A). The motion carried and MBLEx discrepancy was reported to the Federation of State Massage Boards (FSMTB).

- a. Ying Huang
- b. Gang Wang (MBLEx)
- c. Lin Watson

Ratify Agreed Citations for Lapsed Licenses

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

Julia Denise Jenkins, LMT - 3832

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

Teshara Navelle Malone, LMT - 5328

Ms. Malone agreed to pay a civil penalty in the amount of \$400.00 for practicing massage therapy on a lapsed license for seven (7) months.

Amber Lee Russell, LMT - 6265

Ms. Russell agreed to pay a civil penalty in the amount of \$100.00 for practicing massage therapy on a lapsed license for four (4) months.

Ratify Agreed Citations for Continuing Education Violations

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

Frances J. Beene, LMT

Ms. Beene agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2013/2014 continuing education cycle.

Jessica Caro, LMT

Ms. Caro 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.

Jane E. Darden, LMT

Ms. Darden agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2013/2014 continuing education cycle.

Kayla M. Melton, LMT

Ms. Melton agreed to pay civil penalties in the amount of \$225.00 for failing to obtain three (3) hours of continuing education during the 2011/2012 continuing education cycle.

Judith J. Page, LMT

Ms. Page agreed to pay civil penalties in the amount of \$725.00 for failing to obtain twenty-three (23) hours of continuing education during the 2013/2014 continuing education cycle.

Lora J. Perry, LMT

Ms. Perry 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.

Angelica S. Ruano, LMT

Ms. Ruano agreed to pay civil penalties in the amount of \$300.00 for failing to obtain six (6) hours of continuing education during the 2013/2014 continuing education cycle.

Angela C. Watkins, LMT

Ms. Watkins agreed to pay civil penalties in the amount of \$775.00 for failing to obtain twenty-five (25) hours of continuing education during the 2013/2014 continuing education cycle.

Ratifications

Ms. Burke made a motion, seconded by Ms. Cross, to approve the lists of ratification for initial and reinstated licenses for massage therapists and massage establishments. The ratification list included initially approved and approved conditional licenses from the October 13, 2016 Application Review Committee. The motion carried.

Massage Therapist

Borden Patrick Richard	Kimmerling Darci Lyn
Abell Robert	King Austin James
Absalom Heather Lea	Knudsen Svitlana Chekyna
Adamcik Elissa Lynn	Krasnow Katy Elizabeth
Allen Amanda Kay	Levan Dianne Renee
Allen Tonya Boes	Lewis Abihail Israel
Ammons Brenda Denise	Lopez Edgar
Askey Alissa Leigh	Lorch Chandlar Victoria
Ayers Nevaeh Sorreal	Maestas Federico Alan
Barr Julie Kim	Maggard Matthew Scott
Benavides Salvador	Martin Durreon Delorenze
Bennett Erin Paige	Mccoy Stacy Ann
Berry Elizabeth Dirce	Mcguigan Joseph Aloysios
Biggers Terry Kirkland	Mcguire Lauren Paige
Bivens Marc Anthony Ward	Mcmahan Amanda Lee
Blue Natalie	Mentouri Tarek Isaak
Boone Amber Renee	Milam Ramona Anne
Bosley Kevin Elliott	Millet Sarah Beth
Broadwater Melanie Aiken	Miu Christy Lyn
Caudill Ashley Stevenson	Miyake George Jr.
Ceban Olesea	Moon Ashleigh Rose
Chen Shuang	Morales Jacemyein Ellena
Chisolm Pil Nyo	Morris Allison Lee
Churchill Carol Lyn	Nieto Andrea Kristine
Cox Colleen Marie	Norris Erin Renea
Cramer Charlotte Ann	O'Hern Shawnesey Ryan
Creasman Anna Hope	Osborn Erica Marie
Croslin Bradshaw Cara Macmillan	Pegues John Henry Daniel Lee II
Crump Lauren Ashley	Petersen Robert William
Cyr Celeste Paulette	Phillips Teresa Marie
Daniels Destiny Montreal	Poole Darlene Marie
Davis Olivia Rose	Powell Phillip Canler
Day Kimberly Jo	Preston Kala A.
Dennis Stephanie Ann	Pulford Annette Marie
Dewitt Debra Bel	Quinn Leslie Ann

Dies Joseph Damon	Reedy Bethany Denice
Eddleman Heidi Deanyl	Rhoten Brenda Ann
England Victoria Anne	Roberts Tiffany Victoria
Evans Connie Suzette	Robinson Keven Wayne
Fedoseeva Irina M.	Robinson Tarra Leeann
Fiedor Savannah Grace	Rose Juliette Marie
Floyd Rachel Diane	Sabine Jay Daniel
Gray Florence Rebecca Leonie	Sammons Jonathan David
Gray Stephen Caleb	Schaffer Ryan Michael
Hamblin Catherine Elizabeth	Senne Gina Burgess
Hampton Megan Leigh	Smaracko Austin J.
Hansen Travis Jonathan	Smith Amanda Lashae
Harden Bryan Brinson	Smith Hannah Michelle
Harris Dayna Suzanne	Staiger Samantha
Harrison Taylor M	Stoglin Jessica Claire
Hathcock Veronica Leigh	Storie Tiffany Brooke
Hendrickson Ashley Lynn	Stroum Keri Lynn
Highley Audra Renee	Swann Derek James
Hudgins Amy Carol	Tillman Michaela Shawn
Hunt Katie Elizabeth	Travers Chanse Wayne
Inman Christy Lin	Tremble Barbara Jill
Jackson Taylor Noelle	Vanderlinden Katie Michelle
Joiner Jared Anthony	Vaughn Kimberly Chantell
Jones Janice	Wall Sara Elizabeth
Joseph Jason Scorpio	Wanless Jessica Sue
Joyce Tammy	Webb Marissa Renee
Judd Katie Beth	Whittemore Heather Marie
Jumper Victoria Darlene	Williams Tabitha Sarai
Kammerud Lisa Carole	Woodruff Kiera Ann

Massage Therapist Re-instatements

Bradley Kevin Lyle	Sanders Colin Reid
Cox Rebecca Rae	Stone Benjamin Kenneth
Fleet Cynthia Leigh	Spence David Andrew
Grimes Lakreshia Ann	Orr Hanz Kristopher
Harrington Debra Sue	Wells April Dawn
Harrison Candace Elizabeth	Anderton Jennifer G.
Lebaron Jennifer Sondra	Baker Stephanie Qwenshall
Linagen Kristin Nicole	Blanton Megan Leanne
Lowery Julie Lynn	Cooney Jessie Mae

Lowry Brenda Kay	Craig Kathryn Elaine
Mantor Brandon James	Duncan Jennifer Nora
Monroe Aleta Ann	Hardin Cassandre Dianna
Omar Atef Mohamed	Mcperson Daniel Charles
Parrish Mary Leigh Ann	Moore Leigh Allyson
Pippin Jerri Lynn	Phair Patricia A.
Reid Ramona I	Robinson Tara Marie
	Warren April Michelle

Establishments

100% Chiropractic	Masg-N-Go
Angelita'S	Massage By Hanah
Aqua Foot Spa	Metro Mesmerizing & Medical Massage
Aqua Footcare & Massage Center	Mfr Healing Touch
Blue Frog Massage	Mildred & Mable'S
Blue Mountain Mist	Miranda'S Massage
C.A.S. Massage	Mobile Body
Cormassage	Muscle Whisperer
Daily Spa	Music City Therapeutic Massage
Designed Touch By Erika	Nashville Orthopedic Massage
Emila Nelson Lmt - Joie De Vivre Massage	Nature'S Market
Erinn Dent - Massage Therapy	Nina Kuzina Fine Art Llc DbA Bucca Foot Spa
Essential Healing Massage Therapy	Nouveau Spa Inc.
Exodus Chiropractic	Pinnacle Physical Medicine & Rehab
Four Bridges Massage And Bodywork	Pk Adventures Llc DbA Fit Farm
French Family Chiropractic	Pressure Massage
Gallaher Plastic Surgery & Spa Md	Randi Kesling Lmt
Glamour Unlimited Salon	Refresh Nashville Llc
Greenchi Massage	Relief Beauty Spa
Hand And Stone	Renegade Yoga Llc
Harmony Massage By Jacque'	Revival Massage Therapy
Haun Chiropractic Llc	Shear Designs Salon
Healing Arts	Sun'S Up Tanning Spa & Boutique
Healing Hands Of Peace Ministry Inc.	Sunspa Day Spa & Tanning Salon
Heal-In-Time Massage Therapy	The Permanent Solution Salon
Jingyu Wu DbA Foot Spa & Massage	The Wellhouse Knox (A DbA Of Open Heart Doula Services Inc.)
Jolie Swanson Lmt	Therav Family Massage
Jon Ric International Massage & Wellness Spa	Union County Chiropractic Clinic
Joyful Day Spa Llc	Upper Cumberland Ped. Massage

Establishment Re-instatement

Align	Turner Gifted Hands Massage Therapy
Believers' Touch	Ashley Pearce Massage
Center Medspa	Celebrity Brow & Massage Bar
Dedmon Chiropractic	Champion Massage
Laser Therapy And Chiropratic Center	Community Wellness Clinic
Mitchell Robert Studio Salon	Healing Touch
Nashville Myofascial Release Center	Nashville Healing Arts Studio
Olinda Jones Massage Therapy	Subtle Touch Massage Therapy
Ross The Boss And Co #2	Wendy Jarvis Lmt
Tiffany Cardin Massage	

Approved Continuing Education Courses

Ms. Cross made a motion, seconded by Ms. Burke, to approve the following continuing education courses. The motion carried.

1. "Tennessee Law" – 2 hrs. – Pam Dent, LMT - TN090916-43
2. "Usui Tibetan Reiki Master Level III"– 12 hrs. – Alexandra Alexander, LMT - TN082416-42

Review Board Correspondence**Maj-Lis Nash, LMT – TnPaP Substance Abuse Course**

Ms. Lisa Lampley, Massage Board Director, read a letter from Ms. Maj-Lis Nash regarding her request for the Board to approve the two (2) hour TnPAP video for continuing education credit under the category of substance abuse. Ms. Nash expressed how she felt that the video could be a beneficial resource for therapist that might personally be dealing with substance abuse and to educate therapist that might be convicted of criminal offense related to alcohol or drug charges. After a brief discussion, the Board suggested that Ms. Nash work with TnPAP on getting the course approved pursuant to the Board's Continuing Education Rules. Mr. Guilford also requested that TnPAP send the link to the Board Members of the Substance Abuse Course for review.

Marilyn M. Mason, LMT – Letter regarding CE Broker

Ms. Lisa Lampley, Massage Board Director, read a letter from Ms. Marilyn M. Mason regarding her proposal for the Board to implement CE Broker for all Tennessee licensed massage therapist. Ms. Mason explained that CE Broker is a free – no cost continuing education tracking system for licensed massage therapist that eliminates paper certificates and helps therapist log and track

completed continuing education hours. Dr. Bolden explained that the Federation of State Massage Therapy Boards is currently in the final stage of rolling out a database to house continuing education for massage therapist and State Board discipline against massage therapist. No action was taken.

Shawna Conner, LMT – Request for the Massage Licensure Board website to be updated

Ms. Lisa Lampley, Massage Board Director, read a letter from Ms. Marilyn M. Mason regarding her request for the tn.gov website to be updated with the appropriate word “licensed” in front of “massage therapist” when searching practitioners on the verification page. Dr. Bolden explained that there are many professions that don’t have “licensed” in front of the profession on the verification page. No action was taken.

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 of July 1, 2016 to September 30, 2016. TnPAP is currently monitoring eight (8) massage therapists. Ms. Eaton reported that there are three (3) effective agreements and one (1) pending agreement. There have been ten (10) Board referrals and seven (7) clients whose file was closed for either declining services or declining the recommendations. Ms. Eaton stated that the Board’s expenditures for evaluations and toxically screening equaled \$5,210.00 from July 1, 2016 to September 30, 2016.

Ms. Eaton briefly discussed how impressed she was with organization and volume of information she received at the Federation of State Massage Board’s Annual Meeting in October 2016.

Request for Continuing Education Waiver

Vanessa Shaw, LMT

Ms. Vanessa Shaw requested a waiver for thirteen (13) continuing education hours for the 2015/2016 continuing education cycle due to financial and family issues. Ms. Shaw mailed a letter requesting a waiver for the Board to consider and review. After a brief discussion, Ms. Cross made a motion, seconded by Mr. Velker to deny Ms. Shaw’s waiver request due to lack of documentation to support her request. The motion carried.

Deborah Perryman, LMT

Ms. Perryman requested a waiver for twenty-five (25) continuing education hours for the 2015/2016 continuing education cycle due to medical reasons. Ms. Perryman mailed a letter requesting a waiver along with a letter from her medical doctor in Shelbyville, TN for the Board to consider and review. After a brief discussion, Ms. Cross made a motion, seconded by Mr. Velker to approve Ms. Perryman’s waiver request. The motion carried.

Contested Case Process & Resolving Conflicting Evidence, Credible Judgment, & Explaining Reasoning

Mr. Guilford spoke to the Board about creating a record that would be upheld in an Appellate review. He requested that the Board make explicit details either in their discussion or Final Board Order as to the Board's findings and their reasoning for the findings.

Mr. Velker left the meeting, but there remained a quorum.

Policy Regarding Online Core Curriculum

Discussion was deferred until the February 6, 2017 meeting to allow Mr. Guilford additional time to research the Tennessee Rules and Statutes regarding Online Core Curriculum.

Pilot program of the Massage Therapy Licensing Database (MTLD) for the Federation of State Massage Boards

The Board decided to defer the topic until the February 6, 2017 Board meeting.

Federation of State Massage Therapy Boards Annual Meeting

The Tennessee Board had a strong presence at the annual meeting. Dr. Bolden, Ms. Burke, Ms. Wray, and Mr. Guilford attended the 2016 Annual Federation of State Massage Therapy Boards Meeting and Conference held in Cleveland, OH. Each attendee gave a brief statement regarding their positive experience at the meeting. Dr. Bolden was nominated and elected as the President of the Federation's Board of Directors. The 2017 Federation of State Massage Therapy Boards Annual Meeting will be held on September 29 – 30, 2017 in Tampa, FL.

School Approval and/or School Program Changes

Mr. Guilford informed the Board that he had received a document from Ms. Latonya Todd at the Tennessee Higher Education Commission on October 24, 2016 informing him that THEC had revoked Brightness School of Massage for the Blind school approval as of October 24, 2016. Through due process, Brightness was given two weeks to request a review of THEC's decision to revoke their school approval.

Appoint Administrative Staff to attend the 2017 FARB Forum

After a brief discussion, Ms. Cross made a motion, seconded by Ms. Burke to send Kimberly Hodge, Board Manager and a Massage Board Attorney from the Office of General Counsel to the 2017 FARB Forum in San Antonio, TX. The motion carried.

Board Member Elections Election of Officers

The Board elected the following officers for calendar year 2017:

A motion was made by Ms. Cross and seconded by Ms. Easterly 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.

Discussion – Rule Making Documents

After a brief statement by Mr. Guilford, Ms. Cross made a motion, seconded by Ms. Wray, to adopt the Regulatory Flexibility Analysis as written. The motion carried. Ms. Cross made a motion, seconded by Ms. Easterly, to adopt the Statement of Economic Impact to Small Businesses as written. The motion carried.

The meeting adjourned at 6:11 pm.

MINUTES
TENNESSEE MESSAGE LICENSURE BOARD
October 25, 2016

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
Marvis Burke, LMT, Secretary
Julie J. Wray, LMT
Christi Cross, Citizen Member
Bethann Easterly, LMT
Michael Velker, Citizen Member

Members Absent: Cynthia Jagers, LMT

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

The meeting was called to order at 10:12 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.

Agreed Order

Rebecca Lynn Matthews, L.M.T. – 8550

Stefan C. Cange, Assistant General Counsel, presented and discussed the Agreed Order for Rebecca Lynn Matthews. Ms. Matthews failed to obtain twenty-five (25) approved hours of continuing education in the 2013-2014 continuing education cycle. Ms. Matthews voluntarily retired her license on July 30, 2016. Ms. Matthews agrees and understands that for reinstatement or reactivation of her license, she must obtain the required hours and pay the required fees. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the agreed order as written. The motion carried.

Ms. Matthews's license is retired. She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00.

Tanika Bradford, L.M.T – 9606

Keith D. Hodges, Assistant General Counsel, presented and discussed the agreed order for Tanika Bradford. Ms. Bradford 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. Bradford had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Bradford's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Ms. Burke, to approve the agreed order as written. The motion carried.

Ms. Bradford's license was placed on probation, and 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 Dollars (\$600.00). 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.

Karak C. Arnett, L.M.T. – 9060

Marc Guilford, Board Attorney, presented and discussed the agreed order for Karak C. Arnett. The stipulations of fact were that Mr. Arnett was employed as a licensed massage therapist at Adagio Massage Co. & Spa in Nashville, TN, for several years and up and until at least late July 2014. On April 4, 2014, a female client approximately seventy nine years of age, received a massage from Mr. Arnett. He does not admit to having assaulted or inappropriately touched the Client during the massage on July 4, 2014, but he acknowledges that the State's proof would show that the Client testified in March 2015 that Mr. Arnett sexually assaulted her during the massage that she had been digitally raped by Mr. Odom in the course of a massage at Hand and Stone. The facts alleged above, if proven, would be sufficient to establish that Mr. Arnett had violated T.C.A 63-18-108(7)(12), and TENN. COMP. R. & REGS 0870-01-19(k)(1).

After a discussion and review, the Board found that Mr. Arnett had violated the Tennessee Massage Licensure Board statutes and regulations. Mr. Arnett's conduct constitutes grounds for discipline. Ms. Cross made a motion, seconded by Ms. Burke, to accept the consent order as written. The motion carried. Mr. Arnett's massage therapist license is hereby voluntarily surrendered, which has the same effect as revocation. He also voluntarily waived his right to apply for a new Tennessee massage therapist license in the future. Mr. Arnett was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00.

Moonja Ritzer, L.M.T. – 7571 and Sun Spa - 3939

Marc Guilford, Board Attorney, presented and discussed the Agreed Order for Moonja Ritzer and Sun Spa. Ms. Ritzer was licensed by the Board as a Massage Therapist on May 21, 2009. Ms. Ritzer was the responsible person for Sun Spa, located at 817 Herron Road, in Knoxville, Tennessee. Sun Spa was a licensed massage establishment, having been granted a license on about February 7, 2014. In June 2015, Ms. Ritzer allowed at least three (3) unlicensed individuals to practice massage at Sun Spa: Ok Chun Rimes, Pok Ja Legg, and Hye Mi Lee. The Stipulations of Fact above establish that Ms. Ritzer has violated T.C.A 63-18-108(7)(12), TENN COMP. R. & REGS 0870-01-.02(2)(b)(1), and 0870-.01-.02(1).

After a discussion and review, the Board found that Ms. Ritzer had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Ritzer's conduct constitutes grounds for

discipline. Ms. Cross made a motion, seconded by Ms. Burke, to accept the agreed order as written. The motion carried. Ms. Ritzer's voluntarily surrendered her massage license and Sun Spa's establishment license, which has the same effect as revocation. She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Two Hundred Dollars \$200.00.

Kelly Derscheid, L.M.T. – 6283

Marc Guilford, Board Attorney, presented and discussed the Agreed Order for Kelly Derscheid. Ms. Derscheid was licensed by the Board as a Massage Therapist on about October 3, 2006. Ms. Derscheid owns and operates Warrior Massage and Mobility, a massage establishment located at 301 Mallory Station Road, Suite 2016 in Franklin, TN. She opened Warrior Massage and Mobility in April 2013 with no valid massage establishment license from April 2013 through February 11, 2014. Ms. Derscheid appeared before the Board in February 2014 regarding her massage establishment application. After a discussion, the Board voted to grant her a license for her establishment conditioned on payment of a five hundred dollar (\$500.00) civil penalty. Ms. Derscheid promptly paid the civil penalty and was issued her massage establishment license on February 12, 2014. On or about June 28, 2016, Ms. Derscheid pled guilty to a DUI – First Offense in Williamson County, Tennessee. She reported the conviction to the Board. The Stipulations of Fact above establish that Ms. Derscheid has violated T.C.A 63-18-108(2)(7)(10), TENN COMP. R. & REGS 0870-01-.02(1).

After a discussion and review, the Board found that Ms. Derscheid had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Derscheid's conduct constitutes grounds for discipline. Mr. Velker made a motion, seconded by Ms. Cross, to accept the agreed order as written. The motion carried. Ms. Derscheid's massage therapy license was reprimanded. She was assessed ten (10) Type C Civil Penalties in the amount of Thirty Dollars (\$30.00) each, representing one civil penalty for each month of practice in an unlicensed establishment, for a total of Three Hundred Dollars (\$300.00). Ms. Derscheid is also were required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Hundred Dollars \$100.00.

Consent Order

Erica J. West, L.M.T. – 7894

Samuel L. Moore, Assistant General Counsel, presented and discussed the consent order for Erica J. West. Ms. West failed to obtain eight (8) of the twenty-five approved hours of continuing education in the 2011/2012 continuing education cycle. She signed an Agreed Citation on January 14, 2014 agreeing to pay civil penalties and complete an additional fourteen (14) hours of continuing education by December 31, 2014. Ms. West failed to obtain any of the additional hours of continuing education required by the Agreed Citation. Ms. West also failed to obtain twenty-five (25) approved hours of continuing education in the 2013-2014 continuing education cycle. Upon discussion and review, the Board found that Ms. West had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. West'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. West's license was suspended until she submitted the required thirty-three (33) hours along with twelve (12) penalty hours for the 2011/2012 and 2013/2014 cycle for a total of forty-five (45) hours. Upon submission of hours, her license would be placed on probation until all civil penalties and cost are paid in full. She was assessed one (1) Type B Civil Penalty in the amount of Three Hundred dollars (\$300.00) and twenty-five (25) Type C Civil Penalties in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of One Thousand Five Hundred Fifty Dollars (\$1,550.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00.

Michele D. Williams, L.M.T. – 9701

Samuel L. Moore, Assistant General Counsel, presented and discussed the consent order for Michele D. Williams. Ms. Williams failed to obtain nine (9) of the twenty-five approved hours of continuing education in the 2013/2014 continuing education cycle. 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 Ms. Cross, seconded by Ms. Burke, to approve the consent order as written. The motion carried.

Ms. Williams's license was placed on probation, and she 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). 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 2013-2014 continuing education cycle.

Xiaohong Wang, L.M.T.-11199

Keith D. Hodges, Assistant General Counsel, presented and discussed the Consent Order for Xiaohong Wang. Ms. Wang originally received a passing MBLEx score on April 10, 2014. On May 2, 2016 Ms. Wang was notified that the MBLEx score was invalid and there was a twelve (12) month waiting period before reapplying to take the exam. Ms. Wang violated T.C.A. 63-18-101; 63-18-105(b)(3); 63-18-108, and Tenn. Comp. R. & Regs. 0870-01-.01 and 0870-01-.04(1)(f). After a discussion and review, the Board found that Ms. Wang had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Wang's conduct constitutes grounds for discipline. A motion was made Ms. Cross, seconded by Ms. Burke, to accept the consent order as written. The motion carried.

Ms. Wang's massage therapist license was revoked, and may reapply to be licensed as a massage therapist once she has proof of a passing score on an examination approved by the Board. Ms. Wang is required to pay all actual and reasonable costs or prosecuting the case not to exceed above three thousand dollars (\$3000.00). Revocation is a formal disciplinary action and will be reported to the National Practitioner Data Bank (NPDB) and/or similar agency.

Sherry Lackey, L.M.T. – 2145

Francine Baca-Chavez, Deputy General Counsel, presented and discussed the consent order for Sherry Lackey. Ms. Lackey failed to obtain twenty-five (25) approved hours of continuing education in the 2009/2010 and 2011/2012 continuing education cycle. She entered into a consent order on February 10, 2015 agreeing to pay civil penalties totaling Three Thousand One Hundred Dollars (\$3,100.00) by April 13, 2015 and complete an additional sixty-two (62) hours of continuing education by February 10, 2016. Ms. Lackey failed to make any payments or obtain any of the additional hours of continuing education required by the Consent Order. Upon discussion and review, the Board found that Ms. Lackey had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Lackey's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Mr. Velker, to approve the consent order as written. The motion carried.

Ms. Lackey's license was suspended until she submitted the required sixty-two (62) make-up and penalty hours for the 2009/2010 and 2011/2012 cycle and pay the civil penalty balance of Three Thousand One Hundred Dollars (\$3,100.00). She was also assessed twenty-two (22) Type C Civil Penalties in the amount of Fifty Dollars each representing civil penalties per month that she was non-compliant with her previous Board Order for a total of One Thousand One Hundred Dollars (1,100.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Two Thousand Dollars \$2,000.00.

Katrina Ferguson, L.M.T. – 6445

Francine Baca-Chavez, Deputy General Counsel, presented and discussed the consent order for Katrina Ferguson. Ms. Ferguson failed to obtain two (2) of the twenty-five approved hours of continuing education in the 2011/2012 continuing education cycle. She signed an Agreed Citation on May 6, 2014 agreeing to pay civil penalties and complete an additional eight (8) hours of continuing education by December 31, 2014. Ms. Ferguson failed to obtain any of the additional hours of continuing education required by the Agreed Citation. 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, seconded by Ms. Burke, to approve the consent order as written. The motion carried.

Ms. Ferguson's license was placed on probation until she submitted the required eight (8) hours for the 2011/2012 cycle. She was assessed eight (8) Type C Civil Penalties in the amount of fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of Four Hundred Dollars (\$400.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Three Hundred Dollars \$300.00.

Karen Wallace, L.M.T. – 7307

Francine Baca-Chavez, Deputy General Counsel, presented and discussed the consent order for Karen Wallace. Ms. Wallace was licensed by the Board as a Massage Therapist on March 19, 2009. Ms. Wallace owned and operated 1 of A Kind Massage located at 122 Lee Parkway, Suite 203 in Chattanooga, TN without holding a massage establishment license from about August 2015 through February 2016. Ms. Wallace displayed a Tennessee establishment license (license number 3848) at 1 of A Kind Massage that was issued to Gretchen Brunner for Strategies for

Life. The Stipulations of Fact above establish that Ms. Wallace had violated T.C.A 63-18-104(a), T.C.A 63-18-108(7)(10)(12), and TENN. COMP. R. & REGS 0870-01-03(2).

After a discussion and review, the Board found that Ms. Wallace had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Wallace's conduct constitutes grounds for discipline. Ms. Cross made a motion, seconded by Ms. Burke, to accept the consent order as written. The motion carried. Ms. Wallace's massage therapist license is placed on probation until she has paid all civil penalties and costs imposed pursuant to this order. She was assessed one (1) Type A Civil Penalty in the amount of Five Hundred Dollars (500.00) and seven (7) Type B Civil Penalties in the amount of Two Hundred Dollars (\$200.00) each, representing one civil penalty for each month of practice in an unlicensed establishment, for a total of One Thousand Nine Hundred Dollars (\$1,900.00). She also was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Three Thousand Dollars \$3,000.00.

Lisa Miller, L.M.T. – 4751

Marc Guilford, Board Attorney, presented and discussed the consent order for Lisa Miller. Ms. Miller was licensed by the Board as a Massage Therapist on about November 15, 2004. Ms. Miller owned, operated, and practiced massage therapy at 6254 Poplar Ave without holding a massage establishment license from about August 1, 2010 through September 30, 2012. She stated that she were unaware of the massage establishment license requirement until she took a Tennessee Massage Law and Regulations continuing education class in 2012. The Stipulations of Fact above establish that Ms. Wallace had violated T.C.A 63-18-108(7)(10) and TENN. COMP. R. & REGS 0870-01-02(1).

After a discussion and review, the Board found that Ms. Miller had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Millers' conduct constitutes grounds for discipline. Ms. Cross made a motion, seconded by Ms. Burke, to accept the consent order as written. The motion carried. Ms. Millers' massage therapist license is placed on probation for a period of at least one year. She was assessed twenty-six (26) Type B Civil Penalties in the amount of One Hundred Dollars (\$100.00) each, representing one civil penalty for each month of practice in an unlicensed establishment, for a total of Two Thousand Six Hundred Dollars (\$2,600.00). She also was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Two Hundred Dollars \$200.00.

Bret Lonow, L.M.T – 4463, Terrie Lonow, L.M.T – 5080, & Massage Way – 3695

Marc Guilford, Board Attorney, presented and discussed the consent order for Bret Lonow, Terrie Lonow, and Massage Way. Mr. Lonow was licensed by the Board as a Massage Therapist on January 26, 2004. Ms. Lonow was licensed by the Board as a Massage Therapist on June 7, 2005. The Lonow's owned and operated Massage Way located at 165 Indian Lake Blvd, #103B in Hendersonville, TN without holding a massage establishment license from about September 2011 through July 2012. They stated that they were unaware their establishment needed a license from the Board and applied for a license as soon as they learned a license was needed. The Stipulations of Fact above establish that Ms. Wallace had violated T.C.A 63-18-108(7)(10) and TENN. COMP. R. & REGS 0870-01-02(1).

After a discussion and review, the Board found that Mr. and Mrs. Lonow had violated the Tennessee Massage Licensure Board statutes and regulations. Their conduct constitutes grounds for discipline. Ms. Cross made a motion, seconded by Ms. Burke, to accept the consent order as written. The motion carried. Mr. Lonow's massage therapist license was reprimanded. Ms. Lonow's massage therapist license was reprimanded. Massage Way's Tennessee establishment license was reprimanded. They were assessed eleven (11) Type B Civil Penalties in the amount of One Hundred Fifty Dollars (\$150.00) each, representing one civil penalty for each month of practice in an unlicensed establishment, for a total of One Thousand Six Hundred Fifty Dollars (\$1,650.00). They also were required to pay all actual and reasonable costs of prosecuting the case not to exceed above Five Hundred Dollars \$500.00.

Contested Case Hearings – Proposed Final Orders

Xuping Wang

Mr. Marc Guilford, Board Attorney, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Mr. Wang was present and waived his rights to have an attorney present for his contested case hearing. The Office of General Counsel provided an interpreter from the Tennessee Foreign Language Institute for hearing. The interpreter, Ms. Jiao Hoggard, translated all information to and for Mr. Wang regarding his case. Mr. Guilford presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Mr. Wang's massage licensure application, attendance sheets from Brightness School of the Blind, and the FSMTB requirements for the MBLEx exam.

Mr. Wang requested a hearing in order to appeal his license denial. Mr. Wang's transcript from Brightness Massage School for the Blind indicated that he attended massage school from October 1, 2014 through December 20, 2015. Attendance sheets from Brightness only showed that Mr. Wang attended some classes between about October 1, 2014 and about November 16, 2014, and again from about August 24, 2015 through about December 20, 2015. A letter dated December 15, 2015 from Brightness to the Tennessee Higher Education Commission that purported to name all students enrolled in Brightness's 500 hour massage therapy program did not contain Mr. Wang's name. On August 8, 2016, Mr. Wang claimed he attended Brightness from October 2014 through November 2014 for his Reflexologist education, then separately from September 2015 through December 2015 for his Massage Therapist education. Mr. Wang took and passed the Massage and Bodywork Licensing Examination (MBLEx) on about February 17, 2015. According to his statements to the Board on August 8, 2016, this was before he began his massage therapist education program. When he applied for permission to take the MBLEx, he falsely certified to the Federation of State Massage Boards that he had education and training in the content subject areas described on the MBLEx content outline.

After a discussion and review, the Board found that Mr. Wang had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Cross made a motion, seconded by Ms. Burke to adopt the amended proposed order and deny Mr. Wang's massage therapist license application based upon a violation of T.C.A 63-18-108(1)(12). The motion carried.

Travis Williamson, L.M.T - 7106

Mr. Marc Guilford, Board Attorney, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Mr. Williamson was not present for the contested case hearing. Mr. Cross made a motion, seconded by Ms. Burke, to proceed in default with the hearing in Mr. Williamson's absence. Mr. Guilford presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Mr. Williamson's massage licensure file and 2011/2012 continuing education audit.

Mr. Williamson was licensed by the Board as a Massage Therapist on about April 29, 2008. In 2014, while practicing as a massage therapist at a licensed massage establishment in Shelby County, Tennessee, Mr. Williamson had a sexual relationship with a client. Among other things, he exchanged sexually explicit text messages with the client, sent pictures of his genital, during a massage intentionally touched the client's genitals with the intent of sexually stimulating the client, and had oral sex and sexual intercourse with the client during a massage session. In at least 2016, Mr. Williamson operated and practiced massage therapy at an unlicensed massage establishment, Massage by Travis, located at 815 Timber Creek Drive, Cordova, Tennessee. He also advertised massage services for this location. Mr. Williamson failed to obtain any of the required continuing education hours in the 2011/2012 cycle. He signed an Agreed Citation on February 12, 2014 agreeing to pay civil penalties and complete an additional thirty-one (31) hours of continuing education by December 31, 2014. Mr. Williamson failed to obtain any of the additional hours of continuing education required by the Agreed Citation.

After a discussion and review, the Board found that Mr. Williamson had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Cross made a motion, seconded by Ms. Burke to adopt the amended proposed order and revoke Mr. Williamson's massage therapist license based upon a violation of T.C.A 63-18-108(6)(7)(9)(10)(12), T.C.A 63-18-104(a), and TENN. COMP. R. & REGS 0870-01-19(1)(c)(i)(k)(q). He was assessed one (1) Type A Civil Penalty in the amount of One Thousand Dollars (\$1,000.00) for having a sexual relationship with a client. The motion carried. He also was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Five Thousand Dollars \$5,000.00.

The meeting adjourned at 2:26 pm.

MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
October 26, 2016

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
Marvis Burke, LMT, Secretary
Julie J. Wray, LMT
Christi Cross, Citizen Member
Michael Velker, Citizen Member

Members Absent: Cynthia Jagers, LMT
Bethann Easterly, LMT

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

The meeting was called to order at 9:19 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.

Contested Case Hearings – Proposed Final Orders

Xian Ling Cheng, L.M.T. - 7655

Jennifer L. Putnam, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Ms. Cheng was not present for the contested case hearing. Ms. Wray made a motion, seconded by Ms. Burke, to proceed in default with the hearing in Ms. Cheng's absence. Ms. Putnam presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Ms. Cheng's massage licensure and continuing education audit.

Ms. Cheng failed to obtain twenty-five (25) approved hours of continuing education in the 2013/2014 continuing education cycle. Upon discussion and review, the Board found that Ms. Cheng had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Cheng's conduct constitutes grounds for discipline. A motion was made by Mr. Velker, seconded by Ms. Burke, to approve the proposed order as amended. The motion carried.

Ms. Cheng's massage license was suspended until she submits evidence of having completed a total of thirty-one (31) hours of continuing education, which will count toward the 2011/2012 cycle. Upon submitting evidence of her make-up and penalty hours, Ms. Cheng's license shall be placed on probation, for a period of at least one (1) year. She was assessed one (1) Type B Civil Penalty in the amount of One Hundred Fifty Dollars (\$150.00) and twenty-five (25) Type C Civil Penalties in the amount of Fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of One Thousand Four Hundred Dollars (\$1,400.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Three Thousand Dollars \$3,000.00. Upon completion of all hours, Ms. Cheng's license shall remain on probation until all civil penalties and cost are paid in full.

Stacy Lynn Debose, L.M.T. - 7655

Jennifer L. Putnam, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Ms. Debose was not present for the contested case hearing. Mr. Velker made a motion, seconded by Ms. Wray, to proceed in default with the hearing in Ms. Debose's absence. Ms. Putnam presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Ms. Debose's massage licensure and continuing education audit.

Ms. Debose 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. Debose had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Debose's conduct constitutes grounds for discipline. A motion was made by Mr. Velker, seconded by Ms. Wray, to approve the proposed order as amended. The motion carried.

Ms. Debose's massage license was suspended until she submits evidence of having completed a total of thirty-one (31) hours of continuing education, which will count toward the 2011/2012 cycle. Upon submitting evidence of her make-up and penalty hours, Ms. Debose's license shall be placed on probation, for a period of at least one (1) year. She was assessed one (1) Type B Civil Penalty in the amount of One Hundred Fifty Dollars (\$150.00) and twenty-five (25) Type C Civil Penalties in the amount of Fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of One Thousand Four Hundred Dollars (\$1,400.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Three Thousand Dollars \$3,000.00. Upon completion of all hours, Ms. Debose's license shall remain on probation until all civil penalties and cost are paid in full.

Guoku Hu, L.M.T. (Revoked) – 7509 / G & K Massage Center – 3158, Oasis Foot Spa Massage – 3654, & Cool Springs Wellness and Acupressure Center - 3727

Francine Baca-Chavez, Deputy General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge, Tom Stovall. Mr. Hu was not present for the contested case hearing. Ms. Wray made a motion, seconded by Ms. Burke, to proceed in default with the hearing in Mr. Hu's absence.

Ms. Baca-Chavez presented and discussed the proposed final order for Guoku Hu. Mr. Hu was licensed by the Board as a Massage Therapist on March 16, 2009, but his massage therapist license was revoked on May 3, 2016. Mr. Hu owned and operated Capital Chinese Foot Spa located at 4149 Mallory Lane Suite A, Franklin, TN 37067, but his establishment license was revoked on May 3, 2016. Mr. Hu owned and operated G & K Massage Center located at 230 Stones River Mall Boulevard, Suite C, Murfreesboro, TN, Oasis Foot Spa Massage, located at 2805 Old Fort Parkway, Suite H, Murfreesboro, TN, and Cool Springs Wellness and Acupressure Center, located at 120 Seaboard Lane, Suite A, Franklin, TN. Mr. Hu pled guilty and was convicted trafficking for a commercial sex act in a school zone, a class A felony, trafficking for commercial sex, a class B felony, and money laundering, a class B felony, in Williamson County, TN. The Stipulations of Fact above establish that Mr. Wu has violated T.C.A 63-18-108(2)(7)(12), TENN COMP. R. & REGS 0870-01-.02(1), and 0870-.01-.19(1).

After a discussion and review, the Board found that Mr. Hu had violated the Tennessee Massage Licensure Board statutes and regulations. Mr. Hu's conduct constitutes grounds for discipline. Ms. Wray made a motion, seconded by Mr. Velker, to approve the proposed order. The motion carried. Mr. Hu's establishment license for G & K Massage Center, Oasis Foot Spa Massage, and Cool Springs Wellness and Acupressure Center was revoked. He was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Two Thousand Dollars (\$2,000.00).

Amy Elizabeth Givens, L.M.T – 3660

Francine Baca-Chavez, Deputy General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge, Tom Stovall. Ms. Givens was not present for the contested case hearing. Ms. Burke made a motion, seconded by Ms. Cross, to proceed in default with the hearing in Ms. Givens' absence. Ms. Baca-Chavez presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Ms. Givens' massage licensure application and Ms. Givens Massage Therapist Conditional License Agreement.

Ms. Givens was licensed by the Board as a Massage Therapist on about December 23, 2002. On October 10, 2012, Ms. Givens signed a Conditional Licensure Agreement with Board. The agreement required Ms. Givens to complete twenty-five (25) hours of continuing education prior to December 31, 2012. She failed to complete nine (9) of the required twenty-five (25) hours. The Stipulations of Fact above establish that Ms. Givens has violated T.C.A 63-18-108(7)(9) and TENN COMP. R. & REGS 0870-.01-.19(1). Upon discussion and review, the Board found that Ms. Given had violated the Tennessee Massage Licensure Board statutes and regulations by not adhering to her conditional licensure agreement by completing her required continuing education hours. Ms. Givens' conduct constitutes grounds for discipline. A motion was made by Mr. Velker, seconded by Ms. Burke, to approve the proposed order as written. The motion carried.

Ms. Givens' massage license was suspended until she submits evidence of having completed a total of fifteen (15) hours of continuing education, which will count toward the 2012 conditional license agreement. Upon submitting evidence of her make-up and penalty hours, Ms. Givens' license shall be placed on probation, until all civil penalties and cost are paid in full. She was assessed 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 Four Hundred Fifty Dollars (\$450.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above One Thousand Dollars \$1,000.00.

Constance L. Hunter, L.M.T. - 8289

Keith D. Hodges, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Ms. Hunter was not present for the contested case hearing. Ms. Cross made a motion, seconded by Mr. Velker, to proceed in default with the hearing in Ms. Hunter's absence. Mr. Hodges presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Ms. Hunter's massage licensure and continuing education audit.

Ms. Hunter 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. Hunter had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Hunter's conduct constitutes grounds for discipline. A motion was made by Mr. Velker, seconded by Ms. Cross, to approve the proposed order as amended. The motion carried.

Ms. Hunter's massage license was suspended until she submits evidence of having completed a total of thirty-one (31) hours of continuing education, which will count toward the 2011/2012 cycle. Upon submitting evidence of her make-up and penalty hours, Ms. Hunter's license shall be placed on probation. She was assessed one (1) Type B Civil Penalty in the amount of Three Hundred Dollars (\$300.00) and twenty-five (25) Type C Civil Penalties in the amount of Fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of One Thousand Five Hundred Fifty Dollars (\$1,550.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Two Thousand Dollars \$2,000.00. Upon completion of all hours, Ms. Hunter's license shall remain on probation until all civil penalties and cost are paid in full.

Margaret Ann Ray, L.M.T. - 9472

Keith D. Hodges, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Ms. Ray was not present for the contested case hearing. Ms. Cross made a motion, seconded by Ms. Burke, to proceed in default with the hearing in Ms. Ray's absence. Mr. Hodges presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Ms. Ray's massage licensure and continuing education audit.

Ms. Ray failed to obtain ten (10) approved hours of continuing education in the 2011/2012 continuing education cycle. Upon discussion and review, the Board found that Ms. Ray had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. Ray's conduct constitutes grounds for discipline. A motion was made by Ms. Cross, seconded by Mr. Velker, to approve the proposed order as amended. The motion carried.

Ms. Ray's massage license was suspended until she submits evidence of having completed a total of sixteen (16) hours of continuing education, which will count toward the 2011/2012 cycle. Upon submitting evidence of her make-up and penalty hours, Ms. Ray's license shall be placed on probation. She was assessed one (1) Type B Civil Penalty in the amount of Three Hundred Dollars (\$300.00) and ten (10) Type C Civil Penalties in the amount of Fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of Eight Hundred Dollars (\$800.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Two Thousand Dollars \$2,000.00. Upon completion of all hours, Ms. Ray's license shall remain on probation until all civil penalties and cost are paid in full.

Heather Harris, L.M.T. – 1973

Stefan Cange, Assistant General Counsel, represented the Tennessee Department of Health. The proceedings were presided over by Administrative Law Judge Thomas Stovall. Ms. Harris was not present for the contested case hearing. Ms. Wray made a motion, seconded by Ms. Burke, to proceed in default with the hearing in Ms. Harris's absence. Mr. Cange presented a sworn affidavit from Kimberly Hodge, Board Manager, regarding Ms. Harris's massage licensure and continuing education audit.

Ms. Harris failed to obtain four (4) of the twenty-five approved hours of continuing education in the 2009/2010 continuing education cycle. She signed an Agreed Citation in May 2013 agreeing to pay civil penalties and complete an additional ten (10) hours of continuing education by December 31, 2014. Ms. Harris failed to obtain any of the additional hours of continuing education required by the Agreed Citation. Ms. Harris also 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. Harris had violated the Tennessee Massage Licensure Board statutes and regulations by not maintaining her required continuing education hours. Ms. 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.

Ms. Harris's license was suspended until she submitted the required twenty-nine (29) hours along with twelve (12) penalty hours for the 2009/2010 and 2011/2012 cycle for a total of forty-one (41) hours. Upon submission of hours, her license would be placed on probation until all civil penalties and cost are paid in full. She was assessed one (1) Type B Civil Penalty in the amount of Three Hundred dollars (\$300.00) and twenty-five (25) Type C Civil Penalties in the amount of Fifty dollars (\$50.00) for each continuing education hour violation for a total assessment of One Thousand Five Hundred Fifty Dollars (\$1,550.00). She was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Three Thousand Dollars \$3,000.00.

Agreed Order

Jin Harmon, L.M.T – 8938 and ACU Massage – 3945

Marc Guilford, Board Attorney, presented and discussed the agreed order for Jin Harmon. Ms. Harmon was licensed by the Board as a Massage Therapist on June 1, 2011. Ms. Harmon owned

and operated ACU Massage located at 2244 N. Roan St., Suite 100 in Johnson City, TN without holding a massage establishment license from about November 2013 through January 6, 2014. The Stipulations of Fact above establish that Ms. Harmon had violated T.C.A 63-18-104(a)(b), T.C.A 63-18-108(7)(12), and TENN. COMP. R. & REGS 0870-01-02(1).

After a discussion and review, the Board found that Ms. Harmon had violated the Tennessee Massage Licensure Board statutes and regulations. Ms. Harmon's conduct constitutes grounds for discipline. Mr. Velker made a motion, seconded by Ms. Cross, to accept the agreed order as written. The motion carried. Ms. Harmon's massage therapist license is reprimanded. ACU Massage's Tennessee establishment license was reprimanded. Harmon and ACU was assessed three (3) Type A Civil Penalty in the amount of One Thousand Five Hundred Dollars (\$1,500.00). She also was required to pay all actual and reasonable costs of prosecuting the case not to exceed above Three Thousand Dollars \$3,000.00.

The meeting adjourned at 12:01 pm.

These minutes were ratified at the meeting held on February 6-7, 2017.

