

MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
August 10-11, 2009

August 10, 2009

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

Location: 227 French Landing
HRB Conference Center
1st Floor, Poplar Room
Nashville TN 37228

Members Present: Phyllis Salyers, LMT, Chairperson
Chris Sluss, LMT, Secretary
Marcela Collins, LMT
Faith Mayton, LMT
Cynthia Jagers, LMT
Marilyn Field, Citizen Member
Pamela Edmond, Citizen Member

Staff Present: Dianne Birkner, Board Manager
Diona Layden, Advisory Attorney
Andrea Huddleston, Advisory Attorney
Shiva Bozarth, Deputy General Counsel
Lisa Lampley, Board Director
Elizabeth Miller, Director, Health Related Boards

The meeting was called to order at 9:05 a.m. by Ms. Phyllis Salyers, Board Chairperson.

Ms. Salyers introduced and welcomed Ms. Pamela Edmond from Dickson, Tennessee as the newly appointed citizen member.

Board Member Orientation and Conflict Of Interest

Mr. Bozarth presented an overview of the role of the Office of General Counsel and reviewed the Conflict of Interest Policy with the Board.

Minutes

Upon review of the revised minutes from the February 9 – 10, 2009 board meeting and the minutes from the May 4 – 5, 2009 board meeting, the Board requested several additional revisions to the minutes. A motion was made and seconded to defer approval of the minutes until such time as the

requested revisions were completed. The motion carried. The minutes as amended will be presented for review/approval by the Board later in the meeting.

Applicant Interviews

Julie Ann Vaughn

Ms. Vaughn appeared before the Board to give explanation regarding a 2002 conviction for driving while impaired. Based on information in Ms. Vaughn's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Field made a motion, seconded by Ms. Collins, to grant the license. The motion carried.

Shawn Antwanette James

Ms. James requested and was granted a telephone interview due to being legally blind and having no available transportation to the meeting. Ms. James was asked to give explanation regarding a 2000 felony conviction for attempted money laundering in the second degree. Ms. Karen Craig, Massage School Instructor, was in attendance at the meeting and spoke on behalf of Ms. James. Mr. Sluss made a motion, seconded by Ms. Edmond, to grant the license. The motion carried.

Paula Jean Pinkert

Ms. Pinkert appeared before the Board for review of her transcript from Advanced Fuller School of Massage Therapy in Virginia Beach, Virginia. Ms. Collins made a motion, seconded by Ms. Jagers, to grant the license. The motion carried.

Deborah Ruth Henthorn and Adagio Massage Therapy

Ms. Henthorn appeared before the Board for consideration of her application and was asked to give explanation to an alleged forgery of a letter of recommendation from Ms. Brenda Clark. Ms. Henthorn stated she did draft the letter but she did not sign Ms. Clark's name to the letter. Ms. Clark was interviewed by telephone and stated that she had received a copy of the letter in question from Ms. Henthorn but that she chose not to sign or return the letter. She further stated that the signature on the letter submitted with the application was not her signature. Ms. Collins made a motion, seconded by Ms. Jagers, to deny the massage therapist license based on Rule 0870-01-.07 (6) (a) & (b) for unethical behavior. The motion carried. Mr. Sluss made a motion, seconded by Ms. Mayton, to deny the massage establishment licensure application submitted by Ms. Henthorn based on Rule 0870-01-.07 (6) (a) & (b) for unethical behavior. The motion carried.

Kim Lynette Ureche

Ms. Ureche was not present. The file was presented to the Board for review of Ms. Ureche's transcript from Orlando Institute in Casselberry, Florida. Ms. Collins made a motion, seconded by Ms. Mayton, to grant the license. The motion carried.

Kelly Stanfill

Ms. Stanfill appeared before the Board to give explanation regarding 2003 and 2007 felony convictions for obtaining controlled substance by fraud. Based on information in Ms. Stanfill's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Collins made a motion, seconded by Ms. Field, to grant the license. The motion carried.

Stephanie Leana Dryden

Ms. Dryden appeared before the Board to give explanation regarding a 2009 conviction for driving under the influence. Based on information in Ms. Dryden's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Field made a motion, seconded by Ms. Collins, to grant the license. Mr. Sluss abstained. The motion carried.

Tiffany Nicole Lynn

Ms. Lynn appeared before the Board to give explanation regarding a 2005 citation for simple possession of marijuana. Based on information in Ms. Lynn's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Collins made a motion, seconded by Mr. Sluss, to grant the license. The motion carried.

Fabron Thomas White

Mr. White appeared before the Board to give explanation regarding a 2003 conviction for possession of marijuana. Based on information in Mr. White's file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Sluss made a motion, seconded by Ms. Jagers, to grant the license. The motion carried.

Investigation/Disciplinary Report

Ms. Juanita Stone, Disciplinary Coordinator, Office of Investigations, reviewed the reports with the Board. The report indicated there are a total of five (5) open complaints for massage therapists and nine (9) open complaints for establishments. During the period of January – June, 2009, eight (8) complaints for massage therapists were closed, two (2) with no action, one (1) with a letter of concern, two (2) with a letter of warning and three (3) were referred to the Office of General Counsel. For massage establishments, five (5) complaints were closed, three (3) with no action, one (1) with a letter of warning and one (1) was referred to OGC. Ms. Stone stated that she continues to work with the Attorney General's office on collection of unpaid fines/penalties. The Board received confirmation that these funds are credited to the Board in accordance with Tenn. Comp. R. & Regs. 1200-10-1-.07.

Administrator/Director Report

Ms. Birkner reviewed the report regarding statistical information and license status activity.

As of June 30, 2009 there were 4,262 licensed massage therapists and 1,517 licensed massage establishments.

LICENSE STATUS SINCE LAST MEETING

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>April 2009</i>	<i>April 2009</i>
Newly Licensed – 39	Newly Licensed – 20
Reinstates – 10	Reinstates- 3
Retired- 14	Retired- 17
New Applications- 56	New Applications- 23

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>May 2009</i>	<i>May 2009</i>
Newly Licensed – 52	Newly Licensed – 11
Reinstates – 8	Reinstates- 1
Retired- 6	Retired- 13
New Applications- 44	New Applications- 10

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>June 2009</i>	<i>June 2009</i>
Newly Licensed – 35	Newly Licensed – 27
Reinstates – 10	Reinstates- 6
Retired- 10	Retired- 13
New Applications- 69	New Applications- 38

Ms. Birkner also reported that as of July 1, 2009 the standard mileage rate decreased to \$.51 per mile.

Establishment Inspection Report

Ms. Birkner reviewed the report which indicated there were eighty-six (86) inspections conducted in Middle Tennessee, eighty-six (86) conducted in East Tennessee and twenty-three (23) conducted in West Tennessee during the months of April – June, 2009.

The following deficiencies were cited in Middle Tennessee:

- 2 establishments received a single deficiency for not having a copy of the massage therapist's license
- 1 establishment received a single deficiency for not having a working smoke detector
- 3 establishments received a single deficiency for equipment not being clean
- 1 establishment received a single deficiency for not having a fire extinguisher
- 1 establishment received deficiencies for not having a current copy of the massage therapist's license or establishment's license

The following deficiencies were cited in East Tennessee:

- 2 establishments received a single deficiency for not having a working smoke detector
- 2 establishments received deficiencies for not having a working smoke detector or fire extinguisher
- 1 establishment received a deficiency for each of the five therapist's license being expired
- 4 establishments received a single deficiency for not having a massage therapist
- 2 establishments received a single deficiency for not having a copy of the massage therapist's license
- 1 establishment received a single deficiency for having a molding hot towel cabinet
- 1 establishment failed the inspection because they did not show up for scheduled inspection

The following deficiencies were cited in West Tennessee:

- 3 establishments received a single deficiency for not having a massage therapist
- 1 establishment received a single deficiency for not having a copy of the massage therapist's license
- 1 establishment received a single deficiency for not having a current copy of the establishment license
- 1 establishment failed the inspection due to no fire extinguisher, no smoke detector; light fixtures, floors, walls, and windows dirty; no towels or hand-drying device; hot water faucet handle missing; bathroom vent had dust and mold and no cover on vent (score 83).

Financial Report

The Board reviewed the financial report for the fiscal year ending June 30, 2008.

Office of General Counsel Report

Ms. Layden reported the following:

Rules:

Fee increases, Continuing Education, Examination, Standards and Schools (0870-1-.01, .02, .04-.06, .08, .09, .12, .14, .15, .19; 0870-2-.02, .03, .05 to .09). The Board voted on May 5, 2008, to send these amendments to a rulemaking hearing. These rules passed through OGC/BHLR approval and the rulemaking hearing was conducted October 27, 2008. The rules were forwarded to the Attorney General on December 11, 2008. The rules were approved by the Attorney General and were filed with the Secretary of State's office on April 9, 2009. The rules went into effect on June 23, 2009.

Litigation:

The Office of General Counsel, Tennessee Department of Health, currently has twenty-nine (29) open cases pertaining to the Massage Licensure Board.

Ratify Agreed Citations for Lapsed Licenses

Upon review by the Board, a motion was made by Mr. Sluss, seconded by Ms. Collins, to approve the following Agreed Citations:

Sharon Neely, LMT

Ms. Neely was assessed total civil penalties in the amount of \$500.00 for practicing massage therapy on a lapsed license.

Rhonda Lynn Tinsley, LMT

Ms. Tinsley was assessed total civil penalties in the amount of \$600.00 for practicing massage therapy on a lapsed license.

Madonna Leslie Burton, LMT

Ms. Burton was assessed total civil penalties in the amount of \$300.00 for practicing massage therapy on a lapsed license.

The motion carried.

Ratify Agreed Citations for Continuing Education Violations

Upon review by the Board, a motion was made by Ms. Collins, seconded by Mr. Sluss, to approve the following Agreed Citations:

Donna Karen Ragan, LMT

Ms. Ragan was assessed total civil penalties in the amount of \$150.00 for failing to maintain sufficient continuing education.

Janet Marie Reams, LMT

Ms. Reams was assessed total civil penalties in the amount of \$150.00 for failing to maintain sufficient continuing education.

Shavondra Vanette Williams, LMT

Ms. Williams was assessed total civil penalties in the amount of \$150.00 for failing to maintain sufficient continuing education.

Rachel Suzanne Main, LMT

Ms. Main was assessed total civil penalties in the amount of \$150.00 for failing to maintain sufficient continuing education.

Kerri Lee Evans-Powell, LMT

Ms. Evans-Powell was assessed total civil penalties in the amount of \$150.00 for failing to maintain sufficient continuing education.

Tina Renee Holt, LMT

Ms. Holt was assessed total civil penalties in the amount of \$150.00 for failing to maintain sufficient continuing education.

The motion carried.

Consent Order

Suzanne Shamanski, LMT

Ms. Diona Layden, Office of General Counsel, presented a Consent Order to the Board for ratification. Ms. Shamanski was assessed total civil penalties in the amount of \$400.00 for practicing massage therapy on a lapsed license. Mr. Sluss made a motion, seconded by Ms. Collins, to accept the Consent Order. The motion carried.

Board Correspondence

The Board reviewed correspondence from Mr. James Greene, LMT, in which he expressed concerns regarding the recent licensure fee increases and continuing education requirements. The Board expressed its appreciation for his concerns; however, the Board feels that the current rules are appropriate to ensure the high quality of standard for the practice of massage therapy in Tennessee by qualified individuals and requested that a response be prepared and sent to Mr. James stating the same.

Continuing Education Course Review

Community Emergency Response Team Training (CERT)

The Board reviewed a request from Ms. Joan Elder, LMT, requesting approval of continuing education credit for the CERT training to be held May 7, 14, 21, 28, 2009 in Nashville, TN. Members of the board were in agreement that it was an excellent course; however, the course does not meet the requirements for continuing education course approval. Mr. Sluss made a motion, seconded by Ms. Edmond, to deny the request. The motion carried.

Criminal Conviction Policy

Ms. Andrea Huddleston, Office of General Counsel, presented a revised policy regarding applicants with criminal convictions for review by the Board. Ms. Huddleston explained that the revised policy is consistent with the Board's laws/rules. Ms. Collins made a motion, seconded by Ms. Jagers, to approve the revised policy. The motion carried.

Ratifications

Mr. Sluss made a motion to approve all new and reinstated licenses for massage therapists and massage establishments issued from April 16, 2009 through July 24, 2009. Ms. Jagers seconded the motion. The motion carried.

Massage Therapists

SAMANTHA KAY ABBOTT
ZACHARY NATHAN ABSTON
AIMEE SUZANNE ASHBURN
MEGAN MECHELLE AYCOCK
KIMBERLY ANN BAGDON
EILEENA MARIE BARNETT
LINDY SHAY BARNETT
LORETTA J. BAXTER

VICTORIA ANN BELL
DEBORAH LEA BIRDSALL
DIANE DEBORAH BITZER
AMY DONANN BLIZZARD
CATHERINE ANNETTE BOWERS
JENNIFER VICTORIA BOWMAN
EILEEN GAIL BRASFIELD
FRANK BROWN,

VICTORIA LYNNE CALDWELL
ASHLEA EUBANKS CALIBORNE
SARAH BREANNE CALLAIS
KIP LEE CARPENTER
DESHA TRAVASHIA CARTER
CARRIE SUE CASTLE
HEATHER DEE CATURA
XIAN LING CHENG
SAMANTHA KATE COFFEE
ASHLEY ELIZABETH COOLEY
THEOPHILUS BRENN COOPER
BRENDA GAIL CREASY
MARSHA KAYE CRUM
RANDI LYNN CURRY
LAURA DAWN DANIEL
DONNA EILEEN DEHAAS
GEORGE GLENN DIVENS JR.
DONALD EUGENE DOUGLAS
DEAN BRUCE DUELL
DAWN RENEE' DUNHAM
LAURA ANN EDWARDS
VIRGINIA L. EDWARDS
HEATHER MARIE ELKIN
MELINDA KAY ELLIOTT
HOPE LENELLE EVANS
CHRISTINE MARIE FIORE
EMILEE CHRISTINE FORBES
RANDY ED FORD
JENNIFER LEIGH FRANCIS
LEANNE MICHELLE FREISE
NATHAN DUANE FRENSELY
PATRICIA LEE FRITTS
GLEN T. GABRIEL
LUZ MARIA GALLIEN
CHRISTY MICHELLE GIBBS

KARMAN SHEA GOSSETT
GRETCHEN JOHANNA GRAGG
DAVID D. GRAHAM
RENAE LYNN GRASS
KEVIN RUSSELL GRAVELL
BRANDI LASHAY HAMPTON
BRAYDEN ALLEN HANSON
ASHLEY NICHOLE HARRISON
CHRISTOPHER MATTHEW HEADRICK
CHERITH BROOKE HENDRICK
MELANIE KAY HOOPER
CANDICE DIAN HOPKINS
JACOB ADAM HOPKINS
RACHEL ANN HOPKINS
GINA RENEE HORTMAN
JESSICA KNIGHT HOWARD
KATIE ALISON HUFF
ERIN AMANDA IVY
JULIE CHRISTINE JACKSON
GLENN PHILLIP JAMISON
CRYSTAL JEWEL JOHNSON
JESSICA ANN JOHNSON
CHRISTOPHER DEWAYNE JONES
CIERA SICELIA JONES
PAMELA NICHOLE KEAST
JAMES CYRUS KEGEL
CAROLYN JO KENDRICK
MEGAN RINI KIMBALL
CAROLYN JEAN KITTLE
THOMAS SPENCER LEEK
DEBORAH G. LUSK
SANDRA LYNN MARTIN
YOLANDA MARIE MARTINEZ
RUSSELL WAYNE MASHBURN
STEPHANIE J. MAY

BRIGITTE ANNE MCKANNA
JOAN DELAINE MCKEEHAN
NIKIA SHAUN'TA MCLEAN
ANITA DIANE MESSER
LAUREN OWENS MILLER
MARLENA LEE MILLS
MARY BETH MIRAMONTES
APRIL ANNE MONROE
CARL LESLIE MORRISON
CATHERINE JEAN MYERS
SHANNON MARIE NELMS
MARRIANN NELSON
CHERYL LYNN NEWMAN
IAN ANDREW O'NEIL
KARI LYNN OSBORNE
CHRIS CHARLES PACK
BONNIE ELIZABETH PADGETT
EMILY LYNNAE PARKER
TONYA RENEE PATTON
THOMAS WAYNE PECK
STACY ELAINE PETERSON
KAREN DENISE PITTS
MARGARET MARY PONTSLER
CHASITY YVONNE RANDOLPH
MICHAEL FRANCIS REDMAN
PAULA ANN RIDDLE
MARNIQUE L. RILEY
MOONJA LEE RITZER
JULIA DEE ROBINSON
TARA MARIE ROBINSON

CHARLES GIVAN RUFFNER
COLT TYLER SAIN
MARY L. SANDMAN
KEITH RONDELL SAULSBERRY
KRISTINE ELLEN SCHUHMACHER
PATRICIA LYNN SCOTT
ERIN ELIZABETH SELVAGE
THERESA MARIE SKAGGSS
DONNA GAIL SMITH
BRANDON PARKER SNOW
LAURA DOVE STEVENS
ERIC PIERRE STEWART
JESSICA RUTH STINSON
MEAGAN DIANN STONE
CAROL ANN SWAGGER
SANDRA LEE TATE
HEATHER LYNN TRACY
KYE SU ULANOWSKI
JESSICA RENE' VESTAL
MARY BETH VOELKEL
JIAN PING WANG
AMANDA DAWN WEBSTER
KIMBERLY SHAY WEST
HIRAM EMORY WIDENER
HEATHER MARIE WILBRETT
CHANDRA LYN WRIGHT
JENNA MARIE WRIGHT
MICHAEL LORENZO WRIGHT
XIAHUA XUE
BRIGETTE DENISE ZIADEH

Massage Therapists Reinstated

CAROL G AGNEW
BRUCE ALLEN BARNES

BRANDIE LEE BIXBY
MONICA BRIDGETTE BRALL

MADONNA LESLIE BURTON
PRISCILLA KAY CAMERON
PAULINE ELLIS CHINNERS
MINDI JO CLAYTON
MARY COLLEEN DAHLHAUSER
KENNETH JOE DUNN
LMT HALLIE ANN FREEMAN
LISA EILEEN HAMILTON
AMY ELIZABETH HAMITER
JULIE JEAN HANSON
CHASITY Y. HORNER
SABRINA HELEN HULING
MARY ELLEN HULLETT LMT
JOHN BARCLAY JOHNSON LMT
ROBIN JOHNSON
JENNIFER LYNN KEETON
BRET ALAN LONOW

KAREN SKY MILLER
KELLY ANN MIRENDA
SHARON RENA NEELY
DENISE SHERIE' OWENS
DENISE SHERIE' OWENS
R MICHELE PATY
EDWARD JOHN PORRECA MT
EDWARD JOHN PORRECA MT
LORETTA COLLINS ROGERS MT
CHRISTOPHER LEBRON SANFORD
DEBRA KAY SPEARS LMT
JERILYN KAY SWINDLE
RHONDA L. TINSLEY
JESSICA DAWN VAN CUYK
SUZANNE ORNER WALKER
HEATHER CAROL WINEBARGER

Massage Establishments

A WILD HAIR
ACCESS HEALTH CARE P.C. D/B/A NORTHSIDE CHIROPRACTIC
ADAIR SALON
ADVANCED SPINE AND JOINT INSTITUTE
AMODEO CHIROPRACTIC CLINIC
ANGELIC TOUCH-HEALING RETREAT
APPALACHIAN SURGERY & VEIN CLINIC/SKIN SOLUTIONS
ARIES VISION SALON
AT LAST, A DAY SPA AND SALON
ATHENS BACK AND NECK CLINIC, PLLC
BACK TO HEALTH P.C.
BETTER BODIES, LLC DBA BETTER BODIES YOGO
BLACKBERRY FARM, LLC FARMHOUSE SPA
BROOKE CALDWELL MASSAGE
BROWNSTONES DAY SPA

BUTTERFLY EFFECTS REJUVENATION CENTER
CARING TOUCH THERAPEUTIC MASSAGE
CHEROKEE COUNTRY CLUB
COLLIERVILLE MASSAGE AND BODYWORK
CORNERSTONE INTEGRATIVE HEALTH ASSOCIATES
DEDMON CHIROPRACTIC
EASTSIDE TANNING
EXODUS SALON AND SPA
FAMILYCARE SPECIALISTS
FOUR SEASONS ACUPUNCTURE, LLC
GLOW THERAPY SPA
HARRIS CHIROPRACTIC WELLNESS CENTER
IT FIGURES
J N C MASSAGE
JOANN LALE, LMT
JUST IN TIME THERAPEUTIC MASSAGE
LIFE SOURCE OF CENTERVILLE
LTF CLUB OPERATIONS COMPANY, INC. (D/B/A LIFESPA)
MASSAGE ENVY
MEMORIAL HOSPITAL
MEMORIAL NORTH PARK HOSPITAL
MICHAEL D. DUKE, LMT
MIDTOWN ACUPUNCTURE AND NATURAL APOTHECARY
MITCHELLS SALON
PAMPERED MOMENTS DAY SPA
PENNER THERAPEUTIC MASSAGE AND BODYWORK
PERSONAL BEST FITNESS
PINNACLE PHYSICAL MEDICINE AND REHAB
REFLECTIONS SALON AND SPA
SERENE YOGA AND HEALING
SERENITY ZONE
SHANGRI-LA DAY SPA
ST. JOHN'S HERBS AND WELLNESS, LLC
THE COMFORT ZONE
THE CUTTING EDGE

THE PLACE TO BE BEAUTY AND BARBER SALON
THERAPY THROUGH TOUCH
WRAPTURES BODY SALON, LLC
WRIGHT TOUCH MASSAGE
XIAN SHU, INC DBA MASSAGE CENTER & TAI JI EXERCISE
XIAN SHU, INC. D/B/A MASSAGE CENTER & TAI JI EXERCISES # 7
ZENFUL MIND AND BODY

Massage Establishments Reinstated

AKAHAI THERAPIES
CORE DEEP TISSUE MASSAGE
JUDY'S TROPICAL MASSAGE
MCLEMORE AND MCLEMORE DDS, COSMETIC AND FAMILY DENISTRY
NEUROLOGY, HEADACHE AND WELLNESS CLINIC
SPRING HILL MASSAGE
THE SPALON
THERAPY CENTER
TOUCH OF WELLNESS DAY SPA AND SALON

Approved Continuing Education Courses

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

1. Cupping Techniques-12 hours by Chuck Sullivan
2. Advanced Cupping and Gua Sha Techniques-12 hours by Chuck Sullivan
3. Fascial Freedom Techniques-13 hours by Cumberland Institute of Holistic Therapies
4. Introduction to the Medicine Wheel for Bodywork-13 hours by Cumberland Institute of Holistic Therapies
5. Tennessee Ethics for Licensure Renewal-2 hours by Cumberland Institute of Holistic Therapies
6. Tennessee Business for Licensure Renewal-2 hours by Cumberland Institute of Holistic Therapies
7. Neuromuscular Therapy for the Head and Neck-13 hours by Cumberland Institute of Holistic Therapies
8. Neuromuscular Therapy for the Extremities-13 hours by Cumberland Institute of Holistic

Therapies

9. Neuromuscular Therapy for the Upper Torso-13 hours by Cumberland Institute of Holistic Therapies
10. Neuromuscular Therapy for the Lower Torso-13 hours by Cumberland Institute of Holistic Therapies
11. Massage Techniques Using Forearms and Elbows-8 hours by Cumberland Institute of Holistic Therapies
12. Reiki-1st Degree-13 hours by Cumberland Institute of Holistic Therapies
13. Reiki-2nd Degree-13 hours by Cumberland Institute of Holistic Therapies
14. Chakra Principles for Touch Therapy-13 hours by Cumberland Institute of Holistic Therapies
15. Craniosacral Therapy II-13 hours by Cumberland Institute of Holistic Therapies
16. Communication & Boundaries-13 hours by Cumberland Institute of Holistic Therapies
17. Medical Qigong Therapist, Level 5-32 hours by J. Michael Wood
18. Medical Qigong Therapist, Level 6-32 hours by J. Michael Wood
19. Medical Qigong Therapist, Level 7-32 hours by J. Michael Wood
20. Medical Qigong Therapist, Level 8-32 hours by J. Michael Wood
21. Ethics for the Licensed Massage Therapists-2 hours by Mary Glesige
22. Tennessee Law for the Licensed Massage Therapist-2 hours by Mary Glesige
23. Business Management for Licensed Massage Therapists-2 hours by Mary Glesige
24. Lymphatic Drainage Massage for the Head & Neck-13 hours by Cumberland Institute of Holistic Therapies
25. Acupressure for the Head & Neck-13 hours by Cumberland Institute of Holistic Therapies
26. Five Element Theory-8 hours by Cumberland Institute of Holistic Therapies
27. Basis of Aromatherapy-16 hours by Mary Glesige
28. The Best of Hot Stone-16 hours by Mary Glesige
29. The Beauty of the Light body; Exploring the Major and Minor Chakras-16 hours by Mary Glesige
30. Bamboo2Go Chair Massage-8 hours by Michelle Mace-Lambert
31. Ashiatsu Bar Therapy-24 hours by Michelle Mace-Lambert
32. Advanced Ashiatsu Bar Therapy-8 hours by Michelle Mace-Lambert
33. Ashiatsu Floor Therapy-24 hours by Michelle Mace-Lambert
34. Bamboossage Bamboo Table Massage-16 hours by Michelle Mace-Lambert
35. Stones2Go Massage-8 hours by Michelle Mace-Lambert

36. Fijian Massage-16 hours by Michelle Mace-Lambert

The motion carried.

Discuss and Authorize Rulemaking Hearing regarding Revisions to Rules

Mr. Shiva Bozarth, Office of General Counsel, distributed proposed rule amendments for review and discussion by the Board.

Upon discussion of proposed changes to the definition of “Establishment”, Mr. Bozarth stated that the Massage Licensure Board did not have the authority to license massage establishments located in a healthcare facility licensed by the TN Dept. of Health.

Upon discussion, the Board clarified that courses relating to the required five (5) classroom hours of instruction regarding Tennessee massage statutes and regulations must be conducted in a classroom setting with an instructor present and teaching the class.

The meeting adjourned for the day at 5:32 p.m..

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August 11, 2009

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1st Floor, Poplar Room
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Members Present: Phyllis Salyers, LMT, Chairperson
Chris Sluss, LMT, Secretary
Faith Mayton, LMT
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Staff Present: Dianne Birkner, Board Manager
Diona Layden, Advisory Attorney
Andrea Huddleston, Advisory Attorney
Shiva Bozarth, Deputy General Counsel
Lisa Lampley, Board Director

The meeting was called to order at 9:22 a.m. by Ms. Phyllis Salyers, Board Chairperson.

Ms. Ashley Carter, Deputy General Counsel, introduced herself to the Board and stated that she serves as Ms. Layden's supervisor. She expressed her willingness and availability to discuss and address any concerns the Board might have.

Licensure Denial Appeal

James Kurt Derusha

Mr. Derusha was present and represented by Robbie H. Bell, Attorney at Law. Ms. Andrea Huddleston, Assistant General Counsel, represented the State. The proceedings were presided over by Ann Johnson, Administrative Law Judge. Ms. Jagers recused herself. Mr. Derusha had previously appeared before the Board for an applicant interview in February and May, 2009. At the May 4 – 5, 2009 board meeting, the Board denied Mr. Derusha's request for licensure based on the fact that he had practiced as a licensed massage therapist in an unlicensed massage establishment. Ms. Dianne Birkner, Board Manager, presented testimony on the licensure applicant process. Mr. Derusha testified on his own behalf. A motion was made by Mr. Sluss, seconded by Ms. Collins, to grant the license. The motion carried. Mr. Sluss made a motion,

seconded by Ms. Collins, to assess a Type B civil penalty in the amount of \$500.00 for practicing massage therapy in an unlicensed massage establishment. The motion carried. A motion was then made by Ms. Field, seconded by Mr. Sluss, to assess costs of the proceedings not to exceed \$1,000.00. The motion carried with Ms. Mayton and Ms. Collins opposed.

Rules Discussion Continued

Mr. Bozarth presented the Board with a revised draft copy of the proposed rules which included the changes requested by the Board on the previous day. After lengthy review and discussion, Ms. Collins made a motion, seconded by Mr. Sluss, to authorize a rulemaking hearing for proposed Rules Chapter 0870-01 and Chapter 0870-02, as amended, to be held at the October 26 -27, 2009 board meeting. The motion carried.

Minutes

Upon review and discussion, Mr. Sluss made a motion, seconded by Ms. Collins, to approve the February 9-10, 2009 minutes as amended. The motion carried.

Mr. Shiva Bozarth, Office of General Counsel, addressed the Board to discuss his concerns regarding the Board's proposed revisions to the May 4 – 5, 2009 minutes regarding a statement pertaining to grounds for licensure denial. Upon review and discussion, Mr. Sluss made a motion, seconded by Ms. Collins, to approve the May 4-5, 2009 minutes as amended. The motion carried.

Being no further business, Mr. Sluss made a motion, seconded by Ms. Edmond, to adjourn. The meeting adjourned at 3:20 p.m.

These minutes were ratified at the meeting held on October 26 – 27, 2009.