

**MINUTES OF  
TENNESSEE MASSAGE LICENSURE BOARD**

Date: August 13, 14, 2007

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

Location: 227 French Landing  
HRB Conference Center  
1<sup>st</sup> Floor, Iris Room  
Nashville TN 37228

August 13, 2007

Members Present: Kirsten VandeBerg, LMT, Chairperson  
Marcela Collins, LMT, Secretary  
Marilyn Field, Citizen Member  
Justin V. Hill, LMT  
Phyllis Salyers, LMT  
Chris Sluss, LMT

Vacant Position: Citizen Member

Staff Present: Dianne Birkner, Board Manager  
Dale Hill, Board Administrator  
Ernest Sykes, Advisory Attorney  
Sandra Sturgis, Special Assistant to the Commissioner  
Lisa Tittle, Administrative Services Manager

A quorum being present, the Board meeting was called to order by Ms. VandeBerg at 9:25 a.m.

**Welcome New Board Members**

Ms. VandeBerg welcomed three new Board members; Ms. Marcela Collins from Clarksville, Mr. Justin Hill from Memphis, and Mr. Chris Sluss from Kingsport.

**Conflict Of Interest**

Mr. Sykes reviewed the Conflict of Interest Policy with the Board.

## **Consider Accepting the American Medical Massage Association's National Board Certification Examination**

This discussion was tabled until the October 22, 2007 meeting.

### **Applicant Interviews**

#### **Karen Collins/Serenity Massage**

Ms. Collins appeared before the Board for failure to disclose on her establishment application, an aggravated assault charge in 2001. Ms. Salyers made a motion to approve the establishment license. Mr. Hill seconded the motion. The motion carried.

#### **Tanya E. Gattis-Massage Establishment**

Ms. Gattis appeared before the Board to give explanation to a DUI and assault conviction in December 2005. Ms. Smithson of Lighthouse Professional Services advocated for her. Ms. Field made a motion to approve the establishment license. Mr. Sluss seconded the motion. Ms. Salyer suggested that Ms. Gattis remain in Lighthouse until her probation is completed. Mr. Hill made a motion to amend the previous motion so that Ms. Gattis would remain in Lighthouse until her probation is completed. Ms. Salyers seconded the motion. The Board discussed their concern that if they vote to condition the license it would appear on her record as being disciplined. A vote was taken. The motion failed.

Ms. Salyers made a motion to grant Ms. Gattis an establishment license without conditions. Mr. Sluss seconded the motion. The motion carried.

### **Financial Report and Fee Discussion**

Ms. Lisa Tittle discussed the Board's financial status and presented the Board with some suggested proposals for fee increases. Ms. Tittle explained the Board was losing money with each inspection conducted and the Board should consider raising its fees to keep the Board in the black. Mr. Sykes explained that the Board had reduced the number of periodic inspections from 100% to 10% in order to save on administrative cost. He further explained that new bids/contracts are required to be obtained due to the fact that bids submitted for the current contracts were based on 100% periodic inspections and two of these three contracts have now been terminated. The Board will discuss inspection percentages later in the meeting.

Ms. Salyers discussed charging CE providers for review of their courses and did not understand why the Board was advised they could not charge for this service without a law change. Mr. Sykes explained the Board only has the authority to set fees for services they have statutory authority over and that the Board does not have statutory authority for continuing education providers.

**Request for Consideration from the Tennessee Higher Education Commission (THEC) of a Waiver of Experience for a School Instructor**

This item was removed from the agenda at the advice of Mr. Sykes, however, Mr. Dick Mansfield, Investigation Officer of THEC was requested to appear before the Board to answer questions regarding application and fee requirements for educational programs.

Mr. Mansfield explained their initial fees were \$2500.00 plus \$300.00 a program and an extra \$1000.00 for a degree program. Schools must be reauthorized each fiscal year and that the reauthorization fee is calculated from the gross revenue for all programs. He also stated the application deadlines are quarterly. The Board thanked Mr. Mansfield for attending the meeting.

**Applicant Interviews Continued**

Joseph Pranger

Ms. Collins disclosed that she served as Mr. Pranger's program director and recused herself.

Mr. Pranger appeared before the Board to give explanation to a conviction of simple possession of marijuana in 2003 and a DUI in 2002. Ms. Smithson of Lighthouse Professional Services advocated for Mr. Pranger. Ms. Salyers made a motion to approve Mr. Pranger for licensure. Mr. Sluss seconded the motion. The motion carried.

Leanilda Andreuccetti

Ms. VandeBerg disclosed that she taught Ms. Andreuccetti but that she could be objective.

Ms. Andreuccetti appeared before the Board to give explanation to a misdemeanor charge in August 2006 for possession of marijuana. Ms. Smithson of Lighthouse Professional Services advocated for her. Ms. Collins made a motion to approve Ms. Andreuccetti for licensure. Mr. Hill seconded the motion. The motion carried.

Kellye Joann Croft

Ms. Croft appeared before the Board to give explanation to a misdemeanor charge of theft under \$500.00 in March 2007. Mr. Hill made a motion to approve Ms. Croft for licensure. Ms. Field seconded the motion. The motion carried.

Candice Harbolic

Ms. Harbolic appeared before the Board to give explanation to a misdemeanor charge of theft in 2006. Ms. Field made a motion to approve Ms. Harbolic for licensure. Ms. Collins seconded the motion. The motion carried.

Thomas Bettini

Mr. Bettini appeared before the Board to give explanation to a DUI conviction in July 2007. Ms. Smithson of Lighthouse Professional Services advocated for Mr. Bettini and stated that Mr. Bettini would voluntarily remain under Lighthouse monitoring until his state probation is completed. Ms. Salyers made a motion to approve Mr. Bettini for licensure. Ms. Collins seconded the motion. The motion carried.

Jacqueline T. Keenum

Ms. Keenum appeared before the Board to give explanation to a felony possession of marijuana. The charge occurred in 2003 and she was convicted in March 2006. Ms. Smithson of Lighthouse Professional Services advocated for Ms. Keenum and informed the Board that Ms. Keenum will voluntarily be monitored by Lighthouse until her probation is complete. Ms. Field made a motion to approve Ms. Keenum for licensure. Ms. Salyers seconded the motion. The motion carried.

Charles Victory, Jr.

Mr. Victory appeared before the Board to give explanation to several convictions dating from 1997 through 2006. Mr. Victory was referred by Board staff to the Lighthouse Professional Services in July 2007. Ms. Smithson recommends Mr. Victory stay in the program as a condition of his license. Mr. Hill made a motion to hold Mr. Victory's file for review until the October meeting and that his file remain open in the administrative office. Ms. Field seconded the motion. The motion carried.

**Presentation on NCBTMB'S Proposed Disciplinary Database**

Ms. Robbie Bell appeared before the Board to give a brief overview of the proposed disciplinary database which the National Board is trying to implement. She stated there are two states; Nevada and Florida, that are in the pilot program.

**Minutes**

Ms. Salyers noted on page two, fourth paragraph, that the representation of Ms. Nash and Ms. Hicks should read Ms. Maj Lis Nash, "AMTA" and Ms. Debbie Hicks, "TMTA". Ms. Field made a motion to approve the minutes of the May 7, 8, 2007 Board meeting with the correction on page two. Ms. Salyers seconded the motion. The motion carried.

**Administrator/Directors Report**

Ms. Birkner presented the report regarding statistical information and license status activity through June 2007:

<i><b>THERAPISTS</b></i>	<i><b>ESTABLISHMENTS</b></i>
Active Licensees – 4106	Active Licensees – 1346
Retired Licensees – 565	Retired Licensees – 302
Failed to Renew – 1631	Failed to Renew – 307

**LICENSE STATUS SINCE LAST MEETING**

<i><b>THERAPISTS</b></i>	<i><b>ESTABLISHMENTS</b></i>
<i><b>April 2007</b></i>	<i><b>April 2007</b></i>
Newly Licensed – 22	Newly Licensed – 26
Reinstates – 4	Reinstates- 0
Retired- 10	Retired-16
New Applications-31	New Applications-26

<i><b>THERAPISTS</b></i>	<i><b>ESTABLISHMENTS</b></i>
<i><b>May 2007</b></i>	<i><b>May 2007</b></i>
Newly Licensed – 49	Newly Licensed – 19
Reinstates – 6	Reinstates- 1
Retired- 17	Retired-9
New Applications-31	New Applications-19

<i><b>THERAPISTS</b></i>	<i><b>ESTABLISHMENTS</b></i>
<i><b>June 2007</b></i>	<i><b>June 2007</b></i>
Newly Licensed – 56	Newly Licensed – 29
Reinstates – 9	Reinstates- 0
Retired- 12	Retired-10
New Applications-57	New Applications-31

Ms. Birkner reported that pass/fail rates have been posted on the web site.

## **Establishment Inspection Report**

Ms. Birkner reported there were one hundred ninety-three (193) inspections conducted during the period of April-June 2007; ninety-one (91) in Middle Tennessee, sixty-six (66) in East Tennessee and thirty-six (36) in West Tennessee. She also reported that the inspector for Middle and West Tennessee has been sent a letter of Termination for Cause. The Bureau office is in the process of preparing a new Request for Proposal (RFP).

### **The following deficiencies were cited in Middle Tennessee:**

April:

- 5 establishments received a single deficiency for not cleaning the massage table daily
- 2 establishments received a single deficiency for not having an operable fire extinguisher
- 1 establishment received multiple deficiencies; fire extinguisher not provided, no smoke detector, two therapists license expired
- 1 establishment received multiple deficiencies; one smoke detector needed, massage table not cleaned daily
- 1 establishment received multiple deficiencies; no smoke detector, copy of therapist license not available
- 1 establishment received a single deficiency for not having copy of the therapist license available

May:

- 2 establishments received a single deficiency for not cleaning the massage table daily
- 4 establishments received a single deficiency for not having a smoke detector
- 1 establishment received multiple deficiencies; oil and lotion containers black with dust, tables cleaned every few weeks
- 1 establishment received multiple deficiencies; no smoke detector, no fire extinguisher
- 1 establishment received a deficiency because the tables are plywood and not able to be sanitized

### **The following deficiencies were cited in East Tennessee:**

April:

- 1 establishment received a single deficiency for not having a massage therapist employed
- 1 establishment received a single deficiency for not having a current copy of the therapist's license
- 2 establishments received a single deficiency for not having smoke detectors
- 3 establishments received a single deficiency for not having hot water
- 1 establishment received multiple deficiencies; no hand dryers or towels in restroom, walls not clean (blood or hair dye running down the wall)

May:

- 1 establishment received a single deficiency for not having a massage therapist employed
- 1 establishment received a single deficiency for not having an operable fire extinguisher

June

- 1 establishment received a single deficiency for not having an operable fire extinguisher
- 1 establishment received a single deficiency for not having a smoke detector

**The following deficiencies were cited in West Tennessee:**

April:

- 1 establishment received a single deficiency for not having a smoke detector
- 1 establishment received multiple deficiencies; no smoke detector, no hot water

May:

- 2 establishments were cited for not having a smoke detector or smoke detector not working
- 1 establishment received multiple deficiencies; no smoke detector, massage table not cleaned daily
- 1 establishment received a single deficiency for the therapist license expired
- 1 establishment received a single deficiency for the pad cover shredded-can not be cleaned and sanitized

**Investigation/Disciplinary Report**

Ms. Juanita Stone, Disciplinary Coordinator, reported there were a total of twenty-two (22) open complaints for massage therapists and establishments. She further reported that from January 2007 through June 2007, twenty (20) new complaints have been received. Of those complaints, four (4) had been closed with no action, one (1) was closed with a letter of concern, one (1) with a letter of warning and two (2) were referred to the Office of General Counsel.

**Office of General Counsel Report**

Mr. Sykes reported the following:

Revisions to discipline, New licensee CE (0870-1-.05, .12, .19)- The rulemaking notice was filed and the rule went to hearing on March 3, 2006. The Board approved the amendment on May 8, 2006, and it was sent to the Attorney General on May 10, 2006. It became effective April 18, 2007.

Revise reciprocity, Require CE regarding laws, CE accreditation, Conditioning licenses (0870-1.04, .07, .08, .12)-(06-1326) The rulemaking notice was filed and the rule went to hearing on

October 25, 2006. The Board approved the amendments on November 13, 2006 and it was sent to the Attorney General on November 17, 2006. It became effective July 24, 2007.

Additional CE revisions, Titles revisions, Access to peer assistance (0870-1-.03, 12; 0870-2-.02)-(07-1158) The rulemaking notice was filed and the rule went to hearing on April 17, 2007. The Board approved the amendment on May 7, 2007 and it was sent to the Attorney General on June 22, 2007. It is still there.

Litigation:

The Office of General Counsel currently has (2) open disciplinary cases pertaining to the Board of Massage Licensure.

**Review and Discuss Legislation**

Mr. Sykes gave a brief description of legislation that will impact the massage profession:

Public Chapter 83 is for all healthcare providers except veterinarians and requires them to report patients' injuries if it is suspected to be caused by domestic violence or domestic abuse.

Public Chapter 182 authorizes boards to promulgate regulations pertaining to criminal background checks.

Public Chapter 196 authorizes the payment of civil penalties to become final, due and payable on the date the order becomes final.

Public Chapter 410 is the non-smoker protection act.

Public Chapter 464 is Governor Bredesen's Executive Order on economic impact statements on small businesses.

Public Chapter 529 which becomes effective January 1, 2008, relates to the employment of illegal aliens.

Mr. Sykes queried the Board to see if they have any new legislation they would like for Commissioner Cooper to bring forward. Ms. Birkner informed the Board, on the recommendation of Ms. VandeBerg, that she submitted the request regarding charging for the review on continuing education programs. The Board requested legislation to be submitted which would extend members term limits from two to four years.

## **Board Correspondence**

### **Request from NCBTMB Regarding Distance Education**

The Board reviewed an e-mail from the NCBTMB requesting an impact statement relating to distance education. The Board did not have enough information to make a statement and requested staff to write the NCBTMB to request additional information.

## **Rules**

### **Fee Discussion**

Ms. VandeBerg offered the following questions:

1. Does every initial establishment need to be inspected? The Board verbally answered yes.
2. Does the Board need to charge for initials, re-inspections and change of addresses? The Board verbally answered yes.
3. Does 100% of renewals/periodics need to be inspected? The Board verbally answered no.
4. Does the Board feel that there needs to be renewal/periodic inspections? Mr. Hill suggested 50%, Mr. Sluss suggested 10% to 25%, Ms. VandeBerg suggested 10% to 25%, Ms. Salyers suggested we do not inspect renewals/periodics, and Ms. Collins suggested 25%.

Mr. Sluss made a motion to inspect 25% of renewals/periodics. Ms. Collins seconded the motion. Mr. Sykes asked when considering the vote that the percentage the Board chooses, remain the same for the duration of the new contracts. The motion carried four to one with Ms. Salyers voting no.

After a lengthy discussion the following motions were made concerning the fees:

Ms. Collins made a motion to create an “address change fee” for establishments in the amount of \$90.00. Mr. Hill seconded the motion. The motion carried.

For massage establishments, Mr. Hill made a motion to raise the application fee to \$75.00, the initial licensure fee to \$100.00 for a total of \$185.00 when the \$10.00 state regulatory fee is added. Ms. Collins seconded the motion. The motion carried with Ms. Fields abstaining.

Renewal fee for establishments-Ms. Collins made a motion to raise the renewal fee to \$110.00. Ms. Salyers seconded the motion. The motion carried.

Massage therapists-Ms. Salyers made a motion to raise the application fee to \$65.00, and the licensure fee to \$165.00 for a total of \$240.00 when the state regulatory fee is added. Mr. Hill seconded the motion and after a lengthy discussion he called for the question. The motion passed with Mr. Hill voting no.

Ms. Field left the meeting at 4:35 p.m.

Massage therapists renewals-Ms. Salyers made a motion to raise the renewal fee to \$110.00. Mr. Hill seconded the motion. The motion failed. Mr. Hill made a motion to raise the renewal fee to \$165.00. Mr. Sluss seconded the motion. The motion carried.

### School Fees

Mr. Sluss made a motion for the initial license to be \$250.00. Ms. Collins seconded the motion. The motion failed. Ms. Collins made a motion for the initial license to be \$500.00. Mr. Hill seconded the motion. During discussion Ms. VandeBerg stated she felt the fee was too high and that it would hurt smaller schools. The motion carried.

Ms. Collins made a motion for a \$90.00 re-approval fee. The motion died for lack of a second. Mr. Hill made a motion for a \$400.00 re-approval fee. The motion died for lack of a second. Mr. Sluss made a motion for a \$125.00 re-approval fee. The motion died for lack of a second. Ms. Salyers made a motion for a \$200.00 re-approval fee. Mr. Sluss seconded the motion. Ms. Salyers and Mr. Sluss voted yes, Mr. Hill and Ms. Collins voted no. Ms. VandeBerg voted no to the tie vote. The motion did not pass. Mr. Hill made a motion for a \$250.00 re-approval fee. Ms. Collins seconded the motion. The motion carried.

Mr. Hill made a motion for a \$1000.00 late re-approval fee. The motion died for lack of a second. Mr. Sluss made a motion for a \$100.00 late re-approval fee. The motion died for lack of a second. Ms. Salyers made a motion for a \$250.00 late re-approval fee. Ms. Collins seconded the motion. The motion carried.

The Board requests that Ms. Tittle prepare a chart with the recommended fee changes.

Mr. Sluss made a motion to adjourn. Ms. Collins seconded the motion. The motion carried and the Board adjourned at 6:18 p.m.

**MINUTES OF  
TENNESSEE MASSAGE LICENSURE BOARD**

August 14, 2007

Members Present:     Kirsten VandeBerg, LMT, Chairperson  
                          Marcela Collins, LMT, Secretary  
                          Justin Hill, LMT  
                          Phyllis Salyers, LMT  
                          Chris Sluss, LMT  
                          Marilyn Field, Citizen Member

Vacant Position:     Citizen Member

Staff Present:        Dianne Birkner, Board Manager  
                          Dale Hill, Board Administrator  
                          Ernest Sykes, Advisory Attorney

A quorum being present, the meeting reconvened at 9:05 a.m.

**Contested Cases**

Christian Thompson d/b/a Natural Touch Institute

Kirk Jones, D.C.

The contested cases for each of the above have been continued.

Debra Vekasi

The contested case for Debra Vekasi is now an Agreed Order.

Ms. Elisha Hodge, Office of General Counsel, presented an Agreed Order in which Ms. Vekasi admits to practicing without a license during the months of February, March, April, May, June, and October 2004 and October 2005. Ms. Vekasi agrees to cease and desist from practicing massage until such time she becomes licensed and agrees to pay seven (7) type A civil penalties in the amount of five hundred dollars (\$500.00) each for a total of three thousand five hundred dollars (\$3500.00) plus costs. Ms. Salyers made a motion to accept the agreed order. Ms. Field seconded the motion. The motion carried.

Mr. Sykes was asked if they could modify the agreed order to require Ms. Vekasi to appear before the Board prior to licensure. Mr. Sykes stated he does not think the Board has the authority to condition her. He suggested revising the licensure application to include a question such as "have you ever been assessed a civil penalty for engaging in unlicensed practice of any profession". The Board took no action.

## **Criminal Background Check Policies**

Mr. Sykes explained that each of the Boards are being asked to develop a policy or policies to address concerns regarding unreadable fingerprints. Ms. Field made a motion to adopt Option II as proposed for applicants not licensed in any other jurisdiction and for applicants licensed in other jurisdictions which reads "The Board shall require the applicant to submit to an FBI/TBI fingerprint scan through the State of Tennessee's approved vendor or its equivalent as determined by the Board or its equivalent in the state the applicant is located in". Ms. Salyers seconded the motion. The motion carried.

## **Ratifications**

Mr. Sluss disclosed that he knew three of the new licensees; Becky Campbell, Crystal Peters and Patrick Mula and recused himself from voting on the three. Ms. VandeBerg disclosed that she knows Charlie Fegan. Mr. Sykes advised her to recuse herself. As chairperson she will not vote therefore did not recuse herself. Mr. Hill disclosed that he knows Clotea Bowers, Cheryl Butler and Valente Todd but that he could be unbiased in his vote. Ms. Collins disclosed that she knows Shannon Graham and Kelsey Ransdell but that she could be unbiased in her vote.

Mr. Sluss made a motion to ratify all new licenses for massage therapists issued from April 26, 2007 through July 27, 2007 except Becky Campbell, Crystal Peters and Patrick Mula. Ms. Collins seconded the motion. The motion carried.

Ms. Field made a motion to ratify the new licenses for Becky Campbell, Crystal Peters and Patrick Mula. Ms. Collins seconded the motion. The motion carried.

Ms. Salyers made a motion to ratify all new massage establishments issued from April 26, 2007 through July 27, 2007. Mr. Hill seconded the motion. The motion carried.

Ms. Field made a motion to ratify all reinstatement licenses for massage therapists and massage establishments issued from April 26, 2007 through July 27, 2007. Ms. Salyers seconded the motion. Mr. Hill disclosed that he knows Tammy O'Neal and Lewinfred Shack but that he can be unbiased in his vote. Ms. VanderBerg also advised the Board that she knows Tammy O'Neal. The motion carried.

## **Massage Therapists**

JENNIFER ANNE-CAROLIN ANDERSON  
AMBER GAYLE ANTOINE  
ANNETTE DENISE BALDENEGRO  
DENISE ANN BARNHILL  
JODY LYNN BAUER  
MARY ANN BENITEZ  
CORWIN ELIZABETH BENNETT  
LISA LOUISE BENSON  
CANDY MICHELLE BIGGS

NICOLE DALY BOLD  
CLOTEA N BOWERS  
JULYA JOLENE BOWERS  
DANA MARIE BOYNES  
KRISTY LYNN BROWN  
LAURIE ANN BROWN  
MELISSA ANN BUDENSIEK  
CHERYL D BUTLER  
BECKY LYNN CAMPBELL

KRISTI JULIANE CANNON  
DEBRA KAY CATRON  
JEANNE MARILYN CICCIO-ANDERSON  
LILA LOUISE CLARK  
STEPHEN WESLEY CLARK  
CHRISTIAN LEIGH COLE  
SUSAN FARRELL COLLIER  
GLENN THOMAS COLLINS  
AMBER RENEA CONLEE  
ANNA QUINTON CROWSON  
AUGUSTA MAE DAVIS  
NORMA IRIS DE JESUS  
SHELBY KATHERINE DEY  
BRANDI LYN EADES  
LOIS PATRICIA EDGAR  
HEATHER LYNN ELLIS  
VALERIE MORRIS EVANS  
VERNETTA RENEE FARMER  
CHARLIE YVONNE FEGAN  
LINDA KAY GARRISON  
KIMBERLEE GENTILE  
NAOMI JOYCE GOVINDER  
SHANNON JOLENE GRAHAM  
AARON RENE GRAVES  
KRISTINA LOUISE GUISLER  
JENNY LEAH HAILEY  
LAURA LYNN HARDIN  
CHRISTINA SUMMERS HARMON  
JON MICHAEL HARVEY  
MICHELLE LEA HARVEY  
JINAN MARIE HASSAN  
MARGARET ANN HELMS  
LISA P HESS  
TIFFANY JEAN HIGHBRIDGE  
APRIL J HUDSON  
JANNA CARRE HUDSON  
PAUL ANDREW HUDSON  
TRACY L. HULL  
LACEY RIEANN HUNT  
AMY ELIZABETH JOHNSON  
TIFFANI DONIELLE JOHNSON  
GAYLE JORDAN  
JASON W KIICK  
JULIE RUDES KIMBALL  
STANLEY CLYDE KINNETT  
FAYELYNN GARNER LATOUR

DEBRA KAY CATRON  
JEANNE MARILYN CICCIO-ANDERSON  
LILA LOUISE CLARK  
STEPHEN WESLEY CLARK  
CHRISTIAN LEIGH COLE  
SUSAN FARRELL COLLIER  
GLENN THOMAS COLLINS  
AMBER RENEA CONLEE  
ANNA QUINTON CROWSON  
AUGUSTA MAE DAVIS  
NORMA IRIS DE JESUS  
SHELBY KATHERINE DEY  
BRANDI LYN EADES  
LOIS PATRICIA EDGAR  
HEATHER LYNN ELLIS  
VALERIE MORRIS EVANS  
VERNETTA RENEE FARMER  
CHARLIE YVONNE FEGAN  
LINDA KAY GARRISON  
KIMBERLEE GENTILE  
NAOMI JOYCE GOVINDER  
SHANNON JOLENE GRAHAM  
AARON RENE GRAVES  
KRISTINA LOUISE GUISLER  
JENNY LEAH HAILEY  
LAURA LYNN HARDIN  
CHRISTINA SUMMERS HARMON  
JON MICHAEL HARVEY  
MICHELLE LEA HARVEY  
JINAN MARIE HASSAN  
MARGARET ANN HELMS  
LISA P HESS  
TIFFANY JEAN HIGHBRIDGE  
APRIL J HUDSON  
JANNA CARRE HUDSON  
PAUL ANDREW HUDSON  
TRACY L. HULL  
LACEY RIEANN HUNT  
AMY ELIZABETH JOHNSON  
TIFFANI DONIELLE JOHNSON  
GAYLE JORDAN  
JASON W KIICK  
JULIE RUDES KIMBALL  
STANLEY CLYDE KINNETT  
FAYELYNN GARNER LATOUR

RACHEL JOY SNYDER  
MAUREEN SORENSEN-NORRIS  
HEATHER LYNN STANLEY  
NATALIE ALEASHA STILES  
CHRISTY MECHELL STOOKSBERRY  
AIMEE RENEE STOREY  
JANICE MILLIE STYLES  
HARRY SAM TAYLOR  
SHIRLEY MARIE TAYLOR  
RUSSELL STEPHEN THOMPSETT  
VALENTE L TODD  
DEKIA DANIELLE TRICE  
BRITTANY NICOLE VANHOOSER  
HELEN VONERCK  
PAMELA S WAICKMAN  
DANIEL WESLEY WALKER  
JOSHUA MICHAEL WALKER  
JOHN VINCENT WARNER  
JONIE BROOK WARREN  
RANDY LEE WILCOX  
PAMELA DENISE WILLIAMS  
GWENDOLYN WILLINGHAM  
SHANNON DEE WILLIS  
CHARLENE SOPHIA WINSTON  
SANDRA K WISEMAN  
MARY V WOLFORD  
MICHAEL DUSTIN WOODARD  
GREGORY LEE WOODS  
APRIL MICHELLE WORLEY  
REBECCA JEAN WRASMAN

**Massage Therapists Reinstated**

ALICE MAE ALEXANDER  
DANIEL KEVIN BOBROSKY  
MARY COLLEEN DAHLHAUSER  
PAULA ARMSTRONG  
DEMANINCOR  
JOAN LESLIE ELDER  
ROBERT ROY FERGUSON  
SHELLY SCOTT FULLER  
LISA EILEEN HAMILTON  
MARY ELLEN HULLETT LMT  
KATRUM CURRINE HUNTER  
CHARLES ERIC IRONS LMT  
ANNETTE JONES

CHARLES ABRAHAM MARTIN  
DELICIA SHUNT'E MCCREIGHT  
TAMMY JO O'NEAL  
ANDRE' D PERRY  
ELLEN ASHLEY POSTON  
JULIE ANN POWERS  
LAURA ANN ROSENBAUER  
RUSSELL ALLEN ROWLES MR LMT  
LEWINFRED ANTONIO SHACK  
BETH MICHELLE SNIDER  
QUINTUS DWAYNE THOMAS  
NORMA WAVON TOLLIVER  
TANYA MICHELLE WEBB

ANGELA A. WILSDORF  
HEATHER MICHELLE WYATT

**Massage Establishments**

ABSOLUTE CALMING  
AHH!!! SOME BODYWORKS AND MASSAGE  
AHMWELL, LLC  
AMY H. MCGAULEY  
ANGIE CHAMPINE, LMT  
ANNA BURNS-MODER MASSAGE  
ARNOLD'S BEAUTY SHOP  
AUSTON'S MESSAGES AND COMPANY  
AWLC, LLC DBA IMAGE ESSENTIALS WEIGHT LOSS & MEDI SPA  
BACARA SALON AND SPA  
BELIEVER'S TOUCH  
BELLA VITA  
BELLA VITA LASER AND SKINCARE  
BETHANN EASTERLY  
BODYWORKS EMPORIUM LLC  
BODYWORKS MASSAGE THERAPY  
BROOKVIEW DAY SPA  
CASS GARDENS SALON AND DAY SPA  
CENTER FOR TRADITIONAL MEDICINE, LLC  
CHARISMA HAIR CONCEPTS  
COMMUNITY WELLNESS CENTER  
COUNTRY MASSAGE WORKS  
DE ROOS FAMILY AND PEDIATRIC HEALTH CENTER PC  
DERR CHIROPRACTIC  
DIXON CENTER  
ELEMENTAL HEALING  
EPIPHANY HEALTH  
ERIC WILLIAMS  
ESSENTIAL KNEADS  
EXPRESSIONS HAIR SALON  
FAYELYNN LATOUR  
FOR THE MOMENT  
FOREVER YOUNG DAY SPA AND BEAUTY BAR  
FRIEND AND FAMILY MASSAGE CARE  
GAELYN S. PORTER  
GINA MICHELLE BAKER  
GLENN S. BUCKSPAN, M.D., P.C.  
HAIR FOR YOU  
HEAVENLY TOUCH  
"IN HARMONY" FOR WELLNESS AND REJUVENATION  
INNER WINDOWS THERAPEUTIC PRACTICES, L.L.C.

ISIS MASSAGE  
JERRY LAMB'S  
JOAN ELDER  
JOHNSON CITY THERAPEUTIC MASSAGE  
JONI WATKINS, LMT  
JOY OF LIFE  
JULIE LADD SKIN SOLUTIONS  
KAREN COULTER  
LABOE SALON  
LIFE FITNESS, LLC  
LIFE FITNESS, LLC  
LIFE SOURCE THE CREATING WELLNESS CENTER  
LINDA GARRISON, L.M.T.  
MASSAGE ENVY  
MIDSOUTH MASSOLOGY GROUP  
MID-STATE NEUROSURGERY PC DBA BACK AND NECK PAIN CENTER  
MOUNTAIN SPAS OF AMERICA INC. DBA THE SPA @ RIVER BEND MALL  
NASHVILLE MASSAGE THERAPIST  
NEW HORIZON WELLNESS STUDIO  
OCOEE THERAPEUTIC MASSAGE  
PALLIE'S SALON AND DAY SPA  
PHASE III, INC DBA SHEAR TALENT  
PLEIADES MASSAGE  
PRAIRIE LIFE CENTER OF NASHVILLE  
SALON ROYALE AND DAY SPA  
SHARON M. DAVERN LMT  
SHEAR ELEGANCE  
SHOW AND TELL HAIR DESIGNS  
SUNNY DAZE TANNING  
TAYLOR'S SPASAGE  
TENNESSEE SPINE AND REHAB, PLLC  
TERRA TOUCH MASSAGE INC.  
TERRI'S HEALTH MASSAGE AND BODYWORK  
THE CENTER FOR RESTORATIVE MEDICINE  
THE CUTTING ROOM LLC  
THE HAIR SHOPPE  
THE HEALING ARTIST  
THE TOTAL IMAGE  
THERAPEUTIC TOUCH  
TOTAL BODY SOLUTIONS  
TOUCH AND HEAL  
TRACE RETREAT STORE AND SPA  
TRANSFORMING TOUCH MASSAGE THERAPY  
UTOPIA SALON AND DAY SPA  
WHAT'S NEW THE SALON

## **Massage Establishments Reinstated**

JEANNIE FITZGERALD  
LASTING TOUCH  
THERAPY CENTER  
YAD

## **Ratification of Approved Continuing Education Courses**

Mr. Hill made a motion to ratify the following continuing education courses:

1. Medical Qigong Practitioner, Level 4-32 hours offered by J. Michael Wood, PBMC
2. Medical Qigong Introductory Seminar-6 hours offered by J. Michael Wood, PBMC
3. Integrative Trigger Point Therapy (Head and Neck)-8 hours offered by Selina Oelberg, LMT

Mr. Sluss seconded the motion. The motion carried.

## **Election of Officers**

Ms. Field made a motion to elect Ms. Collins as secretary to serve for the remainder of the term vacated by Ms. Glasgow-Trotman which expires in February 2008. Ms. Salyers seconded the motion. The motion carried.

## **2008 Meeting Dates**

February 11, 12, 2008  
May 5, 6, 2008  
August 11, 12, 2008  
October 27, 28, 2008

## **Rules**

Mr. Kosten presented rules to be sent for a rulemaking hearing regarding practice standards and inspection of establishments; establishment licensure process; educational program approval and curriculum requirements; application requirements for educational programs and continuing education course providers. The following changes were made to the proposed rules:

Page 3, item 2. insert the word "be" between shall and kept

Page 3, (3) in the first sentence delete the words "and applicants". Delete the entire last sentence and add a sentence to read "Inspections may be announced or unannounced."

Page 4, (d) 4. The sentence was changed to read "The Board's Unit Director, Board manager, or Board designee shall cause to have the reinspection scheduled."

Page 5, 4. The sentence was changed to read “The Board’s Unit Director, Board manager, or Board designee shall cause to have the reinspection scheduled.”

Page 6, fees were inserted:

Therapists:	Application Fee	\$ 65.00
	Initial Licensure Fee	\$165.00
	State Regulatory Fee	<u>\$ 10.00</u>
	Total	\$240.00

Establishments	Application Fee	\$ 75.00
	Initial Licensure Fee	\$100.00
	State Regulatory Fee	<u>\$ 10.00</u>
	Total	\$185.00

Therapist renewal	\$165.00
Establishment renewal	\$110.00
Reinspection Fee	\$110.00
Establishment Address Change	\$ 90.00

Page 6, (2) (a) Insert the word “Examination” between the words Certification and for.

Page 6, (2) (b) Change the word “of” to “for” and close the parentheses around NCETMB.

Page 6, Rule 0870-1-.08 (2) (c) Staff to check for correct wording of “States”. It is correct as written.

Page 7, (2) at the bottom of the page, in the first sentence take out the words “or place of employment”.

Page 8, (1) (k) at the beginning of the last sentence remove the “,” after the word used.

Page 9, (1) at the bottom of the page insert at the end of the first sentence “such approval is not transferable”.

Page 10, in the first sentence on the page, change the word “calendar” to fiscal, the date “January” to “July” and December 31<sup>st</sup> to June 30<sup>th</sup>.

Page 10 (2) (a) Remove this whole paragraph

Page 10 (3) (n) in the second sentence change the words “November 1<sup>st</sup>” to June 30<sup>th</sup>. Add a period and delete the remainder of that sentence.

Page 10 (2) at the bottom of the page, last sentence, change the word “calendar” to “fiscal”.

Page 11-0870-2-.07 the sentence was changed to read “The program shall file with the Board, no later than July 31<sup>st</sup> of each year, an annual report for the preceding fiscal year (July 1 through June 30).

Page 12 0870-2-.08, the last line in the last sentence, the words “new program application” was changed to read “replacement license”.

Page 12 (1) (a) The last two sentences were deleted.

Page 12 (1) (b) The words November 1<sup>st</sup> was changed to June 30<sup>th</sup>.

Page 12 (1) (c) The words November 1<sup>st</sup> was changed to June 30<sup>th</sup>.

Page 12 (1) (e) A new category was added to read “Replacement License Fee- A non-refundable fee to be paid when a request is made for a lost or destroyed “artistically designed” wall license or renewal certificate.

Page 12 and 13, the proposed fees for educational programs are as follows:

Initial Approval Fee	\$500.00
State Regulatory Fee	<u>\$ 5.00</u>
Total	\$505.00

Annual Renewal Fee	\$250.00
State Renewal Fee	<u>\$ 5.00</u>
Total	\$255.00

Late Re-Approval Fee	\$250.00
Replacement License Fee	\$ 25.00

Prior to conducting the vote for authorizing a rulemaking hearing, the Board reviewed and agreed with the Regulatory Flexibility Analysis (required by Public Chapter 464 of the Public Acts of 2007) and the Economic Impact Statement (required by Executive Order 38) that were prepared and presented by Mr. Kosten.

Ms. Salyers made a motion to accept the rules as amended and send them to rulemaking. Mr. Hill seconded the motion. The motion carried.

There being no further business, Ms. Salyers made a motion to adjourn. Ms. Collins seconded the motion. The motion carried and the meeting adjourned at 12:07 p.m.

Minutes were ratified by the Board October 22, 2007.