

**MINUTES OF
TENNESSEE MASSAGE LICENSURE BOARD**

Date: November 13, 14, 2006

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

Location: 227 French Landing
EMS Conference Room
Nashville TN 37228

November 13, 2006

Members Present: Rebecca Eichel, LMT, Chairperson
Kirsten VandeBerg, LMT, Secretary
Beverly Chumbley, RN, LMT
Phyllis Salyers, LMT
Marilyn Field, Citizen Member
Robbie Bell, Ex-Officio Member

Members Absent Juliana Glasgow-Trotman, LMT
Craig Blackwell, Citizen Member

Staff Present: Dianne Birkner, Board Manager
Dale Hill, Board Administrator
Bob Kraemer, Advisory Attorney
Judy Eads, Assistant Commissioner
Lisa Tittle, Administrative Services Manager

A quorum being present, the Board meeting was called to order by Ms. Eichel at 9:06 a.m.

Conflict Of Interest

Ms. Bell reviewed the Conflict of Interest Policy with the Board.

Minutes

Ms. VandeBerg made a motion to approve the minutes of the August 13, 14, 2006 Board meeting as written. Ms. Chumbley seconded the motion. Ms. Salyers stated she did not see in the minutes where a question was asked about charging to review continuing education courses. Ms. Bell explained the Board did not have statutory authority and that it would require a law change. The motion carried.

Financial Report

Ms. Tittle was present to address concerns Ms. Salyers has over the decrease in the Board's budget. Ms. Tittle handed out a financial report with the expenditures and revenues from June 30, 2002 through June 30, 2006. She explained that the Board decreased its fees effective December 2002, that the revenue began to decrease in fiscal year June 2003 and reflected a full year of decreased fees in 2004. Also in 2004, the Board voted for a Peer Assistance Program and initiated their inspection contracts. Ms. Tittle also noted the revenue came back up in 2005 due to an increase in licensees. Ms. Salyers asked for clarification of salary expenses. Ms. Tittle explained the Board added a new staff position, that per diems are "Direct" cost and increased from \$50.00 to \$100.00, and staff is "Indirect" cost. Ms. Field asked where case cost assessment would be listed, and Ms. Tittle stated it would be included in "Revenue". Ms. Chumbley asked if there were costs taken out for the new conference rooms. Ms. Tittle explained that minimal expense for the move was recognized by the end of fiscal year 2006 and explained that the State has a fund to assist with items such as cabling and furniture during relocation of state agencies.

Ms. Salyers asked Ms. Tittle to go step by step through the process of travel claims and asked why it takes so long to get reimbursed, specifically "whose desk the travel claims sit on". Ms. Tittle assured Ms. Salyers that travel claims are processed in accordance with Finance and Administration guidelines. Ms. Birkner explained there was a question regarding an expense on Ms. Salyers' previous claim and that was the reason the claim took extra time.

Ms. Eichel asked what costs would be under "Grants", and Ms. Tittle stated this would be the Peer Assistance Program and inspection contracts, and occasionally professional services expenditures such as witnesses and court reporters. The Board thanked Ms. Tittle for coming to the meeting.

Rules

Mr. Jerry Kosten presented rules for a roll call vote which went to Rulemaking on October 25, 2006. No one attended the hearing and no comments were received. The rules pertained to: reciprocity licensure requirements and conditional licenses per Public Chapter 737 of the Public Acts of 2006; requirements to take continuing educational courses pertaining to ethics and statutes and continuing education course approval.

Ms. Salyers made a motion to amend Section 0870-1-.12 (4) (c) so that it corresponds with the new amendment. Section (c) would read "If a sponsor is unable to obtain, or chooses not to obtain, prior approval, the sponsor may request Board approval by submitting the following information to the Board Administrative Office at least forty-five (45) days prior to the proposed or scheduled date of course". Ms. VandeBerg seconded the motion. The motion carried.

Ms. VandeBerg asked why the Board could not put a course online. Ms. Bell explained we are a regulatory agency, not a continuing education provider.

Ms. Salyers made a motion to delete (2) (b) 4. and (4) (b) 1. (iv) of the amended rules which removes the requirement that an attorney, licensed in Tennessee, must review the course. Ms. VandeBerg seconded the motion. The motion carried.

Ms. Chumbley made a motion to adopt the rulemaking hearing rules as amended. Ms. Salyers seconded the motion. The motion carried. Ms. Birkner conducted a roll call vote. All members voted yes.

Applicant Interviews

Sandra Lynn Laytart

Ms. Laytart appeared before the Board to give explanation for a misdemeanor charge of tampering of records. Ms. Salyers made a motion to grant Ms. Laytart a license. Ms. Field seconded the motion. The motion carried.

Janet Denise Taylor

Ms. Taylor appeared before the Board to give explanation to a felony charge for fraudulent use of a credit/debit devise. Ms. Chumbley made a motion to approve Ms. Taylor for licensure. Ms. VandeBerg seconded the motion. The motion carried.

Rebecca Whitnel on behalf of Cloud Nine Hair Design and Spa

Ms. Whitnel appeared before the Board to explain why she indicated on her application for a massage establishment license and massage therapist license that she had never been convicted of a misdemeanor or felony when in fact she had two convictions, one for a minor in possession of alcohol and one for driving on a revoked license. Ms. Whitnel explained she was told by her school instructor she did not need to report these because they were not felonies. Ms. Salyers made a motion to approve the establishment license. Ms. Chumbley seconded the motion. The motion carried.

Julie Lynn Dunlap

Ms. Dunlap appeared before the Board to give explanation to three convictions; public nudity, possession of a controlled substance and burglary and theft of property. Ms. Dunlap explained on the public nudity conviction, she was stripping at a strip club when it was raided. Mr. Kraemer presented a list that described sexual offenses and said this activity was not considered as sexual misconduct. Ms. Diann Smithson of Lighthouse Professional Services advocated for Ms. Dunlap. Ms. Salyers made a motion to grant Ms. Dunlap a license with the condition that she remains in the Lighthouse Professional Services program for one (1) year. Ms. VandeBerg seconded the motion. The motion carried.

Ms. Chumbley made a motion for the record to show that the Board finds that a conviction of indecent exposure while dancing in a strip club is not considered sexual misconduct. Ms. VandeBerg seconded the motion. The motion carried.

Ms. Eichel asked what the Board's ramifications on this action would be and if this would impact future decisions. Mr. Kraemer explained it would have to be an identical situation.

Investigation/Disciplinary Report

Ms. Lea Phelps presented the Investigative Report which indicates twenty-eight (28) new complaints have been received from January through September 2006 for massage therapists and establishments. In the same time period a total of twenty-nine (29) complaints have been closed; thirteen (13) with no action, ten (10) referred to the Office of General Counsel, three (3) with a letter of concern and two (2) pending court action. There are currently twenty-one (21) open cases in Investigations.

Ms. Phelps informed the Board that the Department is working with the Attorney General’s Office to collect unpaid fees.

The Board asked Ms. Phelps to report at its next meeting, how much in civil penalties has been assessed and how much has been collected. Ms. Eichel asked for the costs for court reporters, court costs, judge’s costs and attorney and investigative time. Assistant Commissioner Eads addressed the Board and said she could get the costs for judges and once we are on the new computer system, we would be able to gather more information of this type.

The Board recessed for lunch at 12:10 p.m. and reconvened at 1:00 p.m.

Administrator/Directors Report

Ms. Birkner presented the report regarding statistical information and license status activity since the last meeting which indicated the following:

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
Active Licensees – 4102	Active Licensees – 1217
Retired Licensees – 453	Retired Licensees –229
Failed to Renew – 1357	Failed to Renew – 241

LICENSE STATUS SINCE LAST MEETING

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>July 2006</i>	<i>July 2006</i>
Newly Licensed – 26	Newly Licensed – 18
Reinstates – 7	Reinstates- 1
Retired- 13	Retired-8
New Applications-41	New Applications-21

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>August 2006</i>	<i>August 2006</i>
Newly Licensed – 34	Newly Licensed – 20
Reinstates – 4	Reinstates- 2
Retired- 7	Retired-11
New Applications-40	New Applications-33

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>September 2006</i>	<i>September 2006</i>
Newly Licensed – 39	Newly Licensed – 39
Reinstates – 4	Reinstates- 4
Retired- 17	Retired-17
New Applications-41	New Applications-29

Ms. Birkner reported that the massage establishment contract process was under appeal and inspections were halted for approximately two months. During the appeal process Mr. Scott Baily withdrew his bid for the Middle Tennessee region. The Board office was notified on October 12, 2006 that Ms. Elaine Hackerman has been awarded the Middle Tennessee contract. Also, staff continues to work with the National Board to obtain examination scores on-line. This is an ongoing process and she will keep the Board updated.

Establishment Inspection Report

Ms. Birkner reported there were sixty-one (61) inspections conducted during the period of July-September 2006; eleven (11) in Middle Tennessee, three (3) in East Tennessee and forty-seven (47) in West Tennessee.

The following deficiencies were cited in West Tennessee:

- Draping techniques
- Empty Fire extinguisher, massage therapist license not available
- No smoke detector, draping techniques
- Smoke detector not working, inadequate lighting, massage therapist license not available, needs agent to cut grease
- No massage therapist license available, no cleansers, unable to determine if tables cleaned daily, insufficient supplies, unable to determine if all materials sanitized before use, draping techniques, unable to determine if clients are provided drapes (this establishment did not currently have a massage therapist, inspector instructed to write “no massage therapist” only, and to allow ninety days to obtain one).
- No smoke detectors

- Massage therapist license not posted, can't provide evidence that smoke detector is part of fire alarm system
- No fire extinguisher
- Massage therapist license expired, no disinfectant for table, draping procedures not known
- One smoke detector not working, needs one additional smoke detector
- Fire extinguisher not working, no hot water
- No smoke detector
- Needs one additional smoke detector, massage therapist license not provided

Office of General Counsel Report

Mr. Kraemer reported the following:

Criminal Background Checks and Housekeeping-- (05-0095) These amendments went to rulemaking hearing on April 25, 2005. They were adopted by the Board on August 26, 2005 and were sent to the Attorney General on August 31, 2005. They were signed by the Attorney General and filed with the Secretary of State on March 24, 2006 and became effective on June 7, 2006.

2005 Legislation and Retreat Amendments - (05-1396) These amendments regarding a wide variety of subject areas generated by discussions at the recent Board retreat and the 2005 legislative session went to rulemaking on October 18, 2005. They were adopted by the Board on December 5, 2005 and were sent to the Attorney General on December 8, 2005. They were signed by the Attorney General and filed with the Secretary of State on June 16, 2006 and became effective on August 30, 2006.

Continuing Education, Board Orders and Establishment Enforcement Amendments (05-1609) These amendments went to rulemaking hearing on March 3, 2006, They were adopted by the Board on May 8, 2006 and were sent to the Attorney General on May 10, 2006. They are still there.

1. Reciprocity, Applications, Examinations and Continuing Education (06-1326). These amendments went to rulemaking hearing on October 25, 2006 and after response to comments, are ready for adoption at this meeting.

Litigation:

The Office of General Counsel currently has three (3) open disciplinary cases pertaining to the Massage Board.

Lighthouse Professional Services

Ms. Smithson presented the report which detailed activities provided from November 14, 2003 through June 30, 2006 and a financial report of actual expenditures of \$85,678.07 from July 1, 2005 through June 30, 2006.

Report from the Federation of State Massage Therapy Board's (FSTMB) Annual Meeting

Ms. Eichel attended the meeting and reported the major issue discussed was that the FSTMB has contracted with an agency to create an examination and that the testing program would hopefully be complete by August 2007, at which time this Board could decide which test to use. She asked the members to be thinking about this and it would be brought back to them at a future meeting. Ms. Eichel also reported the FSTMB is looking into providing a data base to exchange/gather disciplinary actions and a job task analysis to conduct a survey to help determine what entry level massage therapists need to know. She also took part in a legal counsel discussion.

Requests for Continuing Education Waivers/Extensions

There were no requests for this meeting.

Requests for Approval of Continuing Education Courses

Pre-Event Sports Massage-12 Hours offered by Vicki Goodwin

Ms. Goodwin addressed the Board and said she had revised the course to six (6) hours by dropping the six(6) hours out-of-class portion. Ms. Chumbley made a motion to approve the course. Ms. VandeBerg seconded the motion. The motion carried.

Reiki I, Reiki II, Reiki III-Four Hours each offered by M. Elisabeth Watford

Ms. Watford addressed the Board. After a lengthy discussion Ms. Eichel asked if there was a motion. The matter failed for lack of a motion. Ms. Eichel suggested to Ms. Watford that if she is still interested in teaching these courses she should think about the concerns the Board discussed and re-submit her course outlines.

Board Correspondence

Letter from Jerry Anderson, D.C.

Dr. Anderson submitted a letter regarding a Consent Order between his employee, Benjamin Neal, LMT and the Board which was approved by the Board on August 15, 2006. Mr. Neal consented to pay \$3,600.00 plus costs for practicing in an unlicensed establishment for thirty-six (36) months. Dr. Anderson is requesting the Board to reduce the Civil Penalty. Ms. Field made a motion for staff to write a letter to Dr. Anderson telling him the Board considered his request and that the Board stands by its previous decision. Ms. Salyers seconded the motion. The motion carried.

Letter from Dianne Williams, LMT

Ms. Williams is asking for approval to use a steam canopy without a shower facility. After a lengthy discussion, Ms. VandeBerg made a motion that a portable steam canopy is not considered a steam cabinet, therefore a shower facility is not required. Ms. Salyers seconded the motion. The motion carried.

Discuss Legislative Initiative Regarding Requirements to be a Board Member

Ms. Eichel recommended changing the requirement so that a therapist must be licensed in the State for five (5) years to be eligible to be a board member. This action would take a statute change. Ms. Field made a motion which was seconded by Ms. Salyers to recommend to the Tennessee Massage Therapy Association (TMTA) to change the requirement from three (3) years to five (5) years. The motion carried.

Review and Discuss Legislation

Ms. Debbie Hicks, President of TMTA requested to present legislation that would give the Board the authority to charge for reviewing continuing education courses. She would also like to have a requirement that a peer assistance person be allowed to enter the schools. Mr. Kramer explained the Board could do this with a rule change. Ms. Hicks also suggested assigning continuing education course approvals to an association. Mr. Kraemer stated the Board could not delegate this duty. Lastly, Ms. Hicks suggested a possible rule change to add the Tennessee Massage Therapy Association and the American Massage Therapy Association to be accepted course providers. This will be sunshined for the next meeting.

Ms. Chumbley asked that it be sunshined for the next meeting to consider changing the rules to allow approval of courses after the course date and that courses can be submitted by the licensee.

Consider Endorsement of the Patient Safety Policy

Ms. Bell explained this is a policy written by the Commissioner's Task Force on Patient Safety and has been adopted by the Division and Bureau. Ms. VandeBerg made a motion to endorse the policy. Ms. Field seconded the motion. The motion carried.

Ratifications

Ms. VandeBerg made a motion to ratify all new and reinstated licenses for massage therapists and massage establishments issued from July 27, 2006 through October 25, 2006. Ms. Chumbley seconded the motion. The motion carried.

Massage Therapists

Name

CHRISTY DAWN ALEXANDER
HOLLY SIOBHAN AMES
MELISSA JEAN ASHER
LAURIE LEE BADER
MISTI MARIE BALDWIN
JASON MATTHEW BEASLEY
WENDY M BESSECK
LAURA ELLEN BIEDEBACH
TIFFANY TENNILLE BINGHAM
DUSTIN LEE BLACKMAN

BRIANA RAE BOGGESS
LAURA G BOLTON
HEATHER KRISTAN BOSWELL
HAZEL JOSEPHINE BROWN
LORETTA KAYE BROWNING
JASON KEITH BUCY
CRYSTAL GAIL BURSE
SKYLAR CARRIE CANNIFF
AMBER CORRIN CAROTHERS
CAROL WYNNE CHANCELLOR
ERICA PEARL CHAPPELL

SARAH ELIZABEETH CLARK
SHAVANA MICHELLE COX
SARA AMANDA DALTON
FRANCES ANN DAWSON
KELLY JEAN DERSCHIED
MISTY MARIE DICKSON
JAMES ADAM DOCKERY
JILL MARIE ELLIS
ROSE MARIE EMBLER
ALLISON MURIEL ENZWILER
LAUREN LEE EWING
MARY ANNE FOSTER
KATHRYN ELIZABETH
FRANKLIN
RHEAN E GEMMETTE
TANIKA ANNETTE GILLARD
AMBER LEE GILLENWATER
KELLE MICHELLE GOOCH
DEANNA LYNN GRIFFIN
MICHELLE DENISE GRIGSBY
JESSICA LYN HARNACK
WHITNEY PAIGE HOLBROOK
JEMEIKA LEONA HOUSTON
TIMOTHY B HUGHES
SOUMALY INTHA AVONG
SARA DANIELLE JONES
DOUGLAS R KELSO
JASON MATTHEW KRETZER
LISA MARIE LACOURSE
ANNE ELISE LARSEN
JOLYNN RENE LEWIS
ROBI LOVE
MARILYN DENISE LUCAS
JENNIFER LIEGH LYNN
AMANDA MICHELLE MANNER
KAREN M MARSHALL
AMANDA NICOLE MASSENGILL
JOHN ALBERT MAY
DORIS ELIZABETH MCDOWELL
DEBORAH J MCMANUS
JAMIE DENISE MILES
AUBREY NICOLE MILLER
EMILY LILLARD MONROE
MELODY ANN MOORE
SANDRA L MOSBY
ALLISON BLANTON MOYERS

SHAVANA MICHELLE COX
SARA AMANDA DALTON
FRANCES ANN DAWSON
KELLY JEAN DERSCHIED
MISTY MARIE DICKSON
JAMES ADAM DOCKERY
JILL MARIE ELLIS
ROSE MARIE EMBLER
ALLISON MURIEL ENZWILER
LAUREN LEE EWING
MARY ANNE FOSTER
KATHRYN ELIZABETH
FRANKLIN
RHEAN E GEMMETTE
TANIKA ANNETTE GILLARD
AMBER LEE GILLENWATER
KELLE MICHELLE GOOCH
DEANNA LYNN GRIFFIN
MICHELLE DENISE GRIGSBY
JESSICA LYN HARNACK
WHITNEY PAIGE HOLBROOK
JEMEIKA LEONA HOUSTON
TIMOTHY B HUGHES
SOUMALY INTHA AVONG
SARA DANIELLE JONES
DOUGLAS R KELSO
JASON MATTHEW KRETZER
LISA MARIE LACOURSE
ANNE ELISE LARSEN
JOLYNN RENE LEWIS
ROBI LOVE
MARILYN DENISE LUCAS
JENNIFER LIEGH LYNN
AMANDA MICHELLE MANNER
KAREN M MARSHALL
AMANDA NICOLE MASSENGILL
JOHN ALBERT MAY
DORIS ELIZABETH MCDOWELL
DEBORAH J MCMANUS
JAMIE DENISE MILES
AUBREY NICOLE MILLER
EMILY LILLARD MONROE
MELODY ANN MOORE
SANDRA L MOSBY
ALLISON BLANTON MOYERS

Massage Therapist Reinstated

SHARON LOUISE DASHER
JOSIE DARLENE DAVIS LMT
CONNIE SUE FORBES
DIANE M. HAMILTON
CYNTHIA ELIZABETH JAGGERS
ALETA ANN MONROE LMT
ALICIA ANN PORTERFIELD
JANET MARIE REAMS
JESSICA SUZANNE REID
TIMOTHY P RHODES
WAYNE HADEN STEPHENS
TAMMY MICHELLE WALKER
TARSHA WILLIAMS

Massage Establishments

Name

@ 272

A BEAUTIFUL YOU AESTHETIC LASER CENTER
A HEAD OF TIME SALON AND SPA
A NEW IMAGE WEIGHT LOSS CLINIC
ADVANCED CARE CHIROPRACTIC AND REHAB
AGAPE TOUCH
ALLURE SALON
BALANCE BODYWORK, LLC
BARBARA LOTSHAW, LMT
BEI CAPELLI SALON AND SPA
BELLEVUE FAMILY YMCA
BELMONT HEALING ARTS CENTER
BENTON MEDICAL CLINIC
BLUEGRASS SPORTS AND THERAPEUTIC MASSAGE
BODY MECHANIX, LLC
C.A.R.E. FOR YOURSELF
CAMPBELL THERAPY CENTER, LLC
CAREY'S SALON
CARING HANDS THERAPY
CARING TOUCH MASSAGE
CHARLESTON SALON AND TAN
CLUB 29 INC. DBA ENERGY FITNESS
CREATING BALANCE MASSAGE
CREATING BALANCE MASSAGE
DAN WOOD
DISTINGUISHED-U LLC
DYER SPA

EDEN DAY SPA
ENKORE SALON AND DAY SPA
ESSENCE OF HEALTH MASSAGE THERAPY
EXPRESS LANE CASH AND TANNING AND HERBS
FAMILY THERAPEUTIC MASSAGE AND BODYWORK
FERTILITY CENTER, LLC
GREAT ESCAPE DAY SPA
HANDS ON HEALTH
HARMONY
HEAD TO TOE
HEALING ARTS OF MEMPHIS
HEALING TOUCH MASSAGE THERAPY
HEALTHY SOLUTIONS THERAPEUTIC MASSAGE
HEIDI ZOODEEDOO
JEANETTE HAISLIP, LMT
KNEAD FOR WHOLENESS
KNEADING UTOPIA LLC
LASER THERAPY AND CHIROPRACTIC CENTER
LIFE OF LUXURY MASSAGE
MAGNOLIA
MASSAGE AND MUSCLE THERAPY BY JEFF
MASSAGE ENVY
MIDNIGHT SUN MASSAGE
MMM...MASSAGE
MUCH KNEADED MASSAGE
NATIONAL FITNESS CENTER
NORTH JOHNSON CITY MASSAGE THERAPY
NORTH RUTHERFORD YMCA
OASIS DEL SOL
PAMPERING PLACE
PARRILLA MASSAGE AND FITNESS
PATRICIA JANE AND COMPANY
PAULA KEEFE, LMT
REBEKAH HARRIS BLOUNT, LMT
SAIL ON WITH MASSAGE
SALON BELLA DONA AND DAY SPA
SANDERELLA SALON AND SPA, INC.
SANDRA LYNN WOODARD
SHEAR DELITE HAIR STYLING
SIMPLE TOUCH MASSAGE (WEST)
SKINSCRIPTIONS
STANLICK CHIROPRACTIC
SUE'S CUTS UNLIMITED
THE CATAMARAN
THE FIXX
THE JOURNEY

THE LETT CENTER AESTHETIC, RECONSTRUCTIVE SURGERY
THERAPUETIC MASSAGE-BONNIE MCCULLAH
TINA CROWNOVER, LMT
TOTAL ESCAPE DAY SPA
USA TRENDS DBA NATURAL NAIL CARE CLINIC
VALLEY SPRINGS SPA
YMCA AT COOL SPRINGS

Massage Establishments Reinstated

BODY BLISS FOR WOMEN
BODY WORKS MASSAGE THERAPY
CINDY L. STUFFLE, LMT
HIGH-TECH INSTITUTE
ROMAN THERAPY
THE QUIET ZONE MASSAGE THERAPY

Discuss Regulations and Procedures Relating to Establishment Inspections

Ms. Bell explained she has been looking at the progress of inspections for a long while and doesn't feel the Board is getting the value for their money. She believes the Board could spend the money better than what we get as a result of an inspection. She suggests we inspect initial establishment licenses and when an establishment changes locations. Ms. Eichel said she does not like the idea of doing away with all periodic inspections because people may be lax on staying in compliance. Ms. Eichel suggested a 10% random audit. Ms. Salyers made a motion beginning April 1, 2007, to inspect all new establishments, when an establishment relocates and 10% of renewals, contingent upon there being no prohibition in the contracts. Ms. Chumbley seconded the motion. The motion carried. After review of the contracts, a letter will be sent to each inspector notifying them of the change.

Ms. Birkner suggested reviewing all the rules pertaining to establishments in the upcoming year.

The Board recessed at 5:33 p.m.

**MINUTES OF
TENNESSEE MASSAGE LICENSURE BOARD**

November 14, 2006

Members Present: Rebecca Eichel, LMT, Chairperson
 Kirsten VandeBerg, LMT, Secretary
 Beverly Chumbley, RN, LMT
 Phyllis B. Salyers, LMT
 Craig Blackwell, Citizen Member
 Marilyn Field, Citizen Member
 Robbie Bell, Ex-Officio Member

Staff Present: Dianne Birkner, Board Manager
 Dale Hill, Board Administrator
 Bob Kraemer, Advisory Attorney

A quorum being present, the meeting reconvened at 9:04 a.m.

Consent Orders

Julie Vaughn

Ms. Elisha Hodge, Office of General Counsel, presented the Consent Order which stated Ms. Vaughn practiced without a massage therapist license for six months and that she held herself out as a licensed massage therapist on her business cards. In the Consent Order, Ms. Vaughn agrees to pay six (6) Type B civil penalties in the amount of five hundred dollars (\$500.00) each, for a total of three thousand dollars (\$3000.00) plus costs not to exceed fifty dollars (\$50.00). Civil Penalties shall be paid in twelve equal payments of two hundred fifty dollars (\$250.00) with the first payment due thirty (30) days after ratification of this order.

Ms. VandeBerg made a motion to accept the Consent Order. Ms. Chumbley seconded the motion. The motion carried.

Johnnie Morgan d/b/a Salon Azure

Ms. Elisha Hodge, Office of General Counsel, presented the Consent Order which stated Ms. Morgan owned and operated a massage establishment without a license. In the Consent Order, Ms. Morgan agrees to pay twelve (12) Type B civil penalties in the amount of four hundred dollars (\$400.00) each, for a total of four thousand eight hundred dollars (\$4800.00) plus costs for operating an unlicensed establishment.

Ms. VandeBerg made a motion to accept the Consent Order. Ms. Field seconded the motion. The motion carried.

Ratification of Approved Continuing Education Courses

Ms. Salyers made a motion to ratify the following continuing education courses:

1. Medical QiGong Practitioner, Level II Introduction to Diagnosis and Treatment-32 hours by J. Michael Wood
2. TN Law-2 hours by Vicki Goodwin
3. Introduction to Sports Massage-The Basics-12 hours by Vicki Goodwin
4. Massage Therapy Recordkeeping-How Legal Are Your Records-4 hours by Diann Smith, Specialty Educators of Tennessee
2. Ethics for LMTs-2 hours by Mary D. Glesige
3. Business Management for LMTs-2 hours by Mary D. Glesige
4. Law for LMTs-2 hours by Mary D. Glesige

Ms. Chumbley seconded the motion. The motion carried.

2007 Meeting Date Change

The November 2007 Board meeting is changed to October 22, 23, 2007.

Discussion on Retreat

A retreat will be held in March 2007 to discuss the school rules and changes pertaining to the establishment rules. Staff will try to schedule the retreat at Montgomery Bell State Park, Paris Landing or Fall Creek Falls. The dates for the retreat will be March 25, 26, 27, 2007 or March 4, 5, 6, 2007.

There being no further business, Mr. Blackwell made a motion to adjourn. Ms. Chumbley seconded the motion. The motion carried and the meeting adjourned at 10:00 a.m.

Kirsten VandeBerg, LMT, Secretary