

Minutes
Tennessee Massage Licensure Board
August 11, 2020

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<https://web.nowuseeit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>

Time: 9:00 a.m. Central Standard Time

Location: 665 Mainstream Drive
HRB Conference Center
1st Floor, Iris Room
Nashville, TN 37243

Members Present: Marvis Burke, LMT, Chairperson
Dee Vickers, LMT
Ed Bolden, LMT
Virginia P. Yarbrough, LMT
Michael Velker, Public Member

Members Absent: Bill Mullins, LMT

Staff Present: Kimberly Hodge, Board Manager
Noranda French, Unit 2 Director
Marc Guilford, Office of General Counsel

Mr. Guilford asked the Board members to discuss and establish whether this meeting is necessary to be conducted electronically under the law. A motion was made by Dr. Bolden, seconded by Mr. Velker that this meeting was necessary in order to review applications and disciplinary matters in a timely manner, and must be conducted electronically for the health and safety of the participants due to current COVID 19 concerns. Ms. Hodge conducted a roll call vote, establishing a quorum, and the motion carried. Mr. Guilford then made sure each Board member could participate fully and had access to the required documents.

The meeting was called to order at 9:28 a.m. by Ms. Marvis Burke, Chairperson. Ms. Burke acknowledged and thanked the therapists, schools, and students joining the meeting by WebEx. Ms. Burke stated that for members of the public who wished to speak at the meeting, they should use the WebEx function to raise their hand so that Ms. Burke could call on them after the appropriate agenda item. Ms. Burke stated that the reason the Board exists is to protect the health, welfare, and safety of the people of Tennessee. Ms. Kimberly Hodge conducted another roll call to re-establish a quorum. A quorum was established. Ms. Hodge went over requirements for all participants to fully participate in the WebEx format meeting.

Receive, Discuss, and/or Update Board on New Business in Administrative Office – Time: 28:30

Ms. Hodge reminded the Board that the system with CE Broker is up and running, and that licensees can upload continuing education information for compliance with the continuing education cycle. She also encouraged the schools to check the Federation for State Massage Therapy Boards (FSMTB) website. Ms. Hodge also explained how the chat for the meeting was going to work, for anyone who would like to make a public comment.

Discuss Legislation – Time: 31:22

Patrick Powell of the Legislation Liaison Office brought this report. Mr. Powell stated that the legislature was currently in session, and that there were two items recently passed that may affect the Board.

Mr. Powell discussed Public Chapter 594, which took effect on March 20, 2020, which was the Department of Health’s proposed Licensure and Accountability Act. This legislation allows a board to take action against a licensee who has been disciplined in another state. This legislation also establishes that notification of practitioners about law changes by posting the information on the Department’s website is sufficient, when the information is maintained for at least two years from the date of the change.

Mr. Powell also discussed Public Chapter 738, which took effect June 22, 2020. This legislation prohibits a government agency from authorizing destruction of records if the government entity knows the records are subject to a pending public records request. Prior to destruction of public records, a government entity must contact their public records request coordinator to make sure they are not subject to a pending public records request. The Board had no comments or questions for Mr. Powell.

Approve the Minutes from the May 11 and 12 2020 Board Meetings – Time: 35:56

A motion was made by Dr. Bolden, seconded by Mr. Velker, to approve the May 11 and 12, 2020 Board meeting minutes as written. A roll call vote was taken by Ms. Hodge, and the motion carried.

Receive Reports and/or Requests from the Board Director/Manager

Administrator/Director’s Report – Time: 37:40

This report was brought by Ms. Kimberly Hodge.

This is an Administrative Report from Kimberly Hodge, Board Director. The information contained in this report will keep the Board aware of all essential activity pertaining to licensure for Massage Therapists and Massage Establishments.

STATISTICAL REPORT

As of August 9, 2020 there were 4,517 licensed massage therapists and 1,728 licensed massage establishments.

Following is the license status since the last meeting:

THERAPISTS	ESTABLISHMENTS
May 2020	May 2020
Newly Licensed – 35	Newly Licensed – 7
Reinstate Applications – 12	Reactivation Applications – 3
Retired- 9	Retired – 12
New Applications- 16	New Applications- 14
	Address / Responsible Person Change Application - 5
THERAPISTS	ESTABLISHMENTS
June 2020	June 2020
Newly Licensed – 33	Newly Licensed – 20
Reinstate Applications – 9	Reactivation Applications – 5
Retired- 13	Retired – 14
New Applications- 23	New Applications- 14
	Address / Responsible Person Change Application - 3
THERAPISTS	ESTABLISHMENTS
July 2020	July 2020
Newly Licensed – 37	Newly Licensed – 17
Reinstate Applications – 7	Reactivation Applications – 4
Retired- 13	Retired – 6
New Applications- 44	New Applications - 20
	Address / Responsible Person Change Application - 8

INTERNET

The Board’s internet website is an excellent location to place valuable board information for licensees and applicants. Please visit the Board’s website at <https://www.tn.gov/health/health-program-areas/health-professional-boards/ml-board.html> and let us know if you have anything you would like to add under the noteworthy section. In July, 126 licensees renewed their licenses via the website for a usage rate of 74%.The administrative staff is asking that all Board members get the word out about renewing online and would ask the Board members use this tool to renew their licenses.

Continuing Education Audit Report – Time: 40:08

Ms. Hodge brought an updated, corrected report from the report that was presented at the May 2020 Board meeting. For the continuing education audit period from July 2019 through November 2019, 79 massage therapists were audited. Out of the therapist audited, 62 (78%) were compliant; 17 (22%) were non-compliant. Out of those that were non-compliant, 11 were deficient in the required number of continuing education hours, and 6 failed to contact the compliance unit after receiving “second notice of audit letter” via certified mail.

Investigation/Disciplinary Report – Time: 41:37

Lori Leonard of the Disciplinary Coordinator’s Office brought this report. For massage therapists, the office was currently monitoring 21 under a reprimand; 66 under probation; 38 under suspension; 21 under revocation; and 3 under child support violations. For massage establishments, the office was currently monitoring 30 under discipline.

At the time of this meeting, for the year of 2020, the office of investigations had received 40 new complaints for massage therapists. Of these complaints, 6 were for sexual misconduct; 1 for action in another state; 3 for unlicensed practice; 14 for unprofessional conduct; 2 for lapsed license; 1 for mental and/or physical impairment; 12 for continuing education violations; and 1 regarding COVID 19.

Ms. Leonard stated that the COVID 19 disciplinary code is new; to deal with complaints of massage therapists and establishments practicing during the time that it was suspended due to executive order. Since there is no rule allowing disciplining for violating such an order, the code was used primarily to keep statistics on those complaints. Ms. Hodge stated that the administrative office had received multiple phone calls about complaints about therapists practicing and establishments’ operating during the time the executive order was in place, and when possible, local law enforcement was notified.

Ms. Leonard stated that for the year of 2020, the office of investigations had closed a total of 24 complaints for massage therapists. Of those closed, 2 were closed with insufficient evidence to discipline; 11 sent to the Office of General Counsel for formal disciplinary action; 5 with no action; 1 with a letter of concern; and 5 with a letter of warning. At the time of this meeting, 41 complaints were open for massage therapists.

For massage establishments, so far in 2020, the office of investigations had received 13 new complaints. Of those complaints, 1 was for sexual misconduct; 3 for unlicensed practice; 3 for unprofessional conduct; 3 for lapsed license; and 3 were outside of the investigative scope. The office of investigations had closed 19 complaints. Of those complaints, 6 were closed with insufficient evidence to discipline; 6 with no action; 2 with a letter of concern; and 5 with a letter of warning. The office currently had 35 open complaints against massage establishments.

Ms. Leonard stated that the complaint form can now be submitted completely online. The Board had no further questions for Ms. Leonard.

Financial Report

There was no financial report at this meeting.

Tennessee Professional Assistance Program Statistical Report Regarding the Peer Assistance Program – Time: 53:01

This report was brought by Ms. Teresa Phillips of Tennessee Professional Assistance Program (TnPAP).

For the time from July 1, 2019 to June 30, 2020, TnPAP monitored 10 massage therapists. Of those, 2 were regulatory (conditional license), and 8 non-regulatory. TnPAP received 13 referrals for massage therapists and 1 for a massage establishment owner, all from the administrative office, all due to arrest history. During this time, 3 massage therapists entered into monitoring agreements.

Seventeen massage therapists and 1 massage establishment owner were discharged during this time. Of those discharged, 5 therapists and the establishment owner were discharged because they were evaluated and found to need no monitoring; 1 was evaluated and declined recommendations; 3 declined services; 7 because monitoring was completed; and 1 due to noncompliance with monitoring agreement.

Ms. Phillips stated that TnPAP is now an independent non-profit. She requested that the Board appoint a representative to serve on the board of that nonprofit. Mr. Velker asked that Mr. Guilford research and find out if this would be legally advisable. The Board decided to wait on legal advice on this matter, and to make a decision at the November 2020 Board meeting.

There were no public comments on this section.

Ratification of Agreed Citations for Continuing Education Violations & Lapsed Licenses – 1:01:15

Lacy Summer Baggett, LMT #11438

Ms. Baggett agreed to pay civil penalties totaling \$450.00 for failure to obtain twelve (12) hours of continuing education during the cycle of 2017/2018.

Kimberly Irene Bizub, LMT #11257

Ms. Bizub agreed to pay civil penalties totaling \$275.00 for failure to obtain five (5) hours of continuing education during the cycle of 2017/2018.

Shelisa Doran, LMT #9850

Ms. Doran agreed to pay civil penalties totaling \$425.00 for failure to obtain eleven (11) hours of continuing education during the cycle of 2017/2018.

Allison Diane Keese, LMT #3755

Ms. Keese agreed to pay civil penalties totaling \$250.00 for failure to obtain four (4) hours of continuing education during the cycle of 2017/2018.

Grace Danielle Lewis, LMT #12503

Ms. Lewis agreed to pay civil penalties totaling \$300.00 for failure to obtain six (6) hours of continuing education during the cycle of 2017/2018.

Shannon Jean McElhose, LMT #11260

Ms. McElhose agreed to pay civil penalties totaling \$375.00 for failure to obtain nine (9) hours of continuing education during the cycle of 2015/2016.

Sue Ann Medcalf, LMT #10405

Ms. Medcalf agreed to pay civil penalties totaling \$250.00 for failure to obtain four (4) hours of continuing education during the cycle of 2017/2018.

Megan Enderle White Michael, LMT #11561

Ms. Michael agreed to pay civil penalties totaling \$575.00 for failure to obtain seventeen (17) hours of continuing education during the cycle of 2017/2018.

Nathan E. McCarter – McCarter Massage, ME #4250

Mr. McCarter agreed to pay civil penalties totaling \$200.00 for operating a massage establishment on a lapsed license for five (5) months.

Susan Oliver – Sozen Therapy, ME #4932

Ms. Oliver agreed to pay civil penalties totaling \$200.00 for operating a massage establishment on a lapsed license for five (5) months.

Jeremy Kevin Bellamy – LMT #11726

Mr. Bellamy agreed to pay civil penalties totaling \$200.00 for practicing massage on a lapsed license for five (5) months.

Amanda Juliene Clifford, LMT #9104

Ms. Clifford agreed to pay civil penalties totaling \$300.00 for practicing massage on a lapsed license for six (6) months.

A motion was made by Dr. Bolden, seconded by Ms. Vickers, to ratify the approval of all Agreed Citations for continuing education violations and lapsed licenses. Ms. Hodge conducted a roll call vote, and the motion carried.

Ratification of New Licences and Reinstated/Reactivated Licenses – Time: 1:02:36

Massage Therapists

Azhocar Taylor Rae	Coleman Kasey Counts
Barker Bridget Ileah	Crowder Megan Rose
Brindamour Hailey Michelle	Davis Olivia Paige
Brothers Crystal Erin	De La Cour Collins Victoria
Carter Aryelle Ciara	Decker Katherine
Denio Megan Elizabeth	Rosa Lauren Eileen
Dixon Marcy Jo	Sass Jeffery Michael
Downs Annmarie Ruth	Scott Alice Colleen
Duong Nyoka Gingles	Scott Lynzey Rae
Durham Joni Daunyale	Smith Audrey Marlene
Edwards Michelle Andrea	Smith Leigh Anna
Freckleton Teresa Irene	Spears Susan Annette
Gao Yun	Spicer Ethan Cole
Garis Rachel Kristine	Sweet Rebekah Ann
Gregg Dyanne Lynn	Tardy Timeeka Lashon
Hampton Vanessa Rene	Tesen Edwin
Hogwood James Ross	Vaughn Julie Doggett
Houle Jeannette Marie Violette	Venzant Mariah Michelle
Jackson Allyson Rose	Vittetoe Alexis Nicole
Jackson Anna Grace	Wiginton Lisa Lynn
Jin Zhuli	Woodney Lori Leann
Jobe Matthew Thomas	Zhao Xiuxiu
John Mathew Bibin	Zhu Honglei
Jones Amanda Chaney	

Keyser Elizabeth Ann	
Komie Alexis Lynn	
Layman Elania Rachelle	
Leone Nicholas Craig	
Li Chunnu	
Liu Yumin	
Mathes Charles Justin	
Mccormick Shantell Renee	
Mcgowan James Thomas	
Mitchell Lindy Beth	
Moneyhun Lydia Marie	
Motl Jennifer Bulleigh	
Murphy Chloe Brookshire	
Neilson Jessica Lauren	
Newell Janella L	
Olsen Emily Nicole	
Papuga Lidia	
Perkins Brooks Ann	
Peters David Eugene	
Poonsawat Sumalee Maneematcha	
Ratliff Belinda Jean	
Rodriguez-Martinez Maria Mercedes	

Massage Establishments

Angela Holder Lmt	Performance Chiropractic
Ashley Michele King	Pro + Care Physical Therapy Llc
Barbara Bane Lmt	Re New - U Llc
Body Balance With V Massage	Renew You
Body Balance With V Massage	Roger Mott Massage
Come To Life Chiropractic Llc	Sacred Roots Wholistic Wellness
Crossville Myofascial Release And Massage	Salon 931
Earthy Meadows	Simply Divine
Harmonious Healing	Somerset Getaways
Head To Toe Healing Massage	The Great Massage
Healing Grace Therapeutic Massage	The Healing Place
Hel Massage & Wellness	Total Balance Massage And Wellness
Hometown Healing	Tranquil Touch Therapeutic Massage
Jaybell Corporation Dba Harmony Massage Spa	Wanderlust Salon And Spa Pllc
Jolie Aesthetics	Wildwood Resort And Marina
Kim'S Hair Salon	
Legendary Massage	

Life Flow Lymphatics And Massage	
Little City Spa	
Made For Wellness Llc	
Massage Therapy By Christine Tomlinson	
Mercy Massage Studio	
Metta Massage	
Nmmtac Llc	

Massage Therapist Reinstatements

Alleyne Lisa Anne	Counts Amanda
Anderson Toni C.	Eversole Dionne Kristie
Baly Shakira Ann	Frazier Teresa Holley
Bearden Kynzie Lashundra	Frisbee Dwayne Athony
Bellamy Jeremy Kevin	Gonzales Tracy
Brunson Mary Diane	Goodwin Staci Lynn Ms.
Clifford Amanda Juliene	Hudgins Amy Carol
Jaco Dusty Ray	
Kiick Jason W	
Lebaron Jennifer Sondra	
Lovelace Margo Helen	
Mederos Gabriel Edward	
Peterpaul Alissa Elaine	
Phillips Joyce Annette	
Richard Joshua Riley	
Robinson Sarah Zhanell	
Ryan Ashley Rebekah	
Sass Kirsten Ingeborg	
Shipley Carrie Elizabeth	
Simms Ruby Renee	
Southall Shanell Black	
Stubblefield Andrea Ladale	
Teague Amanda Jo	
Waller-Ely Anna Cathryn	
Warax Ginger Gail	
Wells Angela Mae	
Williams Janet Lynn	

Massage Establishment Reactivations

Alma Diem Llc

Concorde College
Jessica Stinson Lmt
Mccarter Massage And Bodywork
Paradise Salon And Tan
Relax Massage
Sozen Therapy

A motion was made by Dr. Bolden, seconded by Ms. Yarbrough, to ratify the approval of all new and reinstated/reactivated licenses. Ms. Hodge conducted a roll call vote, and the motion carried.

Ratify, Discuss, and Approve/Deny Continuing Education Courses – Time:

Paula Anderson – Entrepreneurship 101

A motion was made by Ms. Vickers, seconded by Dr. Bolden, to ratify the approval of the new continuing education course. Ms. Hodge conducted a roll call vote, and the motion carried.

Review Board Correspondence

There was no correspondence at this meeting.

Applicant Interviews

Ms. Burke introduced the interpreters for the meeting, Ms. Jiao Hoggard for Mandarin Chinese and Ms. Mai Lai for Vietnamese.

Daily Spa Massage/Peace Massage – Li Wang – Time: 1:04:38

Ms. Li Wang applied for a massage establishment license for Daily Spa Massage at 156 N Belvedere Drive, Gallatin, TN 37066, and was present with her attorney, Ms. Vivian Wang. The Board had several concerns about this application. Ms. JianPing Li appeared before the Board at the November 2019 meeting and applied for an establishment license at the same address. The Board denied Ms. Li’s application after hearing from the Department’s investigator regarding Ms. Li’s allowing unlicensed therapists to work in her current establishment, “Peace Massage”, located at 714 Nashville Pike. The administrative office received new establishment applications from Ms. Li Wang for Daily Spa Massage and Peace Massage on December 9, 2019. Ms. JianPing and Ms. Li Wang shared the same home address. Also, Ms. Li Wang was claiming to be the only employee at both establishments, and that she was working at both establishments from 9:00 a.m. to 9:00 p.m. Monday through Sunday. The name on the corporate charter was also of interest. The Board heard from Ms. Hodge, Ms. Vivian Wang, and Ms. Li Wang. A motion was made by Mr. Velker, seconded by Dr. Bolden, to allow Ms. Li Wang to withdraw both of her applications for the massage establishment licenses and reapply at a later time. After

some discussion about the discrepancies in the two applications, a roll call vote was conducted by Ms. Hodge, and the motion carried.

Ms. Hodge read a comment from Mr. Paul Hull that stated that this problem could be eliminated by having a native language application, and a Board or staff member who can translate the application in the office. The Board thanked Mr. Hull for his comment.

The Board took a brief break at 11:09. The Board reconvened at 11:13. Ms. Hodge took a roll call, and a quorum was re-established.

Kozy Massage – Donghai Liu, LMT – Time: 2:20:10

Mr. Liu applied for a massage establishment license for Kozy Massage at 2720 Old Lebanon Road #116, Nashville, TN 37214, and was present at this meeting. The Board had concerns about this application. Mr. Liu was licensed as a massage therapist in January 2019, but his letter of reference states that he met the writer when they became a client of Mr. Liu as early as 2017. The administrative office was tried to contact the writer of the letter multiple times, but was unsuccessful in receiving a returned phone call. An advertisement for Kozy Massage was listed on rubmaps.com for “erotic massage”. The Board heard from Mr. Liu, Mr. Guilford, and Ms. Hodge. After some discussion, a motion was made by Dr. Bolden, seconded by Ms. Yarbrough, to deny Mr. Liu’s application for a massage establishment license. After further discussion, a roll call vote was conducted by Ms. Hodge, and the motion carried.

Rainbow Spa – Shujuan Wang – Time: 3:19:05

Ms. Wang applied for a massage establishment license for Rainbow Spa at 2400 Madison Street, Suite 9, Clarksville, TN 37043, and was present at this meeting. The location was previously applied for twice under the name “Spa Yang Sheng Tang” by Huidong Tian and Chunhua Dickey, and both applications were denied. Ms. Tian was also listed as a therapist on the current application. Ms. Shujuan Wang lived at the same address as both massage therapists on the application. Ms. Wang had listed a therapist whose license is retired, and stated that she had no knowledge that the license was not active. Ms. Wang subsequently removed the therapist from her application. The Board heard from Ms. Wang and Ms. Hodge. A motion was made by Ms. Yarbrough, seconded by Ms. Vickers, to approve Ms. Wang’s application for a massage establishment license. After some discussion, Ms. Yarbrough made a motion to amend that motion to be contingent upon Ms. Wang sending in a corrected application. A roll call vote was conducted by Ms. Hodge, and the amended motion carried.

QingQing Cai – Time: 3:51:31

Ms. Cai applied for a massage therapist license and was present at this meeting. Ms. Cai’s California massage school was not approved by the CAMTC. The Board heard from Ms. Cai, Ms. Hodge, Mr. Guilford and received information from Ms. Maj Lis Nash of Mind Body

Institute LLC. After much discussion, a motion was made by Mr. Velker, seconded by Dr. Bolden, to deny Ms. Cai's application for a massage therapist license. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Xinh Thi Nguyen, MT – Time: 4:27:59

Ms. Nguyen applied to reinstate her expired massage therapist license, which is currently on probation due to non-compliance with a 2016 Board Order regarding non-compliance with an agreed citation issued by the Board for failure to complete 25 required continuing education hours for the cycle of 2009/2010. It appears that Ms. Nguyen has also been practicing massage on a lapsed license and operating an unlicensed massage establishment. The Board heard from Ms. Nguyen, Mr. Guilford, and Ms. Hodge. A motion was made by Mr. Velker, seconded by Dr. Bolden, to deny Ms. Nguyen's application to reinstate her massage therapist license, and to send the file to Investigations to investigate the unlicensed establishment and Ms. Nguyen practicing massage on a lapsed license. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Revive Day Spa – Jamie L. Rawlins, LMT – Time: 4:57:18

Ms. Rawlins applied for a massage establishment license for Revive Day Spa at 1010 Wayne Road, Suite 205, Savannah, TN 38372, and was present at this meeting. This establishment was previously applied for by Summer Burbank, who never completed the application process. Ms. Rawlins was listed as therapist on Ms. Burbank's application. Ms. Rawlins states that she only worked at the establishment from August 2019 to February 2020, but advertisements and reviews show that she worked as of July 19, 2019. Ms. Rawlins worked at the old address and new address without an establishment license based upon advertisement showing the business moved on November 25, 2019. The Board heard from Ms. Rawlins, Ms. Hodge, and Mr. Guilford. After much discussion, a motion was made by Mr. Velker, seconded by Dr. Bolden, to grant Ms. Rawlins a conditional massage establishment license with a civil penalty of \$250.00 to be paid within 6 months. After more discussion, a roll call vote was conducted by Ms. Hodge, and the motion carried.

The Board took a brief break at 2:20 for lunch. The Board reconvened at 2:40, and a roll call was conducted by Ms. Kimberly Hodge. A quorum was re-established.

Destinee Jaynalee Kamran (TnPAP) – Time: 5:49:11

Ms. Kamran applied for a massage therapist license, and was referred to TnPAP because of her multiple criminal convictions including drugs and a DUI. Ms. Kamran's TnPAP file was closed on June 23, 2020 due to failure to adhere to steps needed to enter a TnPAP monitoring agreement. The Board heard from Ms. Kamran, Ms. Teresa Phillips and Mr. Mike Harkreader of TnPAP, Ms. Hodge, Ms. Kamran's mother, and Mr. Guilford. After much discussion, a motion

was made by Dr. Bolden, seconded by Ms. Yarbrough, to allow Ms. Kamran to withdraw her application. A roll call vote was conducted by Ms. Hodge, and the motion carried.

The Board took a brief break at 3:51. The Board reconvened at 4:03. A roll call was conducted by Ms. Hodge, and a quorum was re-established.

A motion was made by Dr. Bolden, seconded by Ms. Yarbrough, to postpone Ms. Kayla Longmire's interview until later in the meeting to allow Ms. Longmire time to get connected with the Board meeting. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Paul Boggan Hull, MT – Time: 7:14:20

Mr. Hull applied to reinstate his expired massage therapist license, and was present at this meeting. Mr. Hull stated on page 1 and page 3 of his application that he was currently working as a massage therapist in Tennessee, and had been working for four (4) months past the expiration date of his license. Mr. Hull was sent an agreed citation from the administrative office for civil penalties totaling \$100.00 for practicing on a lapsed license, per Board policy. Mr. Hull asked to come to the Board meeting to dispute the agreed citation. He presented several documents that supported his claim of not being open during the pandemic. The Board heard from Mr. Hull and Ms. Hodge. A motion was made by Dr. Bolden, seconded by Mr. Velker, to waive Mr. Hull's agreed citation and approve his application to reinstate his massage therapist license. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Michelle L. Hartley (TnPAP) – Time: 7:35:26

Ms. Hartley applied for a massage therapist license, and was present at this meeting. Ms. Hartley was referred to TnPAP because of her criminal convictions. Ms. Hartley completed TnPAP's recommendations, and signed a one year monitoring agreement with TnPAP on June 18, 2020. The Board heard from Ms. Hartley and Ms. Hodge. A motion was made by Dr. Bolden, seconded by Ms. Yarbrough, to issue a conditional massage therapist license to Ms. Hartley. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Huey Storms, MT – Time: 7:39:06

Mr. Storms applied to reinstate his massage therapist license. Mr. Storms' previous application for reinstatement of his massage therapist license was denied by the Board at its June 7, 2017 meeting based on evidence that Mr. Storms failed to complete 23 hours of continuing education in the 2009-2010 cycle; failed to complete 25 hours in the 2011-2012 cycle; was out of compliance with his 2011 Agreed Citation because he failed to submit proof of completion of the CE hours required by that citation; and he also informed the Board's administrative staff that he had not completed any of the CE hours required for the 2013-2014 cycle. The Board heard from Mr. Storms and Ms. Hodge. After much discussion, a motion was made by Mr. Velker, seconded by Ms. Yarbrough, to approve a conditional license for Mr. Storms, contingent on paying a civil

penalty of \$250.00, and completing 122 continuing education hours by July 1, 2021; 73 of those hours must be in classroom or live webinar format, and 49 of those hours can be completed in-classroom, live webinar, or online format. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Kayla Breonna Longmire – Time: 8:07:05

Ms. Longmire applied for a massage therapist license, and was not present at this meeting. A motion was made by Dr. Bolden, seconded by Ms. Yarbrough, to proceed in default without Ms. Longmire being present. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Ms. Longmire’s application came before the Board due to her criminal charges, and her written explanation of those charges. There are concerns regarding the applicant being safe to practice. The Board heard from Ms. Hodge and Ms. Teresa Phillips of TnPAP. A motion was made by Mr. Velker, seconded by Dr. Bolden, to defer this interview to the November 2020 Board meeting. A roll call vote was conducted by Ms. Hodge, and the motion carried.

Receive Report and/or Requests from the Office of General Counsel – Time: 8:16:40

This report was brought by Mr. Marc Guilford of the Office of General Counsel. Mr. Guilford stated that his office had about 90 cases for the Board. He stated that he hopes to have a rulemaking hearing at the November 2020 meeting.

Discuss and Consider Request for Continuing Education Waivers

There were no requests for continuing education waivers at this meeting.

Review, Discuss, and If Necessary Approve a Policy Regarding Stretching – Time: 8:15:05

The Board heard from Mr. Guilford, who told the Board that this subject is not addressed in either the statutes or the Board’s Rules, and asked for the Board’s guidance as to whether a policy was needed. After much discussion, the Board decided to take no action at this time.

There were no public comments on this section.

Review, Discuss, and Take Action If Needed on Increasing the Percentage of Licensees Audited for Continuing Education Compliance – Time: 8:34:25

Dr. Bolden stated that the Board should take no action at this time, due to COVID 19 concerns. Ms. Hodge concurred. The Board decided to take no action at this time.

There were no public comments on this section.

Discuss, Nominate, and Approve a Board Member to Serve as the Delegate to Conduct Official Business for the Virtual FSMTB Annual Meeting – Time: 8:36:40

After some discussion, a motion was made by Mr. Velker, seconded by Ms. Yarbrough, to nominate Ms. Kimberly Hodge to serve as the Board's delegate to the FSMTB annual meeting. A roll call vote was conducted by Ms. Hodge, and the motion carried. Ms. Burke thanked Ms. Hodge for agreeing to serve as delegate.

There were no public comments on this section.

Discuss and Take Action If Needed Regarding Rulemaking Hearings, Rule Amendments, and Policies

The Board took no action on this item at this meeting.

Public Comments and Receive Future Board and Development Committee Agenda Items

Ms. Hodge stated that for the next Board meeting, Ms. Maj Lis Nash has requested to be on the agenda to speak about TnPAP, and Mr. Guilford will bring information to the Board about serving on the TnPAP board.

Mr. Velker asked that the Board congratulate Ms. Kimberly Hodge on completing her Bachelor's Degree in Political Science, which the Board heartily did.

Ms. Hodge answered a question from the public regarding continuing education required for reinstatement of massage therapists. She stated that they are waived for reinstatements until August 29, 2020. She also stated that the Board had already decided at their last meeting that all continuing education hours for the 2019/2020 cycle could be completed in-classroom, live webinar, or online.

Mr. Guilford answered a question from the public that contested cases and a few consent orders were on the agenda for tomorrow's Board meeting.

A motion was made by Dr. Bolden, seconded by Ms. Yarbrough, to adjourn the Board meeting for the day. The meeting adjourned at 5:42 p.m.

Minutes
Tennessee Massage Licensure Board
August 12, 2020

To watch or listen to this meeting online, please click on the link below:
<https://tdh.streamingvideo.tn.gov/Mediasite/Play/1c2e7ec8812e4fce812e18dd58860dc31d>

Time: 9:00 a.m. Central Standard Time
Location: 665 Mainstream Drive
HRB Conference Center
1st Floor, Iris Room
Nashville, TN 37243

Members Present: Marvis Burke, LMT, Chairperson
Dee Vickers, LMT
Ed Bolden, LMT
Virginia P. Yarbrough, LMT
Michael Velker, Public Member

Members Absent: Bill Mullins, LMT

Staff Present: Kimberly Hodge, Board Manager
Noranda French, Unit 2 Director
Marc Guilford, Office of General Counsel

The Meeting was called to order at 9:12 a.m. by Ms. Marvis Burke, and roll call was held by Ms. Kimberly Hodge. A quorum was established. Electronic meeting standard was informed by Marc Guilford and voted on to proceed. Judge Joyce Carter-Bell presided over the Contested cases.

Consent Orders-August 12, 2020

- A) Amie Leigh Bankowski-(Time: 23:15)** Ms. Bankowski worked in an unlicensed establishment from July 2016 to March 2018. She was told it was licensed, but it was only licensed as a Med Spa. Upon learning that there was not a Massage Establishment license at the location, Ms. Bankowski ceased working at the establishment. The Proposed Order is to place her Massage Therapist license 7847, on probation and assess a civil penalty of \$100 per unlicensed month for a total of \$2100 plus costs. A motion was made to approve the order by Mr. Velker and seconded by Dr. Bolden. The motion passed by roll call vote.
- B) ChunMei Cao-(Time-26:00)** Ms. Cao is a licensed Massage Therapist (8992), who holds two Massage Establishment licenses: Head to Toe Massage at 9949 Kingston Pike, Knoxville, TN 37922 (ME 4527) that is currently expired and Acu Massage at 7600

Kingston Pike, Knoxville, TN 37919 (ME 4573) that is retired. In February 2017, three unlicensed individuals were found practicing massage therapy and reflexology at Acu Massage 7600 Kingston Pike, Knoxville TN 37919. In April 2017, at least one person was found practicing massage therapy at Acu Massage 7600 Kingston Pike, Knoxville 37919. The Proposed Order is to place Ms. Cao's Massage Therapist license (8992) on probation until February 11, 2022, and to revoke all Establishment licenses held by Ms. Cao. During the probation, Ms. Cao may not be the responsible person of, or have any ownership interest in any Massage Establishment. After the probation period, if Ms. Cao applies for an Establishment license or is listed as a responsible person or owner for an Establishment license, she shall be required to appear before the Board for an in-person interview and review regarding the application. A motion was made by Mr. Velker to ratify the order as written and seconded by Dr. Bolden. A roll call vote was held and the motion passed.

Contested Cases:

A) Ryan Reynolds- Back to Basics Massage Therapy- (Time: 31:00) Ryan Reynolds is a retired Massage Therapist (9730) and Owner and Responsible Person of Back to Basics Massage Therapy (5055) at 2613 East Center Street, Kingsport, TN 37664. Mr. Reynolds was not present at the meeting. Mr. Guilford did present proof of address service and a motion was made by Dr. Bolden to proceed in default and seconded by Ms. Yarbrough. A roll call vote passed the motion. In June of 2018, Mr. Reynolds gave a client a massage and did engage in sexual activity during the massage giving her oral sex. He did admit this behavior to an Investigator with The Office of Investigations. Mr. Reynolds also stated that he did regret the occurrence and that he planned to cease practicing massage therapy. The Proposed Order requests to revoke the Massage Therapist and Massage Establishment license of Mr. Reynolds and to assess the costs of hearing. Dr. Bolden made a motion to adopt the motion in totality, to which Mr. Velker seconded the motion. A roll call vote passed the motion.

A recess was taken to prepare for 2nd case. The meeting reconvened to include Investigator Ms. Marie Randolph. -(Time: 01:05:25)

B) Tarek Mentouri- Metro Copay- (Time: 01:22:00) Tarek Mentouri is a licensed Massage Therapist (11920) and current establishment license owner and responsible Person of Metro Copay (4712) at 1801 Glade Street, 37207 and also (5527) at 3726 Nadria Street, Clarksville TN 37040. Mr. Mentouri was not present at the meeting. Mr. Guilford presented proof of address and a motion was made to proceed in default by Mr. Bolden. Ms. Yarbrough seconded the motion which passed by roll call vote. It was then affirmed that no Board Members have any outside knowledge of this case. Brief testimony by Kimberly Hodge confirmed the license information within the TN database was correct. Investigator Marie Randolph testified that she had discussions with Mr. Mentouri regarding advertisements for massages that he placed on backpage.com which

were sexual in nature. In the discussions, Mr. Mentouri admitted to wanting to attract more men and to using a “bait and hook” method. Additional affidavits were submitted by massage clients of Mr. Mentouri via written statements which also accounted to improper draping techniques, participating in unprofessional behavior, making sexual advances and portraying unprofessional sexualized behavior to clients. The Proposed Order requests revocation of both of his Massage Establishment licenses and Massage Therapist license. The order also assessed all costs related to the case. A motion was made by Dr. Bolden to accept the order as a final order in its totality and was seconded by Mr. Velker. A roll call vote was held, and the motion passed.

Adjournment- (Time: 02:09:25)

Dr. Bolden made a motion to the Chair to adjourn the meeting. The motion passed and the meeting adjourned.