



ALABAMA BOARD OF MASSAGE THERAPY

2777 Zelda Road
Montgomery, AL 36106
334-420-7233
334-263-6115 fax

MINUTES Board Meeting October 18, 2019

The Alabama Board of Massage Therapy met on Friday, October 18, 2019, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama, to conduct regular business. The following Board members were in attendance: Dr. Lance Gilliland (Board Chair), Ms. Gwen Motley (Vice Chair), Mr. Michael Stephens (member), and Mr. Foad Araiinejad (member). Also in attendance were Mr. Keith Warren (Executive Director), Mr. Bill Garrett (Assistant Attorney General), Ms. Jenna Lanier (Board Administrator), Ms. Renee' Reames (recording secretary), Ms. Jennifer Love (Legal Assistant) and Mr. Mike Weeks (Legislative Liaison). Chairman Gilliland called the meeting to order at 10:03 a.m. and Mr. Warren called roll of the members in attendance. Chairman Gilliland announced that a quorum was present and welcomed members and staff. Mr. Warren introduced Mr. Weeks, Legislative Liaison with Warren and Company, Inc.

Public notice of this regularly scheduled meeting was submitted to the Secretary of State www.sos.alabama.gov in accordance with the requirements of the Alabama Open Meetings Act and published on the Board's web site at www.almtbd.alabama.gov.

Mr. Warren reported that expense reports had been submitted by Mr. Gilliland and Ms. Motley for this meeting. Ms. Motley made a motion to approve the travel reports as submitted. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.

The minutes from the July 12, 2019 Board meeting were presented to the Board for their approval. A copy of the minutes was provided to the Board members prior to the meeting for their review. Ms. Motley made a motion to approve the July minutes as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board (available for viewing in the Board's Official Book of Minutes).

Mr. Warren presented the Executive Director Report to include the FY 2019 Financial Report as of September 30, 2019, along with a detailed line item of expenditures (detailed report on file in the Board's Official Book of Minutes.). He also reported on the current number of licensees, and the number of complaints received and inspections conducted during FY 2019.

Mr. Warren presented the Administrator's Report, which listed administrative activities accomplished by the staff since the last Board meeting, along with a list of inspections conducted for the same time period (report available for viewing in the Board's Official Book of Minutes)

Ms. Motley made a motion to approve the Financial Report as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.

Mr. Garrett presented the Legal Counsel Report which included two consent agreements. He recommended the Board approve the consent agreement regarding an unlicensed establishment and unlicensed person in Case #2019-028, with an assessed fine totaling \$1,000, one-year probation and an order to cease and desist until properly licensed. Ms. Motley made a motion to approve the consent

agreement as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.

Mr. Garrett also recommended that the Board approve the consent agreement regarding a licensed establishment employing unlicensed persons performing massage therapy in the Case #2019-020BR, with an assessed fine totaling \$500, one-year probation and an order to cease and desist in advertising and offering massage therapy services to the public until LMTs are employed. Mr. Araiinejad made a motion to approve the consent agreement as presented. The motion was seconded by Ms. Motley and unanimously approved by the Board.

Mr. Warren presented the following for the Board's approval as Final Rules. He indicated that these Rules had been publicized and no comments were received from the public:

- Rule 532-X-2-.02 Board Duties. Ms. Motley made a motion to approve the Final Rule as publicized. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.
- 532-X-3-.01 Massage Therapist Licensure Qualifications. Ms. Motley made a motion to approve the Final Rule as publicized. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.
- 532-X-3-.04 Establishment Licensure. Ms. Motley made a motion to approve the Final Rule as publicized. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.
- 532-X-3-.06 Fee Schedule. Ms. Motley made a motion to approve the Final Rule as publicized. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.

Mr. Warren presented the annual renewal of the Administrative Services Contract for the Board's approval. He indicated that there were no changes to the contract. Ms. Motley made a motion to approve the annual renewal of the Administrative Services Contract as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.

Chairman Gilliland presented the proposed 2020 Board meeting dates for the Board's approval. Ms. Motley made a motion to approve the following meeting dates as proposed: January 10th, April 10th, July 10th and October 9th. The motion was seconded by Mr. Stephens and unanimously approved by the Board.

Chairman Gilliland reported that the annual election of Board officers was due. Mr. Stephens made the motion that the Board officers remain the same with Mr. Gilliland as Board Chair and Ms. Motley as Board Vice Chair. The motion was seconded by Ms. Motley and unanimously approved by the Board.

Mr. Warren explained that a new law concerning licensure of military spouses was approved by the Alabama Legislature. He presented a proposed rule for the Board's review and approval, Rule 532-X-3-.03-(subsection) Application for Spouses of Active Duty Military Personnel, which allowed for expediting these applications from qualified applicants. Mr. Araiinejad made a motion to approve the proposed Rule to be published for public comments. The motion was seconded by Ms. Motley and unanimously approved by the Board.

Ms. Lanier presented applications approved by the Executive Director (a full list of the applications can be viewed in the official Book of Minutes). Mr. Araiinejad made the motion to ratify the Executive Director's approval of the massage therapist applications. The motion was seconded by Ms. Motley and unanimously approved by the Board.

Mr. Araiinejad made the motion to approve the instructor applications as presented by Ms. Lanier. The motion was seconded by Ms. Stephens and unanimously approved by the Board.

Mr. Araiinejad made a motion to approve the school renewal applications and curriculum changes as presented by Ms. Lanier. The motion was seconded by Ms. Motley and unanimously approved by the Board.

Ms. Lanier indicated that there were no new CE Provider applications to consider.

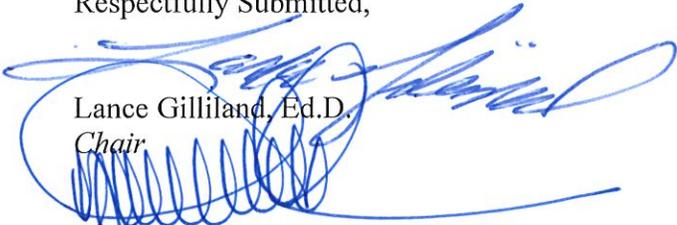
The Board conducted a special review of eight applications presented by Ms. Lanier and took the following action:

1. Mr. Araiinejad made a motion to approve the application from E.K. LaBoone as presented. The motion was seconded by Ms. Motley and unanimously approved by the Board.
2. Mr. Araiinejad made a motion to approve the application from E.R. Powers as presented. The motion was seconded by Ms. Motley and unanimously approved by the Board.
3. Mr. Araiinejad made a motion to approve the application from S.M. Tringale, pending receipt, within 30 days, evidence of professional liability insurance. The motion was seconded by Mr. Stephens and unanimously approved by the Board.
4. Ms. Motley made a motion to approve the application from S.A. Robertson as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.
5. Ms. Motley made a motion to approve the application from B. N. Schamberger as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.
6. Ms. Motley made a motion to approve the application from QH Wu, pending evidence of completion of CPR course. The motion was seconded by Mr. Stephens and unanimously approved by the Board.
7. Ms. Motley made a motion to approve the application from H. I. DeBerry as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.
8. Ms. Motley made a motion to approve the application from A. D. Summers as presented. The motion was seconded by Mr. Stephens and approved by the majority of the Board.

Chairman Gilliland announced that the next meeting of the Board was scheduled Friday, January 10, 2020 at 10:00 a.m.

There being no further business, Mr. Stephens made the motion to adjourn the meeting. The motion was seconded by Ms. Motley and unanimously approved by the Board. Chairman Gilliland adjourned the meeting at 11:14 a.m.

Respectfully Submitted,



Lance Gilliland, Ed.D.
Chair

Keith E. Warren
Executive Director

/rr