

MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
May 13, 2024

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

Date: May 13, 2024

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

Members Present: Dee Vickers, Board Member
Virginia P. Yarbrough, Board member
Emily Newberry, Board Member
Marvis Burke, Board Member
Michael Velker, Board Member
Bill Mullins, Board Chairman
Alicia Azimipour, Secretary

Staff Present: Noranda French, Director
Tonya Wilkins, Massage Administrative Director 1
Michael Varnell, Office of General Counsel, Attorney
Jessica Turner, Attorney

The meeting was called to order at 9:05 by Mr. Mullins. Ms. Wilkins conducted a roll calms. Vickers was not present, a quorum was established.

Minutes

Ms. Burke made a motion, seconded by Ms. Newberry, to approve February 5th and 6th and April 23rd, 2024, minutes. The motion carried.

PENDING COMPLAINTS

Office of Investigations Report:

Jazmine Thompson presented the report as follows:

As of this Report, the total number of Massage Therapists being monitored for discipline is **126**.

- The total number on reprimand is **6** with terms.
- The total number on probation is **45** with terms.
- The total number on suspension is **38**.
- The total number that has had their license revoked or surrendered is **29**.
- The total number with a conditional license is **8**.

As of this Report, the total number of Massage Establishments being monitored for discipline is **25**.

- The total number on reprimand is **3** with terms.
- The total number on probation is **4** with terms.
- The total number on suspension is **2**.
- The total number that has had their license revoked or surrendered is **10**.
- The total number with a conditional license is **5**.
- The total number with a contingent license is **1**.

TnPAP Report

Teresa Phillips presented the report as follows:

			Massage Therapist	Establishment
Monitoring			3	0
		Regulatory	0	0
		Non-Regulatory	3	0
Referrals			0	0
Agreements Entered			0	0
Discharges			1	0
	Discharge Reason	Monitoring completed – non-regulatory	1	0
		Monitoring non-compliance – regulatory	1	0

Fiscal Report

Emily Godwin presented the report as follows:

	<i>FY2024 YTD Actual</i>	FY2023	FY2022
Total Direct Expenditures	\$ 205,820.94	\$ 310,884.56	\$ 329,042.68
Total Allocated Expenditures	\$ 222,942.35	\$ 284,272.25	\$ 353,085.28
Total Expenditures	\$ 428,763.29	\$ 595,156.81	\$ 682,127.96
Board Fee Revenue	\$ 381,002.18	\$ 747,792.51	\$ 704,440.86
Current Year Net	\$ (47,761.11)	\$ 152,635.70	\$ 22,312.90
Total Technology Improvements	\$ 3,122.57	\$ 14,468.12	\$ 16,394.26
Cumulative Carryover	\$ 864,134.58	\$ 915,018.26	\$ 776,850.68

Acct. Code	Description	FY2024		
		YTD Actual	FY2023	FY2022
701	Salaries & Wages	\$ 120,792.56	\$ 174,374.20	\$ 167,775.84
702	Employee Benefits	\$ 40,030.99	\$ 63,046.63	\$ 81,251.65
Payroll Expenditures (701-702)		\$ 160,823.55	\$ 237,420.83	\$ 249,027.49
703	Travel	\$ 7,102.55	\$ 10,662.50	\$ 8,471.47
704	Printing & Duplicating	\$ -	\$ -	\$ -
705	Utilities & Fuel	\$ -	\$ -	\$ -
706	Communications	\$ 6,361.20	\$ 9,809.39	\$ 9,297.55
707	Maintenance & Repairs	\$ -	\$ -	\$ -
708	Prof. Svc. & Dues	\$ 5,902.37	\$ 9,326.53	\$ 14,043.13
709	Supplies & Materials	\$ -	\$ 1,097.96	\$ 632.73
710	Rentals & Insurance	\$ -	\$ -	\$ 3,652.77
711	Motor Vehicle Ops.	\$ -	\$ -	\$ -
712	Awards & Indemnities	\$ -	\$ -	\$ -
713	Grants & Subsidies	\$ 10,138.07	\$ 25,228.59	\$ 28,743.50
714	Unclassified	\$ -	\$ -	\$ -
715	Stores for Resale	\$ -	\$ -	\$ -
716	Equipment	\$ -	\$ -	\$ -
717	Land	\$ -	\$ -	\$ -
718	Buildings	\$ -	\$ -	\$ -
721	Training of State Employees	\$ 2,920.00	\$ -	\$ -
722	Computer Related Items	\$ -	\$ 156.02	\$ 53.97
725	State Prof. Svcs.	\$ 12,573.20	\$ 17,182.74	\$ 15,120.07
Total Other Expenditures (703-725)		\$ 44,997.39	\$ 73,463.73	\$ 80,015.19
Total Direct Expenditures		\$ 205,820.94	\$ 310,884.56	\$ 329,042.68
Allocated Expenditures				
	Administration	\$ 30,660.03	\$ 62,685.07	\$ 57,398.39
	Investigations	\$ 65,762.83	\$ 70,867.47	\$ 138,353.42
	Legal	\$ 124,751.27	\$ 149,825.17	\$ 155,920.95
	Cash Office	\$ 1,768.22	\$ 894.54	\$ 1,412.52
Total Allocated Expenditures		\$ 222,942.35	\$ 284,272.25	\$ 353,085.28
Total Expenditures		\$ 428,763.29	\$ 595,156.81	\$ 682,127.96
Board Fee Revenue		\$ 381,002.18	\$ 747,792.51	\$ 704,440.86
Current Year Net		\$ (47,761.11)	\$ 152,635.70	\$ 22,312.90
Technology Improvements				
	LARS Improvements	\$ 3,122.15	\$ 14,463.09	\$ 16,069.22
	Visual Investigator	\$ 0.42	\$ 5.03	\$ 325.04
Total Technology Improvements		\$ 3,122.57	\$ 14,468.12	\$ 16,394.26
Cumulative Carryover		\$ 864,134.58	\$ 915,018.26	\$ 776,850.68

OGC REPORT

Michael Varnell presented the report as follows:

CONFLICT OF INTEREST

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. This is true whether the matter relates to a contested case, a rulemaking decision, an application, or any other matter before the Committee. You are reminded that it is the duty of this board to protect the health, safety and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

LITIGATION

Today, there are 4 contested final hearings.

RULEMAKING

The reciprocity licensure rule revisions are in the legislative review stage.

LEGISLATION

HOUSE BILL 1610

Complaint Activity	Dec 2023	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		10	14	7	14									45
Total Closed Complaints		1	0	22	19									42
7 - Closed BIV,EMS,HCF,AW		0	0	13	3									16
9 - Complaint Closed		1	0	5	12									18
93 - Closed - Ltr of Concern		0	0	1	2									3
94 - Closed - Warning Ltr		0	0	3	2									5
Currently Open Complaints	56	65	79	64	59									

Total number of Massage Therapists being monitored for discipline: 126

Reprimand: 6

Probation: 45

Suspension: 38

Revoked/Surrendered: 29

Retired: 0

Conditional licenses: 8

Total number of Massage Establishments being monitored for discipline: 25

Reprimand: 3

Probation: 4

Suspension: 2

Revoked/Surrendered: 10

Retired: 0

Contingent: 1

Conditional: 5

Administrative Report:

Ms. Wilkins presented the report as follows:

THERAPISTS	ESTABLISHMENTS
Feb 2024	Feb 2024
Newly Licensed – 26	Newly Licensed – 15
Reinstate Applications –13	Reinstate Applications –6
Retired –12	Retired –5
New Applications – 2 8	New Applications – 1 5
ran from 1 st -29 th of each month	ran from 1 st -29 th of each month

THERAPISTS	ESTABLISHMENTS
March 2024	March 2024
Newly Licensed – 26	Newly Licensed – 23
Reinstate Applications –6	Reinstate Applications –1
Retired –6	Retired –0
New Applications – 2 6	New Applications – 2 3
ran from 1 st -30 th /31 st of each month	ran from 1 st -30 th /31 st of each month

THERAPISTS	ESTABLISHMENTS
April 2024	April 2024
Newly Licensed – 44	Newly Licensed – 23
Reinstate Applications –11	Reinstate Applications –5
Retired –11	Retired –4
New Applications – 4 4	New Applications – 2 3
ran from 1 st -30 th /31 st of each month	ran from 1 st -30 th /31 st of each month

Ratifications of initial and reinstatement files.

Ratification List for 5/13/2024 Massage Board Meeting

<u>INITIAL LMT</u>			<u>REINSTATED LMT</u>
Wang, Zhigang	Miller, Jessica	Cathey, Miranda	Church-Davis, Lisa
Heimstead, Samantha	Cage, Laquis	Welsh, Rita	Davis, Ann
Ludwick, Keran	Dinkins, Kimisha	Jones, Kristi	Davis, Alease
Barile, Angela	Kirkland, Cassie	Weigel, Gabriella	Brewster, Emma
Gwilt, Rachel	Latham, Willie	Williams, Jennifer	Banner, Mariah
Morvick, Jennifer	Walker, Teresa	Cubillos, Jennifer	Walls, Melissa
Glenn, Ronnie	Broyles, Whitney	Campbell, Candace	Oaks, Lauren
Bai, David	O'Connell, Maria	King, Presley	Oliver, Lauren
Stefanski, Kiara	Robinette, Emma	Wigdor, Ashley	Nelson, Erin
Smith, Lola	Adiguna, Andi	Williamson, Rhea	Roe, Ashley
Bruns, Trinity	Norman, Michelle	Russell, Katherine	Sass, Jeffery
Zhang, Hongyan	Nelson, Erin	Pietropaoli, Sydney	Starnes, Chandler
Pittman, Joshua	Hartwick, Angela	Hancock-Harper, Melody	Newell, Janella
Zhang, Laichen	Gloss, Austin	Hawkins, Derrick	Bennitts, Justin
Campomizzi, Shannon	Stalder, Deborah	Ellesmere-Jones, Christian	Entin, Jacqueline
Reeves, Zoe	Courtright, Adam	Pope, Laura	Nguyen, Xinh
Terry, Russell	McDaniel, Brennan	Bates, Tatiana	Hilt, Amy
Zurhaar, Michaiiah	Deavers, Maria	Corradino, Angela	Anderson, Carolyn
Baker, Paris	Janssen, Luca	Beighley, Alec	Reisinger, Michelle
Davis, Abbie	Bazner, Cameron	Cramer, Monique	Cook, Christy
Dong, Fengmei	Henson, Lisa	Sandburg, Karen	McClellan, Rookh
Heard, Jesse	Harris, Clevetta	Carpio, Nang	Hudson, Samantha
Sherlin, Alicia	Wilson, Priscilla	McFarland, Destiny	O'Day, Conor
Etherton, Courtney	Love, Tara	Semman, Andrew	Hicks, Tonya
Lin, Wei	Maklan, Jennifer	Yoshino, Jennifer	Landreth, Michelle
Walker, Barry	Martin, Erica	King, Melissa	Doctora, Monica
Langlinais, Conner	Haralson, Brandon	Borges, Caylea	Taylor, Lindsey
Ballantyne, Cindy	Brunelle, Samantha	Jefferson, Blaire	Kelley, Amber
Weinburg, Kelsey	Meyer, Skylar	Gao, Hong	Suter, Amber
Morgan, Jason	Yarger, Lindsey	Wells, Kellie	Hernandez, Cristina
Gonzalez, Ashley	Polk, Rasheta		
Cline, Kyla	Dale, Kristen		
Tagarao, Luke	Black, Grace		
	Moss, Jennifer		

INITIAL ME

House of Hudson LLC

Relax Crossville Therapeutic
Massage

Massage by Mike

Hands and the Heart

Align Heal Empower Restore

Diverge into Wellness

Serenity in Spirit Massage Studio

Acacia Nail Spa

Refined Looks Spa

Sensation Day Spa

Living Water Massage

Brandon Body Works

Refined Looks Spa

Kneading Deep Tissue

Much Needed Massage LLC

Duck University

Athleisure Massage Therapy

Oasis Massage Studio LLC

Spa Donna

Allana Cooper LMT

Asian Massage

Holistic Healing Nashville

Rayna Minton Massage LLC

Massage Nurse Professional LLC

Glow Up Pickwicks Beauty and
Body Studio

Magic Therapy

Laura Stewart Massage Therapy

Bethany Fancher

Restore Myofascial and Lymphatic
Massage

Stacy Runyon LMT

Mind Body and Soles

LC Massage and Spa

Blissful Body Sanctuary

Nana and Pawpaw's Salt Room and
More

Nice to Be Kneaded Massage

Terry Dexter LMT

SJM Massage

Marc Massage

Classic Massage

Shannon Nelson LMT

Waxing Heart, L.L.C.

Velvet Day Spa

Lymph Mama

Salt and Soles

Gilded Mermaid Women's Spa,
LLC

Scenic Medical Massage, LLC

Massage and Bodywork by Carlee,
LLC

Bbsautiful Injectables LLC

Appalachia Wellness

Maryville Jiu-Jitsu, LLC DBA
Recalibrate Active Recovery Studio

Cooper Schania, LMT, Massage
Therapy

Emilia Davis

MUSCLE WHISPERER

Malma Massage TN

Vale of Serenity

Southall, LLC

Light as a Feather Massage

Myo Mama, LLC

Heather Sabellico, LMT Calma
Relaxation

Zen with Gem Massage LLC

Mountain View Massage and
Wellness

REINSTATED ME

Salon Azure

BODY PSYCHE SOUL
WELLNESS CENTER, LLC

Magnolia Waters TCM

Perry Massage

Kerry Becht Physical Therapy and
Massage

Tekne

Being Present

MASSAGE BY TERRAH
BANAKAS

SILHOUETTE SPA

Nine World's Healing

Elite Multitude Services LLC/ DBA
The Wax House

Lori Schrader, LMT

CLOSED LMT

Smith, Lola

Cohen, Suzanne

El-Amin, Debra

Jin, Lin

Cadie, Tara

Kent, Julie

CLOSED ME

Agreed Citations:

CE Violations

1. Alexandria Dominique Atkins, LMT 13117
2. Ashley Taylor Jackson, LMT 12478
3. Cindy Rae Johnson, LMT 9894
4. Dusty Ray Jaco, LMT 10118
5. Grace Danielle Lewis. LMT 12503
6. Hannah Pauline Scslf. LMT 13088
7. Jayette Marie Norman, LMT 9360
8. Jiaoyu Li, LMT 10154
9. Micelle Yi Wong, LMT 13279
10. Michael Trees, LMT 9751
11. Nicole McGee Ricciardi, LMT 10874
12. Genesis Bailey Howard, LMT 10583
13. Davreeka Audura Hughws, LMT 10778
14. Kristy M. Tomassoni, LMT 8877

Lapsed License

- 1 Carolynn McFadden Anderson. LMT 10569
2. Conor O'Day., LMT 11793
3. Ivie M. Griggs, LMT 12753
4. Jacueline Spencer Entrin, LMT 13263
5. Jefferey Sass. LMT 13369
6. Perry Massage. ME 5889
7. Silhouette Spa, ME 2496
8. David Earl Pritchett, LMT 8594
9. Elite Multitude Services LLC DBA The Wax House
10. Cristina Alejandra Hernandez, LMT 10653

After discussion a motion was made by Ms. Burke seconded by Ms. Yarbrough to accept all agreed citations. The motion carried.

Review, ratify, discuss, and approve/deny continuing education courses:

1. Tracy Hillard – Breathe Release – Chest and Abdomen (live – in person) – 8 hours. Course #Tn0022024-26

2. Tracy Hillard – Advanced Techniques for Prenatal and Postpartum massage (live – in person) – 8 hours. Course #TN0022024-27

3. Tracy Hillard – Ethics and Mindfulness (live – in person) – 2 hours. Course # TN0042024-28

4. Tracy Hillard – Introduction to Cupping (live – in person) – 4 hours. Course # TN0042024-29

After discussion A motion was made by Ms. Burke, seconded by Ms. Yarbrough to approve. The motion carried.

Discuss and take action, if needed, regarding correspondence.

1. Caroline Joy – Ms. Joy will be referred to seek legal counsel for her questions and concerns. The board will not discuss this matter.

2. Karen Craig – Ms. Craig sent a thank you to the board

Applicant Interviews:

A. Spa at Oak Haven, ME 1573 – This ME has operated on an expired license since it expired July 31, 2021. Mr. Chuck McCarter made comment to the reason of expiration. Ms. Oldham made comment. After further discussion by the board a fine was imposed. Upon payment a conditional license will be granted. A motion was made by Mr. Velker seconded by Ms. Yarbrough. The motion carried.

B. Equipoise Massage Works, ME 5689 – This ME has operated on an expired license since it expired February 28, 2023. Applicant not present. Mr. Velker made motion to precede in default, seconded by Ms. Burke. After discussion by the board a fine was imposed. Upon payment a conditional license will be granted. A motion was made by Mr. Velker seconded by Ms. Burke. The motion carried.

C. Highgate Hotels, DBA The Joseph, ME 5689 – The previous responsible party retired the license on 10/3/2023; a name change application was received to change the responsible party. This ME is still operating on a retired license. Mr. Beightol and Ms. Brooks made comment and offered explanation. After discussion by the board a fine was imposed with conditions. A motion was made by Mr. Velker seconded by Ms. Yarbrough. The motion carried

D. Laurie Fitzgerald, LMT 13656 – LMT has operated on an expired license since expiration November 30, 2022. Ms. Fitzgerald was present and offered explanation. Ms. Oldham, Ms. Nash

and Mr. Summers made comment. After discussion by the board a fine was imposed with conditions. A motion was made by Mr. Velker seconded by Ms. Burke. The motion carried.

E. Danielle Bloebaum, LMT 14965 – This applicant's background check has DWI related arrests from 2017-2019, her driver's license has been revoked and she is currently in an outpatient program in which she is tested for drugs and alcohol weekly. She has completed this program and will continue an aftercare program. A motion to approve application was made by Mr. Velker to approve application seconded by Ms. Yarbrough. The motion carried.

Consent Orders:

1. Jodie a. Ward, LMT 10596 – Ms. Morgan presented the order. A motion was made by Mr. Velker seconded by Ms. Burke to approve the order. The motion carried.
2. Huidong Tian, LMT 11589 – Ms. Turner presented the order. A motion was made by Mr. Velker seconded by Ms. Yarbrough to approve the order. The motion carried.
3. Michael Kain, LMT 14250 – Ms. Turner presented the order. A motion was made by Mr. Velker seconded by Ms. Burke to approve the order. The motion carried.
4. Super Great Massage, ME 4610 – Ms. Turner presented the order. A motion was made by Ms. Yarbrough seconded by Ms. Burke to approve the order. The motion carried.
5. Min Yang Wang, LMT 9633 and Asian Massage, ME 5321 – Ms. Turner presented the order. A motion was made by Ms. Yarbrough seconded by Ms. Burke to approve the order. The motion carried.
6. Yun Gao, LMT 13214 – Ms. Turner presented the order. A motion was made by Mr. Velker seconded by Ms. Burke to approve the order. The motion carried.
7. Yue Dong, LMT 12104 and Hermitage Massage, ME 4610 – Ms. Turner presented the order. A motion was made by Ms. Yarbrough seconded by Ms. Burke to approve the order. The motion carried.
8. Xu Junru, LMT 1223 and Relax Massage, ME 4886 – Ms. Turner presented the order. A motion was made by Mr. Velker seconded by Ms. Burke to approve the order. The order carried.
9. Yangying Chen, LMT 11289 – Ms. Turner presented the order. A motion was made by Mr. Velker seconded by Ms. Yarbrough. The motion carried.
10. Michael Redman, LMT 7854 – Ms. Turner presented the order. A motion was made by Mr. Velker seconded by Ms. Burke. The motion carried.

Agreed Orders:

1. Edwin Tesen, LMT 13378 – Ms. Kendrick presented the order. A motion was made by Ms. Yarbrough seconded by Ms. Burke. The motion carried.
2. Lamorris Shelton, LMT 12574 – Ms. Kendrick presented the order. A motion was made by Ms. Yarbrough seconded by Ms. Burke. The motion carried.

3. Bluestem Wellness Nashville, ME 6034 – Ms. Turner presented the order. A motion was made by Ms. Yarbrough seconded by Ms. Burke. The motion carried.

Review, discuss, and take action, if necessary, on any Task Force updates. (2:46.53-4:12.14)

Mr. Varnell, board advisory attorney presented the Redline for the language change for the rules and for the program hour change to 650 hours. Ms. Nash, Mr. Summers, Mr. West, and Ms. Oldham made comment. After discussion by the board a motion was made by Mr. Velker seconded by Ms. Burke to approve the Redline with the edits. The motion carried.

Discuss CE Waiver/Course Approval

1. Brian Covington, LMT 13200 – Mr. Covington was present He is asking for approval of CE hours/courses taken without prior approval. After discussion by the board Mr. Velker made a motion to accept the CE's for one time for this applicant seconded by Ms. Burke, The motion carried.

Adjourn:

Mr. Velker made a motion to adjourn, seconded by Ms. Burke. The board meeting was adjourned at 3:02

Any business not concluded on Monday May 13, 2024 will be conducted on Tuesday, May 14, 2024.

Tennessee Massage Licensure Board

May 14th, 2024

To watch or listen to the meeting online, please click on the link below:

<https://tdh.streamingvideo.tn.gov/Mediasite/Play/bbaca9b3f95643b2a9cee7f85f6c7d441d>

Time: 9:00 am Central Standard Time

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

Members Present: William Mullins, LMT Chairperson
Alicia Azimipour, Citizen Member, Secretary
Marvis Burke, LMT
Virginia P. Yarbrough, LMT
Emily Newberry, LMT
Michael Velker, Citizen Member

Members Absent: Dee Vickers, LMT

Staff Present: Tonya Wilkins, Board Administrative Director
Noranda French, Board Administrative Director 2
Jessica Turner, Office of General Counsel, Board Attorney
Michael Varnell, Office of General Counsel, Board Attorney

Guest: Judge Elizabeth Cambron
Carrie Schultz, Court Reporter

Judge Elizabeth Cambron asks that the board members state their name for the record. Members Yarbrough, Burke, Mullins, Azimipour, Newberry, and Velker are present. A quorum was established.

Witt Curtis, LMT 13900

The respondent is not present. The Judge reviews Ms. Turners communication with Mr. Witt. Mr. Witt is aware of the proceedings today. The notice of hearing and charges have been properly delivered. Ms. Turner asks to continue in default. Ms. Yarbrough, motions to proceed in default. Ms. Newberry seconded the motion, and with none opposed, the motion carries.

The Judge goes over the rules and guidelines the board members must abide by during this trial. Jessica Turner gives her opening statements introducing the case. Mr. Witt, who is placed on a conditional license and a civil penalty by previous ruling, failed to make the civil penalty payment in the time allotted. Ms. Turner asks the board to revoke Mr. Witt's licensure based upon the evidence provided. The board reviews the evidence. Ms. Turner presents her closing statements. Judge Cambron recites the guidelines for board members to follow when deliberating. Ms. Azimipour motioned to open the floor back up for questioning. Mr. Velker seconded the motion, and with none opposed, the motion carries. Ms. Burke motions to move back into deliberations. Ms. Newberry seconds the motion, and with none opposed the motion carries.

Mr. Velker motions to accept the findings of fact, with the clerical change from "her" to "his" Ms. Burke seconded the motion. With none opposed, the motion carries.

Mr. Velker motions accept the conclusion of law as written. Ms. Burke seconded the motion, and none opposed. The motion carried.

Mr. Velker moves to accept the order as written. Ms. Burke seconded the motion and none opposed. The motion carries.

Ms. Burke motions to accept the amended policy statement. Ms. Newberry seconded the motion and with none opposed, the motion carries.

The Judge Adjourns the Meeting