

MINUTES

TENNESSEE MASSAGE LICENSURE BOARD

November 4, 2024

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

Date: November 4, 2024

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

Members Present:

Bill Mullins, Board Chairman
Alicia Azimipour, Secretary
Emily Newberry, Board Member
Amy Jones, Board Member
Virginia Yarbrough, Board Member

Staff Present:

Noranda French, Director
Tonya Wilkins, Massage Administrative Director 1
Michael Varnell, Office of General Counsel, Attorney
Paetria Morgan, Office of General Counsel, Attorney
Jessica Turner, Office of General Counsel, Attorney

Guest:

Michael Begley, Judge
Lois Ann Abbott, Court reporter

The meeting was called to order at 9:00 by Mr. Mullins. Ms. French conducted a roll call; Ms. Burke was not present. A quorum was established.

Minutes

Ms. Newberry made a motion, seconded by Ms. Yarbrough, to approve August 14th and 15th, 2024 minutes. The motion carried.

Office of Investigation Report:

Ms. Luther presented the report as follows:

Complaint Activity	Dec 2023	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
New Complaints Opened		10	14	7	14	13	3	7	9	7	5			89
Total Closed Complaints		1	0	22	20	16	1	23	1	19	1			104
7 - Closed BIV,EMS,HCF,AW		0	0	13	3	2	0	5	0	5	0			28
9 - Complaint Closed		1	0	5	13	11	1	9	1	6	0			47
93 - Closed - Ltr of Concern		0	0	1	2	1	0	3	0	5	1			13
94 - Closed - Warning Ltr		0	0	3	2	2	0	6	0	3	0			16
Currently Open Complaints	59	68	82	67	61	58	60	44	52	40	44			

ANALYSIS OF NEWLY OPENED COMPLAINTS

By Allegation	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
19-Substance Abuse	0	2	0	0	0	0	0	0	0	0			2
20-Sexual Misconduct	1	3	2	5	2	0	3	3	3	0			22
23-Criminal Charges	1	0	0	0	0	0	0	0	0	0			1
25-Unlicensed Practice	1	1	0	1	0	1	0	0	1	1			6
26-Unprofessional Conduct	3	3	3	5	9	2	2	4	2	2			35
27-Violation of Order	1	0	0	1	0	0	0	0	0	2			4
36-Lapsed License	2	5	2	2	1	0	2	0	1	0			15
45-CE Violation	0	0	0	0	0	0	0	1	0	0			1

OGC Report:

Mr. 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 6 contested final hearings.

PENDING COMPLAINTS

As of this Report, the total number of Massage Therapists being monitored for discipline is **135**.

- The total number on reprimand is **8** with terms.
- The total number on probation is **48** with terms.
- The total number on suspension is **35**.
- The total number that has had their license revoked or surrendered is **35**.
- The total number with a conditional license is **9**.

As of this Report, the total number of Massage Establishments being monitored for discipline is **34**.

- The total number on reprimand is **3** with terms.
- The total number on probation is **4** with terms.
- The total number on suspension is **3**.
- The total number that has had their license revoked or surrendered is **15**.
- The total number with a conditional license is **8**.
- The total number with a contingent license is **1**.

RULEMAKING

Project #24-0343. These rules contain the retrospective review changes pursuant to 2021 Public Chapter 328. This is currently going through the internal review process in OGC.

Project #24-0444. These rules implement recent statutory changes pursuant to 2024 Public Chapter 718 regarding the minimum number of educational hours required for massage therapist applicants and educational programs in 0870-01-.05 and 0870-02-.02. This is currently going through the internal review process in OGC. This is currently being promulgated as an emergency rule. A permanent rule will follow the emergency rule.

Orders of Compliance:

Mr. Varnell presented the orders.

- A. Ben Yang, LMT 8843 – After discussion by the board, Ms. Jones made a motion, seconded by Ms. Azimipour to lift the order of probation of Mr. Yang's license. The motion carried.
- B. Salon J and Day Spa, ME 695 – After discussion by the board, Ms. Jones made a motion, seconded by Ms. Newberry to lift the order of probation of Salon J and Day Spa. The motion carried.

Fiscal Report

Emily Godwin presented the report as follows:

Acct. Code	Description	FY2024	FY2023	FY2022
701	Salaries & Wages	\$ 230,428.77	\$ 174,374.20	\$ 167,775.84
702	Employee Benefits	\$ 72,442.49	\$ 63,046.63	\$ 81,251.65
Payroll Expenditures (701-702)		\$ 302,871.26	\$ 237,420.83	\$ 249,027.49
703	Travel	\$ 11,400.82	\$ 10,662.50	\$ 8,471.47
704	Printing & Duplicating	\$ -	\$ -	\$ -
705	Utilities & Fuel	\$ -	\$ -	\$ -
706	Communications	\$ 13,166.78	\$ 9,809.39	\$ 9,297.55
707	Maintenance & Repairs	\$ -	\$ -	\$ -
708	Prof. Svc. & Dues	\$ 17,716.35	\$ 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	\$ 23,781.07	\$ 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	\$ 95.10	\$ 156.02	\$ 53.97
725	State Prof. Svcs.	\$ 21,633.64	\$ 17,182.74	\$ 15,120.07
Total Other Expenditures (703-725)		\$ 90,713.76	\$ 73,463.73	\$ 80,015.19
Total Direct Expenditures		\$ 393,585.02	\$ 310,884.56	\$ 329,042.68

Allocated Expenditures

<i>Administrative Services</i>					
Administration	\$	42,646.57	\$	62,685.07	\$ 57,398.39
Cash Office	\$	3,946.39	\$	894.54	\$ 1,412.52
<i>Legal Services</i>					
Office of Investigations	\$	130,829.51	\$	70,867.47	\$ 138,353.42
Office of General Counsel	\$	157,665.69	\$	149,825.17	\$ 155,920.95
<i>Technology Services</i>					
LARS	\$	34,417.76	\$	14,463.09	\$ 16,069.22
Visual Investigator	\$	0.42	\$	5.03	\$ 325.04
Total Allocated Expenditures	\$	369,506.32	\$	298,740.37	\$ 369,479.54
Total Expenditures	\$	763,091.34	\$	609,624.93	\$ 698,522.22
Board Fee Revenue	\$	787,734.73	\$	747,792.51	\$ 704,440.86
Change in Position	\$	24,643.39	\$	138,167.58	\$ 5,918.64
Reserve Balance	\$	939,661.65	\$	915,018.26	\$ 776,850.68

TN Pap 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

Applicant Interviews:

A. Cory Atkins, LMT File 15133 - Applicant attended Atlanta School of Massage which is closed. Applicant submitted an unofficial transcript from Atlanta School of Massage showing a graduation date of 2/4/2021. Our office informed Ms. Atkins that we needed a letter from the Georgia Board of Education stating that the school has closed and whether they have her transcript.

Ms. Atkins, submitted a letter from Shirlene Mitchell from Georgia Nonpublic Postsecondary Education Commission. On receipt of the questionable letter, Tonya Wilkins questioned the applicant on whether Ms. Mitchell sent her the letter, the applicant stated that Ms. Mitchell told her to write the letter which is attached. Ms. Wilkins then contacted Georgia Nonpublic Postsecondary Education Commission to inquire about the letter.

Ms. Mitchell contacted Ms. Wilkins and stated that she did not tell the applicant to write a letter on her behalf. Ms. Mitchell went on to say she told the applicant their office could write a letter stating Atlanta School of Massage has closed. Ms. Michell also told the applicant the school currently still has all the transcripts and has a website where she can request her transcript. Ms. Atkins did not appear. Ms. Yarbrough mad a motion to deny the license, seconded by Ms. Jones. The motion carried.

B. Country Escapes Massage Therapy – Terri Lynn Crum ME 2247 - Massage Establishment has been working on an expired license since March 1, 2023. Ms. Crum, the responsible party, is in attendance. Ms. Jones made a motion to issue a conditional license and pay accessed fees, Ms. Azimipour seconded. The motion carried.

C. Benjamin Edwards, LMT file 15081 -Applicant has a March 29, 2023, domestic assault incident. He has completed an intensive supervised probation through the East Tennessee Human Resource Agency as ordered by the Session Court of Scott County, TN on March 3, 2024. Mr. Edwards is in attendance. Mr. Mullins made a motion to issue a conditional license. Conditions to be that Mr. Edwards will be evaluated by TnPap within 30 days. Ms. Jones seconded the motion. The motion carried.

D. Helen Matthews, LMT file 15057 -. Applicant was invited to the board in 2018. She had been working as a massage therapist without a license. She did not attend the meeting. Her license was denied. Ms. Matthews is in attendance. Ms. Newberry made a motion to issue a conditional license, be placed on probation for 3 years and pay accessed fines, seconded by Ms. Yarbrough. The motion carried.

E. Victoria McKenzie, LMT File 15091 – Applicant has a felony and other convictions on background check. Applicant has been evaluated by TNPAP. TNPAP recommendation: Advocates for safety to practice. Ms. McKenzie is in attendance. Ms. Philips, representative from TnPap advocated for Ms. McKenzie. Ms. Yarbrough made a motion for a conditional license to be issued. Conditions to be Ms. McKenzie remain in TnPap monitoring until March 2025. Ms. Azimipour seconded the motion. The motion carried.

F. Brandon Reaves, LMT File 8632 - AC: Assessed \$775 civil penalty; must submit 25 hours continuing education credits, plus six additional penalty hours dlm/biv. Mr. Edwards is in attendance. Ms. Yarbrough made a motion to reinstate the license with no further conditions, seconded by Ms. Jones. The motion carried.

G. Veronica Williams, LMT File 15080 - Pharmacy Technician's license was revoked due to her Self-medicated using pharmaceutical drugs from shelf at Walgreens while employed as a pharmacy technician at Walgreens. Ms. Williams is in attendance. Ms. Jones made a motion to issue a conditional license based on receiving quarterly reports and until monitoring agreement has been completed. Ms. Yarbrough seconded the motion. The motion carried.

H. Fox Den Country Club, ME 5807 - Operating a ME on an expired license since July 2023. Ms. Inman, the registered agent, is in attendance. Ms. Newberry made a motion to issue a conditional license. Conditions being fines paid within 30 days. Ms. Azimipour seconded

I. Xiufang Wang - Applicant's MBLEx score was invalidated in March 2018. Ms. Wang did not appear. Ms. Newberry made a motion to deny the license, seconded by Ms. Yarbrough. The motion carried.

Ratifications of initial and reinstatement files. A motion was made by Ms. Azimipour, seconded by Ms. Jones to approve all newly licensed massage therapist and massage establishments. The motion carried.

A motion was made by Ms. Newberry, seconded by Ms. Yarbrough to approve all closed files. The motion carried.

MT Initial

Locklear, Clint
Boshers, Megan
River Peres, Luis
Schoo, Vernice
Verduzco, Vanessa
Wahl, Kristopher
Bernstein, Sherrin
Kachur, Marina
Cook, Jennifer
Razote, Xue
Eppenger, Rayven
Ragin, Toni Cross,
Suzanna Clevinger,
Amanda Rowland,
Whitney Anglin,
Rebecca Johnson,
Emily Rogers,
Rebecca Barot,
Devanshi McKinney,

Levi Keener, Robyn
Bryant, Amanda
Roberson, Ashley
Hudson, Grace Burd,
Brandon Marte,
Jailene Ijames,
Jessica Razo,
Shannon Ritchey,
Riley Gibson,
Desiree Ellis, Kai
Kennedy, Loretta
Johnson, Heather
Steadfast, Zephyr
Ledden, Hadassah
Faulkner, Larricka
Reeves, Landon
Richards, Landon
Wellborn, Crystal
Roberts, Lyla Wang,
Hanging Catanzano,
Ashley Slaughter,

Marquis Guan, Yan
Orr, Jamie Thacker,
Chloe Buckles,
Megan Rutkowski,
Toni Williams,
Amberly Hensley,
Connie Rees, Abigail
Davis, Sara Zhang,
Suxin Barry, Stephen
Hubener, Emi Roth,
Rachael
Merriweather, Jacob
McSwain, Devin
Crowley, Patricia
Howell, Rachell
Mastin, Kisha Peng,
Felix Gaut, Amarys
Nation, Kameran
Stanberry, Jacob
Ciucciomei, Carrie
Parrinello, Brandy

Grinnell, Madison
Larsen, Julianna
Petty, Kristen Jones.
Evie Williams, Jada
Hill, Whitney
Flowers, Rebecca
Farrell, Donna
Magopet, Brian
Crandall, Magdalene
Keena, Kelli
Hampton, Makia
Buchi, Karen
Bills, Jennifer
Sexton, Jennifer
Palsma, Carlene
Schuurmans, Jesica
Kaz, Isaiah Soto,
Ariana Parvin,
Stephanie Bowman,
Melinda Kirby,
Ashley George,
Joseph Avant, Andre
Boehm, Hannah
Carrozzo,
Alessandro Kupczyk,
Jacob Glover, Caitlin
Burks, Tracey

MT Reinstatements

Byrd, Michelle
Ramsey, Cherie
Goodrum, Ahmon
Savarda, Cidy
Wallace, Laura
Harrison, Christine
Braswell, Sarah
Bodsford, Tanya
Human, Savannah
Hill, Megan Brooks.
Jonelle Goodson,

Rachel Brown,
Karen Ballenger,
Fontaine Gregg,
Dyanne Taylor,
Nicolette Lewis,
Terricka Taylor,
Caroline Maestas,
Christine Barbee,
Mallory Caruso,
Ross Miller,
Annemie Hoover,
Jeffery Blevins,
Sarah Vick,
Chrristina

Closed Application

Foxenberger, Joseph
14999 Zanette,
Ashley - 15010
Bigsby, Brandi
15025 Gabel, Holly
15037 Yet, Khi -
14998 Jones, Kaci -
15035 Dailey,
Marrisa - 15051
Ward, McKennah -
15064 Burkey,
Patricia - 15075
Campbell, Katie –
15074

ME Initial

BeSalty LLC, DBA
Saltboxx Wellness
Natural Healing
Massage Sunrise
Counseling
Services LLC Luis
Alejandro Rivera
Knox Neuro PLLC

Richland Country
Club ITK Massage
Laura Davis Mind
Body Hellagood
Massage Laura
Daniel Massage We
Promise Too Hera
Wellness Pneuma
LLC MU Spa
KONSTANTIN
ZIMIN Bloom Spa
and Suites LLC
Alisa Higdon LMT
Peak Revival
Massage By Jess
Imperium Stretch
and
Recovery LLC
Relaxxation Station
Anna Hart LMT
Dawn Horne LMT
Bates Massage and
Bodywork
Zenfinite Massage
and
Recovery Envy Hair
Studio at
Pickwick and
Boutique Custom
Massage by Lisa B's
Fitness Solutions
LLC Secret Serene
Garden Jamaica Me
Tan and
Beautiful Mindful
Body LLC
Embodied Center
Hidden Garden
Beauty Box
Transcendence
Massage

ColtSanders/LMT
Escalante The Grove
Club
LLC Unique Images
Salon Spa Renew
Massage Therapy A
+ M Styling Studio
In Tune Massage and
Wellness Relax and
Reset Massage Z and
Y of TN, INC.
Honey Spray Tans
LLC Lemesa Jaques
LMT NMT Lisa
Flores Massage and
Movement
Chattanooga Sports
Massage Mountain
Escape Luxury
Spa and Boutique
Snatch Bae Esthetics
Sky Massage
Therapy Muscular
Injury Specialist
Ethereal Essence

Hamsa House PLLC
Massage Time
ME Reinstatements
Nails Plus Day Spa
Bobby Hotel
Amanda Bryant
LMT Concorde
Career College -
Student Massage
Clinic Healing Point
LLC Divine Renewal
Wellness
Spa LLC Maury
Ballenger
Bodywork Repose
Massage Therapy
Bodybalance
Massage and
Wellness Massage
Plus and Geriatric
Massage Carolyn M
Dhority, LMT
Perfect Cut and
Color and
Foot Massage

Gifted Hands
Massage and
Aesthetics
Murfreesboro
Acupuncture
and Massage
Closed Applications
Health Spa : 6490
8/30/24 TJ's
Massage LLC : 6492
8/30/24 HONG TAI
LLC DBA
RELAX
MASSAGE: 6510
9/20/24 Black
Kodiak Therapeutic
Massage: 6518
9/25/24 H cuts and
Color: 6527
10/14/24 Luke INC
DBA The Farms
at Bailey Station:
6533
10/1

Agreed Citations:

CE Violations

1. Jillian Denice Southard, LMT 12072
2. Makenzie Cayle Conard, LMT 13463
3. Danielle Patton, LMT 10378
4. Twila Yvette Reed, LMT 12556

After discussion by the board Ms. Yarbrough made a motion to accept agreed citations. Ms. Jones seconded the motion. The motion carried.

Lapsed License

1. Bobbi Carter, LMT 4414
2. Bobby Hotel, ME 5027
3. Body Balance Massage Wellness, ME 5569
4. Cindy Lynn Savarda, LMT 1803
5. Concorde Career College – Student Massage Clinic, ME 2661
6. Cyska Legaspi, LMT 14666
7. David Allan Patterson, LMT 9561
8. Savannah Bonaire Human, LMT 13591
9. Jacquelyn Thomas, LMT 6772
10. Karen Michelle Brown, LMT 9179
11. Labryanna Highwolf, LMT 14644
12. Lytrice Ann Ingraham, LMT 5854
13. Megan Hamm, LMT 1369
14. Repose Massage Therapy, ME 2968
15. The Healing Point LLC, ME 5968
16. Thea Rochelle Martin, LMT 4208
17. Shari Hooper, LMT 7176

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

Administrative Report:

Ms. Wilkins presented the report as follows:

STATISTICAL REPORT - This report runs from Aug 1-Oct. 25

THERAPISTS	ESTABLISHMENTS
Aug 2024	Aug 2024
Newly Licensed _ 43	Newly Licensed _ 10
Reinstate Applications _10	Reinstate Applications _4
Retired _13	Retired _6
New Applications _ 46	New Applications _ 11
ran from 1 st -30 th /31 st of each month	ran from 1 st -30 th /31 st of each month

THERAPISTS	ESTABLISHMENTS
Sept 2024	Sept 2024
Newly Licensed _ 27	Newly Licensed _ 33
Reinstate Applications _7	Reinstate Applications _5
Retired _7	Retired _5
New Applications _ 27	New Applications _ 34
ran from 1 st -30 th /31 st of each month	ran from 1 st -30 th /31 st of each month

THERAPISTS	ESTABLISHMENTS
Oct 2024	Oct 2024
Newly Licensed _ 24	Newly Licensed _ 11
Reinstate Applications _8	Reinstate Applications _5
Retired _10	Retired _2
New Applications _ 24	New Applications _ 11
ran from 1 st -25 th cut off	ran from 1 st -25 th cut off

CE Waiver/Course Approval:

- A. Charles West TN Massage Law (Live- In Person) –2 hours Course #TN010125-02
- B. Charles West TN Massage Law (Live Webinar) 2 hours Course #TN010125-03
- C. Williams Mullins TN Ethics (Live- In Person) –2 hours Course #TN0082024-31
- D. Williams Mullins TN Law (Live-In Person) – 2 hours Course #TN0082024-32

After discussion by the board a motion was made by Ms. Newberry, seconded by Ms. Yarbrough to approve all courses. The motion carried.

Discuss Old and New Board Business

- A. Massage OGC Hearing Optional Dates April 14th or 21st?

After discussion by the Board, it is determined to accept April 21, 2025 as an additional board meeting date. All Board members voted in favor.

- B. Election of Officer

Ms. Jones nominated Mr. Mullins for chairman. Mr. Mullins accepted the nomination. Ms. Yarbrough seconded the motion. The motion carried.

Mr. Mullins nominated Ms. Azimipour for secretary. Ms. Azimipour accepted the nomination. Ms. Yarbrough seconded the motion. The motion carried.

Public Comment:

Dr. Bolden-Greer made public comment as to the timeline of rule change concerning the educational hours. Mr. Varnell stated that the changes were in the internal review phase. Mr. Varnell also stated that there is currently a statute in place for this rule change.

Adjourn:

Mr. Mullins adjourned the meeting for a lunch break.

Noranda French does a roll call to confirm board member attendance. Members Yarbrough, Jones, Mullins, Newberry, and Azimipour are present. A quorum is established.

Consent Order

Li Wang LMT 11327 - Rejuvenating Massage ME 5226

Paetria Morgan, Office of General Counsel Board Attorney, introduces herself and the subject matter to the board. Morgan ensures that no members need to recuse themselves for this consent order. Morgan introduces the case details to the board. Wang admitted to hiring unlicensed individuals to work in her establishment Rejuvenating Massage. The board deliberates after all case information has been shared. Newberry motions to approve the proposed order as written. Azimipour seconds the motion, and none oppose. The motion carries. The massage establishment license # 5226, is hereby placed on probation for at least three years, respondent's massage therapist license # 11357, is hereby placed on probation for at least three years, during the period of probation, Ms. Wang shall submit proof of compliance with the 2023/2024 continuing education cycle by January 31, 2025. 11. During the period of probation, Ms. Wang shall notify the Board's disciplinary coordinator of any employment change at Rejuvenating Massage within thirty (30) days of the change. Respondent shall pay two (2) Type A Civil penalties in the amount of one thousand dollars (\$1,000.00) each, representing the penalty for allowing two individuals to engage in unlicensed practice. The total civil penalty assessment is two thousand dollars (2,000.00). Respondent must pay, pursuant to TENN. CODE ANN. § 63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the State. The maximum amount for the assessment of costs shall be two thousand dollars (\$2,000.00).

Tarek Mentouri LMT 11920

The telecommunication service "Teams" is projected on screen to the board. Court reporter Loisann Abbott is present via "Teams" call. The respondent Tarek Mentouri is not present via Teams at the start of the meeting. Judge Begley confirms that we have established a quorum. Judge Begley introduces himself to the board and reviews the technical report and previous notice of hearings and charges. The Judge verifies that the respondent is incarcerated Jessica Turner, Office of General Counsel Attorney shows the judge that her delivery of the proper notice of charges were given, going into detail on how and when she contacted the respondent. Mentouri was informed by Turner that if he did not appear the board has the option to proceed today in default. The Judge reviews these documents to ensure that proper notices has been given. Judge Begley rules that the proper notice of charges and hearing have been met by the state office of general counsel. The Judge turns the decision on how to proceed to the board members. Yarbrough motions to proceed in default. Azimipour seconds this 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. Judge Begley verifies there are no conflicts of interest for any of the board members with this case. The board confirms there are no conflicts, and

therefore no member will be recusing themselves. Jessica Turner gives her opening statement introducing the case.

Respondent has been at all times pertinent hereto licensed by the Board as a massage therapist in the State of Tennessee, having been granted license number 11920 on December 16, 2016, which expired on February 28, 2022. On or about November 30, 2022, Respondent pled guilty to two (2) counts of felony Sexual Battery. On or about November 30, 2022, Respondent pled guilty to two (2) counts of misdemeanor Assault. As a result of the convictions in paragraphs two (2) and three (3), Respondent must register as a sex offender. .Mentouri is appealing the past revocation order in pursuit of his licensure being restored. Ms. Turner is bringing this case before the board to ensure that Mentouri's licensure is revoked, barring him from practice in Tennessee in the future. Turner presents the exhibits of evidence for her case to the board and judge for review. Turner presents her closing statement to the board. The Judge informs the board on the guidelines of how they can proceed in ruling over this case. Turner provides the board with her proposed final order. The board members review and open the floor for deliberation. Amy Jones and William Mullins discuss typical revocation procedures for licensees. Emily Newberry motions to accept the findings of fact as written. Alicia Azimipour seconds this motion, and with none opposed, the motion carries. Virginia Yarbrough motions to accept the conclusion of law as written. Emily Newberry seconds this motion, and with none opposed, the motion carries. Amy Jones motions to accept the proposed order with removing "proof of continuing education and" from number 8 of the order but accept the rest as written. Alicia Azimipour seconds the motion, and with none opposed, the motion carries. Emily Newberry motions to accept the policy statement as written. Amy Jones seconds this motion, and with none opposed, the motion carries. Respondent's license is hereby **REVOKED** effective the entry date of this Order. Respondent must pay, pursuant to Tenn. Code Ann. § 63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter.

The Meeting is Adjourned

Tennessee Massage Licensure Board

November 5th, 2024

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

<https://tdh.streamingvideo.tn.gov/Mediasite/Play/4c761d880acf43acab8e4633c99393471d>

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
Virginia P. Yarbrough, LMT
Emily Newberry, LMT
Amy Jones, Citizen Member

Members Absent: Marvis Burke, 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
Brittney Kendricks, Office of General Counsel
Timothy Peters, Office of General Counsel

Guest: Judge Michael Begley
Loisann Abbott, Court Reporter
Joe Weyant, Legal Representation
Phillip Hughes
Jiayo Li

Chairman Mullins calls the meeting to order. Judge Begley introduces himself to the board. Begley goes over the rules and guidelines the board members must abide by during this trial.

Partial Agreed Order

Yi Sun Energy Healing ME4333 / ME5967 (9:01am)

Jessica Turner. Office of General Counsel Attorney, presents the order to the board. Yi Sun with Energy Healing, ME 4333 was summarily suspended previously by the board due to unethical practice and sexual misconduct. Azimipour motions to accept the proposed order as written. Jones seconds, and with none opposed, the motion passes. Respondent, Yi Sun's, massage therapist license, # 10536, is hereby REVOKED, effective the entry date of this Order. Respondent, Energy Healing A.K.A. LJY Reflexology, #4333 is hereby REVOKED, effective the entry date of this Order. Respondent(s) must pay, pursuant to TENN. CODE ANN. § 63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the State. The maximum amount for the assessment of costs shall be six thousand dollars (\$6,000.00). The costs and civil penalties assessed in this order must be paid in full within two (2) years of receiving the Assessment of Costs in this case.

Patrick Ceaser LMT 8722 (9:09 am)

Ms. Turner asks to continue this case to the February board meeting to allow time for an agreed order. Judge Begley approves.

Yi Sun/ Energy Healing/ LJY Reflexology LMT 10536 (9:10am)

Ms. Turner asks to continue this case to the February board meeting to allow time to serve respondent. Judge Begley approves.

Magic Massage ME 3791 (9:12am)

Judge Begley confirms that the board has established a quorum for today's hearings. It is ensured that no board member has a conflict of interest. Kendricks distributes the notice of charges to the board and opposing counsel. Ms. Kendricks introduces herself and the case to the board. Magic Massage was found to be employing unlicensed individuals in this establishment. Opposing counsel representative Joe Wyant introduces his opening statements to the board. Kendricks enters evidence for the boards review. Joe Weyant calls two witnesses to the stand. Phillip Hughes, owner and responsible party of Magic Massage, and his stepdaughter Jiayo Li. Mr. Hughes answers various questions about his business for Mr. Weyant. The board now asks the witness various questions about the case.

Short recess called.

Magic Massage counsel Joe Weyant decides to not call his second witness Jiayo Li. He begins by asking witness Phillip Hughes additional questions. Board members ask Mr. Hughes final questions regarding this case. Kendricks presents her closing statements to the board. Weyant presents his closing statements to the board. Judge Begley opens the floor for board deliberation.

The board reviews Kendricks proposed order. Azimipour motions to reopen questioning and proof. Jones seconds, but Mullins, Yarbrough, and Newberry vote nay. The motion does not pass. After much deliberation, Newberry motions to accept the findings of fact as written. Yarbrough seconds, and with none opposed the motion carries. Yarbrough motions to accept the conclusions of law as written. Azimipour seconds, and with none opposed, the motion carries. Newberry motions to accept the proposed order as written. Yarbrough seconds, and with none opposed, the motion carries. Yarbrough motions to accept the policy statement as written. Newberry seconds, and with none opposed, the motion carries. Respondent's Tennessee massage establishment license #3791, is hereby REVOKED, effective the date of entry of this Consent Order. Respondent must pay, pursuant to TENN. CODE ANN. § 63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the State. The maximum amount for the assessment of costs shall be five thousand dollars (\$5,000.00). Within sixty (60) days from Assessment of Costs being sent to Respondent, Respondent must either pay the civil penalties and costs in full OR make arrangements for a payment plan with the Disciplinary Coordinator.

Flying Spa ME 5179 (11:32am)

Timothy Peters, Office of General Counsel Attorney introduces himself to the board. Judge Begley grants Peters motion to sign and approve the order of admission from the respondent. This order came up due to representation changes and their absence in today's meeting. The board reviews this order. Judge Begley recites email communication from respondents' previous representation. Peters asks the board to continue in default due to respondent absence. Yarbrough motions to proceed in default. Azimipour seconds, and with none opposed, the motion carries. Peters introduces the case to the board members, giving his opening statement and distributing evidence. After the board has reviewed the documentation, Peters delivers his closing statement. The Judge opens the floor for board deliberation. The board reviews the state's proposed order. Yarbrough motion to approve the findings of fact as written. Jones seconds, with none opposed, the motion passes. Newberry motions to accept the conclusion of law as written. Azimipour seconds, and with none opposed, the motion carries. Jones motions to accept the proposed order as written. Yarbrough seconds, with none opposed, the motion carries. Yarbrough motions to approve the policy statement as written. Azimipour seconds, with none opposed, the motion carries. Respondent's license is hereby REVOKED beginning the effective date of this order. Respondent shall pay three (3) Type A Civil Penalties for a total amount of three thousand dollars (\$3,000.00), representing a \$1,000.00 penalty for each of the three (3) unlicensed massage therapists Respondent allowed to practice as a massage therapist at the Respondent's massage establishment. Respondent must pay, pursuant to TENN. CODE ANN. § 63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the State. The maximum amount for the assessment of costs shall be Three Thousand Dollars (\$3,000.00).

Any and all civil penalties and costs shall be paid in full within sixty (60) days after the issuance of the Assessment of Costs.

The meeting is adjourned