



ALABAMA BOARD OF MASSAGE THERAPY

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

MINUTES Board Meeting April 10, 2015

The Alabama Board of Massage Therapy met on Friday, April 10, 2015, at the Board Office located at 2777 Zelda Road, Montgomery, Alabama, in order to conduct regular business. The following members were in attendance: Mr. Michael Stephens (Chair), Mr. Lance Gilliland (Vice-Chair), Mr. Foad Araiinejad, member, Mr. Lemar Storey and Ms. Gwen Motley (arrive 10:19 a.m.). Board members absent was Mr. Willie DeVold. Also in attendance were Mr. Keith Warren (Executive Director), Mr. Randy Barrows (Administrator), Mr. Cameron McEwen (Legal Counsel), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren serving as recording secretary). A quorum was established and the meeting was called to order at 10:15 a.m.

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

The minutes from the January 9, 2015 Board meeting were presented to the Board members for their approval. A copy of the minutes was provided to the Board prior to the meeting. Mr. Gilliland made a motion to approve the January 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's Report, to include the Financial Report for FY 2015. He reported on the current number of licensees and number of complaints in FY 2015. A detail financial report of deposits and vouchers in FY 2015 was presented for the Board's review (payment vouchers and deposits are on file in the Board's Official Book of Minutes.) Mr. Araiinejad made a motion to approve the Executive Director Report and Financial Report as presented. The motion was seconded by Mr. Storey and unanimously approved by the Board.

Mr. Warren requested the Board members submit articles to him by May 1, 2015, to be included in the upcoming publication of the Board's newsletter. He reported that this newsletter would be sent electronically to the licensees and posted on the Board's website.

Ms. Motley arrived at 10:19 a.m.

Mr. McEwen presented the Legal Counsel report that included three consent agreements. The Board reviewed the consent agreement signed by the owner of Panda Massage (case 2015.005) for advertising under establishment names that do not have an Establishment license. Mr. McEwen explained that he had an Establishment license at that location, but was advertising under two

other names. Mr. Gilliland made a motion to accept the Consent Agreement as presented. The motion was seconded by Mr. Araiinejad and the motion was approved by the majority of the Board, with an abstaining vote by Ms. Motley.

The Board reviewed the consent agreement signed by the owner of Panda Acupressure (case 2015.004) for violation of offering massage therapy without an Establishment license. Mr. McEwen indicated that the Panda Massage location in this case was different from the previous case 2015.05. Mr. Gilliland made a motion to accept the Consent Agreement as presented. The motion was seconded by Mr. Araiinejad and the motion was approved by the majority of the Board, with an abstaining vote by Ms. Motley.

The Board reviewed the consent agreement signed by Raymond S. Ward, Jr., for violation of engaging in unprofessional conduct. Mr. McEwen reported that Mr. Ward had agreed to voluntarily surrender his license and would not be eligible for three (3) years to reapply for licensing. Mr. Gilliland made a motion to accept the Consent Agreement as presented. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board.

Mr. Warren reported on a complaint concerning an unlicensed establishment offering massage services through the use of aquatic machines and no massage services were offered by individuals at this location. The Board discussed jurisdiction as it pertained to Section 34-43-16, in cases where massage services were provided without the assistance of an individual. It was the consensus of the Board to close the case due to lack of jurisdiction and to consider future changes to the statute in defining modalities and machines/equipment.

Mr. Gilliland reported that the specifications for the Administrative Services ITB were reviewed by ITB Committee members, Messrs. Storey and DeVold. Mr. Storey recommended changes to the specifications concerning tasks of support staff, workstation memory requirements, role of an investigator and conducting a minimum number of establishment inspections annually (200 inspections). Mr. Gilliland made the motion to accept the changes to the ITB specifications as discussed. The motion was seconded by Mr. Storey and unanimously approved by the Board

Mr. Araiinejad made the motion to ratify the approval of massage therapist applications by the Executive Director. The motion was seconded by Mr. Gilliland and unanimously approved by the Board.

Mr. Araiinejad made the motion to approve the massage therapist applications by individuals who had attended out-of-state schools as presented to the Board (a list of the approved applications is available in the Board's Official Book of Minutes). The motion was seconded by Mr. Gilliland and unanimously approved by the Board.

Mr. Araiinejad made the motion to approve the instructor applications as presented to the Board (a list of the approved applications is available in the Board's Official Book of Minutes). The motion was seconded by Mr. Gilliland and unanimously approved by the Board.

Ms. Motley made a motion to approve the six renewal applications by Massage Therapy School as presented to the Board. The motion was seconded by Mr. Storey and unanimously approved by the Board (a list of the approved applications is available in the Board's Official Book of Minutes).

The Board discussed the application by Postural Bodyworks Institute, Inc., a new massage therapy school. Ms. Motely made the motion to approve the new school application contingent upon 40 hours of pathology clearly outlined, along with 8 hours of CPR, and diplomas reflect certificate of completion, not a license. The motion was seconded by Mr. Gilliland and unanimously approved by the Board.

The Board reviewed the applications for Continuing Education Provider. Mr. Storey made a motion to approve the Continuing Education Providers as presented to the Board. The motion was seconded by Mr. Araiinejad and unanimously approved by the Board (a list of the approved applications is available in the Board's Official Book of Minutes).

Mr. Warren presented an exemption request for an establishment license from Lifestyles Family Hair Care Center. Mr. Storey made the motion to deny the request of an exemption. The motion was seconded by Mr. Gilliland and unanimously approved by the Board.

Mr. Warren requested approval for Mike James, Board investigator, to attend an FBI conference concerning human trafficking and massage establishment activities. Mr. Gilliland made the motion to approve the travel expense for Mr. James to attend the conference. The motion was seconded by Ms. Motley and unanimously approved by the Board.

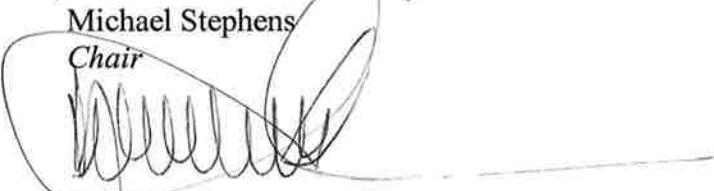
The next regularly scheduled Board meeting is Friday, July 10, 2015 at 10:00 a.m.

There being no further business, Mr. Stephens adjourned the meeting at 11:30 a.m.

Respectfully Submitted,



Michael Stephens
Chair



Keith E. Warren
Executive Director

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