



**ALABAMA BOARD OF MASSAGE THERAPY**  
2777 Zelda Road  
Montgomery, AL 36106  
334-420-7233  
334-263-6115 fax

## **MINUTES**

### **Board Meeting**

**January 20, 2023**

The Alabama Board of Massage Therapy met on Friday, January 20, 2023, at the Board's Office in Montgomery, AL. The following Board members were in attendance: Ms. Stephanie Dobbins (Board Chair), Ms. Mary Rogers (member), and Ms. Denise Dale (member) and attending virtually were Ms. Stefanie Herfurth (Board Vice Chair) and Mr. Darren Beams (member). Board member absent was Mr. Foad Araijnejad (member). Others present were Mr. Keith Warren (Executive Director), Mr. Matt Bledsoe (Board Legal Counsel), Mr. Dennis Trammell (Investigator), Mr. Mike James (Investigator), Ms. Karen Entreklin (Investigator), Ms. Karen Harlow (Legal Assistant), and Ms. Renee' Reames (recorder) and other public guests who attended virtually via Zoom and in-person.

Ms. Dobbins, Board Chairperson, called the meeting to order at 10:10 a.m. Mr. Warren called Board roll and reported that a quorum was present to conduct Board business. He indicated that Ms. Gina Lee had resigned from the Board. Mr. Warren read aloud the Opening Statement regarding Robert's Rules of Order and Open Meetings Act. Chairperson Dobbins welcomed all present at the meeting.

Public notice of this regularly scheduled meeting was submitted to the Secretary of State [www.sos.alabama.gov](http://www.sos.alabama.gov) in accordance with the requirements of the Alabama Open Meetings Act and published on the Board's website at [www.almtbd.alabama.gov](http://www.almtbd.alabama.gov).

#### **APPROVAL OF MINUTES**

Chairperson Dobbins presented a copy of the October 28, 2022, regular Board meeting minutes for the Board's approval. A copy of the minutes was provided to the Board members prior to the meeting for their review.

**MOTION:** Ms. Rogers made a motion to approve the October minutes as presented. The motion was seconded by Ms. Dale and unanimously approved by the Board (minutes available for viewing in the Board's Official Book of Minutes).

#### **EXECUTIVE DIRECTOR REPORT**

Mr. Warren presented the Executive Director Report to include the financial activities for the period ending December 31, 2022 (reports on file in the Board's Official Book of Minutes). Mr. Warren reported on the current number of licensees. He reviewed the status of complaints for FY 2021 through FY 2023 and fines collected from violations. He also reported on the number of inspections completed for this same reporting period. Mr. Warren reported that the Board's new website would soon be launched, and he reviewed additions and improvements in the new format. Mr. Warren reminded the Board that announcements and Board-related news releases could be posted on the Board's website. The Board encouraged licensees to notify the Board's office about changes to their employment and licensing status, e.g., establishment closed, retirement, etc. when changes occurred prior to their license expiring.

**MOTION:** Ms. Dale made a motion to accept the Financial Report as presented. The motion was seconded by Ms. Rogers and unanimously approved by the Board.

#### **LEGAL COUNSEL REPORT**

Mr. Bledsoe presented the Legal Counsel report to include the following consent agreements. A copy of the Consent Agreements was provided to the Board:

Case 2022-018 – violation of unlicensed establishment with unlicensed MT. The IC recommended a consent agreement to the owner of the establishment to include a \$4500 fine and one-year probation. The \$4500 fine had been paid.

Case 2023-013 – violations of unprofessional conduct. The IC recommended a consent agreement to the LMT to include two 8-hour sexual boundary courses and 2-year probation.

Case 2023-021.01 – violations of two unlicensed MTs at a licensed establishment. The IC recommended a consent agreement to the owner of the establishment to include \$4,000 fine and one-year probation. The \$4000 fine had been paid.

Case 2023-039BR – violations of expired establishment license and one unlicensed MT. The IC recommended a consent agreement to the owner of the establishment to include \$4,500 fine and one-year probation. The \$4,500 fine had been paid.

MOTION: Ms. Dale made the motion to approve the consent agreements in the four cases presented. The motion was seconded by Ms. Rogers and unanimously approved by the Board, with no opposing votes from the members.

Mr. Bledsoe reported that the Investigative Committee (IC) had met and recommended action on the following cases:

Case 2022-059 - IC recommended the case be closed due to no probable cause.

Case 2022-063 - IC recommended the case be closed due to no probable cause.

Case 2023-010 - IC recommended the case be closed due to no probable cause.

Case 2023-019 - IC recommended the case be closed as unfounded.

Case 2023-022BR - IC recommended that the consent agreement be withdrawn due to compliance and license had been renewed and issued on 11/17/22, to close the case.

Case 2023-023BR – IC recommended the case be closed. The Board-initiated complaint was withdrawn.

Case 2023-024BR - IC recommended the case be closed as unfounded.

Case 2023-035BR - IC recommended that a letter of concern be issued to the former owner of the establishment and a separate case be opened regarding the new owner of the establishment due to no establishment license.

Case 2023-036BR – IC recommended that a letter of concern be issued to the owner of the establishment.

Case 2023-038 - IC recommended the case be closed as unfounded.

Case 2023-041BR - IC recommended a settlement offer be issued to the owner of the licensed establishment for advertising violations and the LMT issued a letter of concern.

Case 2023-042 – The IC recommended a cease and desist order be issued to the establishment owner and a settlement offer issued to the owner of the establishment due to violations of no establishment license and unlicensed MT and a settlement offer to the unlicensed individual.

Case 2023-045BR - IC recommended the case be closed as unfounded.

MOTION: Ms. Dale made the motion that the IC recommendations be approved as presented. The motion was seconded by Ms. Rogers and unanimously approved by the Board, with no opposing votes from the members.

#### OLD BUSINESS

##### Rules Committee Report

Mr. Warren reported that the Rules Committee had met twice since the last Board meeting and subcommittees had been created with a committee member serving as chair of the subcommittees. He reported that the Committee planned to have proposed rule changes prepared to submit at the next Board meeting and hoped to have the process completed and rules finalized by September. Following Board

approval of proposed rules to be submitted to the Legislative Reference Services (LRS), the proposed rules would also be posted on the Board's website for public review and comment. He explained that one of the rules or a protocol would be developed concerning virtual meetings. He encouraged the members to attend the next Board meeting to have a quorum to vote on rule changes. Chairperson Dobbins commented on the effectiveness of in-person attendance and encouraged the Board members to attend in-person.

#### Update on Administrative Services Specifications for RFP

Mr. Bledsoe reported on changes at the State Purchasing Department about requests for proposals and bids on services. He indicated that specifications for management services, which would be in a Request for Proposals (RFP) format, would require Board approval.

Mr. Warren left the room at 10:37 a.m.

Mr. Bledsoe explained the difference between an RFB process concerning the lowest bid and no interview process, and the RFP process, which allowed for interviews, site review and other discussions. He reported that he was working with the Purchase Department in developing a format and master checklist for RFPs that would assist Boards and agencies to evaluate the proposals.

Mr. Warren joined the meeting at 10:56 a.m.

Mr. Warren reported on the recent Executive Orders affecting boards, commissions and agencies and efforts toward more transparency in services and costs.

#### NEW BUSINESS

Mr. Warren added the following two new items to the meeting agenda and reported to the Board:

#### Letter of Appreciation to Board Investigators

Mr. Warren read aloud an email from an FBI Supervisory Special Agent thanking Board Investigator, Mike. James, for his assistance regarding human trafficking activities and supporting Kentucky law enforcement efforts where the FBI agent was based.

#### Applications Special Review

Mr. Warren presented the following applications for the Board's review and Board action:

MOTION: Ms. Herfurth made the motion to deny the MT application submitted by SYZ based on charges of promoting prostitution. The motion was seconded by Ms. Dale and unanimously approved by the Board, with no member voting in opposition.

MOTION: Ms. Dale made the motion to deny the MT application submitted by BY based on charges of engaging in prostitution. The motion was seconded by Ms. Rogers and unanimously approved by the Board, with no member voting in opposition.

MOTION: Ms. Dale made the motion to deny the MT application submitted by LG based on charges of engaging in prostitution. The motion was seconded by Ms. Rogers and unanimously approved by the Board, with no members voting in opposition.

MOTION: Ms. Rogers made the motion to deny the MT application submitted by SC based on disciplinary fines assessed by another State against the school of record, GDFWIMA. The motion was seconded by Ms. Dale and unanimously approved by the Board, with no members voting in opposition.

MOTION: Ms. Rogers made the motion to deny the MT application submitted by LM based on disciplinary fines assessed by another State against the school of record, GDFWIMA. The motion was seconded by Ms. Dale and unanimously approved by the Board, with no members voting in opposition.

The Board agreed that graduates from the school of record, GDFWIMA, were not eligible for licensure by the Board.

MOTION: Ms. Rogers made the motion to deny the MT application submitted by JX based on disciplinary action by NCBTMB against the two schools of record. The motion was seconded by Ms. Dale and unanimously approved by the Board, with no member voting in opposition.

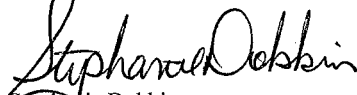
#### ANNOUNCEMENTS AND OTHER BUSINESS

Mr. Warren introduced Ms. Kim Stephens with the Alabama Massage Therapy Association (AMTA). There were no other guests who attended virtually who identified themselves with AMTA.


Chairperson Dobbins reported that the next meeting of the Board was scheduled for April 28, 2023.

MOTION: There being no further business, Ms. Rogers made the motion to adjourn the meeting. The motion was seconded by Ms. Dale and unanimously approved by the Board. Chairperson Dobbins adjourned the meeting at 11:18 a.m.

Respectfully Submitted,



Stephanie Dobbins  
*Board Chair*



Keith E. Warren  
*Executive Director*

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