



ALABAMA BOARD OF MASSAGE THERAPY

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MINUTES Board Meeting

February 25, 2022

The Alabama Board of Massage Therapy met on Friday, February 25, 2022 at the Board Office located at 2777 Zelda Road, Montgomery, Alabama. The following Board members attended: Ms. Stephanie Dobbins (Board Chair), Ms. Stefanie Herfurth (Board Vice Chair), Mr. Darren Beams (member), Ms. Denise Dale (member attending virtually) and Ms. Mary Rogers (member). Board members absent were Mr. Foad Araiinejad (member) and Ms. Gina Lee (member). Others present onsite at the meeting were Mr. Keith Warren (Executive Director), Mr. Matt Bledsoe (Board Legal Counsel attending virtually), Mr. Mike James (Investigator) and Mr. Dennis Trammell (Investigator), Ms. Karen Harlow (Legal Assistant), Ms. Camby Garner (Licensing Specialist) and Ms. Renee' Reames (recording secretary). Ms. Dobbins, Board Chairperson, called the meeting to order at 10:13 a.m. Mr. Warren called Board roll and reported that a quorum was present to conduct Board business.

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

Chairperson Dobbins presented a copy of the October 15, 2021 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. Ms. Herfurth made a motion to approve the October minutes as presented. The motion was seconded by Mr. Beams and unanimously approved by the Board (minutes available for viewing in the Board's Official Book of Minutes).

Chairperson Dobbins presented a copy of the November 19, 2021 special/called 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. Ms. Herfurth made a motion to approve the November minutes as presented. The motion was seconded by Mr. Beams and unanimously approved by the Board (minutes available for viewing in the Board's Official Book of Minutes).

Mr. Warren presented the Executive Director Report to include the financial activities for the period ending January 31, 2022 (reports on file in the Board's Official Book of Minutes). Mr. Warren reported on the current number of licensees, along with inspections conducted during FY 2022. He indicated that complaints and establishment inspections had resulted in over \$80,000 in fines and some of these violations would be presented in the Legal Counsel report.

Mr. Warren also reviewed the list of activities performed by the staff since the last Board meeting.

Mr. Beams made a motion to accept the Financial Report as presented. The motion was seconded by Ms. Rogers and unanimously approved by the Board.

Mr. Warren reported that the Board's Legal Counsel would be attending the meeting virtually. Chairperson Dobbins deferred the Legal Counsel Report until later in the meeting.

Mr. Warren updated the members about the status of the Board's proposed legislation in seeking sponsorship to present during the 2022 Legislative Session.

Mr. Warren presented the school application from Massage School of Southeast Alabama (in Ozark) for the Board's approval. The Board discussed several items lacking and/or requiring additional information. The discussion was deferred until later in the meeting and the Board proceed with the Legal Counsel Report.

Mr. Bledsoe joined the meeting at 10:30 a.m. He presented the Legal Counsel report to include the following consent agreements:

Case 2021-017 – violations by allowing overnight sleeping accommodations. Recommended \$2,500 violations fine, one-year probation and immediate removal of overnight sleeping accommodations. He reported that the \$2,500 fine had been paid.

Case 2021-019BR – violations in advertising. Recommended \$500 fine, one-year probation and immediate cease and desist violation in advertising practices. He reported that the \$500 fine had been paid.

Case 2021-020BR – violation of LMT working at an unlicensed Establishment. Recommended LMT fined \$100 violation fine and one-year probation. He reported that the \$100 fine had been paid.

Cases 2021-022BR and 2021-053 – violations in advertising upon inspection and reinspection. Recommended \$1,000 violations fine and one-year probation. He reported that the \$1,000 fine had been paid.

Case 2021-024BR.01 (Establishment) – violations in advertising. Recommended \$500 fine and one-year probation related to Establishment. He reported that the \$500 fine had been paid.

Case 2021-024BR.02 (LMT) – violations in display of license. Recommended \$500 fine and one-year probation related to licensed massage therapist. He reported that the \$500 fine had been paid.

Case 2021-024BR.03 (LMT) – violations in display of license. Recommended \$500 fine and one-year probation related to licensed massage therapist. He reported that the \$500 fine had been paid.

Case 2021-025BR – violations in advertising, expired Establishment license and unlicensed massage therapist. Recommended \$500 advertising violation fine, \$2,500 unlicensed Establishment violation fine, and \$2,000 unlicensed massage therapist violation fine and one-year probation. He reported that the \$5,000 fine had been paid.

Case 2021-026BR.01 (Establishment) – violations in advertising and public display of LMT licenses. Recommended \$1,000 violations fine and one-year probation related to Establishment. He reported the \$1,000 fine had been paid.

Case 2021-026BR.02 (LMT) – violations in public display of LMT license. Recommended \$500 violations fine and one-year probation related to LMT. He reported the \$500 fine had been paid.

Case 2021-026BR.03 (LMT) – violations in public display of LMT license. Recommended \$500 violations fine and one-year probation related to LMT. He reported the \$500 fine had been paid.

Cases 2021-029BR and 2021-044BR - violations in advertising upon inspection and reinspection. Recommended \$1,000 violations fine and one-year probation. He reported that the \$1,000 fine had been paid.

Cases 2021-030BR and 2021-043BR - violations in advertising upon inspection and reinspection and unlicensed massage therapist. Recommended \$3,000 violations fine and one-year probation. He reported that the \$3,000 fine had been paid.

Cases 2021-031BR and 2021-060BR – violations of unlicensed massage therapists and display of Establishment license. Recommended \$4,500 violations fine and one-year probation. He reported that the \$4,500 fine had been paid.

Case 2021-033BR – violations of unlicensed Establishment and expired massage therapist license. Recommended \$2,500 violations fine, immediate cease and desist and one-year probation. He reported that the \$2,500 fine had been paid.

Case 2021-035 – violations of providing services without reasonable skill. Recommended Respondent attend 14 hours in boundaries course, one-year probation with notification to the Board of activities and agrees to move into a sports setting.

Case 2021-039BR – violations in advertising. Recommended \$500 violations fine and one-year probation. He reported that the \$500 fine had been paid.

Cases 2021-040BR and 2021-047BR - violations in advertising upon inspection and reinspection. Recommended \$1,000 violations fine and one-year probation. He reported that the \$1,000 fine had been paid.

Case 2021-045BR – violations of overnight sleeping accommodations and sexually oriented business and additional advertising violations. Recommended \$8,000 violations fine and one-year probation. He reported that \$4,000 had been paid.

Case 2021-058 – violations of unprofessional and sexual misconduct. Recommended Respondent attend sexual boundary course, one-year probation and \$1,000 violations fine related to Respondent and Establishments owned by Respondent.

Case 2021-059 – violations in advertising. Recommended \$500 violations fine and one-year probation. He reported that the \$500 fine had been paid.

Case 2022-003 – violations in advertising. Recommended \$500 violations fine, cease and desist in advertising practices and one-year probation related to the LMT. He reported that the \$500 fine had been paid.

Case 2022-006BR – violations in advertising and unlicensed massage therapist. Recommended \$2,500 violations fine and one-year probation. He reported that the \$2,500 fine had been paid.

Case 2022-007BR – violations in unlicensed massage therapist. Recommended \$2,000 violations fine and one-year probation. He reported that the \$2,000 fine had been paid.

Case 2022-010BR – violations of unlicensed/expired Establishment license. Recommended \$2,500 violations fine, immediately activate Establishment license and one-year probation. He reported that the \$2,500 fine had been paid.

Case 2022-012BR – violations in advertising. Recommended \$500 violations fine and one-year probation. He reported that the \$500 fine had been paid.

Case 2022-013BR – violations in advertising. Recommended \$500 violations fine and one-year probation. He reported that the \$500 fine had been paid.

Following a clarification of the terms of the effective date of these consents, Ms. Herfurth made a motion to approve the consent agreements as presented. The motion was seconded by Ms. Rogers and unanimously approved by the Board (consent agreements available for viewing in the Board's Official Book of Minutes).

Mr. Warren reported that the application from Massage School of Southeast Alabama would be presented at the next Board meeting to allow time to receive additional information, as discussed earlier in the Board meeting, related to the School's application. The Board discussed having the online capability to verify instructors' licenses.

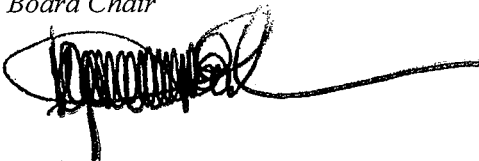
Vice Chair Dobbins reminded the members that the next Board meeting was scheduled May 6, 2022, at 10:00 a.m. at the Board's office.

There being no further business, Mr. Beams 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 11:10 a.m.

Respectfully Submitted,



Stephanie Dobbins
Board Chair



Keith E. Warren
Executive Director

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