



ALABAMA BOARD OF MASSAGE THERAPY

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March 9, 2023

RE: Response to statements outlined in Agency Management and Board Member Violations

- 1) The resignation has been submitted to Governor Ivey's Appointments Office along with updating the Board's Secretary of State's Board member page.
- 2) The January 20, 2023, Board meeting was open to the public which board members, staff and other licensed massage therapists attended. There were two board members attending virtually. The host, staff and legal counsel were not aware of technical difficulties until the meeting was adjourned. A virtual participant of the meeting submitted an notice to the host indicating that the last thirty (30) minutes of the meeting had been muted. After the meeting was adjourned, we were made aware of technical difficulties resulting in no sound for this 30 minute period of time, but the members, legal counsel, executive director and public members attending in person were not aware until the meeting was adjourned. The electronic device was never muted nor did the Board enter an executive session for any private conversations as outlined in the inquiry from the participant. See Attachment A for the January 20, 2023 Board Meeting Zoom Participation Information.
- 3) Board members are appointed by the Governor and the expiration dates are assigned within the appointment letter. The Governor's Office is aware of the findings in the Examiners of Public Accounts report. Any corrections to terms must be made by the Governor and not by the Board or the executive director.
- 4) The statement regarding a Board member serving their 14th year was appointed by Governor Ivey for their 2nd consecutive term. The original appointment was made in 2008 and the second appointment was made in 2019. § 34-43-6 (b) states: "... No member of the board shall serve more than two full consecutive terms." There was not an appointment made to the Board between 2011 and 2019, which created the expanded time frame allowing the member to serve. A member may continue to serve until an appointment to fill or replace a member has been made.

The statement regarding a Board member attending the same church as the executive director was appointed in 2019 and the executive director was hired in 1997. The statement regarding board members alleged as co-workers were appointed by the Governor and not the Board of Massage Therapy.

- 5) The Board is aware of your mismanagement allegations.

Multiple submissions have been made concerning - Agency Management and Board Member Violations – as being received as follows:
RE: Agency Management and Board Member Violations

As a Licensed Massage Therapist in the state of Alabama whose fees financially support your operation, I am practicing my rights to express the overwhelming concerns regarding the management of our agency and the current board member violations.

According to Executive Order 736, dated on 1/26/2023, you are required to respond to me within a timely manner regarding my concerns. I urge you to comply with this Executive Order.

During the board meeting on 1/20/23, a board member announced their resignation, this has yet to be submitted to the S.O.S office as a vacancy. This is a direct violation of procedures for Alabama Boards and Commissions.

The last board meeting on 1/20/2023 was grossly mishandled by your office. This board meeting was also a reflection of improper board member accountability. The board and yourself have greatly failed to perform ethical duties that include informing the public on those "muted" portions of this meeting. That in itself is a reflection of the ongoing mismanagement through your contract.

During the last examiners review, you were informed of the mishandled term expirations of these board members. Your response was that "this will be handled", and yet, you have failed to correct these staggered terms.

The nepotism within the current board of massage members is a violation to Executive Orders 726 and 727. Keith Warren, the Executive Director of this board has been attending the same church as a sitting board member for several years. Another board member is entering their 14th year; this, however, was not reported to the Governor's office. We have 2 board members who are currently co-workers and have been for quite some time.

The aforementioned are violations to Alabama Ethics, and you are subject to those laws. The mismanagement of several agencies is gaining attention of those in authority and the Massage Board is not a stranger to these issues. Having said this, I would like an update on your attempts to immediately rectify these issues.

Requestor
Jennifer Burkett
Kristie Williams
Valerii De Loach

Received
March 7, 2023
March 7, 2023
March 7, 2023

Responded
March 9, 2023
March 9, 2023
March 9, 2023

Amy Self	March 7, 2023	March 9, 2023
Carloee Taylor	March 7, 2023	March 9, 2023
James Hodges	March 7, 2023	March 9, 2023
Matthew Gerhart	March 7, 2023	March 9, 2023
Anastasia Travis	March 7, 2023	March 9, 2023
Linda Gudnason	March 7, 2023	March 9, 2023
Julie Bryars	March 7, 2023	March 9, 2023
Meredith Burns	March 7, 2023	March 9, 2023
Tessa Galea	March 7, 2023	March 9, 2023
Lisa Perez	March 7, 2023	March 9, 2023

Meeting ID	Topic	Start Time	End Time	User Email	Duration (Minutes)	Duration (Minutes)	Guest
83381321852	Alabama Board of Massage Therapy	1/20/2023 9:58	1/20/2023 11:17	keith@warrenandco.com	80	80	No
Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)	Guest		
Alabama Board of Massage Therapy (Keith Warren)	keith@warrenandco.com	1/20/2023 9:58	1/20/2023 11:17	80	No		
Tessa		1/20/2023 9:58	1/20/2023 11:17	80	Yes		
dbeams		1/20/2023 9:58	1/20/2023 11:17	80	Yes		
Sheki Y		1/20/2023 9:59	1/20/2023 11:12	73	Yes		
Cat		1/20/2023 10:01	1/20/2023 11:17	76	Yes		
Babs		1/20/2023 10:05	1/20/2023 11:15	71	Yes		
Kristi D		1/20/2023 10:09	1/20/2023 11:17	69	Yes		
李万峰的 iPhone		1/20/2023 10:13	1/20/2023 10:55	43	Yes		
Amanda Yao		1/20/2023 10:26	1/20/2023 11:12	46	Yes		
Sheki Y		1/20/2023 11:12	1/20/2023 11:17	6	Yes		
Babs		1/20/2023 11:16	1/20/2023 11:17	2	Yes		