



## **NORTH CAROLINA BOARD of MASSAGE AND BODYWORK THERAPY**

Mailing Address: PO Box 2539, Raleigh, NC 27602 Phone: 919.546.0050  
Location Address: 150 Fayetteville Street Mall, Suite 1910, Raleigh, NC 27601

### **OPEN SESSION MINUTES**

*April 23, 2020; 10:00 a.m. – 11:45 a.m.*  
**Wells Fargo Capitol Center Building**  
**Via Conference Call**

*"The mission of the NCBMBT is to regulate the practice of massage and bodywork therapy in the State of North Carolina to ensure competency, and to protect the public health, safety and welfare."*

#### **TIME AND PLACE**

The North Carolina Board of Massage and Bodywork Therapy met in Open Session in the offices of the Board on April 23, 2020 at 10:00 a.m.

#### **MEMBERS PRESENT**

Ms. Nancy Harrell, Ms. Kim Turk, Ms. Kay Warren, Ms. Ella Price, Ms. Rachael Goolsby and Mr. Robert Reeves

#### **MEMBERS ABSENT**

None

#### **OTHERS PRESENT**

Mr. Charles Wilkins and Mr. Ben Thompson, Legal Counsel to the Board, Ms. Elizabeth Kirk, Administrative Director and Ms. Julia Arnette, Assistant Administrative Director

#### **CHAIR**

Ms. Harrell, Chair

#### **RECORDING SECRETARY**

Ms. Kirk

#### **CONFLICT OF INTEREST**

Ms. Harrell asked if any Board member had any conflict of interest with any item on the meeting's agenda. There being no conflict, the agenda was approved.

### **APPROVAL OF MINUTES**

The Board approved its minutes of February 20, 2020 and April 8, 2020.

### **TREASURER'S REPORT**

The Treasurer's Report was reviewed and approved as presented.

### **ADMINISTRATIVE REPORTS**

#### **Rules**

##### **a. Approval of Rule .1014**

The Board reviewed the adoption of Rule .1014 and the written comments following the hearing at the February Board meeting. Upon motion made, seconded and passed, the Board approved Rule .1014 and will submit the rule to the Rules Review Commission for review at their June 2020 meeting for a proposed effective date of July 1, 2020.

##### **b. Rule .0636 – hearing scheduled for 10:30 a.m.**

The Board held a public hearing at 10:30 a.m. to receive public comments on the adoption of temporary Rule .0636.

#### **Status of Amendments to Practice Act**

There is a pending amendment to the Practice Act regarding fees.

#### **Disciplinary Hearings**

Mr. Wilkins informed the Board of proposed Letters of Reprimand regarding: Stephanie Costner for failing to perform a client assessment, obtain informed consent and maintain documentation for a massage and bodywork therapy session; Ashley Dwyer for a misunderstanding of the Board's Practice Act and Rules regarding a non-licensed person under her employment providing massages to the public at a chair massage event. All hearings scheduled for the April Board meeting have been postponed for the June Board meeting.

Ms. Kirk reported:

##### **Licensee Report**

18,870 have been issued  
9,329 active licenses

##### **Renewal Report**

There are 4,292 licensees scheduled to renew for the 2020-2021 renewal period. 3,637 therapists have renewed. 3,472 therapists renewed online and 165 therapists renewed by mail. The routine Continuing Education Audit will start for the 200 therapists that renewed online.

## **COMMITTEE REPORTS**

### **Policy Committee**

No written report.

### **License Standards Committee**

No written report.

### **School Approval Committee**

No written report.

### **Communications Committee**

Ms. Turk reported that email notices have been sent to both LMBTs and massage and bodywork therapy schools and programs regarding the Board's response to Governor Cooper's Executive Orders and the filing of emergency and temporary rules with the Rules Review Commission.

## **OLD BUSINESS**

### **NC General Assembly Proposed Laws Affecting Licensing Boards**

Mr. Wilkins reported on proposed laws pending in the North Carolina General Assembly that may affect professional licensing boards.

### **2018 Strategic Planning Conference**

Ms. Harrell reported the Board met for a Strategic Planning Conference on January 19-21, 2018 and discussed the matters set forth in the minutes of the conference. The Board will consider a future strategic planning conference at their June 2020 Board meeting.

## **CLEAR**

### **a. 2020 Annual meeting**

The 2020 Annual Educational Conference will be held in Seattle, Washington, September 23-26, 2020. Ms. Warren agreed to attend.

### **b. 2021 International Congress**

The 2021 International Congress will be held in Dublin, Ireland, June 23-25, 2021.

**c. 2020-2021 Membership**

The Board reviewed an email from CLEAR regarding a renewal notice for the 2020-2021 membership year. Upon motion made, seconded and passed, the Board agreed to renew their membership with CLEAR for the 2020-2021 membership year.

**FSMTB**

**a. 2020 Annual meeting**

The 2020 FSMTB annual meeting will be held in Chicago, Illinois, October 15-17, 2020. Ms. Warren agreed to attend.

**b. March and April In Touch Newsletters**

The Board reviewed emails dated February 27, 2020 and March 26, 2020, respectively, regarding the March and April “In Touch” newsletters.

**c. Statement regarding Pearson VUE closure and MBLEx**

The Board reviewed an email dated March 17, 2020 regarding Pearson VUE test centers being closed and its effect on being able to take the MBLEx.

**d. 2020-2021 Membership**

The Board reviewed an email from FSMTB regarding a renewal notice for the 2020-2021 membership year. Upon motion made, seconded and passed, the Board agreed to renew their membership with FSMTB for the 2020-2021 membership year.

**NEW BUSINESS**

No new business.

**PUBLIC COMMENT**

The Board received comments from the public.

**CLOSED SESSION**

Upon motion made, seconded, and passed, and pursuant to NCGS 143-318.11(a)(1), (3) and (7) as well as NCGS 143-318.18(6), the Board went into Closed Session on April 23, 2020 at 11:05 a.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on April 23, 2020 at 11:45 a.m.

**Stephanie Costner**

Ms. Harrell reported Ms. Costner's Letter of Reprimand was approved.

**Ashley Dwyer**

Ms. Harrell reported Ms. Dwyer's Letter of Reprimand was approved.

**ADJOURNMENT**

Upon motion duly made, seconded and passed, the April 23, 2020 meeting was adjourned at 11:45 a.m.

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Ms. Nancy Harrell, Chair

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Ms. Rachael Goolsby, Treasurer