



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

4140 ParkLake Avenue  
Suite 100  
Raleigh, NC 27612

### **OPEN SESSION MINUTES**

*October 21, 2021; 10:00 a.m. – 1:05 p.m.; 3:40 p.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 virtually via Webex in Open Session on October 21, 2021 at 10:00 a.m.

#### **MEMBERS PRESENT**

Ms. Kim Turk, Ms. Kay Warren, Ms. Ella Price, Ms. Rachael Goolsby, Mr. Steve Green and Mr. Robert Reeves

#### **MEMBERS ABSENT**

Ms. Valory Hicks

#### **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. Turk, Chair

#### **RECORDING SECRETARY**

Ms. Kirk

#### **CONFLICT OF INTEREST**

Ms. Turk asked if any Board member had any conflict of interest with any item on the meeting's agenda. Mr. Reeves recused himself from discussion on Southeastern College and NC School of Advanced Bodywork and Ms. Price recused herself from discussion on Living Arts College. There being no additional conflict, the agenda was approved.

### **APPROVAL OF MINUTES**

The Board approved its minutes of August 19, 2021.

### **TREASURER'S REPORT**

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

### **ADMINISTRATIVE REPORTS**

#### **Rules**

There are no pending rules at the Rules Review Commission.

#### **Practice Act**

Mr. Wilkins discussed the House Bills 434 and 911 regarding Reflexology.

Mr. Wilkins also informed the Board that Dr. Christopher Grubb, an anesthesiologist from Greenville, NC, has been appointed to the physician member position on the Board.

#### **Disciplinary Hearings**

Mr. Wilkins informed the Board of a Letter of Reprimand and proposed Consent Orders regarding: Kim Dupree for failing to provide shower facilities with a sauna at her place of business; April Corley for practicing with an expired license; Westley Ames and Ralph Timmermann for engaging in inappropriate conduct with a client; Lindsey Gaby for providing massage and bodywork therapy services to a client while under the influence of alcohol or drugs; and Xiu Li for aiding and abetting unlicensed massage and bodywork therapy at her place of business.

The two hearings scheduled for today for Michael Cuthbertson and Andre Vazquez were postponed to the December meeting.

Ms. Kirk reported:

#### **Licensee Report**

19,882 have been issued  
9,703 active licenses

#### **Renewal Report**

There are 4,302 licensees scheduled to renew for the 2022-2023 renewal period. 636 licenses expired December 31, 2019 and can renew by December 31, 2021. License renewal information was sent by email in July and a reminder was sent on October 15<sup>th</sup>.

### **Establishment License Update**

Ms. Kirk informed the Board that the application for establishment licensure is live on the Board's website. Board staff will be working on reviewing more questions as well as reviewing completed applications.

## **COMMITTEE REPORTS**

### **Policy Committee**

Ms. Turk reported the Committee met October 19, 2021 and discussed the matters set forth in the minutes of the Committee.

#### **FSMTB**

**a. Massage Therapy Licensing Database (MTLD) program**

The Committee reviewed updated information regarding the MTLT program and recommended that Board staff and IT set up a virtual meeting with DEG to review the database process in the Board office. The Board agreed with the Committee's recommendation.

**b. REACH course for establishment owners**

The Committee discussed requesting FSMTB to develop a course for establishment owners and agreed to continue discussion on this topic at a future committee meeting. The Board agreed with the Committee's recommendation.

#### **Email from Kay Moseley regarding hypnotherapy/hynomassage**

The Committee reviewed an additional email dated August 29, 2021 regarding her future education in hypnotherapy. The Committee reviewed a previous response from Mr. Wilkins to Ms. Moseley regarding hypnotherapy/hynomassage stating it is not within the scope of practice of massage and bodywork therapy. The Committee agreed to request Ms. Moseley provide additional information once she completes her certification(s) and training in guided imagery, hypnotherapy and hynomassage. The Board agreed with the Committee's recommendation.

#### **Review Reiki and whether or not it needs to be added to the list of modalities requiring a license**

The Committee reviewed the practice of reiki and agreed to add reiki massage to the list of modalities requiring a license. The Board agreed with the Committee's recommendation.

#### **Email from Esther Sabatino regarding core synchronicity**

The Committee reviewed an email dated September 11, 2021 from Esther Sabatino regarding core synchronicity and agreed it is within the scope of massage and bodywork therapy and anyone practicing core synchronicity would need a massage and bodywork therapy license issued by the

Board. The Committee also agreed that any questions regarding teaching this modality would need to be considered by the NCBTMB, NCCAOM or FSMTB. The Board agreed with the Committee's recommendation.

**Email from Christine Bonner regarding myofascial release/myofascial therapy**

The Committee reviewed an email dated September 16, 2021 regarding craniosacral fascial therapy, myofascial release and myofascial therapy and agreed to add craniosacral fascial therapy, myofascial release and myofascial therapy to the list of modalities requiring a license. The Board agreed with the Committee's recommendation.

**Email from Scott Orlinski regarding CBD**

The Committee reviewed an email dated October 15, 2021 regarding CBD being used and sold in massage and bodywork therapy establishments and agreed CBD is not allowed to be used by LMBTs while providing massage and bodywork therapy services and massage and bodywork therapy establishments must follow all local, state and Federal laws as well as the requirements issued by the Board. The Board agreed with the Committee's recommendation.

**License Standards Committee**

Ms. Goolsby reported the Committee met August 19 and 21, 2021 and discussed the matters set forth in the minutes of the Committee.

**School Approval Committee**

Mr. Reeves reported the Committee met October 18, 2021 and discussed the matters set forth in the minutes of the Committee.

**Review site visit summary for Gwinnett College**

The Committee reviewed the virtual site visit summary for Gwinnett College and agreed to review the summary along with their 2022 school renewal application submission to determine if an action plan needs to be implemented.

**Review site visit summary for Southeastern College**

The Committee reviewed the virtual site visit summary for Southeastern College.

**Review site visit summary for NC School of Advanced Bodywork**

The Committee reviewed the virtual site visit summary for NC School of Advanced Bodywork.

**Living Arts College**

**a. Review signed letter with action plan**

The Committee reviewed the signed letter by the Program Director and Owner for an action plan.

**b. Review request for program changes**

The Committee reviewed the submission and responses to Living Arts College requesting changes to their massage and bodywork therapy program. Pursuant to a response from the school, the Committee agreed to recommend to the Board that the program changes be approved. The Board agreed with the Committee's recommendation.

#### **Review application checklist and site visit summary for Cornerstone Holistic Institute**

The Committee reviewed the application checklist and site visit summary for Cornerstone Holistic Institute and agreed to recommend to the Board that the school be approved. The Board agreed with the Committee's recommendation.

#### **Review application checklist and site visit summary for the Institute for Massage and Bodywork Therapy, Inc.**

The Committee reviewed the application checklist and site visit summary for the Institute for Massage and Bodywork Therapy, Inc. and agreed to recommend to the Board that the school be approved. The Board agreed with the Committee's recommendation.

#### **Communications Committee**

Ms. Warren reported on items the Committee will be reviewing and discussing in the future. The Board agreed to reach out to the NC Board of Cosmetic Arts Examiners and the NC Real Estate Commission regarding establishment licensure.

#### **OLD BUSINESS**

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

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

#### **2018 Strategic Planning Conference**

Ms. Turk 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 agreed to consider a strategic planning conference in January, February or March 2022 to discuss various massage and bodywork therapy school issues, online education and establishment licensure.

#### **CLEAR**

##### **a. 2021 Annual Meeting**

The 2021 Annual Educational Conference was held virtually, September 2021. Ms. Warren reported on the conference.

##### **b. 2022 Annual Meeting**

The 2022 Annual Educational Conference will be held in Louisville, Kentucky, September 14-17, 2022.

**c. 2022 Winter Symposium**

The 2022 Winter Symposium will be held virtually, January 5, 2022.

**d. 2023 International Congress**

The 2023 International Congress will be held in Dublin, Ireland, Summer 2023.

**FSMTB**

**a. September and October In Touch Newsletters**

The Board reviewed emails dated August 26, 2021 and September 30, 2021, respectively, regarding the September and October “In Touch” newsletters.

**b. 2021 Annual Meeting**

The 2021 Annual Meeting was held virtually, October 8, 2021. Ms. Kirk reported on the conference.

**c. 2021 Annual Report**

The Board reviewed an email dated October 8, 2021 regarding the 2021 Annual Report.

**d. 2021 Election Results**

The Board reviewed an email dated October 12, 2021 regarding the 2021 election results.

**Response to Robbey Lindstedt regarding joint mobilization**

The Board reviewed and approved a response from Mr. Wilkins to Robbey Lindstedt regarding joint mobilization.

**NEW BUSINESS**

**Review IASI CE approval and renewal process**

The Board reviewed the CE approval and renewal process and agreed to draft a contract to send to IASI for approval at the December meeting.

**2021-2022 Board Elections**

Upon appropriate nomination and vote, the Board elected Ms. Kim Turk to serve as Chair, Robert Reeves to serve as Vice Chair and Kay Warren to serve as Treasurer.

**PUBLIC COMMENT**

The Board received comments from the public.

**LUNCH**

The Board recessed for lunch at 12:00 p.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on October 21, 2021 at 1:00 p.m.

**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 October 21, 2021 at 1:05 p.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on October 21, 2021 at 3:40 p.m.

**Kim Dupre**

Ms. Turk reported Ms. Dupre’s Letter of Reprimand was approved.

**Westley Ames**

Ms. Turk reported Mr. Ames’ Consent Order was approved.

**April Corley**

Ms. Turk reported Ms. Corley’s Consent Order was approved.

**Lindsey Gaby**

Ms. Turk reported Ms. Gaby’s Consent Order was approved.

**Xiu Li**

Ms. Turk reported Ms. Li’s Consent Order was approved.

**Ralph Timmermann**

Ms. Turk reported Mr. Timmermann’s Consent Order was approved.

**Michael Cuthbertson**

The hearing for Mr. Cuthbertson has been postponed to the December meeting.

**Andre Vazquez**

The hearing for Mr. Vazquez has been postponed to the December meeting.

**2021-22 1<sup>st</sup> Quarter Legal Services provided by Broughton, Wilkins, Sugg & Thompson, PLLC**

Ms. Turk reported the Board reviewed and approved payment to Broughton, Wilkins, Sugg & Thompson, PLLC for in court legal services provided in the 1<sup>st</sup> quarter fiscal year 2021-2022.

**ADJOURNMENT**

Upon motion duly made, seconded and passed, the October 21, 2021 meeting was adjourned at 3:40 p.m.

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Ms. Kim Turk, Chair

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Ms. Rachael Goolsby, Treasurer