



NORTH CAROLINA BOARD of MASSAGE AND BODYWORK THERAPY

4140 ParkLake Avenue
Suite 100
Raleigh, NC 27612

OPEN SESSION MINUTES

December 8, 2022; 10:00 a.m. – 11:00 a.m.; 1:45 p.m.

**GlenLake One
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 December 8, 2022 at 10:00 a.m.

MEMBERS PRESENT

Ms. Kim Turk, Mr. Robert Reeves, Ms. Kay Warren, Ms. Valory Hicks, Dr. Christopher Grubb, Ms. Rachael Crawford and Ms. Tawanda Auston

MEMBERS ABSENT

Ms. Ella Price

OTHERS PRESENT

Mr. Charles Wilkins and Mr. Ben Thompson, Legal Counsel to the Board, Ms. Elizabeth Kirk, Administrative Director and Ms. Marley Clausing, 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. Ms. Hicks recused herself from discussion on Deante Hickman. There being no additional conflict, the agenda was approved.

APPROVAL OF MINUTES

The Board approved its minutes of October 21, 2022.

TREASURER'S REPORT

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

2021-2022 FINANCIAL AUDIT

The 2021-2022 Financial Audit was reviewed and approved as presented.

ADMINISTRATIVE REPORTS

Rules

There are no pending rules at the Rules Review Commission.

Practice Act

There are no pending amendments to the Practice Act.

Disciplinary Hearings

Mr. Wilkins informed the Board of proposed Consent Orders regarding: Brent Deskins for engaging in inappropriate sexual activities with a student enrolled at a school and whom he was teaching; Deante Hickman and Jothem Velez for engaging in inappropriate sexual contact with clients during massage and bodywork therapy sessions; Kathleen Knoll for providing massage and bodywork therapy services to clients while under the influence of alcohol and engaging in inappropriate conversation with her boyfriend during her shift; Xiu Li for aiding and abetting unlicensed practice; Leigh Withrow for violating criminal law during her first licensure period after being issued a conditional license.

The hearing scheduled for William Gross was postponed to the February meeting.

Ms. Kirk reported:

Licensee Report

20,760 have been issued.
10,064 active licenses.

Renewal Report

There are 5,392 licensees scheduled to renew for the 2023-2024 renewal period. 779 licensed expired December 31, 2020 and can renew by December 31, 2022. 3,864 therapists have renewed. An online license renewal reminder will be sent notifying licensees that their license will expire December 31, 2022.

Establishment Report

1,054 establishments have requested an application.
497 establishments have submitted an application.
297 establishment licenses have been issued.

COMMITTEE REPORTS

Policy Committee

Ms. Turk reported the Committee met November 1 and December 5, 2022, respectively, and discussed the matters set forth in the minutes of the Committee.

FSMTB

a. Massage Therapy Licensing Database (MTLD) program

The Committee discussed the MTLT program and the meeting with Merkle to review the database process in the Board office. Ms. Kirk informed the Committee that IT services is researching automation programs and will have additional information at a future committee meeting.

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.

Discussion on establishment licensure

The Committee discussed the email to establishment license applicants that included an enforcement date of November 30, 2022 and agreed to send a Letter of Reprimand with civil penalties and disciplinary costs to applicants that have not completed the application process. The Board agreed with the Committee's recommendation.

Review response to Alyssa Enriguez regarding training of employees in modalities

The Committee reviewed an email dated November 30, 2022 from Ms. Kirk to Ms. Enriguez regarding on the job training of employees in modalities.

Review email from Jared Cooper regarding scope of practice

The Committee reviewed an email dated October 13, 2022 from Jared Cooper regarding several scope of practice questions and agreed it is within the scope of practice of massage and bodywork therapy to (1) teach clients how to stretch or perform foam rolling; (2) perform stretches to the joints; (3) use Graston tools as part of their treatment; and (4) perform manual muscle testing on their clients so long as the massage and bodywork therapist is trained and competence and can demonstrate their training and competence. The Board agreed with the Committee's recommendation.

License Standards Committee

Ms. Crawford reported the Committee met December 6, 2022 and discussed the matters set forth in the minutes of the Committee.

School Approval Committee

No written report.

Communications Committee

No written report.

OLD BUSINESS

NC General Assembly Proposed Laws Affecting Licensing Boards

Mr. Wilkins reported there are no 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 2023 to discuss various massage and bodywork therapy school issues, online education and establishment licensure.

CLEAR

a. 2023 Winter Symposium

The 2023 Winter Symposium will be held in Savannah, Georgia, January 11, 2023.

b. 2023 International Congress

The 2023 International Congress will be held in Dublin, Ireland, May 3-5, 2023.

c. 2023 Annual Meeting

The 2023 Annual Educational Conference will be held in Salt Lake City, Utah, September 27-30, 2023.

FSMTB

a. 2023 Executive Summit

The 2023 Executive Summit will be held in Denver, Colorado, April 27-28, 2023.

b. November and December 2022 In Touch Newsletters

The Board reviewed emails dated November 1 and December 1, 2022, respectively, regarding the September and October “In Touch” newsletters.

c. 2023 Annual Meeting

The 2023 Annual Meeting will be held in San Diego, California, September 28-30, 2023.

Response to Jaime Hanisch regarding Piezowave2 therapy

The Board reviewed and approved a response from Ms. Kirk to Ms. Hanisch regarding Piezowave2 therapy.

Response to Angelo Zingaretti regarding shockwave therapy equipment

The Board reviewed and approved a response from Ms. Kirk to Mr. Zingaretti regarding shockwave therapy equipment.

Response to Joanne regarding Rule .0516

The Board reviewed and approved a response from Ms. Kirk to Joanne regarding Rule .0516.

Response to Cheryl Drake-Bowers regarding ScarWork™

The Board reviewed and approved a response from Ms. Kirk to Ms. Drake-Bowers regarding ScarWork™.

Review email from Mr. Wilkins to College of Wilmington regarding temporary operating approval

The Board reviewed and approved an email from Mr. Wilkins to College of Wilmington regarding temporary operating approval.

Review email from Mr. Wilkins to NC Massage School regarding temporary operating approval

The Board reviewed and approved an email from Mr. Wilkins to NC Massage School regarding temporary operating approval.

NEW BUSINESS

No new business.

PUBLIC COMMENT

The Board did not receive any written requests from the public to provide comments to the Board.

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 December 8, 2022 at 11:00 a.m.

RETURN TO OPEN SESSION

The Board returned to Open Session on October 21, 2022 at 1:45 p.m.

Deante Hickman

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

Kathleen Knoll

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

Xiu Li

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

Leigh Withrow

Ms. Turk reported Ms. Withrow’s Consent Order was approved with an amendment removing NCGS 90-633(a)(2).

Brent Deskins

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

William Gross

Ms. Turk reported Mr. Gross’ hearing was postponed to the February meeting.

Jothem Velez

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

ADJOURNMENT

Upon motion duly made, seconded and passed, the December 8, 2022 meeting was adjourned at 1:45 p.m.

Ms. Kim Turk, Chair

Ms. Kay Warren, Treasurer