



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 1900, Raleigh, NC 27601

OPEN SESSION MINUTES

December 13, 2012; 10:00 a.m. – 12:35 p.m.

**Wachovia Capitol Center Building
150 Fayetteville Street, 13th Floor Large Conference Room, Raleigh, NC 27601**

"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 December 13, 2012 at 10:00 a.m.

MEMBERS PRESENT

Dr. Edwin Preston, Ms. Darinda Davis, Ms. Candace Frye, Mr. Josh Herman, Ms. Renee Hays, Mr. David Bedington and Mr. Robby Brown.

MEMBERS ABSENT

None

OTHERS PRESENT

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

CHAIR

Dr. Preston

RECORDING SECRETARY

Ms. Welden

CONFLICT OF INTEREST

Dr. Preston asked if any Board member had any conflict of interest with any item on the meeting's agenda. Ms. Davis recused herself from any discussion or decision regarding Groupon. Mr. Herman recused himself from any discussion or decision regarding any of the Miller-Motte Colleges. There being no other conflict, the agenda was approved.

APPROVAL OF MINUTES

The Board approved its minutes of October 18, 2012.

TREASURER'S REPORT

The Treasurer's Report was reviewed and approved as presented. The Board reviewed the 2011-2012 Financial Audit.

ADMINISTRATIVE REPORTS

Mr. Wilkins reported:

New Rules

There are no rules scheduled for review.

Status of Amendments to Practice Act

There are no amendments to the Practice Act scheduled for consideration.

Disciplinary Hearings

There are no hearings scheduled for today.

Ms. Welden reported:

Licensee Report

12,614 licenses have been issued
8,253 active licenses

Renewal Report

There are 4,676 licensees scheduled to renew for the 2013-2014 renewal period as well as 498 expired licenses that can renew by December 31, 2012. To date 3,551 therapists have renewed. Online renewal pilot program participation letters were mailed to 100 licensees and 21 have renewed online.

COMMITTEE REPORTS

Policy Committee

Board of Chiropractic Examiners

Dr. Preston reported on his discussions with representatives of the Chiropractic Board about issues of mutual interest and a meeting was scheduled with Dr. Randy Shilsky, Secretary of the NC Board of Chiropractic Examiners. Dr. Shilsky was unable to attend so a meeting will be rescheduled for a later Policy Committee meeting.

Groupon

Dr. Preston reported on the use of Groupon or Living Social or similar companies wherein licensees are using those companies to discount massage and bodywork therapy services. Ms. Davis recused herself from the discussion. The Committee believes the licensee would be in violation of Rule .0511(3) and the licensee's business and ethical requirements if the licensee entered into an agreement with Groupon or Living Social or similar company to discount and/or split fees received for massage and bodywork therapy services. The Committee also reviewed this issue as a marketing tool for the therapist. The Committee reported to the Board a meeting will be scheduled with a Groupon representative to discuss the process of purchasing and using a Groupon. The issue remains in the Committee for further consideration.

I-Pads/Surface/Laptops

Dr. Preston reported the Committee discussed providing tablets or laptops for Board members. The Committee recommended to the Board that a maximum of \$750 be spent for each Board member and staff and to allow David Bedington and Devin Lushbaugh to recommend to the Board the tablet style device. Upon motion made, seconded and passed the Board agreed that a maximum of \$1250 be spent for each Board member and staff and to allow David Bedington and Devin Lushbaugh to recommend to the Board the type of tablet style device to purchase.

Applicant Missing Curricula

Dr. Preston reported the Committee reviewed Mr. Wilkins' memorandum of November 18, 2012 regarding the problem of missing curricula hours in applications for licensure. The Board agreed with the Committee's recommendation to send the Board-Approved schools in North Carolina seeking input on the issue since the solution to the problem may well involve the interest and ability of the schools to provide training and education in the missing curricula.

IASI

Dr. Preston reported the Committee is meeting with the IASI after the Board meeting.

Long Range Planning Retreat

Dr. Preston reported a long range planning retreat will plan to be scheduled in the Spring of 2014.

License Standards Committee

Mr. Bedington reported the Committee met December 12, 2012, and discussed the matters set forth in the minutes of the Committee.

School Approval Committee

Dr. Preston reported the Committee met by conference call on December 10, 2012, and discussed the matters set forth in the minutes of the Committee.

Miller-Motte College of Greenville

Dr. Preston reported on the Committee's review of Miller-Motte College of Greenville's MBLEx pass rates. The Board agreed the MBLEx pass rates for both first time takers and all takers has steadily improved over the past few years and were acceptable.

Miller-Motte College of Wilmington

Dr. Preston reported on the Committee's review of Miller-Motte College of Wilmington's attrition rate for its students. The report showed the attrition rate for students has steadily improved each year. The Board agreed the attrition rates were reasonable and acceptable.

NC Massage School

Dr. Preston reported the Committee reviewed the documentation required for NC Massage School. Upon motion made, seconded and passed, the Board approved NC Massage School.

2012-2014 School Renewals

Mr. Wilkins reported on the 2013 School Renewal Applications. Mr. Wilkins reported that school renewal applications were sent December 5, 2012 to the thirteen schools required to renew for 2013.

Applicant Missing Curricula

The applicant missing curricula issue was discussed in the Policy Committee report.

Dr. Preston acknowledged and thanked M&M Consulting for their excellent work with the schools.

Establishment Regulation Committee

No written report.

Communications Committee

Ms. Frye reported the 2013 Newsletter should be complete by the end of January 2013.

OLD BUSINESS

IPads/Surface for Board members

The IPads/Surface for Board members was discussed in the Policy Committee report.

NEW BUSINESS

AMTA Request for Clarification – Scope of Practice

The Board reviewed the November 13, 2012 letter from Donovan Griffith, Government Relations Program Manager for the AMTA, regarding the trial project to compile information regarding scope of practice issues. Upon motion made, seconded and passed, the Board agreed to refer this issue to the Policy Committee for further review.

NCBTMB misinformation

The Board reviewed the November 29, 2012 letter from Mike Williams, CEO of NCBTMB, regarding misinformation about the NCBTMB. Upon motion made, seconded and passed, the Board agreed to refer this issue to the Policy Committee for further review.

Applicant Missing Curricula

The applicant missing curricula issue was discussed in the Policy Committee report.

PUBLIC COMMENT

The Board received comments from the public.

CLOSED SESSION

Upon motion duly 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 at 11:50 p.m.

ADJOURNMENT

Upon motion duly made, seconded and passed, the meeting was adjourned at 12:35 p.m.

Dr. Edwin Preston, Chair

Josh Herman, Treasurer