



## **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**

*August 15, 2013; 10:00 a.m. – 4:35 p.m.*

**Wachovia Capitol Center Building  
150 Fayetteville Street, 13<sup>th</sup> 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 August 15, 2013 at 10:00 a.m.

#### **MEMBERS PRESENT**

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

#### **MEMBERS ABSENT**

Ms. Candace Frye and Ms. Renee Hays

#### **OTHERS PRESENT**

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

#### **CHAIR**

Dr. Preston

#### **RECORDING SECRETARY**

Ms. Kirk

#### **CONFLICT OF INTEREST**

Dr. Preston 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 June 13, 2013.

## **TREASURER'S REPORT**

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

## **2013-2014 BUDGET**

The Board reviewed the proposed budget and upon motion made, seconded and passed, approved its budget for July 1, 2013 through June 30, 2014.

## **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 is one hearing scheduled today at 1:00 p.m.

### **Consent Orders**

Mr. Wilkins informed the Board of complaints filed against Melissa Dawkins, Deborah Howard, Kammaleathahh Livingstone and Leigh Anne Martin for allegedly practicing with an expired license. The Board agreed to consider Consent Orders for all four complaints in Closed Session.

Ms. Welden reported:

### **Licensee Report**

13,211 licenses have been issued  
8,071 active licenses

### **Renewal Report**

Following the end of the 2013-2014 renewal period 687 therapists renewed late between November 1, 2012 and July 30, 2013 and received a Letter of Reprimand.

There are 4,178 licensees scheduled to renew for the 2014-2015 renewal period as well as 554 licenses that expired on December 31, 2011 and can renew by December 31, 2013. Online license renewal information was sent by email on July 18, 2013.

## **COMMITTEE REPORTS**

### **Policy Committee**

No written report.

### **License Standards Committee**

Mr. Brown reported the Committee met August 14, 2013, and discussed the matters set forth in the minutes of the Committee.

### **School Approval Committee**

No written report.

### **Establishment Regulation Committee**

Mr. Herman reported the Committee met by conference call on July 10, 2013, and discussed the matters set forth in the minutes of the Committee. The Board agreed to review Draft #6 for regulating establishments that employ or provide space to LMBTS. The Board agreed to review and propose any changes to Draft #6 for approval at the October Board meeting.

### **Communications Committee**

No written report.

## **OLD BUSINESS**

### **Missing curricula issue**

The Board reviewed an email dated June 14, 2013 from Holly Foster and an email dated July 17, 2013 from Kim Moore, addressing the missing curricula issue. Mr. Bedington reported the Board will send a letter to the proprietary schools and community colleges to get a list of schools willing to participate in accepting students who lack hours in their massage therapy education.

## **NEW BUSINESS**

### **2013 CLEAR Annual Educational Conference**

The 2013 CLEAR Annual Educational Conference will be held in St. Louis, Missouri, October 3<sup>rd</sup>-5<sup>th</sup>, 2013.

### **2013 CAC Annual Meeting**

The 2013 CAC Annual Meeting will be held in Seattle, Washington, October 29<sup>th</sup>-30<sup>th</sup>, 2013.

### **2013 FSMTB Annual Meeting**

The 2013 FSMTB Annual Meeting will be held in Baltimore, Maryland, October 10<sup>th</sup>-12<sup>th</sup>, 2013.

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

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

### **Art of Healing Tax**

The Board reviewed the email dated July 18, 2013 from Nancy Toner Weinberger regarding the Art of Healing tax. Upon motion made, seconded and passed, the Board agreed to refer this issue to the Policy Committee.

### **No CE requirements for Senior LMBTs**

The Board reviewed the email dated July 24, 2013 from Sue Ann MacArthur regarding reducing the hours or fees for CE requirements for Senior LMBTs. Upon motion made, seconded and passed, the Board agreed to refer this issue to the Policy Committee.

### **PUBLIC COMMENT**

The Board received comments from the public.

### **RECESS**

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

### **OPEN SESSION**

The Board returned to Open Session at 1:00 p.m.

### **DISCIPLINARY HEARINGS**

The Board conducted a disciplinary hearing regarding allegations Mr. Douglas Core engaged in inappropriate sexual activity with a client during a massage session. Mr. Core appeared and presented evidence.

### **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 at 3:15 p.m.

### **RETURN TO OPEN SESSION**

The Board returned to Open Session at 4:35 p.m.

**Melissa Dawkins**

The Board reported Ms. Dawkins's signed Consent Order was approved.

**Deborah Howard**

The Board reported Ms. Howard's signed Consent Order was approved.

**Kammaleathahh Livingstone**

The Board reported Ms. Livingstone's signed Consent Order was approved.

**Leigh Anne Martin**

The Board reported Ms. Martin's signed Consent Order was approved.

**Douglas Quiveron Core**

Dr. Preston reported the Board reviewed the evidence presented during Mr. Core's hearing and was of the opinion Mr. Core provided improper draping and engaged in inappropriate sexual activity with a client during a massage session. The Board Ordered that Mr. Core's license be revoked, however the revocation was suspended and he was placed on probation for one year on the conditions that he (1) complete six hours of continuing education with his 2014-15 renewal in professionalism, roles and boundaries and sexual misconduct, (2) not violate the Practice Act or Rules of the Board during his term of probation, (3) pay a civil penalty of \$500 and (4) pay costs of \$1000.

**Review Person's Moral Character Prior to Attending School**

Mr. Bedington brought up the idea of the Board reviewing a person's moral character and criminal record to advise whether the person's moral character would prevent the person from being licensed in North Carolina. Mr. Wilkins reported the Board does have a process for an in-depth review of a person's moral character and criminal past through an Application for Additional Examination of Moral Character that has been used when an applicant has a particularly troublesome moral or criminal history. The fee to review an Application for Additional Examination of Moral Character is \$150. While this review has been during the application process after a person has graduated from school, it could be used for persons who are deciding whether to attend massage and bodywork therapy school. The Board discussed the idea but no decision was made.

**ADJOURNMENT**

Upon motion duly made, seconded and passed, the meeting was adjourned at 4:35 p.m.

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Dr. Edwin Preston, Chair

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Josh Herman, Treasurer