



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

June 2, 2016; 10:00 a.m. – 3:20 p.m.

**Wells Fargo 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 June 2, 2016 at 10:00 a.m.

MEMBERS PRESENT

Dr. Ed Preston, Ms. Dianne Layden, Ms. Holly Foster, Ms. Kim Turk, Ms. Melissa Smith and Ms. Nancy Harrell

MEMBERS ABSENT

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

Ms. Foster

RECORDING SECRETARY

Ms. Kirk

CONFLICT OF INTEREST

Ms. Foster 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 April 21, 2016.

TREASURER'S REPORT

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

2016-2017 BUDGET

The 2016-2017 Budget was reviewed and approved as presented.

ADMINISTRATIVE REPORTS

Rules

There are no rules pending before the Rules Review Commission.

The Board agreed to amend Section .0600 of the Rules and Regulations of the Board to comply with United States Department of Education requirements that schools approved by the Board are postsecondary schools of higher education. Mr. Wilkins informed the Board the United States Department of Education should provide information on this matter in the near future, which will determine whether or not to amend Section .0600.

Status of Amendments to Practice Act

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

Disciplinary Hearings

There are no disciplinary hearings scheduled today.

Ms. Kirk reported:

Licensee Report

15,637 have been issued
8,626 active licenses

Renewal Report

There are 5,019 licensees scheduled to renew for the 2017-2018 renewal period. 751 licenses expired on December 31, 2014 and can renew by December 31, 2016. Online license renewal information will be sent by mail in July. The routine Continuing Education Audit was completed in March 2016 for 200 therapists who renewed online. A confirmation email was sent on March

31, 2016 to the licensees that submitted approved CEs. Nine licensees were contacted via email to provide additional information. All therapists have complied with the audit.

COMMITTEE REPORTS

Policy Committee

Ms. Foster reported the Committee met June 1, 2016, and discussed the matters set forth in the minutes of the Committee.

Continuing Education

Ms. Foster reported the Committee discussed the NCBTMB and FSMTB continuing education collaboration.

Chiropractic Board

Ms. Foster reported the Committee discussed a complaint filed with the Board regarding chiropractic assistants practicing massage and bodywork therapy. Ms. Foster informed the Board that Mr. Wilkins agreed to send a letter to the Chiropractic Board addressing issues with chiropractors and chiropractic assistants practicing massage and bodywork therapy.

FSMTB resolution discussion

Ms. Foster reported the Committee discussed providing a resolution to FSMTB regarding how elections are being held. Ms. Foster informed the Board that the Committee agreed not to submit a resolution but will submit a letter addressed to the Executive Director and President of the Board for FSMTB concerning the nominating and election process for FSMTB.

Polaris Project

Ms. Foster reported the Committee discussed the activities of the Polaris Project and the Human Trafficking Task Force. Upon motion made, seconded and passed, the Board agreed to cooperate with the Polaris Project regarding their activity with human trafficking issues.

Request from Jennifer Spencer regarding facial peels and topical preparations

Ms. Foster reported the Committee discussed an email dated May 24, 2016 from Jennifer Spencer regarding facial peels and topical preparations. Ms. Foster informed the Board that the Committee agreed that facial peels are not within the scope of practice of massage and bodywork therapy. Ms. Foster also informed the Board that the Committee agreed that topical preparations are defined in the Practice Act as preparations placed on the soft tissues of the human body for therapeutic, educational or relaxation purposes and not for cosmetology purposes.

The Board discussed and agreed with the recommendations of the Policy Committee.

License Standards Committee

Ms. Layden reported the Committee met April 22, 2016, and discussed the matters set forth in the minutes of the Committee.

Carol Slamowitz

Ms. Slamowitz appeared before the Board to appeal the decision by the License Standards Committee to deny her application for a license.

School Approval Committee

Ms. Turk reported the Committee met June 2, 2016, and discussed the matters set forth in the minutes of the Committee.

2016 School Renewals

The Committee reviewed the 2016 renewals received from the 11 schools required to renew this year along with the summaries and survey reported produced by M&M Consulting. Upon motion made, seconded and passed, the Board approved the following schools for one or two years as designated:

1. Maiden School of Massage and Bodywork Therapy - approved for 2 years
2. Medical Arts Massage School - approved for 1 year
3. Miller-Motte College of Cary - approved for 2 years
4. Miller-Motte College of Fayetteville – approved for 1 year
5. Miller-Motte College of Greenville – approved for 1 year
6. Miller-Motte College of Wilmington - approved for 1 year
7. Mount Eagle College & University – approved for 1 year; send Letter of Reprimand
8. North Carolina School of Advanced Bodywork – approved for 2 years
9. Southeastern Institute – approved for 2 years
10. Therapeutic Massage Training Institute - approved for 2 years
11. Western North Carolina School of Massage – approved for 1 year

The following nine schools did not have to renew in 2016 but are scheduled to renew in 2017 along with the above five schools that received a one-year renewal:

1. American and European Massage Clinic, Inc.
2. Asheville School of Massage & Yoga
3. Body Therapy Institute
4. Center for Massage & Natural Health
5. College of Wilmington
6. NC Massage School
7. Kneaded Energy School of Massage
8. Living Arts Institute
9. The Healing Arts & Massage School

Unscheduled site visits

Ms. Turk reported the Committee discussed M&M Consulting performing unscheduled site visits for massage and bodywork therapy schools. Upon motion made, seconded and passed, the Board agreed to send a letter to notify the massage and bodywork schools that unscheduled site visits may be taking place and allow M&M Consulting to provide unscheduled site visits for the Board approved schools.

Communications Committee

No written report.

Exemptions Ad Hoc Committee

No written report.

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.

2015 Strategic Planning Conference

Ms. Foster reported on the 2015 Strategic Planning Conference held at the Rizzo Conference Center in Chapel Hill, North Carolina, January 30th-31st, 2015. The Board agreed to keep the to-do list as an agenda item for reference for future Board meetings.

CLEAR 2016/17 meetings

The 2016 CLEAR Annual Educational Conference will be held in Portland, Oregon, September 14th-17th, 2016. The 2017 CLEAR International Congress will be held in Melbourne, Australia, November 16th-17th, 2017.

FSMTB 2016 Annual meeting

The 2016 FSMTB Annual meeting will be held in Cleveland, Ohio, October 6th-8th, 2016. Ms. Foster and Ms. Layden agreed to attend.

Response to Malcolm Macdonald regarding Jin Shin

The Board reviewed and agreed with the response by Mr. Wilkins to Malcolm Macdonald regarding Jin Shin.

Response to John Strand regarding Cymatherapy

The Board reviewed and agreed with the response by Mr. Wilkins to Mr. Strand regarding cymatherapy and the use of an AMI 750 Acoustic Meridian massage machine.

Response to Lisa Barr regarding IASI CE

The Board reviewed and agreed with the response by Mr. Wilkins to Ms. Barr regarding IASI CE.

Response to Carly Fulton regarding Mayan abdominal massage

The Board reviewed and agreed with the response by Mr. Wilkins to Ms. Fulton regarding Mayan abdominal massage.

Response to Sarah Schuetz regarding Ortho-Bionomy

The Board reviewed and agreed with the response by Mr. Wilkins to Ms. Schuetz regarding Ortho-Bionomy.

Response to Marinda Grundlingh regarding Trigger Point Therapy

The Board reviewed and agreed with the response by Mr. Wilkins to Ms. Grundlingh regarding Trigger Point Therapy.

Response to Sue Mac Arthur regarding reduction of fees for senior LMBTs

The Board reviewed and agreed with the response by Mr. Wilkins to Ms. Mac Arthur regarding reduction of fees for senior LMBTs.

NEW BUSINESS

Board elections

Upon appropriate nomination and vote, the Board elected Ms. Holly Foster to serve as Chair, Ms. Nancy Harrell to serve as Vice Chair and Ms. Dianne Layden to serve as Treasurer.

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 at 11:10 a.m.

RETURN TO OPEN SESSION

The Board returned to Open Session at 3:20 p.m.

Carol Slamowitz

The Board reported it affirmed the decision of the LSC and Ms. Slamowitz's application for a regular license will be denied.

Contract with Broughton, Wilkins, Sugg & Thompson, PLLC

The Board reported it reviewed and approved the 2016-2024 contract with Broughton, Wilkins, Sugg & Thompson, PLLC.

Budget Amendment

The Board reported it reviewed and amended the budget to reduce the Special Legal line item by \$20,000.

ADJOURNMENT

Upon motion duly made, seconded and passed, the meeting was adjourned at 3:20 p.m.

Ms. Holly Foster, Chair

Ms. Dianne Layden, Treasurer