



## **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 1910, Raleigh, NC 27601

### **OPEN SESSION MINUTES**

*February 15, 2018; 10:10 a.m. – 7:10 p.m.*

**Wells Fargo 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 February 15, 2018 at 10:00 a.m.

#### **MEMBERS PRESENT**

Ms. Dianne Layden, Ms. Renee Hays, Ms. Nancy Harrell, Ms. Kim Turk, Ms. Rachael Goolsby and Dr. Tim Taft

#### **MEMBERS ABSENT**

Ms. Holly Foster

#### **OTHERS PRESENT**

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

#### **CHAIR**

Ms. Harrell, Acting Chair

#### **RECORDING SECRETARY**

Ms. Kirk

#### **CONFLICT OF INTEREST**

Ms. Harrell 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 December 14, 2017.

### **TREASURER'S REPORT**

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

### **ADMINISTRATIVE REPORTS**

#### **Rules**

There are no rules currently at the Rules Review Commission. The Board reviewed the amendments to Rule .0302, .0401, .0902, .0905 and the adoptions of Rule .0405, .1001, .1002, .1003, .1004, .1005, .1006, .1007, .1008, .1009, .1010, .1011, .1012, .1013, .1014. Upon motion made, seconded and passed, the Board adopted the rules and agreed to send the rules to the Office of Administrative Hearings for publication in the NC Register to begin the rules review process.

#### **Status of Amendments to Practice Act**

There are no amendments to the Practice Act.

#### **Disciplinary Hearings**

Mr. Wilkins informed the Board of proposed Consent Orders regarding: Anthony Ariano, Freddy Barrios and Drew Selisker for practice massage and bodywork therapy without a current license; Scott Mayo for engaging in inappropriate sexual contact with a client; and Arnetta Sturdivant for aiding and abetting illegal massage and bodywork therapy practice. There are five disciplinary hearings scheduled for today.

Ms. Kirk reported:

#### **Licensee Report**

17,045 have been issued  
8,711 active licenses

#### **Renewal Report**

There are 4,017 licensees scheduled to renew for the 2018-2019 renewal period. 3,358 therapists have renewed. 2,612 therapists renewed online and 746 therapists renewed by mail. An online license renewal reminder was sent on December 19, 2017 notifying licensees that their license will expire December 31, 2017 and an expired notice was sent on January 5, 2018. The routine Continuing Education Audit has started for 200 therapists who renewed online.

## **COMMITTEE REPORTS**

### **Policy Committee**

Ms. Layden reported the Committee met February 14, 2018 and discussed the matters set forth in the minutes of the Committee.

#### **Continuing Education**

**a. Request from IASI regarding CE contract**

The Committee discussed the request from IASI to contract with the Board for continuing education. The Committee agreed to present the changes to Section .0700 of the Rules and Regulations of the Board to the representatives of IASI to see if the changes meet their request.

**b. Update on CE rules**

The Committee was informed by Board staff that the CE Ad/Hoc Committee has met to review Section .0700 of the Rules and Regulations of the Board and the amendments will be presented to the Board for approval.

#### **FSMTB**

**a. Regulatory Education and Competence Hub (REACH) program**

The Committee discussed the REACH program. Ms. Harrell and Ms. Foster were informed that FSMTB is developing a subject matter expert group consisting of representatives from NC Board approved schools and massage and bodywork therapy community college programs to assist in the development of the treatment planning/intake course.

**b. HT Task Force report response**

The Committee reviewed FSMTB's response to the AMTA and ABMP response to FSMTB's Human Trafficking report.

#### **Discussion on Reflexology**

The Committee reviewed the history of the reflexology exemption and agreed to keep this topic on the agenda for future discussion.

#### **Presentation by representatives from Massage Envy regarding stretch services**

The Committee met with representatives from Massage Envy to provide a presentation and discussion on their stretch services. The Committee agreed to continue discussion on this topic.

#### **Follow-up on meeting with Dianne regarding Board finances**

Ms. Layden informed the Board she met with Board staff to discuss the Board's current and future finances and the impact of licensure for massage and bodywork therapy establishments.

### **Email from Narcisa Woods regarding HT awareness signs**

The Committee discussed an email from Narcisa Woods regarding human trafficking public awareness signs. Mr. Wilkins agreed to provide a response to Ms. Woods regarding her questions.

### **Email from Deandra Marinova regarding pediatric massage**

The Committee discussed an email from Deandra Marinova regarding pediatric massage and agreed it does not need to be provided on the 'List of Modalities requiring Licensure' on the Board's website because it clearly falls within the definition of massage and bodywork therapy.

### **License Standards Committee**

No written report.

### **School Approval Committee**

No written report.

### **Communications Committee**

Ms. Turk reported the Committee submitted articles for the 2017 Winter Newsletter and the newsletter is available on the Board's website under the News and Announcements tab.

### **Continuing Education Ad Hoc Committee**

Ms. Harrell reported the Committee met January 30, 2018 and February 7, 2018, and discussed the matters set forth in the minutes of the Committee. The Board reviewed the amendments to Section .0700 of the Rules and Regulations of the Board. Upon motion made, seconded and passed, the Board adopted and agreed to send Rule .0701, .0702 and .0703 to the Office of Administrative Hearings for publication in the NC Register to begin the rules review process.

## **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.

### **2018 Strategic Planning Conference**

Ms. Harrell 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.

#### **a. Appearance of the LMBT license**

The Board discussed the appearance of the LMBT license and agreed to add a large watermark on the license displaying the years the license is current. The Board also discussed the need to provide all LMBTs with an original license and agreed to take off the reprint license button on the Board's website.

**b. Discussion on English proficiency**

The Board discussed concerns of English proficiency for individuals attending NC Board approved schools and massage and bodywork therapy community college programs and agreed to contact all of the programs to add a statement in their catalog and Student Enrollment Agreement that requires the student be proficient in the English language.

**c. Dry Needling**

The Board discussed whether or not dry needling is within the scope of practice of massage and bodywork therapy and agreed dry needling is not within the scope of practice of massage and bodywork therapy.

**CLEAR 2018 meeting**

The 2018 Annual Educational Conference will be held in Philadelphia, Pennsylvania, September 26-29, 2018. Ms. Layden agreed to attend.

**FSMTB**

**a. 2018 Annual meeting**

The 2018 FSMTB Annual meeting will be held in Salt Lake City, Utah, October 4-6, 2018.

**a. 2018 MBLEx development meeting**

The 2018 MBLEx exam development meeting will be held in Atlanta, Georgia, March 9-10, 2018. Ms. Harrell and Ms. Kirk agreed to attend.

**b. Changes to MBLEx Content**

The Board reviewed an email dated January 10, 2018 regarding upcoming changes to the MBLEx content.

**c. January and February In Touch Newsletters**

The Board reviewed an email dated January 3, 2018 and January 29, 2018, respectively, regarding the January and February In Touch Newsletters.

**Response to Delta Career Education Corporation and STVT-AAI Education, Inc. regarding temporary approval of Miller Motte College massage and bodywork therapy programs**

The Board reviewed the response by Mr. Wilkins to Delta Career Education Corporation and STVT-AAI Education, Inc. regarding temporary approval of Miller Motte College massage and bodywork therapy programs.

## **NEW BUSINESS**

### **2017 Winter Newsletter**

The Board reported the 2017 Winter Newsletter is available on the Board's website under the News and Announcements tab.

### **Spotlight Training: Human Trafficking Intelligence and Leads**

Ms. Kirk reported Ms. Kirk and Ms. Arnette attended a training in Raleigh, North Carolina on January 24, 2018 regarding the program developed by Spotlight assisting law enforcement in human and sex trafficking issues in this State.

### **Save My Seoul documentary presented by Polaris**

Ms. Layden reported Polaris presented a screening of the documentary Save My Seoul in Raleigh, North Carolina on February 8, 2018. Ms. Layden participated on the panel and Mr. Thompson, Ms. Kirk and Ms. Arnette attended the screening.

### **2018 NC Human Trafficking Commission meeting**

Ms. Layden reported the 2018 NC Human Trafficking Commission meeting will be held in New Bern, North Carolina on April 9-10, 2018 and in Charlotte, North Carolina in the summer of 2018.

## **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 on February 15, 2018 at 12:10 p.m.

## **RETURN TO OPEN SESSION**

The Board returned to Open Session on February 15, 2018 at 1:20 p.m.

### **Anthony Ariano**

The Board reported Mr. Ariano's Consent Order was approved.

### **Freddy Barrios**

The Board reported Mr. Barrios' Consent Order was approved.

**Scott Mayo**

The Board reported Mr. Mayo's Consent Order was approved.

**Drew Selisker**

The Board reported Mr. Selisker's Consent Order was approved.

**Arnetta Sturdivant**

The Board reported Ms. Sturdivant's Consent Order was approved.

**DISCIPLINARY HEARINGS**

**Tina Cao**

The Board conducted a disciplinary hearing regarding allegations of aiding and abetting illegal massage and bodywork therapy at her place of business. Ms. Cao appeared for the hearing with her attorney.

**Hong Jiang Cao**

The Board conducted a disciplinary hearing regarding allegations of aiding and abetting illegal massage and bodywork therapy. Mr. Cao appeared for the hearing with his attorney.

**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 February 15, 2018 at 3:05 p.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on February 15, 2018 at 3:35 p.m.

**Tina Cao**

Ms. Harrell reported the Board reviewed the evidence presented during Ms. Cao's hearing and was of the opinion Ms. Cao aided and abetted the illegal practice of massage and bodywork therapy. The Board Ordered that Ms. Cao's license be revoked and she pay a civil penalty of \$1000 and disciplinary costs of \$1000.

**Hong Cao**

Ms. Harrell reported the Board reviewed the evidence presented during Mr. Cao's hearing and was of the opinion Mr. Cao aided and abetted the illegal practice of massage and bodywork therapy. The Board Ordered that Mr. Cao be issued a conditional license and he pay a civil penalty of \$500 and disciplinary costs of \$250.

**Dan Cui**

The Board conducted a disciplinary hearing regarding allegations of aiding and abetting illegal massage and bodywork therapy. Ms. Cui appeared for the hearing.

**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 February 15, 2018 at 4:40 p.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on February 15, 2018 at 5:15 p.m.

**Dan Cui**

Ms. Harrell reported the Board reviewed the evidence presented during Ms. Cui's hearing and was of the opinion Ms. Cui aided and abetted the illegal practice of massage and bodywork therapy. The Board Ordered that Ms. Cui be issued a conditional license and she pay a civil penalty of \$1000 and disciplinary costs of \$1000.

**Amber Hou**

The Board conducted a disciplinary hearing regarding allegations of aiding and abetting illegal massage and bodywork therapy. Ms. Hou appeared for the hearing.

**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 February 15, 2018 at 6:50 p.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on February 15, 2018 at 7:00 p.m.

**Amber Hou**

Ms. Harrell reported the Board reviewed the evidence presented during Ms. Hou's hearing and was of the opinion Ms. Hou aided and abetted the illegal practice of massage and bodywork therapy. The Board Ordered that Ms. Hou's license be revoked and she pay a civil penalty of \$1000 and disciplinary costs of \$1000.

**Carson Glass**

The Board conducted a disciplinary hearing regarding allegations of inappropriate sexual contact with clients during massage and bodywork therapy sessions. Mr. Glass did not appear for the hearing.

**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 February 15, 2018 at 7:05 p.m.

**RETURN TO OPEN SESSION**

The Board returned to Open Session on February 15, 2018 at 7:10 p.m.

**Carson Glass**

Ms. Glass reported the Board reviewed the evidence presented during Mr. Glass' hearing and was of the opinion Mr. Glass engaged in inappropriate sexual contact with clients during massage and bodywork therapy sessions. The Board Ordered that Mr. Glass' license be revoked and that he pay a civil penalty of \$1000 and disciplinary costs of \$1000.

**ADJOURNMENT**

Upon motion duly made, seconded and passed, the meeting was adjourned at 7:10 p.m.

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Ms. Nancy Harrell, Vice-Chair

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Ms. Dianne Layden, Treasurer