



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 9, 2012; 10:00 a.m. – 1:55 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 August 9, 2012 at 10:00 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Ms. Candace Frye

OTHERS PRESENT

Mr. Charles Wilkins and Mr. Ben Thompson, Legal Counsel to the Board, Ms. Bonnie Kennedy, Administrative Director and Ms. Elizabeth Welden, 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. There being no conflict, the agenda was approved.

APPROVAL OF MINUTES

The Board approved its minutes of June 21, 2012.

TREASURER'S REPORT

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

2012-2013 BUDGET

The Board reviewed and upon motion made and seconded approved its budget for July 1, 2012- June 30, 2013.

ADMINISTRATIVE REPORTS

Mr. Wilkins reported:

New Rules

.0201(7)

Rule .0201(7), Application and Scope, is recommended for amendment to change the number of persons attesting to an applicant's good moral character from two to four. Upon motion made, seconded and passed, the Board approved the rule change.

.0206

Rule .0206, Background Investigation Required for Applicant, is recommended for amendment to provide clarification. Upon motion made, seconded and passed, the Board approved the rule change.

Mr. Wilkins informed the Board that of M&M Consulting had suggested clarification changes to several school rules. Dr. Preston referred M&M Consulting's suggested rules changes to the School Approval Committee for consideration.

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. Kennedy reported:

Licensee Report

12,245 licenses have been issued
7,783 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. License renewal packets were mailed June 15, 2012. Online renewal pilot program participation letters were mailed to 100 licensees. Online renewals for the pilot program will begin August 13, 2012.

COMMITTEE REPORTS

Committee Member Appointment List

Dr. Preston reviewed the 2012-2013 committee member appointment list. He informed the Board he had combined the Jurisprudence Learning Exercise Committee into the Communication Committee and the Licensing Board Coordination Committee into the Policy Committee.

Policy Committee

Dr. Preston reported on his meeting with Carol Hall, Executive Secretary for the NC Board of Chiropractic Examiners, to discuss concerns with chiropractors practicing massage and bodywork therapy. Dr. Preston informed the Board that Ms. Hall presented our concerns to the Chiropractic Board and the Board agreed to review the colleges of chiropractic medicine for clarification on whether massage and bodywork therapy is taught within the school programs. The guidelines for the Chiropractic Board currently include the term massage. Mr. Wilkins informed the Board, according to NCBMBT Practice Act, if chiropractic schools are teaching massage and bodywork therapy in their curriculum and massage and bodywork therapy is within the scope of practice of chiropractic in North Carolina, chiropractors who graduated from those programs could be exempt from being licensed as a massage and bodywork therapist.

Dr. Preston reported he, Mr. Wilkins and Mr. Herman will attend the Annual FSMTB meeting and will presenting the Board's Resolution regarding continuing education providers and its letter regarding the FSMTB accepting donations from non-member entities. The meeting will also be an opportunity for the Board's representatives to review the proposed MOCC program.

License Standards Committee

Mr. Brown reported the Committee met June 21, 2012, and discussed the matters set forth in the minutes of the Committee.

School Approval Committee

Ms. Davis reported on the Committee's review of the site visit report from M&M Consulting of Kneaded Energy School of Massage. The Committee agreed it was a good report and it was accepted.

Establishment Regulation Committee

Mr. Herman reported the Committee met August 2, 2012, and discussed the matters set forth in the minutes of the Committee. The Board reviewed the proposed rules for regulating establishments that employ or provide space to LMBTs. Ms. Davis made two suggestions to the proposed rules: 1) require the establishment license be posted, and 2) that records be kept of services provided. Upon motion made, seconded and passed, the Board agreed to refer the proposed rules back to the Committee for further discussion.

Communications Committee

Ms. Davis advised the Board there are no new updates on the video. The webpage for the Public Education Campaign is still being developed.

OLD BUSINESS

Public Education Campaign

Ms. Davis reported on the public education campaign in the Communication Committee report.

Council on Licensure, Enforcement and Regulation (CLEAR)

The CLEAR Annual Meeting will be held September 6-8, 2012 in San Francisco, CA.

FSMTB Annual Meeting

The FSMTB Annual Meeting will be held September 27-29, 2012 in New Orleans, LA. Dr. Preston, Mr. Herman and Mr. Wilkins are scheduled to attend.

FSMTB

The Board discussed its resolution to the FSMTB regarding Continued Education. The Board also discussed its concern that the NCB does not have a category in its List of Categories that speaks to providers creating or giving courses on public safety.

Mr. Wilkins reported the Board has not received a response from the FSMTB to the Board's letter expressing its concern about the FSMTB accepting donations from non-member entities.

NEW BUSINESS

2012-2013 Board Meeting Dates

The 2012-2013 Board meeting dates were reviewed. Upon motion made, seconded and passed, the 2012-2013 Board meeting dates were approved.

Groupon

The Board reviewed an email regarding healthcare practices, such as massage and bodywork therapy, utilizing Groupon or similar business generation services. The Board discussed Groupon services may be similar to offering gift certificates but could still be a concern since a third party is involved. Dr. Preston referred the issue to the Policy Committee for further consideration.

PUBLIC COMMENT

The Board received comments from the public.

Joe Neal Martin

Mr. Wilkins reported on Mr. Martin's criminal case and the proposed Consent Order. Upon motion made, seconded and passed, the Board agreed to the signed Consent Order.

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 12:10 p.m.

OPEN SESSION

The Board returned to Open Session at 1:10 p.m.

Board Computers

Mr. Wilkins suggested using Dropbox for future Board and Committee packets. The Board agreed Dropbox would be a good way to review Board and Committee documents. The Board also discussed the Board providing computers to Board members for use on Board matters. Mr. Bedington agreed to research different computer options and provide feedback to the Board.

Social Media

The Board discussed increasing and improving its use of social media via Facebook and LinkedIn. The Board agreed more Board information should be made available for the public and licensees.

ADJOURNMENT

Upon motion duly made, seconded and passed, the meeting was adjourned at 1: 55 p.m.

Dr. Edwin Preston, Chair

Josh Herman, Treasurer