



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 10, 2015; 10:00 a.m. – 2:15 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 December 10, 2015 at 10:00 a.m.

MEMBERS PRESENT

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

Ms. Foster welcomed Ms. Smith and Ms. Turk to the Board and administered the Oath of Office to each.

MEMBERS ABSENT

None

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 October 15, 2015.

TREASURER'S REPORT

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

2014-15 FINANCIAL AUDIT

The 2014-15 Financial Audit was reviewed and approved as presented.

ADMINISTRATIVE REPORTS

Rules

Rules .1001-.1015

The Rules Review Commission objected to Rules .1001-.1015 at their September 17, 2015 meeting due to lack of statutory authority. The Board agreed to table the establishment regulation rules.

Status of Amendments to Practice Act

There are no amendments to the Practice Act scheduled for consideration. The General Assembly is currently not in session but is scheduled to return April 25, 2016.

Disciplinary Hearings

There was one hearing scheduled today but it was resolved with a Letter of Reprimand with Civil Penalty and Disciplinary Costs.

Ms. Kirk reported:

Licensee Report

15,262 have been issued
8,842 active licenses

Renewal Report

There are 3,757 licensees scheduled to renew for the 2016-2017 renewal period. 570 licenses expired on December 31, 2013 and can renew by December 31, 2015. 2,741 therapists have

renewed. 1,955 therapists renewed online and 786 therapists renewed by mail. An online renewal reminder email was sent on October 27, 2015 and will be sent again in December.

Website Updates

The request for Applications, License Verifications, Duplicate Certificates and Mailing Lists are available on the Board's website for online submission and payment.

COMMITTEE REPORTS

Policy Committee

Ms. Foster reported the Committee met December 9, 2015, and discussed the matters set forth in the minutes of the Committee.

Update on Establishment Regulation rules

Ms. Foster reported the Committee discussed the decision of the Rules Review Commission to object to Rules .1001-.1015 at their September 17, 2015 meeting. The Committee recommended and the Board agreed not to pursue the establishment regulation rules with the Rules Review Commission.

Continuing Education

Ms. Foster reported the Committee reviewed and discussed drafting language for a continuing education contract. Ms. Foster informed the Board the Committee will continue to work on the contract and present draft language at a future Board meeting.

Meeting with Shane Hall and Marcia Mann, CE Broker

Ms. Foster reported the Committee met with Shane Hall and Marcia Mann from CE Broker to discuss the continuing education services they provide to different state licensing boards.

Meeting with Lorena Haynes, CE Director for FSMTB

Ms. Foster reported the Committee met with Lorena Haynes, CE Director for FSMTB, to discuss the license renewal program, the Regulatory Education and Competence Hub (REACH) and the Massage Therapy Licensing Database (MTLD).

Request from Rick Rosen – include email addresses on mailing list

Ms. Foster reported the Committee reviewed an email dated November 27, 2015 from Rick Rosen requesting to include email addresses on the Board's mailing list. The Board agreed to uphold their decision, after a previous request from a CE provider, not to include email addresses on the Board's mailing list.

License Standards Committee

Ms. Layden reported the Committee will meet December 11, 2015.

Feng Lee

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

School Approval Committee

The Committee has not met since the last Board meeting. Mr. Wilkins reported the Center for Massage and Natural Health has submitted an application for change of ownership, were granted a temporary approval for 180 days pursuant to Rule .0631 and are working with the Department of Education to meet requirements set forth in their rules. The Committee is also reviewing a report by M&M Consulting regarding a recent site visit to Mt. Eagle Institute and may decide to meet with the school's owner and massage school director. Mr. Wilkins reported the 2015-2016 School Renewal Applications will be emailed in December.

Communications Committee

Ms. Harrell reported the Committee met November 16, 2015, and discussed the matters set forth in the minutes of the Committee.

Web Developer

Ms. Harrell reported the Committee met with Devin Lushbaugh, IT services for the Board, to discuss creating a reactive website and will continue discussion with Mr. Lushbaugh regarding the cost and timeframe to make the changes to the website.

Foreign language newspaper ads

Ms. Harrell reported the Committee developed an article to publish in select foreign language newspapers. Ms. Harrell informed the Board that the article has been posted in the Korean newspaper and Board staff has been in contact with various Chinese and Russian newspapers regarding the cost of putting the article in their newspapers. The Board agreed to place the article on the Board's website under the Consumer Resources tab. The Board also agreed to assist the NC Human Trafficking Commission by providing the commission with information, as requested. Upon motion made, seconded and passed, the Board agreed to allocate up to \$8,000 to publish the article in the foreign language newspapers over the next several months.

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. Board staff has indicated the items that have been completed and will continue to update the to-do list.

CLEAR 2016/17 meetings

The 2016 CLEAR Winter Symposium will be held in Savannah, Georgia, January 6, 2016. The Raleigh Regional Symposium will be held in Raleigh, North Carolina, in early 2016. The 2016 CLEAR Annual Educational Conference will be held in Portland, Oregon, September 17th-19th, 2016. The 2017 CLEAR International Congress will be held in Melbourne, Australia.

FSMTB 2016 Annual meeting

The 2016 FSMTB Annual meeting will be held in Cleveland, Ohio, October 6th-8th, 2016.

FARB 2016 Annual meetings

The 2016 FARB Forum will be held in Clearwater Beach, Florida, January 28th-31st, 2016. The 2016 FARB Regulatory Law Seminar will be held in Chicago, Illinois, September 29th-October 2nd, 2016. The 2017 FARB Forum will be held in San Antonio, Texas, January 26th-29th, 2017.

NEW BUSINESS

File sharing application

The Board discussed concerns on space for the Dropbox application used for Board business. The Board also discussed creating email addresses for each Board member specific for Board business. The Board agreed this issue should be reviewed by the Policy Committee for review and recommendation.

PUBLIC COMMENT

The Board received comments from the public.

RECESS FOR LUNCH

The Board recessed for lunch at 11:55 a.m.

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 12:40 p.m.

RETURN TO OPEN SESSION

The Board returned to Open Session at 2:15 p.m.

Zhe Li

The Board reported Ms. Li's application will be denied and affirmed the decision of the Board at its October 15, 2015 meeting.

Feng Lee

The Board reported Ms. Lee's application will be denied and affirmed the decision of the LSC.

ADJOURNMENT

Upon motion duly made, seconded and passed, the meeting was adjourned at 2:15 p.m.

Ms. Holly Foster, Chair

Ms. Nancy Harrell, Treasurer