



## **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**

*February 18, 2016; 10:00 a.m. – 3:05 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 18, 2016 at 10:00 a.m.

#### **MEMBERS PRESENT**

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

#### **MEMBERS ABSENT**

Ms. Nancy Harrell

#### **OTHERS PRESENT**

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

#### **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 December 10, 2015.

### **TREASURER'S REPORT**

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

### **ADMINISTRATIVE REPORTS**

#### **Rules**

There are no rules pending review by the Rules Review Commission.

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

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

#### **Disciplinary Hearings**

Mr. Wilkins informed the Board of complaints filed against Carrie Bobis and Cecilia Hatley for practicing with expired licenses and against Guy Wachob for engaging in inappropriate sexual activity during a massage and bodywork therapy session. Consent Orders were signed by Ms. Bobis and Mr. Wachob but Ms. Hatley informed the Board she will not sign the proposed Consent Order. The Board agreed to consider the proposed Consent Orders in Closed Session. There was one hearing scheduled today but it will be continued to the April 2016 Board meeting.

Ms. Kirk reported:

#### **Licensee Report**

15,429 have been issued  
8,355 active licenses

#### **Renewal Report**

There are 3,757 licensees scheduled to renew for the 2016-2017 renewal period. 3,085 therapists have renewed. 2,177 therapists renewed online and 908 therapists renewed by mail. 479 Letters of Reprimands were mailed in January and February 2016 for therapists who renewed after November 1, 2015. The routine Continuing Education Audit will begin this month for 200 therapists who renewed online.

## **COMMITTEE REPORTS**

### **Policy Committee**

Ms. Foster reported the Committee met February 17, 2016, and discussed the matters set forth in the minutes of the Committee.

#### **Continuing Education**

Ms. Foster reported the Committee met with CE Broker at their December meeting and recommended that the Board not pursue the use of CE Broker for continuing education services. Ms. Foster reported the Committee agreed to continue discussion on a contract proposal with NCBTMB, FSMTB and other entities interested in contracting with the Board. 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.

#### **Board email addresses/Dropbox application**

Ms. Foster reported the Committee discussed requiring Board email addresses for each Board member. Board staff will work with IT services, to develop an email address for each Board member. Ms. Foster also reported the Committee discussed issues with limited storage with the current Dropbox application and informed the Board that Board staff will research the use of the Dropbox Business application.

#### **Email from Kymber Owens – Ayurvedic Massage & Bodywork Therapies**

Ms. Foster reported the Committee reviewed an email dated January 10, 2016 from Kymber Owens regarding the practice of Ayurvedic Massage and Bodywork Therapies. Mr. Wilkins agreed to develop a response email for the Committee to review on this issue based upon the statutory definition of massage and bodywork therapy.

#### **Email from Malcolm Macdonald – Jin Shin**

Ms. Foster reported the Committee reviewed an email dated February 4, 2016 from Malcolm Macdonald regarding the practice of Jin Shin. Upon motion made, seconded and passed, the Board agreed that Jin Shin is within the scope of practice of massage and bodywork and will be added to the 'List of Modalities Requiring Licensure' on the Board's website.

#### **Polaris Project – Massage Industry Training**

Ms. Foster reported the Committee reviewed a power point developed by the Polaris Project on human trafficking in illicit massage businesses.

#### **Email from Kim Moore regarding a requested from the NQC**

Ms. Foster reported the Committee reviewed an email dated February 16, 2016 from Kim Moore regarding a request from the NQC to add a list of community colleges on the 'Board Approved

Schools' tab on the Board's website. Mr. Wilkins responded to Ms. Moore's email to propose adding a link on the Board's website to a list that will be maintained by the Community College System, of community colleges that offer massage therapy training.

### **License Standards Committee**

Ms. Layden reported the Committee met December 11, 2015, and discussed the matters set forth in the minutes of the Committee.

#### **Jomil Alexander**

Mr. Alexander appeared before the Board to appeal the decision by the License Standards Committee to deny his application for a license.

#### **Jessica Knapp**

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

#### **Barry Martin**

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

#### **Alan Paduano**

Mr. Paduano appeared before the Board to appeal the decision by the License Standards Committee to deny his application for a license.

#### **Jackie Quick**

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

### **School Approval Committee**

Ms. Hayes reported the Committee met February 18, 2016, and discussed the matters set forth in the minutes of the Committee.

#### **2016 Renewals**

Ms. Hayes reported the Committee reviewed the list of schools required to renew in 2016. School Renewal Applications are due March 1, 2016.

#### **Meeting with Mount Eagle College & University**

Ms. Hayes reported the Committee met with Dr. Melinda Sellers and Dr. Dorothy Mmanywa from Mount Eagle College & University to discuss the recent site visit and issues identified in the site visit.

### **Communications Committee**

The Committee has not met since the last Board meeting. Ms. Foster reported the Winter 2015 Newsletter is complete and posted on the Board's website under the News and Announcements tab. A mass email was sent to all currently licensed therapists providing this announcement. Ms. Kirk informed the Board that the article for the foreign language newspapers have been posted in two Korean newspapers and one Russian newspaper. Ms. Kirk will follow-up with the Chinese newspaper since there has not been any communication from the newspaper since the last meeting. Ms. Kirk also informed the Board that the articles are available on the Board's website under the Consumer Resources page.

### **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 30<sup>th</sup>-31<sup>st</sup>, 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 CLEAR Raleigh Regional Symposium will be held in Raleigh, North Carolina, March 24<sup>th</sup>, 2016. The 2016 CLEAR Annual Educational Conference will be held in Portland, Oregon, September 14<sup>th</sup>-17<sup>th</sup>, 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 6<sup>th</sup>-8<sup>th</sup>, 2016. Ms. Foster informed the Board to discuss whether or not they want to submit a resolution to FSMTB to be reviewed at the annual meeting.

#### **FARB 2016/17 meetings**

The 2016 FARB Regulatory Law Seminar will be held in Chicago, Illinois, September 29<sup>th</sup>-October 2<sup>nd</sup>, 2016. The 2017 FARB Forum will be held in San Antonio, Texas, January 26<sup>th</sup>-29<sup>th</sup>, 2017.

### **NEW BUSINESS**

#### **June 2016 Board meeting date**

The Board discussed the June 2016 Board meeting date. Upon motion made, seconded and passed, the Board agreed to change the June 9, 2016 meeting date to June 2, 2016.

### **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 12:00 p.m.

### **RETURN TO OPEN SESSION**

The Board returned to Open Session at 3:05 p.m.

#### **Jomil Alexander**

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

#### **Jessica Knapp**

The Board reported Ms. Knapp's application will be denied and affirmed the decision of the LSC. The Board agreed she may reapply and the Board will reconsider her application in two years.

#### **Barry Martin**

The Board reported Mr. Martin will be issued a conditional license requiring a criminal history background check at his first renewal.

#### **Alan Paduano**

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

#### **Jackie Quick**

The Board reported Ms. Quick will be issued a regular license providing she provides proof of completing five hours of ethics and twenty hours of psychological concepts.

#### **Carrie Bobis**

The Board reported Ms. Bobis' signed Consent Order was approved.

#### **Cecilia Hatley**

The Board reported Ms. Hatley did not agree to the Consent Order so a Notice of Hearing and Consent Order will be sent for the April 2016 Board meeting.

**Guy Wachob**

The Board reported Mr. Wachob's signed Consent Order was approved.

**Rashawn Bowman**

The Board reported Mr. Bowman was not served with the Notice of Hearing and Consent Order for the February 2016 Board meeting so a Notice of Hearing and Consent Order will be sent for the April 2016 Board meeting.

**ADJOURNMENT**

Upon motion duly made, seconded and passed, the meeting was adjourned at 3:05 p.m.

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Ms. Holly Foster, Chair

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Ms. Nancy Harrell, Treasurer