

NORTH CAROLINA BOARD of MASSAGE & BODYWORK THERAPY



Regulating the practice of massage and bodywork therapy and its educational institutions, for the protection of the public.

2013 NEWSLETTER

Message from the Board Chair, Ed Preston M.D.

2013 was a busy year and much was accomplished. Some issues the Board is currently working on are: (1) how to evaluate and monitor the competence of continuing education providers and the appropriateness of continuing education courses. Several national entities, including the Federation of State Massage Boards, have begun efforts to address these issues and the Board is fully supportive; (2) the problem faced by therapists from other states who choose to relocate in North Carolina but are unable to meet all the educational standards in North Carolina. The Board, working internally and with the assistance of public and private massage therapy schools, is completing workable solutions to this issue; (3) making it possible for licensees to renew their license online. Further online developments will be coming in 2014; (4) the project undertaken by the Board to reduce the use of paper and move to a digital format is now well underway. This is an efficient way for the Board to address its various responsibilities and it also results in a significant cost saving; (5) the long-term project of improving public education about massage and bodywork therapy is proceeding well; (6) the Board continues to work with other agencies and licensing boards on matters of mutual concern; (7) the Board continues to recommend that LMBTs obtain their Art of Healing license from the North Carolina Department of Revenue. The Board is advised the Department of Revenue's rule exempting masseuses and masseurs from this license is in the process of being removed by the North Carolina Department of Revenue; and (8) lastly, the Board is concerned about human trafficking in the State as well as in the entire country. It is apparent that conditions allowing this activity are present in North Carolina in questionable establishments that offer massage and bodywork therapy services. In order to better protect the public, the Board is seeking authority to put in place a regulatory and oversight procedure for establishments.

As you can see from the above, 2014 will be another busy year for the Board. We appreciate the support of the LMBTs in North Carolina on the various initiatives of the Board and welcome your comments and suggestions.

INTRODUCING ONLINE LICENSE RENEWAL

For licensees renewing their license in 2014, the task has become easier. Beginning August 1, 2014, licensees will have the option to renew online. Information about the online renewal is currently on the Board website. To complete your online renewal you will need the following:

1. Your LMBT license number
2. The last four digits of your social security number
3. A minimum of 24 continuing education contact hours of approved continuing education
4. A valid MasterCard, Visa or debit card with an expiration date, security code, and complete billing address

The Board is accepting credit cards for online renewal only. The Board does not keep or store your credit card information. Transactions are processed through a secure payment site. Because the Board is sensitive to the privacy and interests of licensees and believes that the protection of the licensee's financial information is a significant responsibility, a privacy policy has been adopted which is available on the website.

The easy three page online renewal process can be reviewed in detail on the Board website. The process should take about 15 to 20 minutes.

- Renewal Page One (1) updates personal and employment information.
- Renewal Page Two (2) is for entering continuing education hours.
- Renewal Page Three (3) contains a declaration of moral character questions.

Each page must be completed in order for the renewal process to continue. Upon completion of the information and payment of the \$100.00 renewal fee, the licensee will be able to print a copy of their license. The licensee will have access to other online services during the year, including:

Manage My Profile:

Contains your personal and employment information from the Board's files. The licensee will be able to review and correct that information during the year so the Board's information can be kept current.

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NEW BOARD MEMBERS

Governor Pat McCrory appointed Holly A. Foster of Yadkin County and Dianne Layden of Perquimans County to the positions previously held by Candace Frye and Robert Brown, respectively. Their terms began October 11, 2013 and expire June 30, 2016.

Holly Foster:

Holly A. Foster, LMBT was born and raised in Maryland. She served in the U.S. Navy from 1981-1989 as a Hospital Corpsman (HM3). She earned her bachelor's degree from Wake Forest University in 1996, where she double majored in history and education. She has been an educator for the majority of her working life.

Mrs. Foster was the youngest enlisted person to complete and lead the U.S. Navy Equal Employment Opportunity courses in Groton, Connecticut, and was the training manager for Wake Forest University's International Center for Computer Enhanced Learning, working with publishers, faculty, staff, and students to create electronic textbooks and digital course content. She also organized and led Wake's "Laptops for Teachers" education programs.

She has been a NC Licensed Massage and Bodywork Therapist for over 12 years. She is currently the Program Coordinator for Wilkes Community College's Therapeutic Massage Program.

Mrs. Foster lives in Boonville, NC with her husband of 21 years, Jeffrey T. Foster.

Dianne Layden:

Dianne Layden was born and raised in Belvidere, NC.

After graduating high school, she attended UNC-Greensboro majoring in Adaptive Physical Education. During this time Ms. Layden taught at schools for the mentally retarded and muscular dystrophy along with an internship in the physical therapy department of Moses Cone Hospital.

Later, Ms. Layden attended College of the Albemarle to complete a degree in business computer programming. She graduated Summa Cum Laude. This degree led to employment as a computer systems administrator at Davidson County Community College and Pamlico County Community College as well as Hipage, Inc. in Norfolk, VA.

In 1992, Ms. Layden became employed at Albemarle Hospital in Elizabeth City, NC as a quality assurance analyst. Her concentration was in credentialing of physicians.

Since retiring, Ms. Layden has enjoyed friends and interacting with her dogs and cats. She serves as a member of the Friends of the Tri-County Animal Shelter, Chairman of the Perquimans County Republican Party, and assistant treasurer of the District and County Chairman's Association.

NEW BOARD OFFICERS

The Board, at its June 2013 meeting, elected the following officers:

Chair – Dr. Ed Preston
Vice Chair – Darinda Davis
Treasurer – Josh Herman

KEEP INFORMATION UP TO DATE

To optimize communications between the Board and licensees, please email your current email address to the Board at admin@bmbt.org.

2014 BOARD MEETING DATES

February 27, 2014
April 10, 2014
June 5, 2014
August 21, 2014
October 16, 2014
December 11, 2014

Board meetings are held in the large conference room on the 13th floor of the Wells Fargo Capitol Center at 150 Fayetteville St., Raleigh, NC 27601. Meetings begin at 10:00 am and are open to the public. There is a 15 minute period of Public Comment at the end of each meeting. Those interested in addressing the Board must sign up in person before the start of a meeting.

NCCAOM EXAMINATION

The Board has been notified the NCCAOM has ceased giving the Asian Bodywork Therapy examination. The Board's Guidelines will be amended to reflect that action.

ADMINISTRATIVE DIRECTOR'S REPORT

Licenses currently active..... 7,827
Licenses issued
through 12/31/2013 13,617

ESTABLISHMENT REGULATION

In late 2011, the North Carolina Board of Massage and Bodywork Therapy (Board) began looking into the need to regulate establishments that employ or contract with persons to provide or otherwise offer massage and bodywork therapy services to the public. The need for this was determined after the Board had received complaints about unlicensed persons being hired and allegations of other illegal activity in violation of State laws including the Massage and Bodywork Therapy Practice Act. The Board determined the conversation needed to begin to create rules that would require entities that provided massage and bodywork therapy services to be fully aware of the laws governing the practice.

The Establishment Regulation Committee (ERC) was established at the Board's December 2011 meeting. In February of 2012, the ERC held its first meeting to review best practices from other states who regulate establishments as part of their practice acts.

The ERC created a list of survey questions that were submitted to each of these states. The responses were utilized to help develop the first draft of proposed Establishment Regulation rules for North Carolina. This first draft was discussed at the April 2012 public meeting of the Board. Several therapists who were in attendance, provided constructive feedback on how some of the wording of the draft would potentially affect the profession.

With these new perspectives, the ERC went back to committee to clarify and modify the language of the proposed rule. Six more drafts were to follow. The Board plans to finalize the proposed Establishment Regulation Rules and submit for publication, consideration and discussion in 2014.

PUBLIC EDUCATION CAMPAIGN

During their retreat in 2010, the North Carolina Board of Massage and Bodywork Therapy determined that the general public needed to be made more aware of the laws governing the practice of Massage and Bodywork Therapy in North Carolina. One of the action items decided by the Board was for the Communication Committee to create and implement a Public Awareness Campaign.

To begin its Public Awareness Campaign, the Communication Committee created a Consumer Resource page on the www.BMBT.org website. This page contains frequently asked questions that the general public may have about the practice of Massage and Bodywork Therapy in North Carolina. On the website, there is also a link to the online verification page that enables an individual to be sure their therapist is practicing with an active and unencumbered license.

Another decision the Communication Committee and Board made was to create a series of brief Public Service Announcement videos. It was determined that the initial Public Service Announcement campaign would consist of 4 videos. Each video would be 3 - 5 minutes long. The topics chosen were (1) "How to find a Licensed Massage & Bodywork Therapist"; (2) "What you should know before receiving your first massage"; (3) "How to file a complaint with the Board"; and (4) "What is the difference between being licensed and certified?" These videos are currently in production.

DISCIPLINARY ACTIONS TAKEN BY THE BOARD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013

The Board is authorized to investigate complaints and institute disciplinary actions, as set forth in Section .0900 of the Rules.

SUPERIOR COURT HEARINGS:

Benford Walter Payne - Following a hearing scheduled for October 17, 2013, upon allegations of engaging in improper sexual contact with a client during a massage and bodywork therapy session, the Board Ordered that Mr. Payne's license be revoked and he pay a civil penalty of \$1000 and cost of \$250. Mr. Payne has appealed the Board's Order to the Superior Court of New Hanover County and the case is pending.

HEARINGS BEFORE THE BOARD:

Douglas Quiveron Core – Following a hearing scheduled for August 15, 2013, upon allegations of improper draping and inappropriate sexual activity with a client during a massage session, the Board Ordered that Mr. Core's license be placed on probation for one year, he complete six additional hours of continuing education and he pay a civil penalty of \$1000 and cost of \$500.

Mehmet Fahri Pasli – Following a hearing scheduled for October 17, 2013, upon allegations of engaging in improper sexual contact with a client during a massage and bodywork therapy session, the Board Ordered that Mr. Pasli's license be revoked and he pay a civil penalty of \$1000 and cost of \$250.

Yanhui Zhang - Following a hearing scheduled for October 17, 2013, upon allegations of engaging in inappropriate sexual activity with a client during a massage and bodywork therapy session and aiding and abetting illegal massage and bodywork therapy activity at Yucca Foot Spa, the Board Ordered that Ms. Zhang's license be revoked and she pay a civil penalty of \$1000 and cost of \$500. Upon motion of Ms. Zhang, the Board's Order is being reconsidered.

CONSENT ORDERS:

Jason Goldsmith - Prior to a hearing scheduled for February 21, 2013, Mr. Goldsmith entered into a Consent Order for engaging in sexual activity with a client during a massage and bodywork therapy session whereby his massage and bodywork therapy license was revoked and he agreed to pay a civil penalty of \$1000 and cost of \$250.

Rosemary Abrantes Aslund – Prior to a hearing scheduled for February 21, 2013, Ms. Aslund entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Naomi Sarah Clark – Prior to a hearing scheduled for February 21, 2013, Ms. Clark entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Joy Campbell – Prior to a hearing scheduled for February 21, 2013, Ms. Campbell entered into a Consent Order for practicing massage and bodywork therapy without a current

license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Chadwyck Gary Johnson – Prior to a hearing scheduled for April 18, 2013, Mr. Johnson entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby he agreed to pay a civil penalty of \$1000 and cost of \$500.

Laura Deen Ross - Prior to a hearing scheduled for April 18, 2013, Ms. Ross entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Christina Pendry - Prior to a hearing scheduled for April 18, 2013, Ms. Pendry entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Shasta Leslie - Prior to a hearing scheduled for April 18, 2013, Ms. Leslie entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

AutumnRose Driscoll - Prior to a hearing scheduled for April 18, 2013, Ms. Driscoll entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Daniel Joseph Turner - Prior to a hearing scheduled for April 18, 2013, Mr. Turner entered into a Consent Order for engaging in sexual activity with a client during a massage and bodywork therapy session whereby his massage and bodywork therapy license was revoked and he agreed to pay a civil penalty of \$1000 and cost of \$250.

Kim Frazier - Prior to a hearing scheduled for April 18, 2013, Ms. Frazier entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Brandee Wellman - Prior to a hearing scheduled for June 13, 2013, Ms. Wellman entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Haywood Brook Wagner - Prior to a hearing scheduled for June 13, 2013, Ms. Wagner entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Annaliese Koltermann - Prior to a hearing scheduled for June 13, 2013, Ms. Koltermann entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Amanda Herndon - Prior to a hearing scheduled for June 13, 2013, Ms. Herndon entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Leigh Anne Martin - Prior to a hearing scheduled for August 15, 2013, Ms. Martin entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Kammaleathahh Livingstone - Prior to a hearing scheduled for August 15, 2013, Ms. Livingstone entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Deborah Howard - Prior to a hearing scheduled for August 15, 2013, Ms. Howard entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Melissa Dawkins - Prior to a hearing scheduled for August 15, 2013, Ms. Dawkins entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

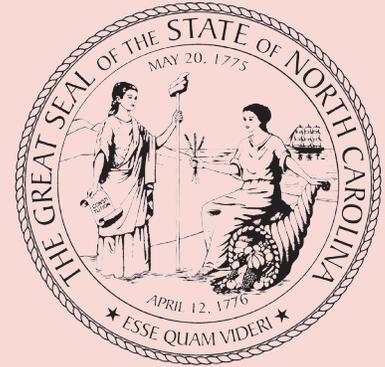
Stanley Paccione – Prior to a hearing scheduled for August 15, 2013, Mr. Paccione entered into a Consent Order for engaging in improper conversation and contact with clients during massage and bodywork therapy sessions whereby he voluntarily surrendered his massage and bodywork therapy license and will not seek to renew or apply for a new license and will pay a civil penalty of \$1000 and cost of \$250.

Vikki Husband - Prior to a hearing scheduled for October 17, 2013, Ms. Husband entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Gary Killian – Prior to a hearing scheduled for October 17, 2013, Mr. Killian entered into a Consent Order for being convicted of sexual battery on a client during a massage and bodywork therapy session whereby his massage and bodywork therapy license was revoked and he agreed to pay a civil penalty of \$1000 and cost of \$250.

Brett Rodgers – Prior to a hearing scheduled for October 17, 2013, Mr. Rodgers entered into a Consent Order for engaging in an act or practice that aided, abetted and assisted members of the public to violate the laws of the State of North Carolina and the Rules of the NC Board of Massage and Bodywork Therapy whereby his massage and bodywork therapy license was revoked and he agreed to pay a civil penalty of \$1000 and cost of \$250.

Siew Sayasene (Jenny Mok) – Prior to a hearing scheduled for October 17, 2013, Ms. Sayasene(Mok) entered into a Consent Order for practicing and advertising without a massage and bodywork therapy license whereby she may not practice or advertise until licensed and not employ or contract with anyone who is not a licensed massage and bodywork therapist in NC and pay a civil penalty of \$1000 and cost of \$700.



Official Newsletter
NORTH CAROLINA BOARD of
MASSAGE & BODYWORK
THERAPY

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Members of the Board

Dr. Edwin Preston, MD
Chair
Darinda Davis, LMBT
Vice Chair
Josh Herman, LMBT
Treasurer
David Bedington, LMBT
Holly Foster, LMBT
Renee' Hayes, LMBT
Dianne Layden

Board Staff

Charles P. Wilkins
Legal Counsel
Benjamin E. Thompson, III
Legal Counsel

Elizabeth Kirk
Administrative Director

Julia Lancaster
Assistant Administrative Director

Elizabeth Kirk
Newsletter Editor

Crystal Hand – Prior to a hearing scheduled for December 12, 2013, Ms. Hand entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Elechia Michelle Starnes – Prior to a hearing scheduled for December 12, 2013, Ms. Starnes entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Rachel Elizabeth Proffit – Prior to a hearing scheduled for December 12, 2013, Ms. Proffit entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

Chelsea Korbach Lee - Prior to a hearing scheduled for December 12, 2013, Ms. Lee entered into a Consent Order for practicing massage and bodywork therapy without a current license whereby she agreed to pay a civil penalty of \$1000 and cost of \$500.

LETTERS OF REPRIMAND:

There were six hundred and twenty-three (623) Letters of Reprimand issued to therapists for late renewal and two (2) Letters of Reprimand issued to therapists for Non-Sufficient Funds (bounced checks).

CEASE AND DESIST ORDERS:

There were fifteen (15) Cease and Desist Orders served on persons for allegedly practicing without a license and twenty-two (22) Cease and Desist Orders served on businesses upon information they were allowing a person to practice massage and bodywork therapy without a North Carolina license.

INDIVIDUALS:

Eric Bradley.....	Raleigh
Jamie Collins.....	Weaverville
Miryam French.....	Old Fort
Chao Gao.....	Wake Forest
Pan Gao.....	Raleigh/Greensboro
Vivian Gold.....	Asheville
Crystal Hand.....	Ramseur
Ronald Lancaster.....	Charlotte
Estelle Ledbetter.....	Raleigh
Feng Qin Lin.....	Greensboro
Xiao Qin Lin.....	Greensboro
Rachel Proffit.....	Charlotte
Sharon Slaughter.....	Wilmington
Yanqi Wang.....	Greenville
Jacqueline Weiks.....	Naples

BUSINESSES:

Acupressure Relax.....	Asheboro
Alpine Health Club.....	Salisbury
Asian Beauty Massage.....	Wilmington
Asian Massage.....	Mooreville
Beijing Massage.....	Wilmington
Believe Spa-a Jin Shin Experience.....	Mooreville
Fantasy Nails.....	Shallotte
Four Seasons Town Center.....	Greensboro
Golden Sands Massage.....	Gastonia
Green Health Massage Center.....	Wake Forest
Green Spa.....	Cary
Keep Healthy.....	Greenville
Oasis Massage.....	Pineville
Orient Massage.....	Cary
Pure Elements Salon & Spa.....	Clemmons
Salon Massage.....	Cary
Tankini Spa.....	Elizabeth City
Tokoyo Massage.....	Greensboro
Triangle Town Center.....	Raleigh
Up Town Spa & Body Work.....	Concord
Xpress Spa.....	Concord
Yucca Foot Spa.....	Fayetteville

DENIAL OF LICENSE:

The Board denied licenses to twenty-one (21) applicants. Nine (9) applicants were denied a license due to criminal charges pending or being on probation: Chane Armentrout, Amanda Bisha, Tiffany Crandall, Melanie Denton, Melissa Edwards, Jennifer Gay, Heather Ley, Noelle Preston and Brittany Taylor. Three (3) applicants were denied a license due to lack of moral character: Jian Ge, Shunyu Huang and Yan Jun Zhu. Seven (7) applicants were denied a license because the curriculum of the massage school they attended did not meet the Board’s minimum requirements: Hongliang Du, Shunyu Huang, Xiao Jin, Zhiwei Liu, Linda Neff, Hong Li Qu and Xingming Zhu. Two (2) applicants were denied a license due to lack of proficiency in the English language: Xiao Jin and Zhiwei Liu.

CONDITIONAL LICENSES:

The License Standards Committee of the Board issued sixty-one (61) Conditional Licenses to persons whose applications showed evidence of past minor criminal behavior, possibility of practicing without a license, or other minor improper conduct.

www.bmbt.org

The Board Website is your Online Source for Information

The website provides an easily accessible source for information on the licensing program and activities of the Board. There are individual pages which give you information about:

- Applying for Initial Licensure
- License Renewals
- Licensure by Endorsement
- Online License Verification
- How to Contact the Board
- Board Members and Professional Staff
- Board Meeting Schedule
- Board Approved Schools
- How to File a Complaint
- Frequently Asked Questions
- Links to Other Agencies and Organizations

A feature, called the ***DOCUMENT CENTER***, is a popular page on the site. From this location, you can view and/or download many of the important documents which are part of the licensing program. These include:

Practice Act and Rules
Modalities Requiring Licensure in North Carolina
License Information and Application
License Renewal
Massage Therapy Schools
Formal Complaint Form