

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.

2015 NEWSLETTER

Message from the Board Chair, Holly Foster, LMBT

“The purpose of the North Carolina Board of Massage and Bodywork Therapy, as expressed in GS 90–621, is”to ensure the protection of the health, safety, and welfare of the citizens of this State receiving massage and bodywork therapy services. This purpose is achieved by establishing education and testing standards that ensure competency in the practice of massage and bodywork therapy. Mandatory licensure of those engaged in the practice of massage and bodywork therapy assures the public that each individual has satisfactorily met the standards of the profession and continues to meet both the ethical and competency goals of the profession.”

I want to begin this message by saying, “Thank you.” Thank you to the Board staff who do an excellent job of handling the day to day operations of the Board and keeping the Board members informed and organized. Thank you to the Board members for their dedication to the work of the Board. And, thank you to the Board’s licensees. I want you to know that I and the Board appreciate licensees’ dedication to the profession of massage and bodywork therapy.

As is the case each year, 2015 was very busy for the North Carolina Board of Massage and Bodywork Therapy. The Board engaged in evaluating and approving 826 new licensees, and renewing 3,162 current active licensees. There were also 15 schools offering massage therapy programs which the Board evaluated and approved or re-approved. These responsibilities, along with disciplinary hearings and public education, occupied a great deal of the Board’s time. But, the Board was also involved in other endeavors to facilitate the improvement of the application and renewal process, provide greater flexibility in continuing education approval entities and extend the Board’s ability to thwart the practice of massage and bodywork therapy by non-licensed establishments.

As part of those efforts, the Board presented requests to the Rules Review Commission (RRC) to make changes to rules covering continuing education and to seek new rules regulating massage establishments. The Board also continued work on creating more forms for licensees’ renewals and applications and improving the NCBMBT website.

While the Board’s request for rules regulating massage therapy establishments was not approved by the RRC, the Board will continue to discuss this extremely important topic during 2016. Regulation of establishments is another way the Board hopes to protect the public by the ensuring that all individuals providing massage or bodywork therapy in massage establishments are licensed and adhering to the laws governing massage and bodywork therapy practice in North Carolina.

The Board’s request to change the continuing education rules was approved by the RRC. These changes provide flexibility with whom the Board may contract to approve continuing education providers and courses. Though the rule change has been approved, work on a continuing education approval process will continue to be an important topic of discussion in 2016.

As part of the Board’s Public Awareness Campaign (PAC), the Board approved the language and authorized funds for advertisements to run in foreign language newspapers to educate the public of the requirements to legally provide massage and bodywork therapy in North Carolina. It is the Board’s intention that these advertisements, along with the PAC videos on the www.bmbt.org website will provide a broader reach to educate consumers.

As I look to 2016, I see another busy and productive year for the North Carolina Board of Massage and Bodywork Therapy. I want to, again, extend my appreciation for the support of the Board’s Licensed Massage and Bodywork Therapists.

NCBMBT’s Top 10 List of Reminders for all LMBT’s

1. Please keep the Board informed of any changes to your mailing address and email address so you will be sure to receive all pertinent information, such as renewal reminders, newsletters, etc.
2. For all up-to-date information, as well as Board contact information and/or questions regarding licensure, please refer to the NCBMBT website at www.bmbt.org.
3. The Board meets every other month on the 13th floor of the Wells Fargo Capital Center located at 150 Fayetteville Street Raleigh, NC 27601. The current meeting schedule is posted on the website under the ‘Board Meetings’ tab. All Board meetings are open to the public.
4. Please direct all requests, inquiries, and comments to the Board office and not to individual Board members.
5. You may access the License Renewal tab on the Board’s website at any time to print copies of your license. You can log in with your name and password that you created when you originally renewed online.
6. All online renewals end on December 31 at midnight. Any renewals submitted past this date will need to be mailed and include a letter stating whether or not you have been practicing massage and bodywork therapy in NC since your license expired.
7. To keep your license current, all LMBTs must complete 24 hours of continuing education, including a minimum of 3 hours of ethics, through an approved provider. You may take a maximum of 12 hours of distance learning and a maximum of 8 hours of business management, should you choose to do so.
8. Any LMBT, who has completed all of the required CEU’s during the year of their renewal, may apply any additional CEU’s taken after August 1 of that year to their next renewal period, as long as they were not submitted for the prior renewal period.
9. At anytime, you may verify that a LMBT’s license is valid in NC by accessing the Board’s website and clicking on the License Verification tab and searching by their last name or license number.
10. If you know of anyone practicing without a valid NC license or beyond their scope of practice, please inform the Board immediately by filing a formal complaint.

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NEW BOARD MEMBERS

The Honorable Tim Moore, Speaker of the House, appointed Melissa Smith of Guilford County to the position previously held by David Bedington. Her term began on October 1, 2015 and will expire June 30, 2018. The Honorable Phil Berger, President Pro Tempore of the Senate, appointed Kim Turk of Durham County to the position previously held by Darinda Davis. Her term began October 1, 2015 and will expire June 30, 2017.

Melissa Smith:

Melissa Smith received her LMBT license in 2003 after attending the massage therapy program at GTCC. She began her career in area spas and fitness centers but shortly realized her passion was to start her own day spa. She and her husband opened and ran Magnolia Day Spa in Jamestown, NC for four years. During that time, she also taught hot stone and spa classes at Davidson County Community College.

A colleague pursued her to come teach at Living Arts Institute in Winston Salem, NC, where she shortly became the director of the Massage Therapy program. Magnolia Day Spa was sold. She worked as instructor and director at Living Arts Institute for 5 years. During that time, she obtained credentials to certify other therapists in Thai Yoga and Hot Stone Massage. On weekends and in her spare time, she taught continuing education at other massage schools, healing art studios and held one-on-one sessions.

During an advisory board meeting at the Living Arts Institute, the NC Regional Developer for Massage Envy asked Melissa to manage his Greensboro location. Reluctant, at first, to leave her director position, she took the leap to Massage Envy. Shortly after, she received the manager of the year award at the Annual Franchise Conference in Phoenix, AZ.

She has since advanced and is currently the Director of Clinic Operations for Greensboro and High Point and Regional Trainer for NC Massage Envy employees. She and her husband currently reside in Greensboro, NC with their two children and two fur-babies.

Kim Turk:

Kim has called North Carolina home for over 20 years. Originally from Oklahoma City, she earned a degree in psychology from Midwestern State University. After many years working for such non-profits as the American Red Cross and Hospice, she sought training in massage therapy.

She has enjoyed working in various settings as a massage therapist in private practice and as a contractor at High Point Regional Hospital. Her love for teaching was enriched as a staff member of the Duke Diet and Fitness Center starting in 1999 as both a massage therapist and instructor.

Kim is currently the massage therapy director at Duke Integrative Medicine and the lead therapist at Duke Health and Fitness Center. She is also part of the Tracy Walton and Associates Oncology Massage team.

NEW BOARD OFFICERS

The Board, at its June 2015 meeting, elected the following officers:

Chair – Holly Foster

Vice Chair – Dr. Ed Preston

Treasurer – Nancy Harrell

KEEP INFORMATION UP TO DATE

To optimize communications between the Board and licensees, please update your current email address on the Information Update tab on the Board's website www.bmbt.org.

2016 BOARD MEETING DATES

February 18, 2016

April 21, 2016

June 9, 2016

August 18, 2016

October 20, 2016

December 15, 2016

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 during Public Comment must sign up in person before the start of a meeting.

ADMINISTRATIVE DIRECTOR'S REPORT

Licenses currently active..... 8,326
Licenses issued
through 12/31/2015..... 15,325

ESTABLISHMENT REGULATION

In 2011, the North Carolina Board of Massage and Bodywork Therapy (Board) formed the Establishment Regulation Committee (ERC) in response to complaints regarding unlicensed persons being hired to perform massage and bodywork therapy and allegations of other illegal activity taking place in massage and bodywork therapy establishments.

Over the next two years, the ERC completed multiple revisions of rules for licensing establishments. Eventually the final product was sent to the attorneys for the Rules Review Commission for feedback and suggestions. In 2015 these suggestions were reviewed and a final proposal to amend the rules was brought to the Board for approval. After further discussion of the proposed rules by the Board and an ad hoc committee, the rules were filed with the Office of Administrative Hearings, published in the NC Register and posted on the Board's webpage. At the April, 2015 Board meeting, verbal public comments were received by the Board. Written comments were received by the Board over a three month period as well. After considering and evaluating the public oral and written comments and making additional amendments to the proposed rules, the Board presented the proposed rules to the Rules Review Commission for a formal review in September 2015.

The Rules Review Commission objected to all of the establishment regulation rules at its September 17, 2015 meeting. It was the opinion of the Rules Review Commission that the Board did not have clear statutory authority to adopt the proposed rules. The Board has withdrawn its proposed establishment regulation rules.

CONTINUING EDUCATION RULE CHANGES

Changes to the Board's Rules regarding Continuing Education were approved by the North Carolina Rules Review Commission and went into effect in 2015. Below is a summary of these changes and effective dates.

Rule .0701, changes effective October 1, 2015:

-subsection (b) (2) that stated courses approved by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) was deleted

-courses taken for CE credit at an institution of higher education were expanded to include courses in pathology, pharmacology, psychology, massage and bodywork therapy

-courses in Business Management taken for CE credit may now comprise up to, but no more than, 8 hours of the 24 required for license renewal

Rule .0702, changes effective November 1, 2015:

-one semester credit taken at an institution of higher education is now equivalent to 21 contact hours of continuing education

-the definition of an "Approved Provider" had been changed to read, "One that has been approved by any entity with which the Board has reached a contractual agreement for the approval of continuing education providers and courses. A list of accrediting entities with which the Board has entered into a contractual agreement is available on the Boards website at www.bmbt.org"

DISCIPLINARY ACTIONS TAKEN BY THE BOARD FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

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

HEARINGS BEFORE THE BOARD:

DeVeer Chappell – Following a hearing on April 23, 2015, upon allegations of improper draping and inappropriate sexual activity with a client during a massage session, the Board Ordered that Mr. Chappell's license be revoked and he pay a civil penalty of \$1000 and costs of \$500.

Kerry McCoy - Following a hearing on October 15, 2015, upon notice that Ms. McCoy was convicted of driving while impaired while being issued a Conditional License requiring she not violate any criminal law during her first licensure period, the Board Ordered that Ms. McCoy's license be revoked and she pay a civil penalty of \$1000 and costs of \$500.

CONSENT ORDERS:

Sherry Carpenter – Prior to a hearing scheduled for February 19, 2015, Ms. Carpenter entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein she agreed to pay a civil penalty of \$1000 and costs of \$500.

Michael Young – Prior to a hearing scheduled for February 19, 2015, Mr. Young entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein he agreed to pay a civil penalty of \$500 and costs of \$200.

Connie Creech – Prior to a hearing scheduled for February 19, 2015, Ms. Creech entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein she agreed to pay a civil penalty of \$1000 and costs of \$500.

M. Sunshine Davis – Prior to a hearing scheduled for April 23, 2015, Ms. Davis entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein she agreed to pay a civil penalty of \$750 and costs of \$300.

Linda Murphey – Prior to a hearing scheduled for April 23, 2015, Ms. Murphey entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein she agreed to pay a civil penalty of \$750 and costs of \$250.

Caihuan Donaghy – Prior to a hearing scheduled for April 23, 2015, Ms. Donaghy entered into a Consent Order for falsifying transcripts to obtain a massage and bodywork therapy license wherein she agreed to voluntarily surrender her license, pay a civil penalty of \$1000 and costs of \$250.

Jahquii Alston – Prior to a hearing scheduled for June 4, 2015, Mr. Alston entered into a Consent Order for engaging in inappropriate sexual activity with a client during a massage session wherein he agreed to be placed on probation for two years, obtain ten continuing education hours in draping, ethics and therapist/client boundary issues and pay a civil penalty of \$500 and costs of \$250.

Louise Inch – Prior to a hearing scheduled for June 4, 2015, Ms. Inch entered into a Consent Order for practicing massage and bodywork therapy while her license was revoked wherein she agreed to pay a civil penalty of \$500 and costs of \$500.

Lawrence Truglio - Prior to a hearing scheduled for June 4, 2015, Mr. Truglio entered into a Consent Order for engaging in inappropriate sexual activity with a client during a massage session wherein his license was revoked and he agreed to pay a civil penalty of \$500 and costs of \$200.

Yolanda Watson – Prior to a hearing scheduled for June 4, 2015, Ms. Watson entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein she agreed to pay a civil penalty of \$1000 and costs of \$500.

William Bloom - Prior to a hearing scheduled for October 15, 2015, Mr. Bloom entered into a Consent Order for engaging in inappropriate sexual activity with co-workers and clients during massage and bodywork therapy sessions wherein his license was revoked and he agreed to pay a civil penalty of \$1000 and costs of \$150.

Candida Grogg - Prior to a hearing scheduled for October 15, 2015, Ms. Grogg entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein she agreed to pay a civil penalty of \$1000 and costs of \$500.

LETTERS OF REPRIMAND:

There were six hundred and sixty-five (665) Letters of Reprimand issued to therapists for late renewal, three (3) Letters of Reprimand issued to therapists for Non-Sufficient Funds (bounced checks) and three (3) Letters of Reprimand issued to therapists for non-compliance with the continuing education audit.

NOTICE OF POTENTIAL VIOLATION:

There were eighteen (18) Notices served on persons for allegedly practicing without a license and seven (7) Notices served on businesses upon information they were allowing a person to practice massage and bodywork therapy without a North Carolina license.

INDIVIDUALS:

Brad Amberheart.....	Asheville
Angie Allison.....	Charlotte
Sybil Bralley.....	Concord
Dianne Crump.....	Connelly Springs
Dianne Crump.....	Hickory
Tamara Dixson.....	Charlotte
Heather Fleissner.....	Hickory
Candida Grogg.....	Hubert
Christine Hash.....	Jacksonville
Frances Inocencio.....	Hickory
Garo Megherian.....	Monroe
Gregory Moses.....	Asheville
Machelle Patterson.....	Albemarle
Dawn Saunders-Morello.....	Pittsboro
Amy Lee Souranonh.....	Statesville
Tami with Amazing Sensations.....	Weaverville
Kadiann Walker.....	Charlotte
Kristin Wall.....	Asheboro

BUSINESSES:

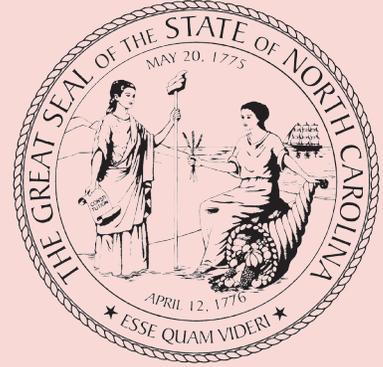
Apex Massage.....	Raleigh
Keep Healthy.....	Greenville
Keep Healthy.....	Raleigh
Massage Atsu.....	Cary
Massage Atsu.....	Garner
Pacific Harmony Reflexology Spa.....	Greenville
South Charlotte Spa.....	Charlotte

DENIAL OF LICENSE:

The Board denied licenses to twenty-three (23) applicants. Four (4) applicants were denied a license due to criminal charges pending or being on probation: Brittany DeMato, David Gardner, Tori Hollingworth, and Julia Kahler. Five (5) applicants were denied a license due to lack of moral character: Jomil Alexander, James Bofill, Jessica Knapp, Barry Martin and Noelle Preston. Nine (9) applicants were denied a license because the curriculum of the massage school they attended did not meet the Board’s minimum requirements: KrishanKamini, Feng Lee, Mei Li, In Lim, Bethany Malley, Alan Paduano, Jackie Quick, Antonia Visconti and William Wahlen. Two (2) applicants were denied a license due to conduct that could potentially result in harm or injury to the public: Gillian Cunningham and Meng Zhang. Three (3) applicants were denied a license since they did not appear before the License Standards Committee for their interviews: Rashad Dingle, Kim Sung, and Kwan Li.

CONDITIONAL LICENSES:

The License Standards Committee of the Board issued eighteen (18) Conditional Licenses to persons whose applications showed evidence of past minor criminal behavior, possibility of practicing without a license, or other minor improper conduct.



Official Newsletter
 NORTH CAROLINA BOARD of
 MASSAGE & BODYWORK
 THERAPY

POST OFFICE BOX 2539
 RALEIGH, NC 27602

Phone: 919-546-0050
 Fax: 919-833-1059
 email: admin@bmbt.org
 web: www.bmbt.org

Offices are located in the
 Wells Fargo Capitol Center
 150 Fayetteville Street
 Suite 1900
 Raleigh, NC 27601

Members of the Board

- Holly Foster, LMBT
Chair
- Dr. Edwin Preston, MD
Vice Chair
- Nancy Harrell, LMBT
Treasurer
- Renee’ Hayes, LMBT
Dianne Layden
- Melissa Smith, LMBT
Kim Turk, LMBT

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

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
- Update your Personal Profile
- 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