



NORTH CAROLINA BOARD of MASSAGE AND BODYWORK THERAPY

4140 ParkLake Avenue
Suite 100
Raleigh, NC 27612

OPEN SESSION MINUTES

April 17, 2025; 10:15 a.m. – 4:00 p.m.; 5:00 p.m.

**GlenLake One
4140 ParkLake Avenue, 4th Floor Conference Room, Raleigh, NC 27612
and
Via Conference Call**

"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 person in Open Session on April 17, 2025, at 10:15 a.m. Members of the public attended in person and virtually via Webex

MEMBERS PRESENT

Ms. Amy Swink, Mr. Robert Reeves, Ms. Kay Warren, Ms. Tawanda Auston, Ms. Laura Ford, Dr. Christopher Grubb (joined at 10:25 a.m.), and Ms. Nancy Harrell

MEMBERS ABSENT

Ms. Ella Price

OTHERS PRESENT

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

CHAIR

Ms. Swink, Chair, read the statutory purpose of the Board.

RECORDING SECRETARY

Ms. Kirk

APPROVAL OF AGENDA/CONFLICT OF INTEREST

Ms. Swink asked if any Board member had any conflict of interest with any item on the meeting's agenda. Mr. Reeves recused himself from discussion on Kacey Foster and Tera Keene and Ms. Swink recused herself from discussion on Jiriki Kaizen. Upon motion made by Mr. Reeves, seconded by Ms. Harrell and passed unanimously, the Board agreed to amend the agenda to include discussions on the proposed Consent Order for Tera Keene, approval of the Strategic Planning Conference minutes after the Open Session minutes, separating agenda and minutes in Dropbox, adding public comment in minutes and Dropbox, and social media posts.

APPROVAL OF MINUTES

Upon motion made by Mr. Reeves, seconded by Ms. Auston and passed unanimously, the Board approved its open session minutes of February 13, 2025. Upon motion made by Ms. Warren, seconded by Mr. Reeves and passed unanimously, the Board approved its minutes of the 2025 Strategic Planning Conference.

TREASURER'S REPORT

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

ADMINISTRATIVE REPORTS

Rules

There are no pending rules at the Rules Review Commission.

Practice Act

There are no pending amendments to the Practice Act except those that will be discussed in the Policy Committee's report.

Disciplinary Hearings

Mr. Wilkins informed the Board of proposed Consent Orders regarding: Heather Ayers, Melodee Padilla and Tina Sewell for practicing with an expired license; Crystal Bishop for posting photos on social media without the client's consent; John Erwin, Aaron Leos and Joshua Wright for inappropriate sexual contact with a client during a massage and bodywork therapy session; Jiriki Kaizen and Tera Keene for practicing prior to being licensed; Lorenza Purvis for advertising prior to being licensed.

The hearing scheduled today for Daryl Ghent was postponed to the June meeting.

Ms. Kirk reported:

Licensee Report

22,565 have been issued.
9,749 active licenses.

Renewal Report

There were 5,585 licensees scheduled to renew for the 2025-2026 renewal period. 4,616 therapists have renewed. 4,418 therapists renewed online and 198 therapists renewed by mail.

Establishment Report

1,642 establishments have requested an application.
814 establishments have submitted an application.
680 establishment licenses have been issued.

COMMITTEE REPORTS

Ms. Swink requested the Chair of each committee inform the public of the charge and purpose of each committee.

Policy Committee

Ms. Swink reported the Committee met April 9, 2025, and discussed the matters set forth in the minutes of the Committee.

Policies for unlicensed establishments

The Committee discussed adopting a standardized enforcement policy concerning unlicensed establishments. The Committee reviewed the existing Notice of Potential Violation letters being sent to owners, operators, landlords, and leasing agents and agreed for Board staff to create a similar NOPV letter to be sent to owners who have pending establishment license applications. The Committee agreed to recommend to the Board that, once an application is submitted, an applicant must complete the establishment license requirements in 60 days. If an applicant does not complete the establishment application within the 60-day period, the applicant will be sent a Notice of Potential Violation letter advising the applicant to respond to the letter within 15 days or further action will be taken by the Board. Upon motion made by Ms. Warren, seconded by Ms. Ford and passed unanimously, the Board agreed with the committee's recommendation.

Amendment to Guideline 5.3 & 5.4

The Committee reviewed and discussed Guidelines 5.3. The Committee agreed to recommend the Board amend Guideline 5.3 to allow licensees to submit applications for license renewals between October 1 and December 31. Upon motion made by Ms. Warren, seconded by Ms. Auston and passed unanimously, the Board agreed with the Committee's recommendation.

The Committee also reviewed and discussed Guideline 5.4 and options for submitting CEs. The Committee agreed to recommend the Board allow CEs to be completed between October 1 of the previous renewal period and December 31 of the current renewal period. The Board agreed for the Policy Committee to continue discussion on this guideline.

Professional Services enumerated in Treasurer's report

The Committee discussed how the treasurer's report enumerates professional services and how to report for the current meeting period. The Committee agreed to discuss this with the full Board at the April meeting during Closed Session.

The Board agreed to discuss the report in Open Session. The discussion included itemizing rent, legal and staff hours. Ms. Harrell, Chair of the Contract Review Committee, stated the Contract Committee was reviewing contracts and planned to do needs assessments as necessary. Ms. Harrell and Dr. Grubb discussed not changing reports retroactively and current contract obligations. Ms. Ford suggested these issues be determined when new contracts are considered.

Upon motion made by Ms. Swink, seconded by Ms. Ford and passed unanimously, the Board agreed to postpone the itemization of professional services on the budget report until after the contract committee finishes its work.

Board meeting minutes

The Committee discussed recording the Board meeting and agreed to recommend that the minutes include the motion, the Board member's names who made and seconded the motion, and the vote count. Upon motion made by Ms. Warren, seconded by Mr. Reeves and passed unanimously, the Board agreed with the Committee's recommendation.

Pending Legislative bills

The Committee discussed and reviewed HB 693, 99, 122 and 269 and agreed to recommend the Board oppose HB 693, 99 and 122. The Committee recommends no position on HB 269 as it does not affect the Board and does not need to be discussed. Upon motion made by Ms. Warren, seconded by Ms. Ford and passed unanimously, the Board agreed to oppose HB 99, 122 and 926 which are bills exempting reflexologists from being required to have a massage and bodywork therapy license from the Board. Upon motion made by Ms. Warren, seconded by Ms. Ford and passed unanimously, the Board agreed to oppose HB 693 which would require the Board to establish and enter into an interstate compact for the practice of massage therapy.

License Standards Committee

Ms. Auston reported the Committee met April 16, 2025, and discussed the matters set forth in the minutes of the Committee.

Kacey Foster

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

Stephen Oxendine

Mr. Oxendine requested to appear before the Board at a future meeting.

Helen Zhou

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

School Approval Committee

Ms. Harrell reported the Committee met April 10, 2025, and discussed the matters set forth in the minutes of the Committee.

School Summit

The Committee discussed the school summit scheduled for May 20, 2025, and reviewed an email from a school suggesting topics to discuss. The Committee also agreed to create an agenda as more comments from schools and programs are submitted to the Board. The Committee agreed that Ms. Ford lead the summit.

Review request from IMBT/curriculum changes

The Committee reviewed a request from IMBT regarding their increase in hours, change in curriculum and a request from the VA for a confirmation letter from the Board to provide benefits for students starting their new program. The Committee agreed to recommend to the Board that the changes in their curriculum be approved and the VA notified. Upon motion made by Ms. Warren, seconded by Ms. Ford and passed unanimously, the Board agreed with the Committee's recommendation.

State of Schools report/MBLEx pass rate

The Committee reviewed the 2024 MBLEx State of Schools report from Ms. Warren. The Committee agreed that the State of Schools Report may assist the Committee when reviewing the July 1, 2025 school renewals. The Committee agreed to amend the report for the presentation at the April 17, 2025, Board meeting to include the purpose, number of school/programs in North Carolina, national versus state pass rates and exams taken as well as the percentage of pass rates and test takers for North Carolina schools/programs. The Committee agreed that an MBLEx pass rate requirement for schools can only be implemented through a change in the Practice Act and Rules and Regulations of the Board.

Communications Committee

Ms. Ford reported the Committee did not have a quorum at its meeting but will be discussing education/advocacy, survey responses and social media. Upon motion made by Ms. Ford, seconded by Mr. Reeves and passed unanimously, the Board agreed for the Communications Committee to put together five social media posts to be reviewed by the Board at its June meeting.

Contract Committee

Ms. Harrell reported the Committee met March 11, 2025, and April 11, 2025, and informed the Board the committee is reviewing the contract with Broughton, Wilkins, Sugg & Thompson PLLC (BWST), has questions for Dean Dorton and plans to meet with BWST and Dale Atkinson at its May meeting. The Committee also informed the Board that Dean Dorton can complete the financial audit for fiscal year 2024-2025.

OLD BUSINESS

NC General Assembly Proposed Laws Affecting Licensing Boards

Mr. Wilkins informed the Board there are bills pending in the North Carolina General Assembly that may affect the Board and the 2025-2026 Session began in January 2025.

Strategic Planning Conference

Ms. Swink reported the Board held a Strategic Planning Conference on January 30-31, 2025.

CLEAR

a. 2025 Annual Meeting

The 2025 Annual Meeting will be held in Chicago, Illinois, September 15-18, 2025.

b. 2025-2026 Renewal Notice

The Board reviewed the 2025-2026 membership renewal. Upon motion made by Ms. Warren, seconded by Ms. Ford and passed unanimously, the Board agreed to renew its membership.

FSMTB

a. 2025 Annual Meeting

The 2025 Annual Meeting will be held in Kansas City, Missouri, October 5-7, 2025. Ms. Swink agreed to attend the conference.

b. March and April In Touch

The Board reviewed emails dated March 3, 2025 and April 1, 2025, respectively, regarding the March and April In Touch newsletters.

c. 2025-2026 Renewal Notice

The Board reviewed the 2025-2026 membership renewal. Upon motion made by Ms. Warren, seconded by Ms. Ford and passed unanimously, the Board agreed to renew its membership.

Response to Kyle Hemauer regarding the late renewal fee

The Board reviewed and approved the response from Ms. Kirk to Mr. Hemauer regarding the late renewal fee.

Response to Julie Barton regarding CE

The Board reviewed and approved the response from Ms. Kirk to Ms. Barton regarding CE.

NEW BUSINESS

No new business

PUBLIC COMMENT

There were four verbal 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 on April 17, 2025, at 4:00 p.m.

RETURN TO OPEN SESSION

The Board returned to Open Session on April 17, 2025 at 5:00 p.m.

Kacey Foster

Ms. Swink reported that Mr. Foster will be issued a conditional license requiring criminal history background checks with his first and second renewal.

Helen Zhou

Ms. Swink reported Ms. Zhou's was denied a license.

Heather Ayers

Ms. Swink reported Ms. Ayer's Consent Order was approved.

Crystal Bishop

Ms. Swink reported Ms. Bishop's Consent Order was approved.

John Erwin

Ms. Swink reported Mr. Erwin's Consent Order was approved.

Jiriki Kaizen

Ms. Swink reported Ms. Kaizen's Consent Order was approved.

Aaron Leos

Ms. Swink reported Mr. Leos' Consent Order was approved.

Melodee Padilla

Ms. Swink reported Ms. Padilla's Consent Order was approved.

Lorenza Purvis

Ms. Swink reported Ms. Purvis' Consent Order was approved.

Tina Sewell

Ms. Swink reported Ms. Sewell's Consent Order was approved.

Joshua Wright

Ms. Swink reported Mr. Wright's Consent Order was approved.

Tera Keene

Ms. Swink reported Ms. Keene's Consent Order was approved.

2024-2025 3rd Quarter Legal Services provided by Broughton, Wilkins, Sugg & Thompson, PLLC

Ms. Swink reported that the Board reviewed and approved payment to Broughton, Wilkins, Sugg & Thompson, PLLC for legal services provided in court during the 3rd quarter of fiscal year 2024-2025.

ADJOURNMENT

Upon motion duly made, seconded and passed, the April 17, 2025, meeting adjourned at 5:00 p.m.

Ms. Amy Swink, Chair

Ms. Kay Warren, Treasurer