

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.

2022 NEWSLETTER

Message from the Board Chair,

Kim Turk, LMBT

Welcome to 2023!

I wanted to cover “things I wish you knew” in this newsletter.

First, I want to welcome Establishment member Tawanda Auston! She comes to our board with a wealth of knowledge as a successful business owner, she also has her hand in print and film. She has been so helpful already on our board.

Did you know that many therapists and clients are still wearing masks during sessions? With vaccines and herd immunity, the latest variant is less deadly, but more easily acquired. As a healthcare worker, designated by the CDC, please consider your immune compromised clients and your need to be on the job and not out sick with COVID. Each time you acquire COVID, your chance of long COVID increases.

Did you know that individual members of the board are not allowed to answer questions you may have, in person, on the phone, in writing or on social media, on behalf of the board? No one member of the board may speak on behalf of the board. Your BEST choice for getting the correct answer is to email the board. That way, when the board responds in writing, you have proof of the correct answer.

Did you know that members of the board are volunteers? A board position is not a paid position. If you are interested in being a board member, reach out and ask how you might do that.

Did you know that when you submit a complaint about an establishment that is either not licensed, hiring unlicensed workers, or both, the board goes to work immediately? When you don't get an immediate response of our action or see a change, it is because many things are going on behind the scenes. An ongoing investigation can't be reported on. And, our private investigator has to work with local, state and federal authorities who may already be doing their own investigations. Homeland Security and the SBI sometimes take a few years to complete investigations so they know all the players and can shut down the victimization caused by these human trafficking individuals and groups. It is often your complaint that starts that ball rolling. Our investigator checks it out, contacts other authorities and later, you may read about how many of these human trafficking groups were shut down. That all started with YOU and your concerns. North Carolina has one of the highest rates of human trafficked individuals because of its location, and many major highways. And, believe it or not, many naive folks think they are going to these places for a legitimate massage. Education and reporting will help curb these illicit businesses and let the illegal folks know they are not welcome in North Carolina. Thanks for your part in helping us and the massage and bodywork profession!

Did you know that some of our hearings involving a client complaint against a therapist come down to lack of communication? The client may think they were touched inappropriately (and many have been) but some cases show that the therapist failed to adequately communicate to the client what was about to happen in a session. With a new client, a client with trauma history or PTSD, a therapist is already dealing with a potential for anxiety. Talking to a client about what muscles you are about to work with and why goes a long way toward making a client feel more comfortable. For instance, explaining why you would like to work the *teres minor* as part of the rotator cuff and where it is located goes a long way toward not being accused of touching the side of the breast. Clear communication protects your reputation, your business and your license. The more information a client has, the more likely they are to feel comfortable and trust your professionalism.

Did you know that counsel for the board, Charles Wilkins and his staff, have been involved in LMBT support since before there was a license? They worked with Rick Rosen, LMBT #1, and many others for years to help apply the laws and implement rules that create a professional image and board today. I want to thank them for all of their hard work!

Did you know this is my 8th and final year on the board? I arrived on the board to fulfill someone else's term, then I was reappointed for 2 more terms. I will say that I had no idea how long political issues take and how long it takes to create change in systems. In every decision, I know the board took into consideration the greatest public good for all. In fact, our ONLY responsibility, granted by the North Carolina legislature, is to protect the public. When you read the Practice Act and the Rules (and you should), the board is bound by those laws and rules. Only the legislature can create other laws. You might imagine the legislature has a lot of important things to talk about and decide.

It has been a great privilege and honor to serve you, the public and our state. Thank you!

Take care of each other out there,

Kim Turk, LMBT 2568, Chair, NC Board of Massage and Bodywork Therapy

Top Reminders

1. Keep the Board informed of any changes to your mailing address and email address so you will receive all Board correspondence.
2. For up-to-date Board information and/or answers to questions, please refer to the NCBMBT website at www.bmbt.org.
3. Board meetings are every other month via Webex. The current meeting schedule is on the website under 'Board Information'. All Board meetings are open to the public.
4. Complaints can be filed online at the File A Complaint tab on the Board's website.
5. Online renewals began August 1, 2019. The online renewal is on the Board's website under the Renew Your License tab.
6. Online renewals end on December 31 at midnight. Renewals after December 31 must be mailed with a letter stating whether or not you have been practicing massage and bodywork therapy in NC since your license expired.
7. LMBTs must complete 24 hours of continuing education, including a minimum of 3 hours of ethics. All CEs may be completed online for the 2023 renewal period ONLY. A maximum of 8 hours of business management may be completed, should you choose to do so.
8. LMBTs who complete all required CE's during the year of their renewal may apply additional, non-submitted CE's taken after August 1 of that year to their next renewal period.
9. LMBTs can verify a license is valid in NC on the Board's website under the Verify A License tab and searching by their last name or license number.
10. LMBTs are required to notify the Board within 15 days if they know a person is:
(1) practicing without a license, (2) violating the Practice Act/Rules and Regulations, (3) charged with certain criminal offenses, or (4) a defendant in a civil lawsuit related to the practice of massage and bodywork therapy.
11. LMBTs are required to display their Board-issued original license at their primary place of practice. Licensees providing massage and bodywork therapy outside of their primary place of practice must have a Board-issued original license or wallet card available for inspection.
12. LMBTs shall maintain documentation for each session, including the date of service, needs assessment, plan of care, observations made, and actions by the licensee.
13. All persons who provide massage and bodywork therapy services at an establishment shall be currently licensed by the Board.
14. Each LMBT shall work at a location that has an establishment license or at a location that is exempt from the establishment licensing requirement.
15. Information regarding establishment licensure is provided on the Board's website under the Establishments tab.

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NEW BOARD MEMBER

Governor Roy Cooper appointed Tawanda Auston of Wilson County to the establishment owner member position on the Board. Her term began on August 25, 2022 and will end June 30, 2025.

Tawanda Auston:

Tawanda opened Five Touch Spa & Salon in November of 2012. She has 15 years of experience in the Spa Industry. After graduating from high school, she went on to get her B.S. in Business Administration from NC Wesleyan. Once she realized the path she wanted to take, she went on to take classes to prepare her to get her license in massage, esthetics and manicuring. Once she realized she wanted to know every part of her business, she decided to go to school for natural hair care and then on to get her teaching license in Esthetics and Nail Technology. She is also a National Board Approved Continuing Education Provider for Therapeutic Massage & Bodywork. Her passion is helping people feel better and understanding their purpose. Her purpose is to impact people on different levels. Tawanda has taken more than the required continuing education to better serve her clients.

Five Touch Spa & Salon is a member of the Chamber of Commerce where Tawanda has served as a Board of Director as well as Dynamic Leadership of Wilson. She is spearheading the WOW Group (Wilson Chamber of Commerce Women of Wilson) and is also on the Massage Advisory Board at Johnston Community College as well as the Foundation Board at Wilson Community College. In addition, she is the Producer of Five Touch Annual Fashion Show with a modeling and acting background, the author of "It Goes Deeper Than the Muscle" and the Writer/Executive Producer of Feature Film Release. She is also a NC Real Estate Broker #331480 and Insurance Broker #20031382.

Tawanda likes spending time with her family, reading, dancing, traveling and learning new things, while remembering to make time for self-care.

NEW BOARD OFFICERS

The Board, at its June 2022 meeting, elected the following officers:

Chair – Kim Turk

Vice Chair – Robert Reeves

Treasurer – Kay Warren

KEEP INFORMATION UP TO DATE

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

2023 BOARD MEETING DATES

February 16, 2023

April 20, 2023

June 15, 2023

August 17, 2023

October 19, 2023

December 7, 2023

Board meetings are typically held in the large conference room on the 4th floor of the GlenLake One building at 4140 ParkLake Avenue, Raleigh, NC 27612 however, due to COVID-19, meetings currently are being conducted via Webex. Meetings begin at 10:00 a.m. 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 before or during the meeting.

ADMINISTRATIVE DIRECTOR'S REPORT

Licenses currently active..... 9,398

Total licenses issued through

12/31/2022 20,834

Licensure of Establishments

The Board is continuing its implementation of the Legislature's mandate to license establishments that provide massage and bodywork therapy services to the public. The license is for the location (site or premises) where the massage and bodywork therapy services are provided. For example, a franchisee is required to have a separate license for each location the franchisee owns or operates. An Establishment license is available online, costs \$150 and is effective for a two-year period.

The Board began the process of licensing establishments in August 2021. More than 1,100 persons have requested applications, more than 500 applications have been submitted and more than 400 licenses have been issued as of December 31, 2022. The licensing process has been slowed due to the processing of criminal record searches by the SBI.

Since the Fall of 2021, the Board has reviewed and responded to questions regarding the establishment licensing process, particularly questions about exemptions from the licensing requirement for sole practitioners. Based on the questions, the Board developed FAQs that are on the Board's webpage under the Establishments tab.

An Establishment license requires all persons, employees or independent contractors who provide massage and bodywork therapy services at the location of the establishment to be currently licensed by the Board and in good standing. Every LMBT is required to either work at a location that has an establishment license, or at a location that is exempt from the licensing requirement, OR the LMBT is exempt as a "sole practitioner", defined as "A single licensed massage and bodywork therapist offering massage or bodywork therapy services from a space the licensed massage and bodywork therapist controls and from which only the licensed massage and bodywork therapist offers and provides the services."

Continuing Education

For the license renewal period ending December 31, 2023, the Board will allow all continuing education activities to be completed online. Pursuant to Rule .0704, the Board allowed LMBTs to complete all continuing education activities online due to the Governor declaring a state of emergency for COVID-19. On August 15, 2022, Governor Cooper lifted the COVID-19 state of emergency.

Beginning with the renewal period ending December 31, 2024 and all future renewals, the Board will require a minimum of 12 in-classroom continuing education hours pursuant to Rule .0701(b). This requires the LMBT to be in the physical presence of an instructor. If your license expires December 31, 2024 and you are participating in CEs now, for your December 31, 2024 renewal, make sure you are attending in-classroom courses.

CBD Oil

Many therapists and massage and bodywork therapy establishments have been calling and writing to find out if they can use or sell CBD oil in their massage and bodywork therapy practices and businesses. The Board has been advising LMBTs and business owners that the application of CBD oil in North Carolina is not legal for LMBTs and is not legal for sale by establishments.

The Board is concerned about the efficacy of CBD oils. What would be the proper, optimal dosing of CBD for each client? What studies show the percentage of CBD to carrier base to be effective? If a LMBT is seeing six clients a day, and each client asks for CBD infused products to be used, what is the effect on the therapist using this product six hours a day? There are many unanswered questions.

The NC Attorney General's Office, due to pending and evolving legislation, is unable to provide an opinion or an advisory letter. However, the Board is advised the 2023 Session of the North Carolina legislature is considering legislation that may address the hemp, marijuana and CBD issues.

An LMBT is required to abide by local, State and Federal laws. Until the North Carolina legislature enacts different or clarifying legislation, an LMBT is not permitted to use or sell substances that are illegal. Until North Carolina passes a law that says CBD oil is legal to use in a lotion in a massage and bodywork therapy session in North Carolina or is legal for an LMBT to sell in North Carolina, the Board cannot advise LMBTs or establishments that CBD oil is legal to use as a lotion in a massage and bodywork therapy session in North Carolina or is legal for an LMBT to sell in North Carolina.

For more information, see the Board's 2020 Newsletter.

The Board hopes to provide more information when either a North Carolina court or the North Carolina legislature provides guidance.

DISCIPLINARY ACTIONS TAKEN BY THE BOARD FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

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

HEARINGS BEFORE THE BOARD:

Justin Hromada - Following a hearing on February 18, 2022, regarding inappropriate sexual contact with a client during a massage and bodywork therapy session, the Board Ordered that Mr. Hromada be placed on probation for one year, complete additional CE and he pay a civil penalty of \$750 and costs of \$750.

Brian Thompson – Following a hearing on February 18, 2022, regarding practicing massage and bodywork therapy without a current license, the Board Ordered that Mr. Thompson be issued a conditional license, be placed on probation for one year and he pay a civil penalty of \$1000 and costs of \$500.

PinHui Wang - Following a hearing on June 16, 2022, regarding aiding and abetting illegal massage and bodywork therapy at her business, the Board Ordered that Ms. Wang's license be revoked and she pay a civil penalty of \$1000 and costs of \$500.

Jason Lucas - Following a hearing on August 18, 2022, regarding engaging in inappropriate sexual conversation, making the client feel uncomfortable and failing to ensure the client's safety and comfort, the Board Ordered that Mr. Lucas be placed on probation for six months, complete additional CE and he pay a civil penalty of \$500 and costs of \$250.

Vincent Lucas - Following a hearing on August 18, 2022, regarding inappropriate sexual contact with a client during a massage and bodywork therapy session and practicing without a current license, the Board Ordered that Mr. Lucas return his licenses to the Board, not practice until he is licensed by the Board and he pay a civil penalty of \$1000 and costs of \$750.

CONSENT ORDERS:

Oleg Bosenko - Prior to a hearing scheduled for February 17, 2022, Mr. Bosenko entered into a Consent Order for engaging in inappropriate sexual contact with a client during a massage and bodywork therapy session wherein his license was surrendered until a subsequent Order has been issued.

Eugene Crofcheck - Prior to a hearing scheduled for February 17, 2022, Mr. Crofcheck entered into a Consent Order for engaging in inappropriate sexual contact with a client during a massage and bodywork therapy session wherein his license was surrendered and he agreed to pay a civil penalty of \$1000 and costs of \$500.

Estrella Hopkins - Prior to a hearing scheduled for February 17, 2022, Ms. Hopkins entered into a Consent Order for practicing with an expire license wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$500 and costs of \$200.

Sarah McAllister - Prior to a hearing scheduled for February 17, 2022, Ms. McAllister entered into a Consent Order for aiding and abetting illegal massage and bodywork therapy at her business wherein her license was suspended from March 1, 2022 through August 31, 2022, placed on probation for two years following the suspension and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Emma Elliott - Prior to a hearing scheduled for April 21, 2022, Ms. Elliott entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$500 and costs of \$200.

Betty Foster - Prior to a hearing scheduled for April 21, 2022, Ms. Foster entered into a Consent Order for failing to ensure the safety and comfort of a client during a massage and bodywork therapy session wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$500 and costs of \$250.

Joseph Goodwin - Prior to a hearing scheduled for April 21, 2022, Mr. Goodwin entered into a Consent Order for engaging in inappropriate sexual contact, draping and conversation with a client during a massage and bodywork therapy session wherein he surrendered his license and he agreed to pay a civil penalty of \$1000 and costs of \$500.

Michael Nicholson - Prior to a hearing scheduled for April 21, 2022, Ms. Nicholson entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Morgan Peeples - Prior to a hearing scheduled for April 21, 2022, Ms. Peeples entered into a Consent Order for being under the influence of an intoxicating substance wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$500 and costs of \$150.

Jasmine Segarra - Prior to a hearing scheduled for April 21, 2022, Ms. Segarra entered into a Consent Order for practicing massage and bodywork therapy prior to being issued a license wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$500 and costs of \$250.

Johnny Sinclair - Prior to a hearing scheduled for June 16, 2022, Mr. Sinclair entered into a Consent Order for engaging in inappropriate sexual contact with a client during a massage and bodywork therapy session wherein his license was suspended for one year and he agreed to pay a civil penalty of \$500 and costs of \$500.

Charles Alford - Prior to a hearing scheduled for August 18, 2022, Mr. Alford entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein his license was placed on probation for one year and he agreed to pay a civil penalty of \$1000 and costs of \$500.

Mario Butler - Prior to a hearing scheduled for August 18, 2022, Mr. Butler entered into a Consent Order for engaging in inappropriate sexual contact with a client during a massage and bodywork therapy session wherein his license was suspended for six months, placed on probation for two years following the suspension and he agreed to pay a civil penalty of \$1000 and costs of \$500.

Angel Rivera - Prior to a hearing scheduled for August 18, 2022, Mr. Rivera entered into a Consent Order for engaging in inappropriate contact with four separate 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 \$500.

Cyndi Thibodeaux - Prior to a hearing scheduled for August 18, 2022, Ms. Thibodeaux entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Miqueta Carter - Prior to a hearing scheduled for October 21, 2022, Ms. Carter entered into a Consent Order for practicing massage and bodywork therapy prior to being issued a license wherein she was placed on probation for one year and she agreed to pay a civil penalty of \$500 and costs of \$250.

Pil Chisholm - Prior to a hearing scheduled for October 21, 2022, Ms. Chisholm entered into a Consent Order for failing to ensure the client's safety and comfort by causing inflammation and numbness to the hand wherein she was placed on probation for six months and she agreed to pay a civil penalty of \$350 and costs of \$250.

Charhonda Crawford - Prior to a hearing scheduled for October 21, 2022, Ms. Crawford entered into a Consent Order for aiding and abetting illegal massage and bodywork therapy at her business wherein her license was placed on probation for two years and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Sukruedee Fell - Prior to a hearing scheduled for October 21, 2022, Ms. Fell entered into a Consent Order for aiding and abetting illegal massage and bodywork therapy at her business wherein her license was placed on probation for six months and she agreed to pay a civil penalty of \$500 and costs of \$500.

Lauren Light - Prior to a hearing scheduled for October 21, 2022, Ms. Light entered into a Consent Order for practicing massage and bodywork therapy prior to being issued a license and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Allison Nepaulsingh - Prior to a hearing scheduled for October 21, 2022, Ms. Nepaulsingh entered into a Consent Order for practicing massage and bodywork therapy without a current license wherein her license was placed on probation for one year and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Brent Deskins - Prior to a hearing scheduled for December 8, 2022, Mr. Deskins entered into a Consent Order for engaging in inappropriate sexual activities with students at a school wherein his license was suspended for one year, placed on probation for four years following the suspension, shall not be a program director, administrative staff or instructor at a Board approved school or community college, shall not be an instructor of or provide in-person CE during his suspension or probation and he agreed to pay a civil penalty of \$1000 and costs of \$500.

Deante Hickman - Prior to a hearing scheduled for December 8, 2022, Mr. Hickman entered into a Consent Order for engaging in inappropriate sexual contact with three separate clients during massage and bodywork therapy sessions wherein he surrendered his license and he agreed to pay a civil penalty of \$1000 and costs of \$1000.

Kathleen Knoll - Prior to a hearing scheduled for December 8, 2022, Ms. Knoll entered into a Consent Order for providing massage and bodywork therapy services to clients while under the influence of alcohol and engaging in inappropriate conversation during her shift wherein her license was placed on probation for two years and she agreed to pay a civil penalty of \$500 and costs of \$250.

Xiu Li - Prior to a hearing scheduled for December 8, 2022, Ms. Li entered into a Consent Order for aiding and abetting illegal massage and bodywork therapy at her business wherein her license was revoked and she agreed to pay a civil penalty of \$1000 and costs of \$500.

Jothem Velez - Prior to a hearing scheduled for December 8, 2022, Mr. Velez entered into a Consent Order for engaging in inappropriate contact with a client during a massage and bodywork therapy session wherein he surrendered his license and he agreed to pay a civil penalty of \$1000 and costs of \$500.

Leigh Ann Withrow - Prior to a hearing scheduled for December 8, 2022, Ms. Withrow entered into a Consent Order for receiving criminal charges while on a conditional license with the Board wherein she was placed on probation for two years and she agreed to pay a civil penalty of \$500 and costs of \$250.

NOTICE OF POTENTIAL VIOLATION:

There were fourteen (14) Notices served on persons for allegedly practicing without a license or aiding and abetting unlicensed practice and eleven (11) Notices served on businesses upon information they were allowing a person to practice massage and bodywork therapy without a North Carolina license.

INDIVIDUALS:

Shanice Jackson.....	Huntersville
A’Sierra Spencer.....	Rocky Mount
Angelique Davis.....	Gastonia
John Baldwin.....	Asheville
Acholam Birago.....	Cornelius
Ricky Holden.....	Henderson
Debbi Justice.....	Greenville
Sukruedee Fell.....	New Bern
Kochamon Nufong.....	New Bern
Ebony Vinson.....	Hillsborough
Spayne Furr.....	Midland
Pasha Kramer.....	Fuquay Varina
John Moran.....	Boone
Calesio Newman.....	Fayetteville

BUSINESSES:

Babes Relaxation Lounge.....	Rocky Mount
Angelic Touch Massage.....	Gastonia
Heal Live Love.....	Cornelius
RJ The Masseur.....	Henderson
Merle Norman.....	Greenville
Nuad Thai Therapy.....	New Bern
Health Center of Hillsborough.....	Hillsborough
Charged Up Recover.....	Midland
Pasha Sasha.....	Fuquay Varina
Mountain High Massage.....	Boone
Catch These Hands Massage.....	Fayetteville

DENIAL OF LICENSE:

The Board denied licenses to four (4) applicants. Three (3) applicants were denied licenses because the curriculum of the massage school they attended did not meet the Board’s minimum requirements: Rebecca Hawks, Xuanyu Jin, and Yan Zhang. One (1) applicant was denied a license due to failing to response to complaints received by the Board: Alexis Valdes.

CONDITIONAL LICENSES:

The License Standards Committee of the Board issued eight (8) Conditional Licenses to persons whose applications showed evidence of past minor criminal behavior, possibility of practicing without a license, education deficiency or other minor improper conduct.

CHECK OUT OUR WEBSITE!

www.bmbt.org

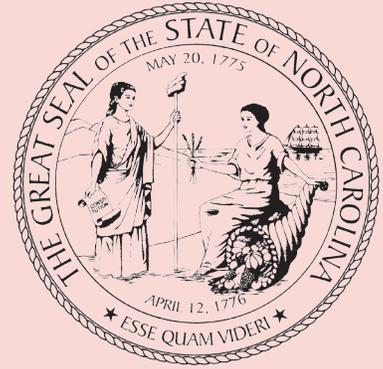
The Board Website is your Online Source for Information

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 LMBT Licensure
- Applying for Establishment Licensure
- License Renewals
- 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
- News and Announcements

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
Name Change Form
Fee Schedule
Formal Complaint Form



Official Newsletter
NORTH CAROLINA BOARD of
MASSAGE & BODYWORK
THERAPY

Phone: 919-546-0050
Email: admin@bmbt.org
Website: www.bmbt.org

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