



## Coalition of Massage & Bodywork CE Instructors

August 7, 2015

Rules Review Commission  
1711 New Hope Church Rd.  
Raleigh, NC 27609

Dear Commission Members,

The *Coalition of Massage & Bodywork CE Instructors* is an informally structured group of massage and bodywork continuing education instructors based in North Carolina. Our primary mission is to keep North Carolina massage & bodywork continuing education instructors informed and influence the standards of continuing education. We have occasional meetings when we see the need, and communicate regularly through email. Representatives of our group attend the NC *Board of Massage & Bodywork Therapy* meetings and we provide input to the Board on issues that we feel are important to the profession.

We would like to express our concerns about the revisions made to a set of permanent rules submissions regarding licensing massage establishments, specifically 21 NCAC 30 .1001 – 21 NCAC 30 .1015. These rules are scheduled for an RRC hearing September 17.

Our objection is based on the grounds that a substantive change was made to the original proposal after the public comment period and public hearing; these changes are not acceptable.

The removal of .1001(2)(d) (exemption of sole practitioners) from the original proposal for Establishment Licensure results in two problems and should be re-instated.

1. Sections .1004 (Massage Establishment Operations) and .1009 (Sexual Activity Prohibited) of the proposed Establishment License are redundant with section .0500 (Standards of Professional Conduct) of the existing Massage and Bodywork License rules. The Massage and Bodywork License already regulates the facility and conduct of all licensed therapists. The proposed Establishment License does not add any substantive regulation pertaining to the practice and conduct of individual therapists. Therefore, to

require sole practitioners, as defined in .1001(4), to obtain an Establishment License is redundant and double regulation and they should be exempt from the Establishment License as was the original intent of the proposal.

2. .1001(4) (Definition of sole practitioner) is in conflict with .1003(1) (Requirements for Licensure) rendering the license not applicable to sole practitioners. The first qualification for being licensed as an Establishment is the applicant employs licensed therapists. By definition sole practitioners do not employ other therapists so the license is not applicable to sole practitioners. This requirement indicates that the target for the Establishment License is businesses that employ therapists. Therefore, sole practitioners should be exempt from the establishment license.

The *Coalition of Massage & Bodywork CE Instructors* is not opposed to an establishment license for businesses that employ therapists. But we do object to requiring sole practitioners to have an establishment license on the grounds that the facility and conduct of all individual therapists are already regulated by the Massage and Bodywork License. Having to maintain two licenses with essentially the same regulations is an unnecessary burden without any benefit to the public.

Thank you for your consideration of the Coalition's concerns.

Sincerely,

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