

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Massage and Bodywork Therapy

RULE CITATION: 21 NCAC 30 .0201

**DEADLINE FOR RECEIPT: Wednesday, January 15, 2025**

**PLEASE NOTE:** *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Throughout, you have a lot of material in parentheses. Per the OAH style guide, we discourage that, and ask for that material to be incorporated into the sentence without parentheses. Particularly at (a)(2), line 7; (a)(9), line 14; (a)(11) line 16; (a)(13, 14, and 15), lines 18-20; (a)(17), line 22; and (a)(20), line 28.*

*In (a)(13, 14, and 15), are the examples given in the parentheticals exclusive? For example, in (a)(14), are there any other examination agencies? If so, are they acceptable, or are only the three mentioned here acceptable to the Board?*

*In (a)(16), line 21, consider “whether ~~or not~~ the applicant is a U.S. citizen”.*

*In (a)(17), line 22, add an oxford comma following “weight”.*

*In (a)(23)(A) and (C), p.2, lines 1 and 4, do these require different things? It seems to me that “pending charges” in (C) would be captured by “charged with” in (A).*

*Also in (a)(23)(A), lines 1-2, does the applicant have a responsibility to report charges, etc., in North Carolina, or in any jurisdiction? If you are going to consolidate (A) and (C), consider bringing that in from (C).*

*In (a)(23)(I), line 13, add a comma following “asked to resign”.*

*In (a)(23)(N) and (O), lines 20-21, is there a distinction between being “dependent” on alcohol and drugs and “abusing” them? What do these terms mean in this context?*

*In (a)(23)(P), line 22, are you asking for something broader than the mental health diagnosis referenced in (M), when you ask for information on whether the applicant has been “evaluated or treated for mental health”?*

Brian Liebman  
Commission Counsel

Date submitted to agency: December 31, 2024

*Also, I believe in deleting “issues” from line 22, you’ve created a typo, in that the phrase “mental health issues” has now become “mental health”. What specifically are you asking the applicant to disclose?*

*In (a)(24), line 26, I don’t think I understand the requirement here. The applicant has to attest to the truth of the application, and also “complete an affidavit of applicant to the Board of all information pertaining to the application.” First, I think there are some grammar issues here, and second, how is this different from the attestation on line 25?*

*In (b)(3), line 33, do you mean that the applicant needs to show that they’ve earned “At least” a high school diploma?*

*In (b)(5), p.3, line 4, please change “will” to “shall”*

*In (b)(6), line 13, why is the phrase “that meets... standards” highlighted? It is not underlined or struck through, so is it a post publication change? If so, please fix the formatting.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

21 NCAC 30 .0201 is amended with changes as published in 39:06 NCR 326-328 as follows:

**21 NCAC 30 .0201            APPLICATION AND SCOPE**

(a) Each applicant for a license as a massage and bodywork therapist shall complete an ~~online application~~ application ~~provided by the Board on its website at www.bmbt.org~~. The application shall include the following:

- (1) full name (last name, first name, middle name and maiden name, if applicable);
- (2) name as the applicant wants it to appear on license (must be part or all of applicant's legal name);
- (3) current residence;
- (4) personal mailing address;
- (5) city, state, zip code and county;
- (6) Social Security Number;
- (7) city and state of birth;
- (8) date of birth;
- (9) telephone number (e.g. home, mobile and business);
- (10) email address;
- (11) trade name or business name (if applicable);
- (12) business address;
- (13) type of license applying for (Regular, License by Endorsement A or License by Endorsement B);
- (14) examination agency (FSMTB, NCCAOM or NCBTMB, if applicable);
- (15) exam taken (MBLEx, NCETMB, NCETM or ABTE, if applicable);
- (16) whether or not a U.S. citizen;
- (17) physical description (gender, height, eye color, race, weight and hair color);
- (18) ~~place~~ places of residence for the previous 10 years including date, street address, city, state, zip ~~code~~ code, and county;
- (19) professional experience for the previous 10 years including date, job title, type of business, hours worked per week, employer's name, address, state, zip code, area code and phone ~~number~~ number, and reason for leaving, if applicable;
- (20) education (high school, college/university, graduate or professional) including name of educational institution, city, state, zip code, whether or not you were issued a certificate, diploma or degree and month and year of graduation;
- (21) previous or current massage or bodywork therapy licensure, ~~registration~~ registration, or certification in another state or territory, including state, license, registration or certification type, license or credential number, date issued and date of expiration;
- (22) professional affiliations and achievements;
- (23) whether the applicant has had any of the following situations and ~~explain such instances~~ an explanation of each:

- (A) charged with, arrested for, convicted of, or ~~plead~~ pled guilty or no contest to a violation of any law;
- (B) had a driver's license canceled, suspended or revoked;
- (C) pending criminal charges in any state or jurisdiction;
- (D) violated any federal or state ~~statue~~ statute or rule which relates to massage and bodywork therapy or any other healthcare profession;
- (E) obtained or attempted to obtain compensation by fraud or deceit;
- (F) ~~involved~~ named as a defendant in a civil suit related to your practice of massage and bodywork therapy or other healthcare profession;
- (G) had any judgments entered against you;
- (H) expelled, fired, asked to ~~resign~~ resign, or otherwise suspended from any educational institution;
- (I) fired, asked to resign or otherwise suspended from employment;
- (J) denied a massage therapy license or a license for any other healthcare profession;
- (K) had a massage therapy license or a license for any other healthcare profession revoked or suspended;
- (L) have any ~~formal~~ disciplinary charges pending or action taken by any massage or bodywork therapy licensing board or medical board;
- (M) been diagnosed with a mental illness;
- (N) been diagnosed as being dependent on alcohol or drugs;
- (O) been diagnosed as abusing ~~abused~~ alcohol or drugs;
- (P) been evaluated or treated for mental health or substance ~~abuse issues~~; abuse;
- (Q) used any drug or alcohol to the extent it adversely affected your professional competence or employment;
- (24) an attestation under oath before a notary that the information on the application is true and also complete an affidavit of applicant to the Board of all information pertaining to the application.
- (b) This application shall be submitted to the Board and shall be accompanied by:
- (1) One original color photograph of the applicant taken within six months preceding the date of the application of sufficient quality for identification. The photograph shall be of the head and shoulders, passport type, and two inches by two inches in size;
- (2) The ~~proper~~ fees, as required by Rule .0204 of this Section and G.S. ~~90-629.1(b);~~ 90-628(b);
- (3) ~~Documentation~~ A copy of a high school diploma or transcript, General Equivalency Diploma (GED), or college diploma or transcript showing that the applicant has earned a high school diploma or equivalent;
- (4) ~~Documentation~~ A copy of a driver's license or birth certificate showing that the applicant is 18 years of age or older;

- (5) ~~Documentation~~ An official transcript from the massage therapy school showing that the applicant has completed a course of study at a school approved by the Board according to these rules and consisting of a minimum of 500 650 classroom hours of supervised instruction. If the applicant attended a school that is not approved by the Board, the Board may elect to will review that applicant's curriculum on a case-by-case basis. The documentation of such training shall come from a school that is licensed by the educational licensing authority in the state, territory or country in which it operates. In North Carolina the documentation shall come from a proprietary school approved by the Board or a college-based massage program that is exempt from Board approval. The curriculum shall meet or be substantially equivalent to the standards set forth in Rule .0620(2) of this Chapter;
- (6) ~~Documentation~~ An official score report showing that the applicant has achieved a passing score on a competency assessment examination administered or approved by the Board or approved by the Board that meets generally accepted psychometric principles and standards; [Board;]
- (7) Signed statements from four persons attesting to the applicant's good moral character; personal history of honesty, integrity, trustworthiness, fairness, good reputation for fair dealings, and respect for the rights of others and for state and federal laws;
- (8) Fingerprint card executed by a fingerprinting ~~agency, agency;~~ and
- (9) Consent to a criminal history record check by the North Carolina Department of Justice.

*History Note: Authority G.S. 90-626(2); 90-629;*  
*Temporary Adoption Eff February 15, 2000;*  
*Eff. April 1, 2001;*  
*Amended Eff. October 1, 2008;*  
*Readopted Eff. October 1, 2015. 2015;*  
*Amended Eff. February 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Massage and Bodywork Therapy

RULE CITATION: 21 NCAC 30 .0204

**DEADLINE FOR RECEIPT: Wednesday, January 15, 2025**

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*In (2), consider revising to “Initial license fee” to eliminate potential confusion over whether a renewal applicant needs to pay both the “license fee” and the “license renewal” fee.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

21 NCAC 30 .0204 is amended as published in 39:06 NCR 328-329 as follows:

**21 NCAC 30 .0204 FEES**

(a) Fees are as follows:

(1)	Application for Examination of Requirements for License	\$ 20.00
(2)	License fee	150.00
(3)	License renewal	100.00
(4)	Late renewal penalty	75.00
(5)	Duplicate license	25.00
(6)	<del>Application for Additional Examination of Moral Character</del>	<del>150.00</del>

(b) Fees shall be nonrefundable and shall be paid ~~in the form of a~~ by credit card, debit card, cashier's check, certified ~~check~~ check, or money order made payable to the North Carolina Board of Massage and Bodywork Therapy.

*History Note: Authority G.S. 90-626(8); 90-628;*

*Temporary Adoption Eff. February 15, 2000;*

*Eff. April 1, 2001;*

*Amended Eff. September 2, 2005;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, ~~2014~~, 2014;*

*Amended Eff. February 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Massage and Bodywork Therapy

RULE CITATION: 21 NCAC 30 .0620

**DEADLINE FOR RECEIPT: Wednesday, January 15, 2025**

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In reviewing this Rule, the staff recommends the following changes be made:

*In (4), p.2, line 15, according to what guidelines does the school approve the extern supervisor?*

*In (5), line 16, is the requirement for “curriculum hours that allow its graduates to meet the minimum eligibility requirements for at least one of the competency assurance examinations” different than the 650 hour requirement in (2)?*

*Also in (5), line 17, what is a “competency assurance examination”?*

*Does (8) require something other than what is already in (12), on p.3? Consider combining these items.*

*In (9), line 31, do you mean “adapt” instead of “adopt”?*

*In (13), p.3, line 17, what does it mean that the courses “support the education and training in massage and bodywork therapy”?*

*In (13), line 19, how is it determined that a course is “related” to the practice of massage and bodywork therapy? Who makes the determination?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.



21 NCAC 30 .0620 is amended with changes as published in 39:06 NCR 329-330 as follows:

**21 NCAC 30 .0620            PROGRAM REQUIREMENTS**

Pursuant to G.S. ~~90-631(1)~~, 90-631(a)(1), programs shall meet the following requirements:

- (1) A school shall develop and adhere to a set of educational objectives that describe the intended ~~skills,~~  
~~skills knowledge,~~ and ~~knowledge attitudes~~ that the program is designed to develop in the student by  
the completion of the program;
- (2) The program shall have a core curriculum of at least ~~500~~ 650 classroom hours of supervised  
instruction. The core curriculum shall contain the following hours of specific course ~~work that are~~  
~~consistent with the school's mission and educational objectives;~~ work:
  - (a) ~~200~~ 230 hours in the fundamental theory and practice of massage and bodywork therapy  
that is designed to produce comprehensive entry-level skills in the application of direct  
manipulation to the soft tissues of the human body, and is based in therapeutic methods  
consistent with the definition set forth in G.S. 90-622(3) such as Swedish massage,  
acupressure, shiatsu, deep muscle massage, trigger point therapy, and connective tissue  
bodywork. Of the ~~200~~ 230 hours in this category, at least ~~400~~ 115 hours shall be in the  
application of hands-on methods. The balance of the hours shall include client assessment  
skills, indications and contraindications for treatment, body mechanics, draping  
procedures, standard practices for hygiene and control of infectious diseases, and the  
history of massage and bodywork therapy;
  - (b) 100 hours in anatomy and physiology related to the practice of massage and bodywork  
therapy that shall include the structure and function of the human ~~body and common~~  
~~pathologies;~~ body;
  - (c) 55 hours in kinesiology related to the practice of massage and bodywork therapy that shall  
include the function of movement;
  - (d) 45 hours in pathology related to the practice of massage and bodywork therapy;
  - ~~(e)~~(e) 15 ~~20~~ hours in professional ~~ethics, and North Carolina laws and rules~~ ethics for the practice  
of massage and bodywork therapy;
  - (f) 10 hours in North Carolina laws and rules for the practice of massage and bodywork  
therapy;
  - ~~(d)~~(g) 15 hours in business management practices related to the practice of massage and  
bodywork therapy;
  - ~~(e)~~(h) 20 ~~25~~ hours in psychological concepts related to the practice of massage and bodywork  
therapy, including dynamics of the ~~client/therapist relationship,~~ client-therapist  
relationship and boundaries, professional communication skills, and the mind-body  
~~connection, and boundary functions;~~ connection;

- ~~(f)(i)~~ 150 hours in other courses related to the practice of massage and bodywork therapy. The courses may include additional hands-on techniques, specific applications, adjunctive modalities, in-depth anatomy and physiology, kinesiology, psychological concepts, or supervised clinical practice. First Aid or CPR shall not be included in this category. Techniques that are considered exempt from licensure pursuant to G.S. 90-624(6) or (7), and that are further defined by Rule .0203(a) may constitute up to 50 hours of the 150 hours in this category.
- (3) ~~For programs that include a student~~ Student clinic or fieldwork experiential component, ~~the hours programs shall not exceed 100 hours of the minimum requirement set forth in Sub-item (2)(f) 150 hours required by sub-item (2)(i) of this Rule. All work shall be in the presence of and directly supervised by and evaluated by an instructional staff member; instructor;~~
- (4) For programs that include an externship component, the hours shall not be included in the requirements set forth in Item (2) of this Rule, and shall not comprise more than 20 percent of the total program hours. All work at the externship site shall be supervised by a person at the externship site who is ~~acceptable to~~ approved by the school, and shall be monitored and evaluated by the school;
- (5) The program shall provide curriculum hours that allow its graduates to meet the minimum eligibility requirements for at least one of the competency assurance examinations that are approved by the Board as meeting the licensure requirement set forth in G.S. 90-629(5) and Rule .0201(a)(15);
- (6) Programs shall consist of a series of courses that are organized ~~in a logical sequence, so that each class prepares the students for the next class and that~~ are consistent with the program's educational objectives. ~~Sequential organization means that within a course, each class prepares students for the next class.~~ Material shall not be ~~not~~ presented unless students have the necessary skills and knowledge to utilize ~~that~~ the material;
- (7) Course titles shall match the content of the ~~course;~~ course and published course descriptions shall reflect the specific learning objectives of each course; ~~and sufficient hours shall be allotted to each course to allow students to gain competence in the subject areas covered;~~
- (8) A ~~course curriculum~~ syllabus shall be developed for each course that shows the basic content of each individual class in the course in the sequence presented;
- (9) Course requirements and competencies shall be consistent from instructor to instructor. Teaching materials, including lesson plans for every class taught, shall be developed and maintained for each course to ensure consistency. Teaching methods shall ~~be appropriate~~ adopt to course content, and ~~to~~ diverse learning styles;
- (10) Programs shall be at least ~~24~~ 25 weeks in length, with no more than nine instructional hours in one day. There shall be no more than two hours of instruction without a break. There shall be no more than four hours of instruction without a meal break;
- (11) For a student to receive credit in a course, the student shall attend ~~75~~ 80 percent of the instructional hours of the course. The student shall also make up missed instructional hours to equal no less than

- 1 98 percent of the instructional hours in the course according to the procedures established by the  
2 school;
- 3 (12) A syllabus shall be developed for each course and provided to students prior to the beginning of  
4 instruction. The syllabus shall include the following elements:
- 5 (a) course title;
  - 6 (b) course description;
  - 7 (c) learning objectives;
  - 8 (d) teaching methodologies;
  - 9 (e) total number of instructional hours;
  - 10 (f) meeting dates and class times;
  - 11 (g) assignments;
  - 12 (h) textbooks;
  - 13 (i) evaluation methods;
  - 14 (j) quiz and examination dates; and
  - 15 (k) performance standards.
- 16 (13) For post-secondary institutions, courses that fulfill the requirements set forth in Item (2) of this Rule  
17 shall support ~~the program~~ education and training in massage and bodywork therapy. Courses in  
18 addition to these requirements may include courses from other departments or programs ~~that are~~  
19 ~~relevant~~ related to the practice of massage and bodywork therapy; and
- 20 (14) For classes that involve hands-on practice, the student to instructor ratio shall not exceed 16 to 1.  
21 Both instructors and teaching assistants, as defined in Rule ~~0612~~ .0602(5) and (12) of this Section,  
22 shall be considered in calculating these ratios.

23

24 *History Note:* *Authority G.S. 90-626(9); 90-631;*  
25 *Eff. October 1, 2007;*  
26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November*  
27 *12, 2014;*  
28 *Amended Eff. April 1, 2017. 2017;*  
29 *Amended Eff. February 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Massage and Bodywork Therapy

RULE CITATION: 21 NCAC 30 .0623

**DEADLINE FOR RECEIPT: Wednesday, January 15, 2025**

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In reviewing this Rule, the staff recommends the following changes be made:

*On line 4, please define "sufficient" access.*

*In (2), line 10, what are you requiring? Please clarify and revise the rule.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

21 NCAC 30 .0623 is amended as published in 39:06 NCR 330 as follows:

**21 NCAC 30 .0623            LEARNING RESOURCES**

The school shall provide sufficient access to learning resources to students and instructional staff to support the educational objectives of the program as follows:

- (1) the school shall ~~maintain a resource center that contains or provides~~ provide students access to books, periodicals, and other informational materials in the field of massage and bodywork therapy. As an alternative, the school may have a contractual agreement with another ~~facility~~ entity to provide access to such resources; and
- (2) all other resources, such as charts, models, or electronic media, shall be maintained.

*History Note:    Authority G.S. 90-626(9); 90-631;  
Eff. October 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, 2014;  
Amended Eff. April 1, ~~2017~~. 2017.  
Amended Eff. February 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Massage and Bodywork Therapy

RULE CITATION: 21 NCAC 30 .0627

**DEADLINE FOR RECEIPT: Wednesday, January 15, 2025**

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In reviewing this Rule, the staff recommends the following changes be made:

*In (a)(1), line 6, exempt by statute from what, exactly?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

21 NCAC 30 .0627 is amended as published in 39:06 NCR 330 as follows:

**21 NCAC 30 .0627      ~~TRANSFER OF CREDIT; ADVANCED PLACEMENT~~ CREDIT**

(a) A school shall not grant transfer credit from another institution unless the following standards are met:

- (1) The school from where credit is being transferred shall be licensed or approved by the educational licensing authority or be exempt by statute in the state in which it ~~operates, or be exempt by statute;~~ operates;
- (2) The school from where credit is being transferred shall provide an official transcript;
- (3) Courses for which credit is granted shall be parallel in content ~~and intensity~~ to the courses presently offered by the ~~school; and school granting the transfer;~~
- (4) Documentation of previous training shall be included in each student's permanent file.

(b) A school may only grant ~~advanced placement credit~~ credit to a student, or exempt the student from curriculum requirements, based on the student's performance on an examination that the school administers to determine competency in that subject area. ~~Advanced placement Credit~~ or exemption shall not exceed 35 percent of the total number of hours in the program and shall not reduce the total hours attended to less than ~~500~~ 650 hours.

*History Note:      Authority G.S. 90-626(9); 90-631;*

*Eff. October 1, 2007;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 12, ~~2014~~ 2014;*

*Amended Eff. February 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Massage and Bodywork Therapy

RULE CITATION: 21 NCAC 30 .1012

**DEADLINE FOR RECEIPT: Wednesday, January 15, 2025**

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In reviewing this Rule, the staff recommends the following changes be made:

*Throughout the Rule, you inconsistently cite to the fee statutes and rules. For instance in (a) you refer to the statute but not the rule, and then in (b), you refer to the rule, and not the statute. Please consider revising for consistency.*

*In (b), line 8, the license may be reinstated within 120 days of what? Expiration? Please clarify and revise.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.



21 NCAC 30 .1012 is amended as published in 39:06 NCR 331 as follows:

**21 NCAC 30 .1012        LICENSE RENEWAL**

(a) Any establishment licensee renewing a license shall comply with all requirements for licensure and shall submit the required renewal fee pursuant to G.S. 90-632.14(a)(3).

(b) An establishment license that has not been renewed prior to its expiration date is expired and the establishment shall submit an initial application for licensure pursuant to Rule .1003 of this Chapter, not operate. The establishment license may be reinstated within 120 days upon payment of the license renewal fee and late renewal penalty pursuant to Rule .1014 of this Chapter. Any establishment license expired for more than 120 days shall not be renewed and an initial application for licensure shall be submitted pursuant to Rule .1003 of this Chapter.

(c) Any owner whose establishment license has expired and who engages in or permits any massage and bodywork therapy activities governed by the Practice Act shall be subject to the penalties prescribed in G.S. 90-634 and G.S. 90-634.1.

(d) Members of the armed forces whose establishment licenses are in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall be granted that same extension of time to pay the establishment license renewal fee. A copy of military orders and the extension approval by the Internal Revenue Service shall be furnished to the Board to be granted the extension of time to pay the renewal fee.

*History Note:     Authority G.S. 90-630.5; 90-632.14; 93B-15;  
                             Eff. November 15, ~~2019~~ 2019;  
                             Amended Eff. February 1, 2025.*