REQUEST FOR TECHNICAL CHANGE

AGENCY: N.C. BOARD OF MASSAGE AND BODYWORK THERAPY

DEADLINE FOR RECEIPT: TUESDAY, JULY 19, 2011

RULE CITATION: 21 NCAC 30 .0624

The staff of the Rules Review Commission has completed its opinion review of the rule or set of rules your agency filed with us for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved.

In reviewing the rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*It seems to me that in (a)(2) lines 10 and 11 you might need an exception to cover the activity permitted in rule .0516, especially item (3) in that rule.*

*In (b) lines 17 – 19, I believe that “[a]s defined in Rules … of this Chapter” would more correctly modify “sexual activity” in lines 18 and 19 and should be moved to that location. I will leave it up to your discretion as to whether or not it needs to be set off with appropriate commas.*

*In (b) I am recommending an objection based on lack of authority to regulate non-licensed school personnel. But it seems to me that even if the rule is within your authority you should restrict the broad application to any “school” (line 18) to a “massage and bodywork therapy school or program” or some other limiting language.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and submit it along with two copies and an electronic copy to our office at 1711 New Hope Church Rd., Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel