

21 NCAC 30 .0905 DISCIPLINARY SANCTIONS

(a) The following types of disciplinary sanctions regarding licensed massage and bodywork therapists and massage and bodywork therapy establishments (licensees) may be utilized by the Board:

- (1) Denial of Application: Refusal to license the applicant;
- (2) Letter of Reprimand: This formal expression of disapproval will be retained in the licensee's file but shall not be publicly announced. It is not published, but is released upon request by the public;
- (3) Probation: A period of time where restrictions or conditions are imposed on a licensee. Continued licensure is subject to fulfillment of specified conditions;
- (4) Suspension of license: A condition of probation. Loss of license for a period after which the licensee shall be required to reapply for licensure or remain on probation;
- (5) Refusal of License Renewal: A refusal to reinstate or renew a license;
- (6) Revocation of license: An involuntary termination of a license;
- (7) Injunction: A court action prohibiting or compelling conduct by a licensee; or
- (8) Assessment of a civil penalty.

(b) The following types of disciplinary sanctions regarding schools of massage and bodywork therapy may be utilized by the Board:

- (1) Denial of Application: Refusal to grant approval to the applicant school;
- (2) Letter of Reprimand: A formal expression of disapproval will be retained in the school's file but shall not be publicly announced. It is not published, but is released upon request by the public;
- (3) Probation: A period of time where restrictions or conditions are imposed on an approved school. Continued approval is subject to fulfillment of specified conditions;
- (4) Suspension of approval: A condition of probation. Loss of approval status for a period after which the school shall be required to reapply for approval or remain on probation;
- (5) Refusal of Approval: A refusal to reinstate or renew a school's approval status;
- (6) Revocation of Approval: An involuntary termination of school's approval status;
- (7) Injunction: A court action prohibiting or compelling conduct by a school; or
- (8) Assessment of a civil penalty.

(c) During an investigation, the Board may request information from professional associations, professional review organizations (PROs), hospitals, clinics or other institutions in which a licensee performs professional services, regarding chemical abuse or incompetent or unethical behavior.

(d) During an investigation, the Board may request information from state regulatory agencies, accrediting commissions, or other institutions that oversee the activities of a school.

(e) The Board shall provide notice of sanction taken by it to other public entities to ensure that other state boards, national certification boards, professional associations, enforcement authorities, and accrediting agencies receive the names of licensees and schools disciplined.

History Note: Authority G.S. 90-626(4), 90-626(14); 90-633; 90-634.1;

Temporary Adoption Eff. February 15, 2000;

Eff. April 1, 2001;

Amended Eff. April 1, 2005;

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

Amended Eff. November 15, 2019.