

21 NCAC 30 .0102 DEFINITIONS

In addition to the definitions set forth in G.S. 90-622(1) through (5), the following definitions apply:

- (1) Classroom hours of supervised instruction. -- Student learning activities in a training program that is conducted in the physical presence of an instructor who meets the qualifications of Rule .0612.
- (2) Generally accepted psychometric principles and standards. -- Standards for Educational and Psychological Testing (1999, American Psychological Association, American Educational Research Association, National Council on Measurement in Education), and Principles of Fairness: An Examining Guide for Credentialing Boards (Revised 2002, Council on Licensure, Enforcement, and Regulation, National Organization for Competency Assurance) which are hereby incorporated by reference, including subsequent amendments and editions. Copies of the standards may be obtained from The American Psychological Association at 750 First Street, NE, Washington, DC 20002-4242 or online at <http://www.apa.org/science/standards.html>.
- (3) Gross negligence. -- The intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.
- (4) Incompetency. -- Conduct that evidences a lack of ability, fitness or knowledge to apply principles or skills of the profession of massage and bodywork therapy.
- (5) Licensee. -- A person who holds a valid license issued by the Board to engage in the practice of massage and bodywork therapy.
- (6) Malpractice. -- Conduct in variance with the Standards of Practice set forth in Section .0500 that results in harm to a client or that endangers the health or safety of a client.
- (7) Place of business. -- The primary street location where the licensee provides massage and bodywork therapy. If the licensee provides massage and bodywork therapy only at the location of clients, then it shall be the residence street address of the licensee.
- (8) Practice Act. -- Article 36, Chapter 90 of the North Carolina General Statutes: The North Carolina Massage and Bodywork Therapy Practice Act.
- (9) Reciprocity. -- Pursuant to G.S. 90-630, a provision which shall apply to practitioners of massage and bodywork therapy qualified pursuant to Rule .0304 who reside outside the State.
- (10) Therapeutic, educational, or relaxation purposes. -- Pursuant to G.S. 90-622(3), that which is intended to positively affect the health and well-being of the client, and that does not include sexual activity, as defined in Rule .0508.

History Note: *Authority G.S. 90-622; 90-626(9);*
 Temporary Adoption Eff. February 15, 2000;
 Eff. April 1, 2001;
 Amended Eff. September 1, 2008; September 2, 2005;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November
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