

227.10 MESSAGE AND BODYWORK THERAPY LICENSING VIOLATION

The defendant has been charged with a massage and bodywork therapy licensing violation.

First, that the defendant

- a) [[employed] [hired] [contracted] with a person who is not [licensed] [exempted] to provide massage and bodywork therapy services to the public]
- b) [[aided and abetted¹] any person not [licensed] [exempted] in the practice of massage and bodywork therapy] [[advertised] [represented] [held out] any person not [licensed] [exempted] to others as a massage and bodywork therapist]
- c) [[described] the practice or any person not [licensed] [exempted]]
- d) [used any title descriptive of any branch of massage and bodywork therapy to reference any such person in violation of massage and bodywork licensure²]

Second, that the defendant acted knowingly.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant

- a) [[employed] [hired] [contracted] with a person who is not [licensed] [exempted] to provide massage and bodywork therapy services to the public]
- b) [[aided and abetting] any person not [licensed] [exempted] in the practice of massage and bodywork therapy] [[advertised]

- [representing] [holding out] any person not [licensed]
[exempted] to others as a massage and bodywork therapist]
- c) [[described] the practice or any person not [licensed]
[exempted]]
- d) [used any title descriptive of any branch of massage and
bodywork therapy to reference any such person in violation of
massage and bodywork licensure]

and that the defendant acted knowingly, it would be your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

¹ For an instruction on aiding and abetting, see N.C.P.I.–Crim 202.20.

² N.C. Gen. Stat. § 90-623 describes the licensure requirements.