

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 abetted<sup>1</sup>] 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 licensure<sup>2</sup>]

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]

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[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.

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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.