

BILL ANALYSIS

DATE: 7/24/2008

COMMITTEE: Consumer Protection and
Professional Licensure

BILL NO.: HB 2499

PRIME SPONSOR: Rep. McCall

PRINTER NO. 3961

HB 2499 is the Massage Therapy Law. The bill establishes a nine-member board with 2 public members, 5 massage therapists, the Secretary of Health and the Commissioner of the Bureau of Professional and Occupational Affairs (BPOA). The legislation requires that beginning two years from the effective date; an individual must be licensed to provide massage services. Other licensed professionals performing massage services within their scope of practice are not required to obtain a massage therapist license.

An applicant must be of good moral character, have a high school diploma or its equivalent and have completed a massage educational program of at least 600 hours. The applicant must also pass an examination.

License renewal will be on a biennial cycle and will require completion of 24 hours of continuing education.

Grandfather provisions

Existing practitioners may be eligible for a license provided they meet one of the following:

- 1.They must have been in active, continuous practice for at least 5 years immediately preceding the effective date of Section 6
- 2..Passed a certification examination accredited by the National Commission of Certifying Agencies
- 3.Completed 500 hours of instruction in an approved education program
4. Passed either the NESL examination offered by the National Certification Board for Therapeutic Massage and Bodywork or the Massage and Bodywork Licensure examination offered by the Federation of State Massage Therapy Boards, and has 100 hours of instruction.

House Bill 2499 provides that state licensure shall preempt any ordinance relating to the licensure or regulation of massage therapists by a political subdivision.

The bill permits the funds necessary for the costs associated with this act shall be transferred from the Professional Licensure Augmentation Account to the Department of State.

- The bill requires the board shall promulgate regulations within 18 months of the date of the act.

Effective date

The sections creating the board and requiring it to promulgate regulations shall take effect immediately. The remainder of the act shall take effect in two years.