

By: Representative Moody

To: Public Health and Welfare

HOUSE BILL NO. 859

1 AN ACT TO AMEND SECTION 73-67-21, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND FROM JANUARY 1, 2002, TO JULY 1, 2002, THE PERIOD OF  
3 TIME WITHIN WHICH MASSAGE THERAPISTS WHO ARE QUALIFIED UNDER THE  
4 GRANDFATHERING EXEMPTION MUST REGISTER IN ACCORDANCE WITH THE  
5 MISSISSIPPI PROFESSIONAL MASSAGE THERAPY ACT; TO REQUIRE THE STATE  
6 BOARD OF MASSAGE THERAPY TO ADVERTISE THE REQUIREMENT THAT MASSAGE  
7 THERAPISTS MUST REGISTER UNDER THE ACT AND THAT CERTAIN THERAPISTS  
8 ARE ELIGIBLE FOR THE GRANDFATHERING EXEMPTION; TO AMEND SECTION  
9 73-67-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR  
10 RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 73-67-21, Mississippi Code of 1972, is  
13 amended as follows:

14 73-67-21. (1) No person may advertise massage or practice  
15 massage for compensation in this state unless he is registered as  
16 a massage therapist by the board. No person may use the title of  
17 or represent himself to be a massage therapist or use any other  
18 title, abbreviations, letters, figures, signs or devices that  
19 indicate that such person is a massage therapist unless he is  
20 registered to practice massage therapy under the provisions of  
21 this chapter. Massage establishments shall be exempt from the  
22 advertising provisions found in Section 73-67-29 provided that  
23 such therapy or service is performed by person(s) registered under  
24 this chapter.

25 (2) The following are requirements for registration:

26 (a) An applicant must be eighteen (18) years of age, or  
27 older, on the date the application is submitted.

28 (b) An application must provide proof of high school  
29 graduate equivalency.



30 (c) An applicant must be of legal status not only to  
31 receive a certificate of registration, but also to work in the  
32 State of Mississippi with such certificate of registration.

33 (d) An applicant must supply proof of current  
34 certification in cardiopulmonary resuscitation (CPR) and first aid  
35 of at least eight (8) hours of training, including practical  
36 testing, and supply documentation of familiarity with The  
37 Americans With Disabilities Act.

38 (e) All required fees for registration must be  
39 submitted by the applicant.

40 (f) Any and all requirements regarding good moral  
41 character and competency, as provided for in this chapter and in  
42 accepted codes of ethics, shall be met.

43 (g) An applicant must have completed an approved  
44 continuing education course on communicable diseases, including  
45 HIV/AIDS information and prevention.

46 (h) The applicant's official and certified  
47 transcript(s) from the applicant's massage therapy school. Such  
48 transcript must verify that the applicant has completed a  
49 board-approved training program of no less than the minimum  
50 requirement for supervised in-class massage therapy instruction  
51 and student clinic, with a minimum grade requirement of "C" or  
52 better in every course of instruction, as stated for school  
53 requirements; or if the applicant is submitting criteria from an  
54 apprenticeship program, all required documentation, forms and  
55 other board-stipulated requirements must be met.

56 (3) The following pre-act practitioners are exempt from  
57 having to take any examination for registration, but must fulfill  
58 all other requirements as stated in this chapter, except for the  
59 requirements in subsection (2)(h) of this section:

60 (a) Those having more than three hundred (300)  
61 documented, board-accepted in-class hours of massage therapy  
62 education before January 1, 2001.



63 (b) Those having more than five (5) years of  
64 professional massage therapy experience and a minimum of one  
65 hundred fifty (150) hours of approved massage therapy education  
66 before January 1, 2001.

67 (c) Those having no formal training, but who have  
68 successfully passed the National Certification Examination for  
69 Therapeutic Massage and Bodywork.

70 (d) All grandfathering exemption allowances as stated  
71 in this section shall end on July 1, 2002, for nonstudents, and on  
72 June 1, 2003, for students who were enrolled in a part-time  
73 massage school curriculum on July 1, 2001. Individuals may apply  
74 for a certificate of registration until the grandfathering  
75 exemption ends, but may not practice massage beyond the allowed  
76 grace period as provided for in Section 73-67-37 unless a valid  
77 massage therapy certificate of registration or provisional permit  
78 is obtained. All other pre-act practitioners and anyone not  
79 practicing massage therapy before January 1, 2001, must take and  
80 pass the registration examination and follow the requirements in  
81 this chapter to practice massage therapy for compensation in  
82 Mississippi.

83 (e) Students enrolled in a massage therapy curriculum  
84 of at least five hundred (500) hours on July 1, 2001, who complete  
85 graduation from the same curriculum.

86 (4) The provisions of this section which require  
87 registration of massage therapists, including the grandfathering  
88 exemption allowances described in subsection (3)(d), shall be  
89 advertised by the board within forty-five (45) days after the  
90 effective date of this act. The advertisement shall be published  
91 once each week for three (3) consecutive weeks in a newspaper of  
92 general circulation in each county, and it shall not be placed in  
93 any portion of the newspaper where legal notices and classified  
94 advertisements appear. The cost of publishing the advertisement



95 shall be paid by the board out of funds collected under authority  
96 of Section 73-67-15.

97 **SECTION 2.** Section 73-67-37, Mississippi Code of 1972, is  
98 amended as follows:

99 73-67-37. The grace period for certificates of registration  
100 to be issued shall be from the effective date of this act until  
101 July 1, 2002. Those meeting the minimum requirements as stated in  
102 this chapter, except for obtaining a certificate of registration,  
103 may continue the practice of massage therapy or instruction  
104 thereof within the grace period. Massage curriculums that begin  
105 before July 1, 2001, may continue with the same curriculum until  
106 completion. Anyone not meeting the minimum requirements as stated  
107 in this chapter shall not advertise massage therapy or instruction  
108 thereof until they meet the minimum requirements of this chapter.

109 **SECTION 3.** This act shall take effect and be in force from  
110 and after its passage.

