

By: Representative Moody

To: Public Health and Welfare

HOUSE BILL NO. 859
(As Sent to Governor)

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 AMEND SECTION
6 73-67-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR
7 RELATED PURPOSES.

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

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

11 73-67-21. (1) No person may advertise massage or practice
12 massage for compensation in this state unless he is registered as
13 a massage therapist by the board. No person may use the title of
14 or represent himself to be a massage therapist or use any other
15 title, abbreviations, letters, figures, signs or devices that
16 indicate that such person is a massage therapist unless he is
17 registered to practice massage therapy under the provisions of
18 this chapter. Massage establishments shall be exempt from the
19 advertising provisions found in Section 73-67-29 provided that
20 such therapy or service is performed by person(s) registered under
21 this chapter.

22 (2) The following are requirements for registration:

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

25 (b) An application must provide proof of high school
26 graduate equivalency.

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



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

35 (e) All required fees for registration must be
36 submitted by the applicant.

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

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

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

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

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

60 (b) Those having more than five (5) years of
61 professional massage therapy experience and a minimum of one



62 hundred fifty (150) hours of approved massage therapy education
63 before January 1, 2001.

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

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

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

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

85 73-67-37. The grace period for certificates of registration
86 to be issued shall be from the effective date of this act until
87 July 1, 2002. Those meeting the minimum requirements as stated in
88 this chapter, except for obtaining a certificate of registration,
89 may continue the practice of massage therapy or instruction
90 thereof within the grace period. Massage curriculums that begin
91 before July 1, 2001, may continue with the same curriculum until
92 completion. Anyone not meeting the minimum requirements as stated
93 in this chapter shall not advertise massage therapy or instruction
94 thereof until they meet the minimum requirements of this chapter.



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

