

By: Representative Moore

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 415

1 AN ACT TO AMEND SECTION 73-67-5, MISSISSIPPI CODE OF 1972, TO
2 EXEMPT PUBLICLY FUNDED POST SECONDARY INSTITUTIONS AND FOR-PROFIT
3 COLLEGES AND SCHOOLS THAT TEACH COURSES IN ADDITION TO MASSAGE
4 THERAPY AND ARE REQUIRED TO REGISTER WITH THE COMMISSION ON
5 PROPRIETARY SCHOOL AND COLLEGE REGISTRATION FROM CERTAIN FEES AND
6 REQUIREMENTS UNDER THE PROFESSIONAL MASSAGE THERAPY ACT; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 73-67-5, Mississippi Code of 1972, is
10 amended as follows:

11 73-67-5. (1) The provisions of this chapter shall not apply
12 to the following:

13 (a) Persons state licensed, state registered, state
14 certified, or otherwise state credentialed by the laws of this
15 state to include massage as part of their practice, or other
16 allied modalities that are certified by a nationally accredited
17 organization recognized by the board;

18 (b) Students enrolled in a massage therapy school and,
19 at the same time, working in a student clinic, and out-of-state
20 massage therapy instructors when teaching in these programs;

21 (2) Any exemption granted under subsection (1) of this
22 section is effective only insofar as and to the extent that the
23 bona fide practice of the profession or business of the person
24 exempted overlaps into the field comprehended by this law, and
25 exemptions under subsection (1) of this section are only for those
26 activities that are currently authorized and performed in the
27 course of the bona fide practice of the business or profession of
28 the person exempted;

29 (3) Any publicly funded post secondary institution and any
30 for-profit college or school that teaches courses in addition to
31 massage therapy and is required to register with the Commission on
32 Proprietary School and College Registration under the provisions
33 of Title 75, Chapter 60 of the Mississippi Code of 1972 shall be
34 exempt from any licensing fees, renewal fees, tuition fees and
35 bonding requirements that otherwise would be required under this
36 chapter.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after July 1, 2006.