

By: Representatives Buck (72nd), Buck (5th)

To: Universities and  
Colleges

## HOUSE BILL NO. 838

1 AN ACT TO AMEND SECTIONS 73-7-16, 73-67-35 AND 75-60-11,  
2 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PRIVATE BUSINESS  
3 AND VOCATIONAL SCHOOLS ARE AUTHORIZED TO SUBMIT EVIDENCE OF  
4 CURRENT NATIONAL ACCREDITATION FROM AN ACCREDITING AGENCY  
5 DESIGNATED BY THE UNITED STATES DEPARTMENT OF EDUCATION IN LIEU OF  
6 OTHER APPLICATION REQUESTS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 73-7-16, Mississippi Code of 1972, is  
9 amended as follows:

10 73-7-16. All schools of cosmetology or school owners shall  
11 have a school license and shall pay to the board the required  
12 license fee annually therefor. A grace period of sixty (60) days  
13 will be given in which to renew the license, and upon the  
14 expiration of the grace period of sixty (60) days, any applicant  
15 for the renewal of a school license will be required to pay a  
16 delinquent fee in addition to the renewal fee. The board is  
17 hereby authorized and empowered to promulgate necessary and  
18 reasonable rules and regulations for the issuance and renewal of  
19 school licenses. However, the board shall not refuse to issue or  
20 renew a school's license because of the number of schools already  
21 in that area of the state, and any rule promulgated by the board  
22 for that purpose shall be null and void.

23 Each application or filing made under this section shall  
24 include the social security number(s) of the applicant in  
25 accordance with Section 93-11-64, Mississippi Code of 1972.

26 Nationally accredited schools shall follow accreditation  
27 standards for hiring and training faculty and any state statute  
28 that contradicts those federal standards is not applicable to



29 nationally accredited schools. All other schools must comply  
30 fully with the applicable state statutes.

31 Private business and vocational schools that have obtained  
32 national accreditation from an accrediting agency designated by  
33 the United States Department of Education may submit evidence of  
34 current accreditation in lieu of other application requests.  
35 Applications submitted on evidence of national accreditation must  
36 be approved or denied within thirty (30) days after receipt. If  
37 no action is taken within thirty (30) days, the application shall  
38 be deemed approved and a school license must be issued.

39 **SECTION 2.** Section 73-67-35, Mississippi Code of 1972, is  
40 amended as follows:

41 73-67-35. (1) To obtain a massage therapy license, an  
42 applicant must submit to the board the applicant's official and  
43 certified transcript(s) from the applicant's massage therapy  
44 school. The transcript must verify that the applicant has  
45 completed a board-approved training program of not less than six  
46 hundred (600) hours of supervised in-class massage therapy  
47 instruction, and at least one hundred (100) hours of student  
48 clinic, with a minimum grade requirement of "C" or better in every  
49 course of instruction, in the following subjects:

50 (a) Two hundred (200) hours in massage theory and  
51 practicum;

52 (b) Two hundred (200) hours in science of the human  
53 body;

54 (c) Two hundred (200) hours in allied modalities; and

55 (d) One hundred (100) hours in supervised student  
56 clinic.

57 (2) "Massage theory and practicum" must include a minimum of  
58 the following classroom hours in the specified subject areas:

59 (a) Ten (10) hours in legalities including Mississippi  
60 massage law and ethics;



61 (b) Twenty (20) hours in history, benefits, indications  
62 and contraindications;

63 (c) One hundred (100) hours in massage demonstration  
64 and supervised practice, which must include, but is not limited  
65 to, client evaluation, stroking, kneading, stretching, friction,  
66 percussion, vibration, range of motion, hand held tools and  
67 devices designated as t-bars or knobblies, and draping and turning;  
68 and

69 (d) The remaining seventy (70) hours may expand on any  
70 or all of the previous three (3) subject areas and/or be related  
71 to practical massage.

72 (3) "Science of the human body" must include a minimum of  
73 the following classroom hours in the specified subject areas:

74 (a) Twenty (20) hours in anatomy, including all body  
75 systems;

76 (b) Twenty (20) hours in physiology, including all body  
77 systems;

78 (c) Twenty (20) hours in myology/kinesiology;

79 (d) Twenty (20) hours in neurology;

80 (e) Twenty (20) hours in pathology, including medical  
81 terminology; and

82 (f) The remaining one hundred (100) hours may expand on  
83 any or all of the previous six (6) subject areas and/or be related  
84 to the science of the human body.

85 (4) "Allied modalities" must include, but are not limited  
86 to, a minimum of the following classroom hours in the specified  
87 subject areas:

88 (a) Seven (7) hours in Eastern, European and Western  
89 theory/methods;

90 (b) Eight (8) hours in cardiopulmonary resuscitation  
91 (CPR) and first aid;

92 (c) Ten (10) hours in charting and documentation;



93 (d) Twenty-five (25) hours in hydrotherapy and infrared  
94 heat;

95 (e) Twenty (20) hours in referral methods within the  
96 health care system; and

97 (f) The remaining one hundred thirty (130) hours may  
98 expand on any or all of the previous five (5) subject areas,  
99 including the Americans With Disabilities Act, and/or be devoted  
100 to any approach to massage therapy and wellness, such as trigger  
101 points, management, communication, safety, oriental or Eastern  
102 massage techniques and specialized populations. Schools with a  
103 temporary or probationary board status license must include a  
104 comprehensive review class of no less than sixteen (16) hours and  
105 three (3) hours to sit for and pass the board comprehensive exam.

106 (5) "Student clinic" must include at least fifty (50)  
107 practical hands-on one-hour massage therapy sessions to be  
108 evaluated on documents filed and kept on record at the school for  
109 a minimum of six (6) months. These evaluations are to be  
110 completed by the clients of the massage therapy sessions and shall  
111 include the client's name, address, reason for session,  
112 indications and contraindications, date and signature. Each  
113 completed session shall constitute two (2) hours of student  
114 clinic. The hands-on session must be supervised by an instructor,  
115 board licensed in the area being supervised.

116 (6) A massage therapy program shall not operate in the State  
117 of Mississippi unless it meets the minimum standards of curriculum  
118 for licensure as stated in this chapter. Massage schools and  
119 massage curriculums for licensure preparation must obtain a  
120 national accreditation from such agencies as the Commission on  
121 Massage Therapy Accreditation or programs with the same or greater  
122 requirements. Existing massage schools will have five (5) years  
123 from July 1, 2001, to obtain that accreditation. New massage  
124 schools will have five (5) years from the opening of the massage  
125 school to show conformance with the accreditation requirements.



126 (7) No massage therapy program shall consist of more than  
127 forty (40) in-class clock hours per week.

128 (8) Hours credited through transfer credit shall not be  
129 recognized by the board unless the following transfer standards  
130 are met:

131 (a) The school shall be provided with a certified  
132 transcript from a school licensed or approved in that state;

133 (b) Courses for which credit is granted shall parallel  
134 in content and intensity to the course offered by the school;

135 (c) Documentation of previous training shall be  
136 included in each student's permanent file.

137 (9) Private business and vocational schools that have  
138 obtained national accreditation from an accrediting agency  
139 designated by the United States Department of Education may submit  
140 evidence of current accreditation in lieu of other application  
141 requests. Applications submitted on evidence of national  
142 accreditation must be approved or denied within thirty (30) days  
143 after receipt. If no action is taken within thirty (30) days, the  
144 application shall be deemed approved and a massage therapy license  
145 must be issued.

146 **SECTION 3.** Section 75-60-11, Mississippi Code of 1972, is  
147 amended as follows:

148 75-60-11. (1) The Commission on Proprietary School and  
149 College Registration shall issue a certificate of registration to  
150 an applicant of good reputation, offering one or more courses of  
151 instruction upon determining that the applicant has the  
152 facilities, resources and faculty to provide students with the  
153 kind of instruction that it proposes to offer. A certificate of  
154 registration shall be granted or denied within sixty (60) days of  
155 the receipt of the application therefor by the commission. If the  
156 commission has not completed its determination with respect to the  
157 issuance of the certificate of registration within such sixty-day  
158 period, it shall issue a temporary certificate to the applicant,



159 which certificate is sufficient to meet the requirements of  
160 Section 75-60-13 until such time as determination is made. Any  
161 certificate issued by the commission is valid only for the  
162 institution and courses for which it is issued and does not cover  
163 other schools or branches operated by the owner. A certificate of  
164 registration is valid for two (2) years unless earlier revoked for  
165 cause by the commission. The commission shall adopt rules and  
166 regulations for administration of the registration process. The  
167 commission may cause an investigation to be made into the  
168 correctness of the information submitted in any application for  
169 registration. If the commission believes that false, misleading  
170 or incomplete information has been submitted to it in connection  
171 with any application for registration, the commission shall  
172 conduct a hearing on the matter and may withhold a certificate of  
173 registration upon finding that the applicant has failed to meet  
174 the standards for such certificate or has submitted false,  
175 misleading or incomplete information to the commission.  
176 Application for a certificate of registration shall be made in  
177 writing to the commission on forms furnished by the commission. A  
178 certificate of registration is not transferable and shall be  
179 prominently displayed on the premises of an institution.

180 (2) Private business and vocational schools that have  
181 obtained national accreditation from an accrediting agency  
182 designated by the United States Department of Education may submit  
183 evidence of current accreditation in lieu of other application  
184 requests. Applications submitted on evidence of national  
185 accreditation must be approved or denied within thirty (30) days  
186 after receipt. If no action is taken within thirty (30) days, the  
187 application shall be deemed approved and a certificate of  
188 registration must be issued.

189 (3) The commission shall assign registration numbers to all  
190 schools registered with it. Schools shall display their



191 registration numbers on all school publications and on all  
192 advertisements bearing the name of the school.

193           **SECTION 4.** This act shall take effect and be in force from  
194 and after July 1, 2011.

