

Kevin Meyer
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Debbie Morgan
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: March 18, 2019

RE: Filed Permanent Regulations: Board of Massage Therapists

Board of Massage Therapists regulations re: licensure (12 AAC 79.100; 12 AAC 79.110;
12 AAC 140; 12 AAC 79.200; 12 AAC 79.210; 12 AAC 79.920; 12 AAC 79.990(b))

Attorney General File:	2018200985
Regulation Filed:	3/18/2019
Effective Date:	4/17/2019
Print:	230, July 2019

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BOARD OF MASSAGE THERAPISTS

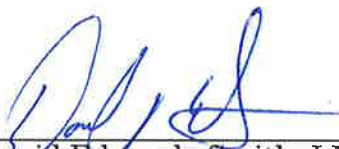
The attached eleven pages of regulations, dealing with licensure requirements, school education requirements, renewal, continuing education requirements, and application submissions, are hereby certified to be a correct copy of the regulation changes that the Board of Massage Therapists adopted at its December 6-7, 2018 meeting, under the authority of AS 08.61.020, AS 08.61.030, AS 08.61.040, AS 08.61.050, AS 08.61.090, and AS 08.61.100, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Massage Therapists paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 12/13/2018
Anchorage, Alaska



David Edwards-Smith, LMT, Chair
Board of Massage Therapists

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on MARCH 18, ²⁰¹⁹~~2018~~ at 9:45 A.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.



Kevin Meyer, Lieutenant Governor

Effective: April 17, 2019.

Register: 230, July 2019.

Chapter 79. Massage Therapists.

12 AAC 79.100 is amended to read:

12 AAC 79.100. Application for licensure by examination. (a) The board will issue a license by examination to practice massage therapy to an applicant who meets the requirements of AS 08.61.030 and this section.

(b) An applicant for licensure by examination under this section must submit

(1) a completed application, on a form provided by the department; the completed application must include

(A) the personal identification information requested on the form;

(B) information related to the grounds of disciplinary sanctions under AS 08.61.060;

(C) the applicant's fingerprint information described in 12 AAC 79.130; and

(D) the application fee, fingerprint processing fee, and license fee specified in 12 AAC 02.396;

(2) verification of massage therapy education, sent directly from the school or program to the division office; verification must consist of

(A) on or before June 30, 2019, an official school transcript evidencing completion of a course of study of at least 500 hours of in-class supervised instruction and clinical work from a massage therapy school or program that

(i) has authorization to operate from the Alaska Commission on Postsecondary Education under AS 14.48 or from a similar agency of another state; or

(ii) is accredited by a nationally recognized accrediting agency;

(B) on or after July 1, 2019, an official school transcript evidencing completion of a course of study of at least 625 hours of in-class supervised instruction and clinical work from a massage therapy school or program that

(i) has authorization to operate from the Alaska Commission on Postsecondary Education under AS 14.48 or from a similar agency of

another state; or

(ii) is accredited by a nationally recognized accrediting agency;

or

(C) [(B) SATISFACTORY] evidence satisfactory to the board of

completion of an [A BOARD-APPROVED] apprenticeship program that meets the

requirements and standards of the Commission on Massage Therapy Accreditation

and standards Coalition of National Massage Therapy Organizations,
(COMTA) and the requirements of the Entry Level Analysis Project (ELAP)

standards, dated December 2013, and adopted by reference;

(3) verification, sent directly from the appropriate agency to the division

office, of having passed

(A) the Massage and Bodywork Licensing Examination administered by
the Federation of State Massage Therapy Boards; or

(B) the National Certification Examination for Therapeutic Massage or the
National Certification Examination for Therapeutic Massage and Bodywork, each
administered by the National Certification Board for Therapeutic Massage and
Bodywork, if the applicant took the examination before February 1, 2015;

Work Group
The Core:
Entry-Level
Massage Education
Blueprint,
initalize
the document
title //

(MBLE_x)

(4) a current certification in cardiopulmonary resuscitation from the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization; and

the following:
¶ (A)

(5) on or before June 30, 2019, verification of having completed at least four hours of safety education in bloodborne pathogens and universal precautions in the two years preceding the application; or

¶ (B)

(6) on or after July 1, 2019, verification of having completed at least two hours of safety education in bloodborne pathogens and universal precautions in the two

years preceding the application. (Eff. 1/17/2016, Register 217; am 4/17/2019, Register 230)

Authority: AS 08.61.020

AS 08.61.030

AS 08.61.090

The Core: Entry-Level
Massage Education
Blueprints

Editor's note: A copy of ~~the Entry-Level Analysis Project (ELAP)~~ standards, published by the Coalition of National Massage Therapy Organizations, adopted by reference in 12 AAC 79.100, may be obtained from the ELAP website:

↑
"italicize the title of the document."

http://www.elapmassage.org/files/ELAP_Blueprint.pdf

↑ ↑
"Publisher: There are set-out underscores in the internet address, and no spaces"

12 AAC 79.110 is amended to read:

12 AAC 79.110. Application for licensure by credentials. (a) The board will issue a license by credentials to practice massage therapy to an applicant who meets the requirements of AS 08.61.040 and this section.

(b) An applicant for licensure by credentials under this section must submit

(1) a completed application, on a form provided by the department; the completed application must include

(A) the personal identification information requested on the form;

(B) information related to the grounds of disciplinary sanctions under AS 08.61.060;

(C) the applicant's fingerprint information described in 12 AAC 79.130; and

(D) the application fee, fingerprint processing fee, and license fee specified in 12 AAC 02.396;

(2) verification, sent directly from the appropriate agency to the division office, that the applicant

(A) holds a current license to practice massage therapy in another state, jurisdiction, or country where licensing requirements are substantially equal to or greater than the requirements of this state; or

¹⁵
(B) certified by the American Massage Therapy Association, the National Certification Board for Therapeutic Massage and Bodywork, or other board-approved credentialing entity; and

(3) current certification in cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization. (Eff. 1/17/2016, Register 217; am 4/17/2019, Register 230)

Authority: AS 08.61.020 AS 08.61.040 AS 08.61.090
AS 08.61.030

12 AAC 79 is amended by adding a new section to read:

12 AAC 79.140. Massage school education requirements. (a) For applications submitted on or before June 30, 2019, applicants must show successful completion of at least

500 hours of education or instruction in massage therapy that includes the following subjects for the minimum number of hours specified:

(1) anatomy, physiology, pathology, and kinesiology: 130 hours, including instruction in

(A) at least 40 hours in pathology, including indications and contraindications;

(B) ^{the} muscular system;

(C) ^{the} nervous system;

(D) osteology;

(E) ^{the} circulatory system; ^{and}

(F) kinesiology;

(2) massage theory and practical application: 220 hours, including instruction in

(A) basic massage therapy techniques dedicated to the study of massage therapy and various clinically related modalities; ^{and}

(B) assessment;

(3) clinical practice: 110 hours, including instruction in

(A) universal and standard precautions;

(B) self-care;

(C) body mechanics;

(D) draping;

(E) record keeping;

(F) business practice and professional development; ^{and}

(G) medical terminology;

(4) ethics and laws: 40 hours, including instruction in

(A) professional boundaries;

(B) therapeutic relationships; ^{and}

(C) local and state laws;

(5) ^{not} ~~no~~ more than 50 hours in techniques that are exempt from license

requirements;

(6) practical application ² ~~may~~ ^{to} not exceed 20 percent of ^{the} total hours of the massage

program.

(b) For applications submitted on or after July 1, 2019, applicants must show successful completion of at least 625 hours of education or instruction in massage therapy that includes the following subjects for the minimum number of hours specified:

(1) anatomy, physiology, pathology, and kinesiology: 162 hours, including

instruction in

(A) at least 40 hours in pathology, including indications and

contraindications;

^{the} (B) muscular system;

^{the} (C) nervous system;

(D) osteology;

^{the} (E) circulatory system; ^{and}

(F) kinesiology;

(2) massage theory and practical application: 275 hours, including instruction in

(A) basic massage therapy techniques dedicated to the study of massage therapy and various clinically related modalities; ^{and}

(B) assessment;

(3) clinical practice: 138 hours, including instruction in

- (A) universal and standard precautions;
- (B) self-care;
- (C) body mechanics;
- (D) draping;
- (E) record keeping;
- (F) business practice and professional development; and
- (G) medical terminology;

(4) ethics and laws: 50 hours, including instruction in

- (A) professional boundaries;
- (B) therapeutic relationships; and
- (C) local and state laws;

(5) not ~~no~~ more than 50 hours in techniques that are exempt from license

requirements;

(6) practical application may ~~may~~ to not exceed 20 percent of total hours of the massage

program. (Eff. 4/17/2019, Register 230)

Authority: AS 08.61.020 AS 08.61.100

12 AAC 79.200 is amended to read:

12 AAC 79.200. License renewal. (a) A massage therapy license must be renewed biennially on or before September 30 of odd-numbered years. A renewal reminder document will be mailed to each currently licensed massage therapist at least 30 days before the renewal date. Failure to receive a renewal notice does not relieve a licensee from the responsibility of renewing a license on time.

(b) An applicant for renewal of a massage therapy license must meet the requirements of AS 08.61.050 and this section. A massage therapist applying for license renewal must submit

(1) a completed renewal application on a form provided by the department;

(2) beginning October 1, 2017, at least once every six years thereafter, the

applicant's fingerprint information described in 12 AAC 79.130 and the fingerprint processing fee specified in 12 AAC 02.396;

(3) the [FINGERPRINT PROCESSING FEE AND THE] license renewal fee specified in 12 AAC 02.396;

(4) a current certification in cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization; and

(5) documentation that the massage therapist satisfied the continuing education requirements in 12 AAC 79.210. (Eff. 5/28/2016, Register 218; am 4 / 17 / 2019, Register 230)

Authority: AS 08.61.020 AS 08.61.050

repealed and readopted

12 AAC 79.210 is ~~amended~~ to read:

12 AAC 79.210. Continuing education requirements. (a) An applicant for renewal of a massage therapy license,

(1) for a biennial licensing period that begins on or after July 1, 2015, must document at least six continuing education credits, all of which may be met through Internet-based continuing education courses;

(2) for a biennial licensing period that begins on or after July 1, 2017, must document at least 16 continuing education credits, all of which may be met through Internet-based continuing education courses.

(b) An applicant for renewal under (a)(2) of this section may receive two hours of continuing education credit for completion of hands-on cardiopulmonary resuscitation through the American Red Cross, American Heart Association, American Safety and Health Institute, or an equivalent organization.

in boldface, and underlining not necessary (c) On or before June 30, 2019, an [AN] applicant for renewal under (a)(2) of this section may receive four hours of continuing education credit for completion of a bloodborne pathogens and universal and standard precautions course once every six years.

(d) On or after July 1, 2019, an applicant for renewal under (a)(2) of this section may receive two hours of continuing education credit for completion of a bloodborne pathogens and universal and standard precautions course once every six years.

(e) Continuing education must be completed through a

(1) board-approved massage therapy or bodywork therapy school or training program;

(2) regionally or nationally accredited institution of higher education; a course, seminar, workshop, or other program through that institution must be approved by the board as directly related to the skills and knowledge required for the practice of massage therapy, and includes a bloodborne pathogens and universal and standard precautions course under (c) *or (d)* of this section; or

(3) local, state, or national professional organization that serves the massage therapy profession, including

(A) Associated Bodywork and Massage Professionals;

(B) the American Massage Therapy Association;

(C) the Federation of State Massage Therapy Boards; and

(D) the National Certification Board for Therapeutic Massage and

Bodywork.

~~(f)~~ ~~(e)~~ For the purposes of this section,

(1) one continuing education credit equals one hour of classroom instruction

between instructor and participant;

(2) one academic semester credit equals 15 contact hours; and

(3) one academic quarter credit equals 10 contact hours.

~~(g)~~ ~~(f)~~ An applicant for renewal is responsible for maintaining adequate and detailed records of all continuing education hours claimed and shall make the records available to the board upon request under 12 AAC 79.220. Records must be retained for four years from the date the contact hours were obtained.

~~(h)~~ ~~(g)~~ An applicant for renewal under (a) of this section may receive one continuing education credit for attending at least 80 percent of a regularly scheduled board meeting once every biennial licensing period.

~~(i)~~ ~~(h)~~ An applicant for renewal under (a) of this section who has been licensed more than 90 days but less than 12 months of the concluding biennial license period is not required to submit proof of completion of continuing education. (Eff. 5/28/2016, Register 218; am 7/15/2016, Register 219; am 7/5/2017, Register 223; am 4/17/2019, Register 230)

Authority: AS 08.61.020 AS 08.61.030 AS 08.61.050

Editor's note: As of Register 228 (January 2019), the regulations attorney made a technical correction under AS 44.62.125(b)(6), to 12 AAC 79.210(i) (formerly 12 AAC 79.210(h)).

12 AAC 79 is amended by adding a new section to read:

12 AAC 79.920. Application form and verifications for licensure. (a) If, upon receipt by the division of the last document required to complete an application file, the file contains an application form or verification that has a postmark date that is more than six months old, the document will be considered to be stale and the applicant must resubmit the document or cause the document to be resubmitted as appropriate before the application will be considered by the board or the board's designee.

(b) Verifications from massage schools and programs will not be considered stale under (a) of this section.

(c) An applicant whose license application has been approved pending receipt of the license fee must submit the license fee to the department within six months after being notified that the license application was approved. An applicant who does not submit the license fee to the department within six months after being notified that the license application was approved must reapply for licensure.

(d) In this section, "application form or verification" means

(1) an application for a license or permit;

(2) a verification of licensure from an appropriate licensing authority in a state,

territory, province, or other country; or

(information described in 12 AAC 79.130.)

(3) fingerprint card. (Eff. 4/17/2019, Register 230)

Authority: AS 08.61.020

12 AAC 79.990(b) is amended to read:

(4) "division" means the division of corporations, business, and professional licensing in the department. (Eff. 1/17/2016, Register 217; am 7/5/2017, Register 223; am 4/17/2019, Register 230)

Authority: AS 08.61.020