

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

Chapter 79. Massage Therapists.

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

(B) is certified by a 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.

(c) The board will, in its discretion, require additional documentation to substantiate the education claimed by the applicant prior to approving an applicant for licensure by credentials. (Eff. 1/17/2016, Register 217; am 4/17/2019, Register 230; am 3/25/2020, Register 233; am ____/____/_____, Register _____)

Authority: AS 08.61.020 AS 08.61.040 AS 08.61.090
AS 08.61.030

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 completion of at least 16 continuing education credits during the concluding licensing period, all of which may be met through Internet-based continuing education courses;

(3) for every other biennial licensing period that begins on or after October 1, 2019, must document that a minimum of two of the 16 continuing education credits required under (2) of this subsection are in ethics;

(4) must document completion of a cardiopulmonary resuscitation course as required by 12 AAC 79.200(b)(4).

(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.

(c) On or before June 30, 2019, 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) 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) 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) An applicant for renewal under (a) of this section may receive **three** [ONE] continuing education **credits** [CREDIT] for attending at least **75** [80] percent of a regularly scheduled board meeting once every biennial licensing period.

(i) 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; am 3/25/2020, Register 233; am ____/____/_____, Register _____)

Authority: AS 08.61.020 AS 08.61.030 AS 08.61.050

12 AAC 79.920 is amended 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 or additional requirements must submit the license fee or documentation satisfactory to the board that the additional requirements have been met to the department within six months after being notified that the license application was approved. An applicant who does not submit the license fee or additional requirements 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

(3) fingerprint information described in 12 AAC 79.130. (Eff. 4/17/2019, Register 230; am ____/____/_____, Register _____)

Authority: AS 08.61.020

12 AAC 79.930 is amended to read:

12 AAC 79.930. Regulation of massage therapy establishments. (a) A massage therapy establishment, unless exempted under (b) of this section, must register with the board by submitting

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

(2) a notarized, completed self-inspection report form provided by the department, including certification of compliance with the establishment standards of operation adopted by reference in 12 AAC 79.900; [AND]

(3) the fee required under 12 AAC 02.396; **and**

(4) documentation of a current business license in this state.

(b) A massage therapy establishment is exempt from complying with (a) and (c) of this section if the majority owner of the massage therapy establishment business is a currently licensed

(1) acupuncturist under AS 08.06;

(2) chiropractor under AS 08.20;

(3) naturopath under AS 08.45;

(4) massage therapist under AS 08.61;

(5) physician, osteopath, mobile intensive care paramedic, or physician assistant under AS 08.64;

(6) direct-entry midwife under AS 08.65;

(7) advanced practice registered nurse under AS 08.68; or

(8) physical or occupational therapist under AS 08.84.

(c) The owner or manager of a massage therapy establishment shall notify the department in writing by submitting the requirements of (a) of this section for a new registration not later than 30 [BUSINESS] days following any change in ownership [OR PHYSICAL LOCATION] of the massage therapy establishment.

(d) The owner or manager of a massage therapy establishment shall notify the department in writing not later than 30 days following a change in physical location by submitting

(1) a completed form provided by the department; and

(2) a completed self-inspection report form described under (a)(2) of this section.

(e) A massage therapy establishment required to be registered under this section must renew the registration on or before September 30 of every odd-numbered years by submitting

(1) a complete registration renewal form; and

(2) the registration renewal fee required under 12 AAC 02.396.

(f) A massage therapy establishment owner must notify the department in writing not later than 15 days after the establishment ceases operations.

(g) The department will maintain a registry of all massage therapy establishments registered with the board.

(h) [(e)] In this section, "massage therapy establishment" means a fixed or mobile place of business that

(1) **is** [IS] owned by a natural person, partnership, limited partnership, corporation, company, limited liability company, or other entity;

(2) engages in, conducts, or permits massage or massage therapy to be conducted for any form of compensation, or uses the word "massage" in any solicitation or advertisement.

(Eff. 3/25/2020, Register 233; am ____/____/_____, Register _____)

Authority: **AS 08.01.100** AS 08.61.020

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

12 AAC 79.940. Unregistered massage therapy establishment investigation. Unless exempt from registration under 12 AAC 79.930(b), if an inspection or complaint of an

Register _____, _____ 2021 **PROFESSIONAL REGULATIONS**

unregistered massage therapy establishment results in an investigation, the unregistered massage therapy establishment owner shall pay the investigation fee required by 12 AAC 02.396 to the department for each investigation. (Eff. ____/____/_____, Register _____)

Authority: AS 08.01.065 AS 08.61.020