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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sara Chambers, Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: November 13, 2023

RE: Filed Permanent Regulations: Board of Massage Therapists
Board of Massage Therapists regulations re: Continuing education (12 AAC 79.200)

Attorney General File:	2023200302
Regulation Filed:	11/13/2023
Effective Date:	12/13/2023
Print:	248, January 2024

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis
Sylvan Robb, Division Director
Alison Osborne, Regulations Specialist
Stefanie Davis, Regulations Specialist



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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November 9, 2023

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *12 AAC 79.200: Board of Massage Therapists - Continuing education*
Our file: 2023200302

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Massage Therapists against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Massage Therapists after the close of the public comment period.

The regulations amend 12 AAC 79.200 to clarify that continuing education required for renewal of a massage therapy license need not be completed exclusively during the concluding licensing period.

The September 13, 2023 public notice and November 2, 2023 order certifying the changes to regulations of the Board of Massage Therapists both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

No corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Digitally signed by
Rebecca C. Polizzotto
Date: 2023.11.09
14:47:31 -0900
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

RCP/bws

CC w/enclosure: **Stefanie Davis, Regulation Specialist**
Department of Commerce, Community and Economic Development

Brad Sharp, Assistant Attorney General
Department of Law

Harriet D. Milks, Assistant Attorney General
Department of Law

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

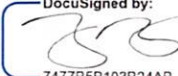
The attached one page of regulations, dealing with clarifying license renewal continuing education requirements, is certified to be a correct copy of the regulation changes that the Board of Massage Therapists adopted at its November 2, 2023 meeting, under the authority of AS 08.61.020, and AS 08.61.050, 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: 11/02/2023

DocuSigned by:

747785B103B24AB

Jill Motz, Licensed Massage Therapist, Chair
Alaska Board of Massage Therapists

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on November
13, 2023 at 2:52 p.m., I filed the attached regulations according to the provisions of
AS 44.62.040 – 44.62.120.


for Nancy Dahlstrom, Lieutenant Governor

Effective: December 13, 2023.

Register: 248, January 2024.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, appearing to read "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Register 248, January 2024 PROFESSIONAL REGULATIONS

12 AAC 79.200(b)(5) is amended to read:

(5) documentation that the massage therapist satisfied the continuing education requirements in 12 AAC 79.210 [, DURING THE CONCLUDING LICENSING PERIOD].

12 AAC 79.200(c)(2) is amended to read:

(2) proof satisfactory to the board of completion of all continuing education required by 12 AAC 79.210 [, DURING THE CONCLUDING LICENSING PERIOD].

(Eff. 5/28/2016, Register 218; am 4/17/2019, Register 230; am 3/25/2020, Register 233; am

12 / 13 / 2023, Register 248)

Authority: AS 08.61.020 AS 08.61.050