



Notice of Proposed Changes Relating to Continuing Education Documentation, Licensee Discipline, and Internet Advertising Requirements in the Regulations of the Alaska Board of Massage Therapists

Proposed Regulations - FAQ

February 2024

1. What is the purpose of the proposed regulations? What will this regulation do?

12 AAC 79.200 License Renewal; 12 AAC 79.210 Continuing Education Requirements

- The proposed regulation changes will update requirements so that licensees are no longer required to provide documentation of continuing education completion for renewals unless they are audited. The licensee will be required to provide an attestation that all continuing education has been completed.
- This will improve efficiency and will decrease the documentation requirements for the renewal process which will reduce renewal wait times for licensees.

12 AAC 79.905 Disciplinary Sanctions

- The proposed regulation change will clarify requirements for licensees to report to the board within 30 days of the action: any disciplinary action taken by another licensing jurisdiction, or conviction of a crime that affects the licensee's ability to practice competently or safely.
- This regulation change serves to protect public safety, and will increase the board's ability to determine crimes of moral turpitude that effect a licensee's ability to practice safely and competently.

12 AAC 79.950 Internet Advertising Requirements

- The proposed regulation change will create a requirement for both massage therapists and massage therapy establishments to include their license number on all Internet advertisements.
- The public will have a means to validate a massage therapist license or massage therapy establishment license prior to receiving services. This will protect against unlicensed practice that may result in injury or harm associated with incompetent practice.

2. Do I still have to retain all copies of continuing education documentation even though it is no longer required to be sent in for renewals?

Yes. Per 12 AAC 79.210(d): 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.

Licensees will still be required to retain all continuing education documentation for four years and will still be required to provide documentation to the board if audited.

3. What is the ‘attestation’ for continuing education?

An attestation would involve the licensee signing a document and checking a box certifying the licensee’s compliance with the continuing education requirements when completing the renewal application. This form would be included as part of the application. This would then be taken as confirmation that the licensee has completed the continuing education prior to renewal, rather than sending in a log and continuing education certificates and documentation with the renewal application.

The log and certificates/documentation would then only be required if audited by the board.

4. Are licensees and massage therapy establishments required to include their license numbers on advertisements that are not on the Internet?

No, this is not required to be provided on any advertisements other than Internet advertisements.

5. What are the costs to comply with the proposed regulations?

There are no known costs to implement these changes.

6. When will the regulations be effective?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the regulation as written/publicly noticed, may amend and adopt them, choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Board action, the adopted regulations go to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.