

58-47b-302 License classifications -- Qualifications for licensure.

- (1) The division shall issue licenses under this chapter in the classifications of:
 - (a) massage therapist; and
 - (b) massage apprentice.
- (2) Each applicant for licensure as a massage therapist shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) be of good moral character;
 - (d) be 18 years of age or older;
 - (e) have either:
 - (i)
 - (A) graduated from a school of massage having a curriculum which meets standards established by division rule made in collaboration with the board; or
 - (B) completed equivalent education and training in compliance with division rule; or
 - (ii) completed a massage apprenticeship program consisting of a minimum of 1,000 hours of supervised training over a minimum of 12 months and in accordance with standards established by the division by rule made in collaboration with the board; and
 - (f) pass examinations established by rule by the division in collaboration with the board.
- (3) Each applicant for licensure as a massage apprentice shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63J-1-504;
 - (c) be of good moral character;
 - (d) be 18 years of age or older;
 - (e) provide satisfactory evidence to the division that the individual will practice as a massage apprentice only under the direct supervision of a licensed massage therapist in good standing and who has engaged in the lawful practice of massage therapy as a licensed massage therapist for not less than 6,000 hours; and
 - (f) successfully complete an examination as required by division rule.
- (4)
 - (a) Any new massage therapist or massage apprentice applicant shall submit fingerprint cards in a form acceptable to the division at the time the license application is filed and shall consent to a fingerprint background check by the Utah Bureau of Criminal Identification and the Federal Bureau of Investigation regarding the application.
 - (b) The division shall request the Department of Public Safety to complete a Federal Bureau of Investigation criminal background check for each new massage therapist or apprentice applicant through the national criminal history system (NCIC) or any successor system.
 - (c) The cost of the background check and the fingerprinting shall be borne by the applicant.
- (5)
 - (a) Any new massage therapist or massage apprentice license issued under this section shall be conditional, pending completion of the criminal background check. If the criminal background check discloses the applicant has failed to accurately disclose a criminal history, the license shall be immediately and automatically revoked.
 - (b) Any person whose conditional license has been revoked under Subsection (5)(a) shall be entitled to a post-revocation hearing to challenge the revocation. The hearing shall be conducted in accordance with Title 63G, Chapter 4, Administrative Procedures Act.
- (6) An applicant who successfully completes a fingerprint background check under Subsection (4) may not be required by any other state or local government body to submit to a second fingerprint background check as a condition of lawfully practicing massage therapy in this state.

Amended by Chapter 183, 2009 General Session