

26 58-47b-304, as last amended by Laws of Utah 2009, Chapter 220

26a **§→ Utah Code Sections Affected by Coordination Clause:**

26b 58-47b-304, as last amended by Laws of Utah 2009, Chapter 220 ←§

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28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **58-47b-304** is amended to read:

30 **58-47b-304. Exemptions from licensure.**

31 (1) In addition to the exemptions from licensure in Section 58-1-307, the following
 32 individuals may engage in the practice of massage therapy as defined under this chapter,
 33 subject to the stated circumstances and limitations, without being licensed, but may not
 34 represent themselves as a massage therapist or massage apprentice:

35 (a) ~~[physicians and surgeons]~~ a physician or surgeon licensed under Title 58, Chapter
 36 67, Utah Medical Practice Act;

37 (b) ~~[nurses]~~ a nurse licensed under Title 58, Chapter 31b, Nurse Practice Act, or under
 38 Title 58, Chapter 44a, Nurse Midwife Practice Act;

39 (c) ~~[physical therapists]~~ a physical therapist licensed under Title 58, Chapter 24b,
 40 Physical Therapy Practice Act;

41 (d) ~~[physical therapist assistants]~~ a physical therapist assistant licensed under Title 58,
 42 Chapter 24b, Physical Therapy Practice Act, while under the general supervision of a physical
 43 therapist;

44 (e) ~~[osteopathic physicians and surgeons]~~ an osteopathic physician or surgeon licensed
 45 under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;

46 (f) ~~[chiropractic physicians]~~ a chiropractic physician licensed under Title 58, Chapter
 47 73, Chiropractic Physician Practice Act;

48 (g) ~~[hospital staff members]~~ a hospital staff member employed by a hospital, who
 49 ~~[practice]~~ practices massage as part of ~~[their]~~ the staff member's responsibilities;

50 ~~[(h) athletic trainers who practice massage as part of their responsibilities while~~
 51 ~~employed by an educational institution or an athletic team that participates in organized sports~~
 52 ~~competition;]~~

53 (h) an athletic trainer licensed under Title 58, Chapter 40a, Athletic Trainer Licensing
 54 Act;

55 (i) ~~[students]~~ a student in training enrolled in a massage therapy school approved by the
 56 division;

57 (j) [~~naturopathic physicians~~] a naturopathic physician licensed under Title 58, Chapter
58 71, Naturopathic Physician Practice Act;

59 (k) an occupational therapist licensed under Title 58, Chapter 42a, Occupational
60 Therapy Practice Act; [~~and~~]

61 (l) [~~persons~~] an individual performing gratuitous massage[-]; and

62 (m) an individual certified by or through, and in good standing with,

62a **Ĥ→ [a nationally] an industry ←Ĥ**

63 recognized organization that represents a profession with established standards and ethics:

64 (i) who engages in the manipulation of the soft tissues of the body to the hands, feet,
65 and Ĥ→ outer ←Ĥ ears only, including the practice of reflexology and foot zone therapy;

66 (ii) whose clients remain fully clothed from the shoulders to the knees; and

67 (iii) whose clients do not receive gratuitous massage from the individual.

68 (2) This chapter may not be construed to authorize any individual licensed under this
69 chapter to engage in any manner in the practice of medicine as defined by the laws of this state.

70 (3) This chapter may not be construed to:

71 (a) [~~create or~~] require insurance coverage or reimbursement for massage therapy from
72 third party payors [~~if this type of coverage did not exist on or before February 15, 1990~~]; or

73 (b) prevent [~~any~~] an insurance carrier from offering coverage for massage therapy.

73a **Š→ Section 2. Coordinating H.B. 207 with H.B. 324 -- Substantive and technical amendments.**

73b **If this H.B. 207 and H.B. 324, Ortho-Bionomy Exemption Amendments, both pass and**

73c **become law, the Legislature intends that:**

73d **(1) this coordinating clause supersedes the coordinating clause contained in H.B. 324; and**

73e **(2) the Office of Legislative Research and General Counsel, in preparing the Utah Code**

73f **database for publication, modify Subsection 58-47b-304(1)(m) to read:**

73g **"(m) an individual:**

73h **(i) certified by or through, and in good standing with, an industry organization that is**

73i **recognized by the division, and that represents a profession with established standards and**

73j **ethics:**

73k **(ii) (A) who limits the manipulation of the soft tissues of the body to the hands, feet, and**

73l **outer ears only, including the practice of reflexology and foot zone therapy; or**

73m **(B) who is certified to practice ortho-bionomy and whose practice is limited to the scope**

73n **of practice of ortho-bionomy;**

73o **(iii) whose clients remain fully clothed from the shoulders to the knees; and**

73p **(iv) whose clients do not receive gratuitous massage from the individual." ←Š**