

HB0207S01 compared with HB0207

~~{deleted text}~~ shows text that was in HB0207 but was deleted in HB0207S01.

inserted text shows text that was not in HB0207 but was inserted into HB0207S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Brian M. Greene proposes the following substitute bill:

MASSAGE THERAPY PRACTICE ACT AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian M. Greene

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies Title 58, Chapter 47b, Massage Therapy Practice Act, by exempting certain ~~{persons}~~individuals from licensure under the act.

Highlighted Provisions:

This bill:

- ▶ exempts ~~{a person}~~an individual from licensure as a massage therapist if the ~~{person is engaged within the scope of practice of}~~individual is certified by, and in good standing with, a nationally recognized association that represents a profession with established standards and ethics and:
 - ~~{limits}~~engages in the manipulation of the soft tissues of the body to the hands, feet, and ears only, including the practice of reflexology and foot zone therapy;~~{~~
 - ~~uses touch, words, and directed movement to deepen awareness of existing~~

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~~patterns of movement in the body, including the practice of the Feldenkrais method, the Trager approach, and body-mind centering; or~~

~~touch is limited to that which is essential for palpation and affectation of the human energy system; and~~

~~the individual's clients remain fully clothed from the shoulders to the knees; and~~

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

58-47b-304. Exemptions from licensure.

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

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

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

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

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

(e) [~~osteopathic physicians and surgeons~~] an osteopathic physician or surgeon licensed

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under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;

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

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

~~[(h) {} athletic trainers who practice {}] {an athletic trainer who practices} massage as part of ~~{} their {}~~ {the athletic trainer's} responsibilities while employed by an educational institution or an athletic team that participates in organized sports competition;]~~

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

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

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

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

(l) ~~[persons]~~ {a person} an individual performing gratuitous massage[-]; and

~~(m) {a person engaged within the scope of practice of}~~ an individual certified by or through, and in good standing with, a nationally recognized organization that represents a profession with established standards and ethics:

~~(i) who {limits}~~ engages in the manipulation of the soft tissues of the body to the hands, feet, and ears only, including the practice of reflexology and foot zone therapy;

~~(ii) {who uses touch, words, and directed movement to deepen awareness of existing patterns of movement in the body or to suggest new possibilities of movement, including the practice of the Feldenkrais method, the Trager approach, and body-mind centering; or~~

~~(iii) in which touch is limited to that which is essential for palpation and affectation of the human energy system}~~ whose clients remain fully clothed from the shoulders to the knees;
and

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

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

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(3) This chapter may not be construed to:

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

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

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Legislative Review Note

~~as of 1-31-14 3:48 PM~~

~~Office of Legislative Research and General Counsel}~~