

HB0324S01 compared with HB0324

~~{deleted text}~~ shows text that was in HB0324 but was deleted in HB0324S01.

inserted text shows text that was not in HB0324 but was inserted into HB0324S01.

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.

~~{ORTHO-BIONOMY}~~ Representative Brad R. Wilson proposes the following substitute bill:

ORTHO-BIONOMY EXEMPTION AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad R. Wilson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies Title 58, Chapter 47b, Massage Therapy Practice Act, by exempting the practice of ~~{Ortho-Bionomy}~~ ortho-bionomy from licensure under the act.

Highlighted Provisions:

This bill:

- ▶ exempts an individual from licensure as a massage therapist if ~~{}~~ ;
 - the individual is ~~{engaged within}~~ certified to practice ortho-bionomy;
 - the individual's practice is limited to the scope of practice of ~~{a profession with established standards and ethics and uses touch, words, and directed movement to deepen awareness of existing patterns of movement in the body, including the practice of Ortho-Bionomy}~~ ortho-bionomy; and
 - the individual's clients remain fully clothed from the shoulders to the knees; and

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- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill coordinates with H.B. 207, Massage Therapy Practice Act Amendments, by providing substantive and technical amendments.

Utah Code Sections Affected:

AMENDS:

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

Utah Code Sections Affected by Coordination Clause:

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 under Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;
- (f) [~~chiropractic physicians~~] a chiropractic physician licensed under Title 58, Chapter

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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~~] an individual performing gratuitous massage[-]; and

(m) an individual ~~{ engaged within };~~

(i) certified to practice ortho-bionomy by, and who is in good standing with, an industry recognized organization that is approved by the division, in collaboration with the board;

(ii) whose practice is limited to the scope of practice of ~~{a profession with established standards and ethics 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 Ortho-Bionomy}~~ortho-bionomy;

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

(iv) 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.

(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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Section 2. **Coordinating H.B. 324 with H.B. 207 ~~{=}~~ Substantive and technical amendments.**

If this H.B. 324 and H.B. 207, Massage Therapy Practice Act ~~{Amendments}~~ amendments, both pass and become law, the Legislature intends that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, modify Subsection 58-47b-304(1)(m) to read:

"(m) an individual ~~{engaged within the scope of practice of}~~:

(i) certified by or through, and in good standing with, an industry recognized organization that is approved by the division, in collaboration with the board, and that represents a profession with established standards and ethics ~~{;}~~:

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

(~~{ii}~~B) 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 Ortho-Bionomy, the Feldenkrais method, the Trager approach, and body-mind centering; or~~

—— (iii) ~~in which touch}~~ is certified to practice ortho-bionomy and whose practice is limited to ~~{that which is essential for palpation and affectation of the human energy system.}~~"

Legislative Review Note

—— as of 2-5-14 3:35 PM

Office of Legislative Research and General Counsel; ~~the scope of practice of ortho-bionomy;~~

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

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