

Massage Therapy Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor:

LONG TITLE**General Description:**

This bill modifies licensing requirements for practicing massage therapy, including creating a registration requirement for massage therapy establishments.

Highlighted Provisions:

This bill:

- defines terms;
- adds a licensure requirement for an individual who provides hands-on training for massage therapy or limited massage therapy;
- provides the circumstances under which an individual must practice massage therapy in a registered massage establishment;
- requires all the education hours necessary for licensure come from either a massage school or a massage apprenticeship;
- provides for the expiration and renewal of massage apprentice and massage assistant-in-training licenses;
- specifies identification, signage, and disclosure requirements;
- creates standards for unlawful and unprofessional conduct by a massage establishment;
- establishes penalties for a massage establishment that engages in unlawful or unprofessional conduct;
- creates a registration requirement for certain establishments where massage therapy is provided;
- specifies when an establishment can be denied registration;
- specifies requirements for a criminal background check for massage establishment owners;
- specifies standards for the expiration and renewal of a massage establishment registration;
- allows the Division of Professional Licensing to inspect a massage establishment;
- establishes standards for the inspection of a registered establishment;
- provides exemptions from licensure and registration requirements;

▸ schedules the repeal of provisions related to a massage assistant and massage assistant-in-training; and

▸ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-47b-102, as last amended by Laws of Utah 2024, Chapter 507

58-47b-301, as last amended by Laws of Utah 2023, Chapter 225

58-47b-302, as last amended by Laws of Utah 2024, Chapter 137

58-47b-303, as last amended by Laws of Utah 2023, Chapter 225

58-47b-304, as last amended by Laws of Utah 2024, Chapter 455

58-47b-305, as last amended by Laws of Utah 2023, Chapter 225

58-47b-306, as enacted by Laws of Utah 2023, Chapter 225

58-47b-401, as enacted by Laws of Utah 1996, Chapter 76

58-47b-501, as last amended by Laws of Utah 2023, Chapter 225

58-47b-502, as last amended by Laws of Utah 2023, Chapter 225

58-47b-503, as last amended by Laws of Utah 2000, Chapter 309

63I-1-258, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

ENACTS:

58-47b-301.1, Utah Code Annotated 1953

58-47b-302.2, Utah Code Annotated 1953

58-47b-303.1, Utah Code Annotated 1953

58-47b-304.1, Utah Code Annotated 1953

58-47b-306.1, Utah Code Annotated 1953

58-47b-307.1, Utah Code Annotated 1953

58-47b-401.1, Utah Code Annotated 1953

58-47b-501.1, Utah Code Annotated 1953

58-47b-502.1, Utah Code Annotated 1953

58-47b-503.1, Utah Code Annotated 1953

58-47b-504, Utah Code Annotated 1953

58-47b-601, Utah Code Annotated 1953

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

Section 1. Section **58-47b-102** is amended to read:

58-47b-102 . Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

(1) "Board" means the Board of Massage Therapy and Acupuncture created in Section 58-47b-201.

(2)(a) "Breast" means the female mammary gland, ~~and~~

(b) "Breast" does not include the muscles, connective tissue, or other soft tissue of the upper chest.

(3) "Homeostasis" means ~~[maintaining, stabilizing]~~ the maintenance, the stabilization, or [
returning] the return of the muscular system to equilibrium [the muscular system].

(4) "Massage apprentice" means an individual licensed under this chapter as a massage apprentice to engage in the practice of massage therapy under the direct supervision of a massage therapy supervisor.

(5) "Massage assistant" means an individual licensed under this chapter as a massage assistant to engage in the practice of limited massage therapy under the indirect supervision of:

(a) before June 1, 2027, a massage therapist[-] ; or

(b) beginning June 1, 2027, a massage therapy supervisor.

(6) ~~["Massage assistant in-training"]~~ "Massage assistant-in-training" means an individual licensed under this chapter as a ~~[massage assistant in-training]~~ massage assistant-in-training to engage in the practice of limited massage therapy under the direct supervision of a massage therapy supervisor.

(7)(a) "Massage establishment" means a place where services within the practice of massage therapy or the practice of limited massage therapy are provided by one or more individuals required to be licensed under this chapter.

(b) "Massage establishment" does not include:

(i) all locations used by a sole practitioner to practice massage therapy;

(ii) an out-call location; or

(iii) a massage school.

~~[(7)]~~ (8) "Massage therapist" means an individual licensed under this chapter as a massage therapist to engage in the practice of massage therapy.

~~[(8)]~~ (9) "Massage therapy supervisor" means~~[-]~~

~~[(a)] a licensed massage therapist in good standing who has [at least three years of experience as a massage therapist and has] engaged in the lawful practice of massage therapy for at least 3,000 hours[;] .~~

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

~~[(c) a physician licensed under Chapter 67, Utah Medical Practice Act;]~~

~~[(d) an osteopathic physician licensed under Chapter 68, Utah Osteopathic Medical Practice Act;]~~

~~[(e) an acupuncturist licensed under Chapter 72, Acupuncture Licensing Act; or]~~

~~[(f) a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice Act.]~~

(10) "Out-call location" means a location:

(a) where massage therapy services are provided; and

(b) that a sole practitioner or a massage establishment does not own, lease, or rent.

(11)(a) "Owner" means an individual who controls the operation of a massage establishment.

(b) "Owner" includes:

(i) a shareholder, as defined in Section 16-10a-102, who owns, directly or indirectly through an entity controlled by the individual, any of the outstanding shares of an entity that owns, leases, or otherwise operates a massage establishment that:

(A) is a corporation; or

(B) is not publicly listed or traded;

(ii) an individual who owns, directly or indirectly through an entity controlled by the individual, any part of an entity that is not a corporation and that owns, leases, or otherwise operates a massage establishment;

(iii) an individual:

(A) in whose name a certificate of occupancy has been issued for a massage establishment; or

(B) that operates a massage establishment under a lease, operating agreement, franchise, or other arrangement; and

(iv) a sublessee or other legal possessor.

~~[(9)]~~ (12)(a) "Practice of limited massage therapy" means:

(i) the systematic manual manipulation of the soft tissue of the body for the purpose of promoting the therapeutic health and well-being of a client, enhancing the circulation of the blood and lymph, relaxing and lengthening muscles, relieving

- 134 pain, restoring metabolic balance, relaxation, or achieving homeostasis;
135 (ii) seated chair massage;
136 (iii) the use of body wraps;
137 (iv) aromatherapy;
138 (v) reflexology; or
139 (vi) in connection with an activity described in this Subsection ~~[(9)]~~ (12), the use of:
140 (A) the hands;
141 (B) a towel;
142 (C) a stone;
143 (D) a shell;
144 (E) a bamboo stick; or
145 (F) an herbal ball compress.

146 (b) "Practice of limited massage therapy" does not include:

- 147 (i) work on an acute or subacute injury; or
148 (ii) a practice described in this section to the extent the practice:
149 (A) treats a medically diagnosed condition; or
150 (B) results from a referral or prescription from a licensed health care practitioner,
151 including a physician, osteopathic physician, advanced practice registered
152 nurse, chiropractic physician, or physician's assistant.

153 ~~[(b) "Practice of limited massage therapy" does not include work on an acute or~~
154 ~~subacute injury.]~~

155 ~~[(10)]~~ (13)(a) "Practice of massage therapy" means:

- 156 ~~[(a)]~~ (i) the examination, assessment, and evaluation of the soft tissue structures of the
157 body for the purpose of devising a treatment plan to promote homeostasis;
158 ~~[(b)]~~ (ii) the systematic manual or mechanical manipulation of the soft tissue of the
159 body for the purpose of promoting the therapeutic health and well-being of a
160 client, enhancing the circulation of the blood and lymph, relaxing and lengthening
161 muscles, relieving pain, restoring metabolic balance, or achieving homeostasis, or
162 for any other purpose;
163 ~~[(c)]~~ (iii) the use of the hands or a mechanical or electrical apparatus in connection
164 with this Subsection ~~[(10)]~~ (13);
165 ~~[(d)]~~ (iv) the use of rehabilitative procedures involving the soft tissue of the body;
166 ~~[(e)]~~ (v) range of motion or movements without spinal adjustment as set forth in
167 Section 58-73-102;

[~~(f)~~] (vi) the use of oil rubs, heat lamps, salt glows, hot and cold packs, or tub, shower, steam, and cabinet baths;

[~~(g)~~] (vii) manual traction and stretching exercise;

[~~(h)~~] (viii) correction of muscular distortion by treatment of the soft tissues of the body;

[~~(i)~~] (ix) counseling, education, and other advisory services to reduce the incidence and severity of physical disability, movement dysfunction, and pain;

[~~(j)~~] (x) activities and modality techniques similar or related to the activities and techniques described in this Subsection [~~(10)~~] (13);

[~~(k)~~] (xi) a practice described in this Subsection [~~(10)~~] (13) on an animal to the extent permitted by:

[~~(i)~~] (A) Subsection 58-28-307(12);

[~~(ii)~~] (B) the provisions of this chapter; and

[~~(iii)~~] (C) division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; or

[~~(l)~~] (xii) providing, offering, or advertising a paid service using the term massage or a derivative of the word massage, regardless of whether the service includes physical contact.

(b) "Practice of massage therapy" includes the practice of limited massage therapy.

(14) "Registered massage establishment" means a massage establishment that is registered with the division to lawfully provide services within the practice of massage therapy or the practice of limited massage therapy at a single, fixed massage establishment location in this state.

[~~(11)~~] (15) "Soft tissue" means the muscles and related connective tissue.

(16) "Sole practitioner" means a licensed massage therapist who offers the services of massage therapy from:

(a) an out-call location;

(b) the licensee's residence, if the licensee does not employ or contract with another individual licensed under this chapter; or

(c) a location, other than the licensee's residence, that the licensee owns, rents, or leases, if the licensee does not employ or contract with any other individual regardless of licensure.

[~~(12)~~] (17) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501, 58-1-501.1, [~~and~~] 58-47b-501, and 58-47b-501.1.

202 [(13)] (18) "Unprofessional conduct" means the same as that term is defined in Sections
203 58-1-501,~~and~~ 58-47b-502, and 58-47b-502.1 and as may be further defined by
204 division rule made in accordance with Title 63G, Chapter 3, Utah Administrative
205 Rulemaking Act.

206 Section 2. Section **58-47b-301** is amended to read:

207 **58-47b-301 . Licensure required -- Individuals.**

208 (1) An individual shall hold a license issued under this chapter ~~[in order]~~ to engage in the
209 practice of massage therapy or the practice of limited massage therapy, except as
210 specifically provided in Section 58-1-307 or 58-47b-304.

211 (2) An individual who provides hands-on training in the practice of massage therapy or the
212 practice of limited massage therapy shall:

213 (a)(i) hold a license in good standing as a massage therapist; and

214 (ii) have engaged in the lawful practice of massage therapy as a licensed massage
215 therapist for at least 3,000 hours; or

216 (b) be exempt from licensing under Subsections 58-47b-304(1)(a) through (k) or
217 Subsection 58-47b-304(1)(l)(i).

218 ~~[(2)]~~ (3) An individual shall have a license ~~[in order]~~ to:

219 (a) represent oneself as a massage therapist, massage apprentice, massage assistant, or [
220 ~~massage assistant in-training~~] massage assistant-in-training;

221 (b)(i) represent oneself as providing a service that is within the practice of massage
222 therapy or the practice of limited massage therapy; or

223 (ii) use the word massage or any other word to describe the services; [or]

224 (c) charge or receive a fee or any consideration for providing a service that is within the
225 practice of massage therapy or the practice of limited massage therapy~~[-]~~ ; or

226 (d) unless exempted from licensure under Section 58-47b-304, charge or receive a fee or
227 any consideration for providing hands-on training in a service that is within the
228 practice of massage therapy or the practice of limited massage therapy.

229 (4)(a) An individual licensed under this chapter, other than a sole practitioner, may
230 work as a massage therapist, a massage apprentice, a massage assistant, or a massage
231 assistant-in-training only in:

232 (i) a registered massage establishment;

233 (ii) an out-call location; or

234 (iii) a location exempted from registration under Section 58-47-304.1.

235 (b) A sole practitioner may work as a massage therapist at:

- (i) the sole practitioner's residence;
- (ii) an out-call location; or
- (iii) another location if the sole practitioner does not employ or contract with any other individual regardless of licensure.

Section 3. Section **58-47b-301.1** is enacted to read:

58-47b-301.1 . Massage establishment registration required -- Maintenance of registration.

- (1) An owner shall register a massage establishment with the division.
- (2)(a) Each place of business shall register separately.
- (b) If multiple massage establishments exist at the same address, each massage establishment shall register separately.
- (3) A massage establishment shall provide the physical address where the massage establishment operates to the division.
- (4) Unless exempted under Section 58-47b-304.1, a massage establishment may not allow for the practice of massage therapy or the practice of limited massage therapy on the massage establishment's premises unless the massage establishment is registered in accordance with this section.
- (5)(a) A registered massage establishment shall employ or contract with a licensee under this chapter, or an individual exempted under this chapter, to perform massage therapy or other massage services.
- (b) A registered massage establishment shall maintain documentation of the employment or contract relationship and make the documentation available during an inspection or investigation by the division.
- (6) An owner may not assign or transfer a massage establishment registration.
- (7) Upon the sale, sublease, or change of legal possession of a registered massage establishment, the owner, lessee, or legal possessor of the massage establishment shall apply for and obtain a new registration within 30 days after the day on which the ownership, lessee, or legal possession changes.
- (8) Whenever statute or rule requires or prohibits action by a registered massage establishment, any owner of the registered massage establishment is responsible for all activities of the registered massage establishment, regardless of the form of the business organization.
- (9) A registered massage establishment shall maintain a log of all massage therapy services provided at the registered massage establishment containing information as determined

by the division in rule made in accordance with Title 63G, Chapter 3, Utah
Administrative Rulemaking Act.

Section 4. Section **58-47b-302** is amended to read:

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

(1) The division shall issue licenses under this chapter in the classifications of:

- (a) massage therapist;
- (b) massage apprentice;
- (c) massage assistant; and
- (d) ~~[massage assistant in training]~~ massage assistant-in-training.

(2) An applicant for licensure as a massage therapist shall:

- (a) submit an application in a form ~~[prescribed by]~~ the division approves;
- (b) pay a fee determined by the department under Section 63J-1-504;
- (c) be 18 years old or older;
- (d) have ~~[either]~~:
 - (i)(A) graduated from a school of massage having a curriculum that meets standards established by division rule made in collaboration with the board and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; or
 - (B) completed equivalent education and training in compliance with division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; or
 - (ii) completed a massage apprenticeship program consisting of a minimum of 1,000 hours of supervised training and in accordance with standards established by division rule made in collaboration with the board and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- (e) pass:
 - (i) the Federation of State Massage Therapy Boards Massage and Bodywork Licensing Examination; or
 - (ii) any other examination established by division rule made in collaboration with the board and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(3) An applicant for licensure as a massage apprentice shall:

- (a) submit an application in a form ~~[prescribed by]~~ the division approves;
- (b) pay a fee determined by the department under Section 63J-1-504;

- (c) be 18 years old or older;
- (d) provide satisfactory evidence to the division that the applicant will practice as a massage apprentice only under the direct supervision of a ~~[licensed massage therapist]~~ massage therapy supervisor ~~[in good standing who, for at least 6,000 hours, has engaged in the lawful practice of massage therapy as a licensed massage therapist];~~ and
- (e) pass an examination as required by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (4)(a) An applicant for licensure as a massage assistant shall:
- (i) submit an application in a form ~~[prescribed by]~~ the division approves;
 - (ii) pay a fee determined by the department in accordance with Section 63J-1-504;
 - (iii) be 18 years old or older;
 - (iv) subject to Subsection (4)(b), complete at least 300 hours of education and training approved by division rule made accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 - (v) provide satisfactory evidence to the division that the applicant will only practice as a massage assistant ~~[only]~~ under the indirect supervision of a massage therapy supervisor; and
 - (vi) pass an examination as required by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (b) The 300-hour education and training requirement described in Subsection (4)(a) shall include:
- (i) at least ~~[150]~~ 300 hours of education and training while the applicant is~~[:]~~ enrolled in massage school; or
~~[(A) enrolled in massage school; or]~~
~~[(B) licensed as a massage assistant in training and under the direct supervision of a massage therapist in good standing who, for at least 6,000 hours, has engaged in the lawful practice of massage therapy; and]~~
 - (ii) at least ~~[150]~~ 300 hours of education and training while the applicant is~~[:]~~ licensed as a massage assistant-in-training and under the direct supervision of a massage therapy supervisor.
~~[(A) enrolled in massage school; or]~~
~~[(B) licensed as a massage assistant in training and under the indirect supervision of a massage therapist in good standing who, for at least 6,000 hours, has~~

- engaged in the lawful practice of massage therapy.]
- (5) An applicant for licensure as a ~~[massage assistant in-training]~~ massage assistant-in-training shall:
- (a) submit an application in a form ~~[prescribed by]~~ the division approves;
 - (b) pay a fee determined by the department in accordance with Section 63J-1-504;
 - (c) be 18 years old or older; and
 - (d)(i) before June 1, 2027, provide satisfactory evidence to the division that the applicant will practice as a [massage assistant in-training] massage assistant-in-training under the supervision of a massage therapist for a period of no more than six months for the purpose of satisfying the requirements described in [Subsections] Subsection (4)(a)(iv) [and (4)(b)] for licensure as a massage assistant[-] ; or
 - (ii) beginning June 1, 2027, provide satisfactory evidence to the division that the applicant will practice as a massage assistant-in-training under the supervision of a massage therapy supervisor for the purpose of satisfying the requirements described in Subsection (4)(a)(iv) for licensure as a massage assistant.
- (6)(a)(i) A massage therapist may supervise at one time up to six individuals licensed as a massage apprentice or ~~[massage assistant in-training]~~ a massage assistant-in-training.
- (ii) Beginning June 1, 2027:
 - (A) a massage therapy supervisor shall supervise a massage apprentice or a massage assistant-in-training; and
 - (B) a massage therapy supervisor may supervise at one time up to three individuals licensed as either a massage apprentice or a massage assistant-in-training.
- (b) A massage therapy supervisor may supervise at one time up to six individuals licensed as a massage assistant.
- (7) A new massage therapist, massage apprentice, massage assistant, or massage assistant in-training applicant shall submit to and pass a criminal background check in accordance with Section ~~[58-47b-302.1]~~ 58-47b-307 and any requirements established by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- Section 5. Section **58-47b-302.2** is enacted to read:
- 58-47b-302.2 . Qualifications for registration -- Massage establishments.**

- 372 (1)(a) The owner of the massage establishment shall register the massage establishment.
373 (b) If the massage establishment has multiple owners, the owners of the massage
374 establishment shall choose one owner to register the massage establishment.
- 375 (2) To register a massage establishment, the owner shall:
376 (a) submit an application in a form the division approves;
377 (b) pay a fee determined by the department under Section 63J-1-504; and
378 (c) provide satisfactory documentation:
379 (i) of registration with the Division of Corporations and Commercial Code;
380 (ii) of business licensure from the city, town, or county in which the massage
381 establishment is located;
382 (iii) that the massage establishment's physical facilities comply with the requirements
383 established by rule; and
384 (iv) of each owner's ownership or right to possession of the premises where the
385 massage establishment will be operated;
386 (d) unless a background check was previously completed by the Utah Bureau of
387 Criminal Identification and the Federal Bureau of Investigation, submit fingerprint
388 cards in a form acceptable to the division when filing the application;
389 (e) consent to a fingerprint background check by the Utah Bureau of Criminal
390 Identification and the Federal Bureau of Investigation, including the use of the FBI
391 Rap Back System, for all individuals for whom a fingerprint card is required by
392 Subsection (2)(f);
393 (f) submit fingerprints for each individual who:
394 (i) personally or constructively holds, including as the beneficiary of a trust:
395 (A) at least 10% of the entity's outstanding stock; or
396 (B) more than \$25,000 of the fair market value of the entity;
397 (ii) has a direct or indirect participating interest through shares, stock, or otherwise,
398 regardless of whether voting rights are included, of more than 10% of the profits,
399 proceeds, or capital gains of the entity;
400 (iii) is a member of the board of directors or other governing body of the entity; or
401 (iv) serves as:
402 (A) an elected officer of the entity; or
403 (B) a general manager of the entity;
404 (g) submit the following information for each individual for whom fingerprints are
405 required by Subsection (2)(f):

- 406 (i) full name;
 407 (ii) any other name used;
 408 (iii) date of birth;
 409 (iv) social security number or other satisfactory evidence of the applicant's identity
 410 permitted by rule made by the division in accordance with Title 63G, Chapter 3,
 411 Utah Administrative Rulemaking Act;
 412 (v) address;
 413 (vi) phone number;
 414 (vii) email address;
 415 (viii) license number, if licensed under this chapter; and
 416 (ix) a recent color photograph of each owner;
 417 (h) allow the Department of Commerce to verify that the applicant and each individual
 418 listed in Subsection (2)(f), is legally present in the United States;
 419 (i) submit a signed attestation in a form the division approves by rule attesting that the
 420 massage establishment does not engage in illegal activities including human
 421 trafficking, sex advertising, or unlicensed practice; and
 422 (j) meet with the division or board if requested by the division or board.
 423 (3) The division may require an owner to prove continuing right of possession at any time
 424 during the registration period.
 425 Section 6. Section **58-47b-303** is amended to read:
 426 **58-47b-303 . Term of license -- Expiration -- Renewal -- Individuals.**
 427 (1)(a) Except as provided in Subsection (3), the division shall issue a license under this
 428 chapter in accordance with a two-year renewal cycle established by division rule
 429 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 430 (b) ~~[A] The division may extend or shorten a renewal period [may be extended or~~
 431 ~~shortened]~~by as much as one year to maintain established renewal cycles or to
 432 change an established renewal cycle.
 433 (2) Subject to Subsection (3), a license automatically expires on the expiration date shown
 434 on the license unless ~~[renewed by the licensee]~~ the licensee renews the license in
 435 accordance with Section 58-1-308.
 436 (3)(a) A massage apprentice license expires 24 months after the day on which the
 437 division issues the massage apprentice license.
 438 (b) A massage ~~[assistant in training]~~ assistant-in-training license expires six months after
 439 the day on which the division issues the ~~[massage assistant in training]~~ massage

assistant-in-training license.

(c) The division may not renew or extend a massage apprentice or massage assistant-in-training license unless:

(i) a circumstance or hardship arose beyond the licensee's control that prevented the licensee from completing the licensure process;

(ii) the licensee presents satisfactory evidence to the division that the licensee is making reasonable progress toward obtaining licensure in the state;

(iii) the division grants the renewal or extension for a period proportionate to the circumstance or hardship; and

(iv) the licensee's massage therapy supervisor consents in writing to the renewal or extension.

(4) At the time of renewal, the licensee shall show satisfactory evidence of renewal requirements established under this chapter and of renewal requirements that the division may establish by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Section 7. Section **58-47b-303.1** is enacted to read:

58-47b-303.1 . Term of registration -- Expiration -- Renewal -- Massage establishments.

(1)(a) Except as provided in Subsection (3), the division shall issue a registration under this chapter in accordance with a two-year renewal cycle.

(b) The division may extend or shorten a renewal period by as much as one year to maintain established renewal cycles or to change an established renewal cycle.

(2) A registration automatically expires on the expiration date shown on the registration unless the registrant renews.

(3) At the time of renewal, a registered massage therapy establishment shall:

(a) complete and submit an application for renewal in the form the division approves;

(b) pay a renewal fee established by the department under Section 63J-1-504; and

(c) show satisfactory proof of compliance with the standards established by this chapter.

Section 8. Section **58-47b-304** is amended to read:

58-47b-304 . Exemptions from licensure -- Individuals.

(1) In addition to the exemptions from licensure in Section 58-1-307, the following individuals may engage in the practice of massage therapy or the practice of limited massage therapy, subject to the stated circumstances and limitations, without being licensed under this chapter:

- (a) a physician or surgeon licensed under Chapter 67, Utah Medical Practice Act;
- (b) a physician assistant licensed under Chapter 70a, Utah Physician Assistant Act;
- (c) a nurse licensed under Chapter 31b, Nurse Practice Act, or under Chapter 44a, Nurse Midwife Practice Act;
- (d) a physical therapist licensed under Chapter 24b, Physical Therapy Practice Act;
- (e) a physical therapist assistant licensed under Chapter 24b, Physical Therapy Practice Act, while under the general supervision of a physical therapist;
- (f) an osteopathic physician or surgeon licensed under Chapter 68, Utah Osteopathic Medical Practice Act;
- (g) a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice Act;
- (h) a hospital staff member employed by a hospital, who practices massage as part of the staff member's responsibilities;
- (i) an athletic trainer licensed under Chapter 40a, Athletic Trainer Licensing Act;
- (j) a student in training enrolled in a massage therapy school approved by the division;
- (k) a naturopathic physician licensed under Chapter 71, Naturopathic Physician Practice Act;
- (l)(i) an occupational therapist licensed under Chapter 42a, Occupational Therapy Practice Act; and
- (ii) an occupational therapy assistant licensed under Chapter 42a, Occupational Therapy Practice Act, while under the general supervision of an occupational therapist;
- (m) an individual performing animal massage therapy under the rules made by the division in accordance with Subsection 58-28-307(12);
- (n) an individual performing gratuitous massage; ~~and~~
- (o) an individual:
 - (i) certified by or through, and in good standing with, an industry organization that is recognized by the division and that represents a profession with established standards and ethics:
 - (A) who is certified to practice reflexology and whose practice is limited to the scope of practice of reflexology;
 - (B) who is certified to practice a type of zone therapy, including foot zone therapy, and whose practice is limited to the scope of practice for which the individual is certified;

- 508 (C) who is certified to practice ortho-bionomy and whose practice is limited to the
509 scope of practice of ortho-bionomy;
- 510 (D) who is certified to practice bowerwork and whose practice is limited to the
511 scope of practice of bowerwork; or
- 512 (E) who is certified to practice a type of brain integration and whose practice is
513 limited to the scope of practice for which the individual is certified;
- 514 (ii) whose clients remain fully clothed from the shoulders to the knees; and
- 515 (iii) whose clients do not receive gratuitous massage from the individual[-] ; and
- 516 (p)(i) a nonresident individual engaging in the practice of massage therapy who:
- 517 (A) holds a valid license, permit, certificate, or registration, for massage therapy
518 issued by any other jurisdiction of the United States or by a foreign country;
- 519 (B) holds a certification from a nationally recognized massage therapy
520 organization if the nonresident individual is from a jurisdiction of the United
521 States that does not regulate massage therapy; or
- 522 (C) meets another exemption under this section; and
- 523 (ii) is temporarily engaging in the practice of massage therapy in this state for a
524 period that does not exceed 30 days for the purpose of:
- 525 (A) presenting educational or clinical programs, lectures, seminars, or workshops;
526 (B) providing massage services during an emergency as part of a disaster response
527 team; or
- 528 (C) consulting with a massage therapist regarding massage practices or services.
- 529 (2) An individual described in Subsection (1) may not represent oneself as a massage
530 therapist, massage apprentice, massage assistant, or ~~[massage assistant in-training]~~
531 massage assistant-in-training.
- 532 (3) This chapter may not be construed to:
- 533 (a) authorize any individual licensed under this chapter to engage in any manner in the
534 practice of medicine as defined by the laws of this state;
- 535 (b) require insurance coverage or reimbursement for massage therapy or limited massage
536 therapy from third party payors; or
- 537 (c) prevent an insurance carrier from offering coverage for massage therapy or limited
538 massage therapy.
- 539 Section 9. Section **58-47b-304.1** is enacted to read:
- 540 **58-47b-304.1 . Exemptions from registration -- Massage establishments.**
- 541 The following establishments or facilities are exempt from registering as massage

542 establishments:

543 (1) hospitals or medical clinics;

544 (2) physician offices;

545 (3) physical therapy facilities;

546 (4) chiropractic offices;

547 (5) athletic training facilities or institutions of secondary or higher education when massage
 548 therapy is practiced in connection with employment related to athletic teams; and

549 (6) other facilities as defined by rule.

550 Section 10. Section **58-47b-305** is amended to read:

551 **58-47b-305 . State and local jurisdiction.**

552 (1)(a) The division is the only agency authorized to license individuals to engage in the
 553 practice of massage therapy or the practice of limited massage therapy within the
 554 state or any of the state's political subdivisions.

555 (b) This chapter does not prevent any political subdivision of the state from enacting:

556 (i) subject to Subsection (1)(b)(ii), ordinances governing the operation of
 557 establishments offering massages; or

558 (ii) ordinances regulating the practice of massage therapy or the practice of limited
 559 massage therapy[;] if:

560 (A) [-] except as provided in Subsection (1)(b)(ii)(B), the ordinances are [not less]
 561 at least as stringent [than] as this chapter[-] ; and

562 (B) the ordinances do not require background checks prohibited by Section
 563 58-47b-307.

564 (2) This chapter does not prohibit any political subdivision of the state from prosecuting:

565 (a) an unlicensed individual who is engaged in the practice of massage therapy or the
 566 practice of limited massage therapy;[-or]

567 (b) a licensed individual[-who] or a registered massage establishment that is engaged in
 568 unlawful conduct[-] ;or

569 (c) conduct by any person that is defined as unlawful under this chapter, including
 570 aiding or abetting any other person to violate any statute or rule regulating a
 571 profession under this chapter.

572 Section 11. Section **58-47b-306** is amended to read:

573 **58-47b-306 . Required identification and disclosures -- Individuals.**

574 ~~[(1) As used in this section, "massage establishment" means an establishment in which an~~
 575 ~~individual lawfully engages in the practice of massage therapy or the practice of limited~~

576 ~~massage therapy.]~~

577 ~~[(2) If a massage assistant or massage assistant-in-training engages in the practice of~~
578 ~~limited massage therapy at a massage establishment, the massage establishment shall~~
579 ~~prominently display to the public a sign that indicates certain massage services offered~~
580 ~~at the massage establishment are performed by a massage assistant or a massage~~
581 ~~assistant-in-training.]~~

582 ~~[(3)]~~ (1)(a) If the licensee is a licensed massage apprentice, a licensed massage assistant,
583 or a licensed massage assistant-in-training, the licensee shall obtain from the client a
584 completed and signed intake form before the licensee provides a service regulated by
585 this chapter.

586 (b) The division may further define the intake form by rule made in accordance with
587 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

588 (2) A massage apprentice, a massage assistant, or a massage assistant-in-training
589 licensed under this chapter, while engaging in the practice of massage therapy:
590 (a) shall wear an identification badge showing the licensee's name, license classification,
591 and license number; and
592 (b) may not identify to any person in connection with activities allowed under this
593 chapter other than as the individual's license classification.

594 (3) If an individual requests a massage service that is performed by a massage apprentice, a
595 massage assistant, or a [massage assistant-in-training] massage assistant-in-training, the
596 licensee performing or the massage therapy supervisor supervising the massage service
597 shall ensure that the individual is notified before scheduling or agreeing to the massage
598 service that the massage service is performed by a massage apprentice, a massage
599 assistant, or [massage assistant-in-training] a massage assistant-in-training.

600 Section 12. Section **58-47b-306.1** is enacted to read:

601 **58-47b-306.1 . Required signage and disclosures -- Massage establishments.**

602 A massage establishment shall display prominently:

- 603 (1) the massage establishment registration;
604 (2) a copy of the state issued license for each licensee licensed under this chapter and
605 contracted with or employed by the establishment;
606 (3) Division of Professional Licensing resources required by rule; and
607 (4) a sign that states some massage services offered at the massage establishment are
608 performed by a massage apprentice, a massage assistant, or a massage
609 assistant-in-training if the massage establishment employs or contracts with a massage

610 apprentice, a massage assistant, or a massage assistant-in-training.

611 Section 13. Section **58-47b-307.1** is enacted to read:

612 **58-47b-307.1 . Criminal background checks -- Massage establishments.**

613 (1) Each applicant for registration in accordance with Section 58-47b-301.1:

614 (a) shall submit an application in a form the division approves;

615 (b) shall pay a fee determined by the department under Section 63J-1-504;

616 (c) may not have been convicted of a crime under Section 76-5-4;

617 (d) shall submit to and pass a background check in accordance with this section and
618 requirements the division establishes by rule made in accordance with Title 63G,
619 Chapter 3, Utah Administrative Rulemaking Act; and

620 (e) shall meet with the division if requested.

621 (2) Each applicant shall submit, for all individuals described in Subsection

622 58-47b-302.2(2)(f), the information described in Section 58-47b-302.2.

623 (3) The division shall:

624 (a) in addition to other fees authorized by this chapter, collect from each applicant
625 submitting fingerprints in accordance with this section:

626 (i) the fee, for each set of fingerprints, that the Bureau of Criminal Identification is
627 authorized to collect for the services provided under Section 53-10-108; and

628 (ii) the fee, for each set of fingerprints, charged by the Federal Bureau of
629 Investigation for fingerprint processing for the purpose of obtaining federal
630 criminal history record information;

631 (b) submit, from each individual who requires a background check under Subsection
632 58-47b-302.2(2)(f), the fingerprint card and the fees described in Subsection (3)(a) to
633 the Bureau of Criminal Identification; and

634 (c) obtain and retain in division records, from each individual who requires a
635 background check under Subsection 58-47b-302.2(2)(f), a signed waiver approved by
636 the Bureau of Criminal Identification in accordance with Section 53-10-108.

637 (4) In accordance with the requirements of Section 53-10-108, the Bureau of Criminal
638 Identification shall:

639 (a) check the fingerprints submitted under this section against the applicable state and
640 regional criminal records databases;

641 (b) forward the fingerprints to the Federal Bureau of Investigation for a national criminal
642 history background check; and

643 (c) provide the results from the state, regional, and nationwide criminal history

background checks to the division.

(5) For purposes of conducting the criminal background check required in this section, the division shall have direct access to criminal background information maintained under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification.

(6) The division may not disseminate outside of the division any criminal history record information that the division obtains from the Bureau of Criminal Identification or the Federal Bureau of Investigation under the criminal background check requirements of this section.

(a) A new registration issued under this section is conditional, pending completion of the criminal background checks.

(b)(i) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the criminal background check required in this section discloses that the applicant or any individual required to be fingerprinted has failed to accurately disclose a criminal history, the registration is automatically revoked upon notice to the applicant by the division.

(ii) An owner that has a massage establishment's conditional registration revoked under this Subsection (6)(b) is entitled to a postrevocation hearing to challenge the revocation.

(iii) The division shall conduct a postrevocation hearing in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Section 14. Section **58-47b-401** is amended to read:

58-47b-401 . Grounds for denial of license -- Individuals.

[Grounds] If there are grounds in accordance with Section 58-1-401, the division may take [for]the following actions regarding a license for an individual under this chapter[are in accordance with Section 58-1-401]:

- (1) refusal to issue a license to an applicant;
- (2) refusal to renew the license of a licensee;
- (3) revocation, suspension, restriction, or placement on probation of a license;
- (4) issuance of a public or private reprimand to a licensee; and
- (5) issuance of a cease and desist order.

Section 15. Section **58-47b-401.1** is enacted to read:

58-47b-401.1 . Grounds for denial of registration -- Massage establishments.

The division shall deny an application for registration under this chapter if:

- (1) the location where the registration is applied for has had a similar registration revoked

or surrendered for cause within the last two years;

(2) the application is for a location that has advertised in a manner that reasonably implies sexual services are offered at the location;

(3) within two years before the date of the application, an owner had a previous license or registration issued under this chapter suspended or revoked; or

(4) an owner has a criminal conviction or pending criminal charges for any crime under Title 76, Chapter 5, Part 4, Sexual Offenses.

Section 16. Section **58-47b-501** is amended to read:

58-47b-501 . Unlawful conduct -- Individuals.

(1) "Unlawful conduct"[-] for an individual includes:

(a) practicing, engaging in, or attempting to practice or engage in the practice of massage therapy without holding a current license as a massage therapist or a massage apprentice under this chapter;

(b) advertising or representing oneself as engaging in the practice of massage therapy when not licensed to do so;

(c) practicing, engaging in, or attempting to practice or engage in the practice of limited massage therapy without holding a current license as a massage therapist, massage apprentice, massage assistant, or [~~massage assistant in-training~~] massage assistant-in-training under this chapter;

(d) advertising or representing oneself as engaging in the practice of limited massage therapy when not licensed to do so; and

(e) massaging, touching, or applying any instrument or device by a licensee in the course of engaging in the practice of massage therapy or the practice of limited massage therapy to the:

(i) genitals;

(ii) anus; or

(iii) except as provided in Subsection (2), breasts of a female [~~patron~~] client.

(2)(a) Subsection (1)(e)(iii) does not apply if a female [~~patron~~] client:

(i) requests breast massage, as may be further defined by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

(ii) subject to Subsection (2)(b), signs a written consent form before each time the procedure is performed.

(b) If the female [~~patron~~] client is a minor, the female [~~patron's~~] client's parent or legal guardian shall sign the written consent form described in Subsection (2)(a).

Section 17. Section **58-47b-501.1** is enacted to read:

58-47b-501.1 . Unlawful conduct -- Massage establishments.

"Unlawful conduct" for a massage establishment required to register in accordance with Section 58-47b-301.1 includes:

- (1) operating without a valid registration;
- (2) being open for business without a licensee regulated by this chapter on site;
- (3) permitting the use of a registered massage establishment for housing, sheltering, or harboring any individual;
- (4) permitting an individual to engage in the practice of massage therapy without a license;
- (5) permitting a licensee to provide massage services without being fully clothed;
- (6) permitting a licensee to perform a sexual act or arranging for a sexual act;
- (7) permitting a licensee or client the use or possession of adult-oriented merchandise while at the registered massage establishment;
- (8) advertising on a sexually oriented website;
- (9) advertising services in a manner that may be reasonably construed as sexual in nature;
- (10) refusing inspection by the Division of Professional Licensing as authorized under Section 58-47b-601;
- (11) arranging or allowing for any of the unlawful acts described in Section 58-47b-501;
- (12) failing to immediately report to a local police department any disorderly conduct, sexual acts, or other criminal activity occurring on or within the registered massage establishment's premises; or
- (13)(a) concealing an individual in the massage establishment;
(b) refusing to provide identification to inspectors or law enforcement; or
(c) attempting to elude an inspector by leaving the massage establishment or remaining behind locked doors in the massage establishment during an inspection.

Section 18. Section **58-47b-502** is amended to read:

58-47b-502 . Unprofessional conduct -- Individuals.

"Unprofessional conduct" for an individual includes the following and may be further defined by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

- (1) maintaining, operating, or assisting in the establishment or operation of any place of business for the purpose of performing the practice of massage therapy or the practice of limited massage therapy without first obtaining a business license, if a license is required;

- (2) failing to comply with any applicable ordinances relating to the regulation of massage establishment;
- (3) failing to comply with all applicable state and local health or sanitation codes;
- (4) failing of a massage therapist to properly supervise a massage apprentice, massage assistant, or ~~[massage assistant in-training]~~ a massage assistant-in-training;
- (5) failing to maintain mechanical or electrical equipment in a safe operating condition;
- (6) failing to adequately monitor ~~[patrons]~~ clients utilizing steam rooms, dry heat cabinets, or water baths;
- (7) prescribing or administering medicine or drugs;
- (8) engaging in any act or practice in a professional capacity that is outside of the practice of massage therapy or the practice of limited massage therapy; and
- (9) engaging in any act or practice in a professional capacity for which the licensee is not competent to perform through training or experience.

Section 19. Section **58-47b-502.1** is enacted to read:

58-47b-502.1 . Unprofessional conduct -- Massage establishments.

- "Unprofessional conduct" for a massage establishment includes the following and may be further defined by division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
- (1) failing to comply with employee recordkeeping requirements as established in rule;
- (2) failing to comply with client recordkeeping requirements as established in rule;
- (3) failing to comply with all applicable state and local health or sanitation codes and requirements as established by rule;
- (4) failing to comply with facility requirements as established by rule;
- (5) maintaining, operating, or assisting in the establishment or operation of any place of business for the purpose of performing the practice of massage therapy or the practice of limited massage therapy without first obtaining a business license, if a license is required;
- (6) failing to comply with any applicable ordinances relating to the regulation of massage establishment;
- (7) failing to maintain mechanical or electrical equipment in a safe operating condition; and
- (8) failing to adequately monitor a client utilizing steam rooms, dry heat cabinets, or water baths.

Section 20. Section **58-47b-503** is amended to read:

58-47b-503 . Penalties -- Individuals.

- (1) Except as provided in Subsection (2), ~~[any]~~ an individual who commits an act of unlawful conduct under Section 58-47b-501 is guilty of a class A misdemeanor.
- (2) Sexual conduct that violates Section 58-47b-501 and Title 76, Utah Criminal Code, shall be subject to the applicable penalties in Title 76, Utah Criminal Code.
- Section 21. Section **58-47b-503.1** is enacted to read:
- 58-47b-503.1 . Penalties -- Massage establishments.**
- (1) For acts of unprofessional conduct or unlawful conduct by a massage establishment, the division may:
- (a) assess administrative penalties; and
- (b) take any other appropriate administrative action, which may include sending letters of concern to:
- (i) the municipality in which the massage establishment is located and the police department for the municipality; or
- (ii) the property owner or manager from which the massage establishment is leasing space.
- (2) The division shall deposit an administrative penalty imposed in accordance with this section into the General Fund.
- (3) If a massage establishment has been convicted of violating Section 58-47b-501.1 before an administrative finding of a violation of the same section, the massage establishment may not be assessed an administrative penalty under this chapter for the same incident for which the conviction was obtained.
- (4)(a) If, upon inspection or investigation, the division concludes that a person has violated the provisions of Chapter 1, Division of Professional Licensing Act, Section 58-47b-501, 58-47b-501.1, 58-47b-502, or 58-47b-502.1, or any rule or order issued with respect to these provisions, and that disciplinary action is appropriate, the director or the director's designee from within the division shall:
- (i) promptly issue a citation to the person according to this chapter and any pertinent rules; and
- (ii)(A) attempt to negotiate a stipulated settlement; or
- (B) notify the person to appear before an adjudicative proceeding conducted under Title 63G, Chapter 4, Administrative Procedures Act.
- (b)(i) In addition to or in lieu of an administrative penalty, the division may assess a fine in accordance with Subsection (5) to any person that is in violation of the provisions of Chapter 1, Division of Professional Licensing Act, Section

58-47b-501 or 58-47b-501.1, or any rule or order issued with respect to these provisions, as evidenced by an uncontested citation, a stipulated settlement, or a finding of violation in an adjudicative proceeding.

(ii) The fine may be in an amount equal to the greater of up to \$10,000 per single violation or up to \$2,000 per day of ongoing violation in accordance with a fine schedule established by rule.

(iii) In addition to or in lieu of a fine, the division may order the person to cease and desist from violating the provisions of Chapter 1, Division of Professional Licensing Act, Section 58-47b-501, 58-47b-501.1, or 58-47b-502.1, or any rule or order issued with respect to these provisions.

(c) A citation shall:

(i) be in writing and describe with particularity the nature of the violation, including a reference to the provision of the chapter, rule, or order alleged to have been violated;

(ii) state that the person to which the citation is issued shall notify the division in writing within 20 calendar days of service of the citation in order to contest the citation at a hearing conducted under Title 63G, Chapter 4, Administrative Procedures Act;

(iii) explain the consequences of failure to timely contest the citation or to make payment of any fines assessed by the citation within the time specified in the citation.

(d) The division may serve a citation issued under this section, or a copy of each citation, upon any person upon which a summons may be served:

(i) in accordance with the Utah Rules of Civil Procedure;

(ii) personally or upon the person's agent by a division investigator or by any person specially designated by the director; or

(iii) by mail.

(e)(i) If, within 20 calendar days after the day of service of a citation, the person to whom the citation is issued fails to request a hearing to contest the citation, the citation becomes the final order of the division and is not subject to further agency review.

(ii) The period to contest the citation may be extended by the division for cause.

(f) The division shall suspend, revoke, place on probation, or refuse to issue or renew the registration of a registered massage establishment that fails to comply with the

848 citation after the citation becomes final.

849 (g) Failure of an applicant for registration to comply with a citation after the citation
850 becomes final is a ground for denial of registration.

851 (h) The division may not issue a citation under this section after one year from the date
852 on which the violation that is the subject of the citation is reported to the division.

853 (5)(a) The director may collect a penalty that is not paid by:

854 (i) referring the matter to a collection agency; or

855 (ii) bringing an action in the district court of the county where the person against
856 whom the penalty is imposed resides or in the county where the office of the
857 director is located.

858 (b) A county attorney or the attorney general of the state shall provide legal assistance
859 and advice to the director in an action to collect a penalty.

860 (c) A court shall award reasonable attorney fees and costs to the prevailing party in an
861 action brought by the division to collect a penalty.

862 (6) The division may summarily suspend a registered massage establishment's registration
863 with a hearing to be scheduled within 15 days, under Sections 58-1-108 and 63G-4-502,
864 when the director finds that a pattern of credible facts emerges that the registered
865 massage establishment is attempting to operate a prostitution enterprise, or is engaged in
866 any form of human trafficking whether there is a violation of any other specific law,
867 rule, or code.

868 Section 22. Section **58-47b-504** is enacted to read:

869 **58-47b-504 . Renting or leasing to a sole practitioner.**

870 A licensee renting or leasing to a sole practitioner may not be held liable for the
871 actions of the sole practitioner so long as the licensee:

872 (1) verifies that the sole practitioner is a licensed massage therapist in good standing in the
873 state of Utah at the time of the rental or lease;

874 (2) verifies that the sole practitioner has a valid business registration with the Department
875 of Commerce; and

876 (3) produces copies of the following for the sole practitioner if requested by the division:

877 (a) Utah state issued massage therapist license;

878 (b) Utah state issued business license; and

879 (c) rental agreement.

880 Section 23. Section **58-47b-601** is enacted to read:

Part 6. Enforcement

58-47b-601 . Inspection.

- (1) For the purpose of verifying compliance with this chapter, the division may enter and inspect the premises of any massage establishment.
- (2) Before conducting an inspection under Subsection (1), the division shall:
- (a) give proper identification;
 - (b) request the registration for the massage establishment;
 - (c) describe the nature and purpose of the inspection; and
 - (d) provide upon request, the authority of the division to conduct the inspection and the penalty for refusing to permit the inspection as provided in Section 58-47b-503.1.
- (3) In conducting an inspection under Subsection (1), the division may, after meeting the requirements of Subsection (2):
- (a) examine any record, device, equipment, machine, electronic device or media, or area related to the practice of massage therapy or the practice of limited massage therapy for the purpose of verifying compliance with the applicable provisions of this chapter;
 - (b) reproduce any record or media at the division's own cost; and
 - (c) take a device for further analysis if considered necessary.
- (4)(a) The division or the division's agent may conduct an operation inspection or investigation at any time during the normal operating hours of the massage establishment without prior notice.
- (b) The owner or manager of the massage establishment shall assist the inspector by providing access to:
- (i) all areas of the massage establishment;
 - (ii) all personnel; and
 - (iii) all records requested by the inspector.
- (5) If upon inspection the division concludes that a person has violated the provisions of this chapter, or a rule or order issued with respect to this chapter and that disciplinary action is appropriate, the director or the director's designee shall issue a fine or citation to the registrant.

Section 24. Section **63I-1-258** is amended to read:

63I-1-258 . Repeal dates: Title 58.

- (1) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed July 1, 2026.

- 914 (2) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2025.
- 915 (3) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.
- 916 (4) Section 58-37-3.5, Drugs for behavioral health treatment, is repealed July 1, 2027.
- 917 (5) Subsection 58-37-6(7)(f)(iii), regarding a seven-day opiate supply restriction, is
918 repealed July 1, 2032.
- 919 (6) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2033.
- 920 (7) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is
921 repealed July 1, 2029.
- 922 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1,
923 2033.
- 924 (9) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2034.
- 925 (10) Subsection 58-47b-102(5), defining massage assistant, is repealed July 1, 2029.
- 926 (11) Subsection 58-47b-102(6), defining massage assistant-in-training, is repealed July 1,
927 2029.
- 928 (12) Subsection 58-47b-301(3), regarding representing oneself as a massage assistant or a
929 massage assistant-in-training, is repealed July 1, 2029.
- 930 (13) Subsection 58-47b-301(4), regarding requirement for a massage assistant or a massage
931 assistant-in-training to work in a registered massage establishment, is repealed July 1,
932 2029.
- 933 (14) Subsection 58-47b-302(1)(c), regarding the division licensing a massage assistant, is
934 repealed July 1, 2029.
- 935 (15) Subsection 58-47b-302(1)(d), regarding the division licensing a massage
936 assistant-in-training, is repealed July 1, 2029.
- 937 (16) Subsection 58-47b-302(4), regarding applicant for massage assistant licensure, is
938 repealed July 1, 2029.
- 939 (17) Subsection 58-47b-302(5), regarding applicant for a massage assistant-in-training, is
940 repealed July 1, 2029.
- 941 (18) Subsection 58-47b-302(6), regarding supervision for a massage assistant or a massage
942 assistant-in-training, is repealed July 1, 2029.
- 943 (19) Subsection 58-47b-303(3)(b), regarding expiration of a massage assistant-in-training
944 license, is repealed July 1, 2029.
- 945 (20) Subsection 58-55-201(2), regarding the Alarm System and Security Licensing
946 Advisory Board, is repealed July 1, 2027.
- 947 [(H)] (21) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1,

948 2026.

949 Section 1. **Effective Date.**

950 This bill takes effect on May 7, 2025.