



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

February 6, 2012

Madam Speaker:

The Business and Labor Committee reports a favorable recommendation on **H.B. 114**, MASSAGE THERAPY ACT AMENDMENTS, by Representative T. Cosgrove, with the following amendments and recommends it be placed on the Consent Calendar.

1. *Page 1, Lines 7 through 16:*

7 LONG TITLE

8 General Description:

9 This bill { ~~adds a definition and~~ } modifies a definition in the Massage
Therapy Practice

10 Act.

11 Highlighted Provisions:

12 This bill:

13 { ~~→ defines "manipulation" as used in the Massage Therapy Practice Act;~~
~~and~~ }

14 ▶ modifies the definition of "practice of massage therapy" to include providing,
15 offering, or advertising a paid service using the term massage, regardless of whether
16 the service includes physical contact { ~~·~~ } ;and

= makes technical changes.

2. *Page 2, Line 34 through Page 3, Line 74:*

34 { ~~(4) "Manipulation" means physical contact, with movement, on the clothed~~
~~or~~

35 ~~unclothed body.~~ }

36 {+} (4) {+} { ~~(5)~~ } "Massage apprentice" means an individual licensed
under this chapter as a

37 massage apprentice to work under the direct supervision of a licensed massage therapist.

38 {+} (5) {+} { ~~(6)~~ } "Massage therapist" means an individual licensed
under this chapter as a

39 massage therapist.

40 {+} (6) {+} { ~~(7)~~ } "Practice of massage therapy" means:

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- 41 (a) the examination, assessment, and evaluation of the soft tissue structures of the
body
42 for the purpose of devising a treatment plan to promote homeostasis;
43 (b) the systematic manual or mechanical manipulation of the soft tissue of the body
for
44 the purpose of:
45 (i) promoting the therapeutic health and well-being of a client;
46 (ii) enhancing the circulation of the blood and lymph;
47 (iii) relaxing and lengthening muscles;
48 (iv) relieving pain;
49 (v) restoring metabolic balance;
50 (vi) achieving homeostasis; ~~{and}~~ or
51 (vii) ~~{recreational or}~~ other purposes;
52 (c) the use of the hands or a mechanical or electrical apparatus in connection with
this
53 Subsection ~~{+}~~ (6) ~~{+}~~ ~~{(7)}~~ ;
54 (d) the use of rehabilitative procedures involving the soft tissue of the body;
55 (e) range of motion or movements without spinal adjustment as set forth in Section
56 58-73-102;
57 (f) oil rubs, heat lamps, salt glows, hot and cold packs, or tub, shower, steam, and
58 cabinet baths;
59 (g) manual traction and stretching exercise;
60 (h) correction of muscular distortion by treatment of the soft tissues of the body;
61 (i) counseling, education, and other advisory services to reduce the incidence and
62 severity of physical disability, movement dysfunction, and pain;
63 (j) similar or related activities and modality techniques; ~~and~~
64 (k) the practice described in this Subsection ~~{+}~~ (6) ~~{+}~~ ~~{(7)}~~ on an
animal to the extent
65 permitted by:
66 (i) Subsection 58-28-307(12);
67 (ii) the provisions of this chapter; and
68 (iii) division rule[-]; or
69 (l) providing, offering, or advertising a paid service using the term massage or a
70 derivative of the word massage, regardless of whether the service includes physical



contact.

- 71 {+} (7) {+} {~~8~~} "Soft tissue" means the muscles and related
connective tissue.
- 72 {+} (8) {+} {~~9~~} "Unlawful conduct" is as defined in Sections
58-1-501 and 58-47b-501.
- 73 {+} (9) {+} {~~10~~} "Unprofessional conduct" is as defined in Sections
58-1-501 and 58-47b-502
- 74 and as may be further defined by division rule.

Respectfully,

James A. Dunnigan
Committee Chair

Voting: 12-0-2

4 HB0114.HC1.WPD 2/6/12 4:09 pm /BRH PLA/BNC

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