

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 from licensure under the act.

Highlighted Provisions:

This bill:

▶ exempts a person from licensure as a massage therapist if the person is engaged within the scope of practice of a profession with established standards and ethics and:

- limits 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 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

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **58-47b-304**, as last amended by Laws of Utah 2009, Chapter 220



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

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

34 **58-47b-304. Exemptions from licensure.**

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

39 (a) [~~physicians and surgeons~~] a physician or surgeon licensed under Title 58, Chapter
40 67, Utah Medical Practice Act;

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

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

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

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

50 (f) [~~chiropractic physicians~~] a chiropractic physician licensed under Title 58, Chapter
51 73, Chiropractic Physician Practice Act;

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

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

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

59 (j) [~~naturopathic physicians~~] a naturopathic physician licensed under Title 58, Chapter
60 71, Naturopathic Physician Practice Act;

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

63 (l) [~~persons~~] a person performing gratuitous massage[-]; and

64 (m) a person engaged within the scope of practice of a profession with established
65 standards and ethics:

66 (i) who limits the manipulation of the soft tissues of the body to the hands, feet, and
67 ears only, including the practice of reflexology and foot zone therapy;

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

71 (iii) in which touch is limited to that which is essential for palpation and affectation of
72 the human energy system.

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

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

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

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

Legislative Review Note
as of 1-31-14 3:48 PM

Office of Legislative Research and General Counsel