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PROFESSIONAL LICENSING AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Bridger Bolinder
Senate Sponsor: David P. Hinkins

LONG TITLE

General Description:

This bill modifies licensure provisions related to animal massage therapists.

Highlighted Provisions:

This bill:

- allows an individual to engage in the practice of animal massage therapy without a massage therapist license.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-28-307, as last amended by Laws of Utah 2023, Chapter 62

58-47b-304, as last amended by Laws of Utah 2023, Chapter 225

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

Section 1. Section **58-28-307** is amended to read:

58-28-307 . Exemptions from chapter.

In addition to the exemptions from licensure in Section 58-1-307 this chapter does not apply to:

- (1) an individual who practices veterinary medicine, surgery, or dentistry upon any animal owned by the individual, and the employee of that individual when the practice is upon an animal owned by the employee's employer, and incidental to employment, except:
 - (a) this exemption does not apply to an individual, or the individual's employee, when the ownership of an animal was acquired for the purpose of circumventing this

- 29 chapter; and
- 30 (b) this exemption does not apply to the administration, dispensing, or prescribing of a
31 prescription drug, or nonprescription drug intended for off label use, unless the
32 administration, dispensing, or prescribing of the drug is obtained through an existing
33 veterinarian-patient relationship;
- 34 (2) an individual who as a student at a veterinary college approved by the board engages in
35 the practice of veterinary medicine, surgery, and dentistry as part of the individual's
36 academic training and under the direct supervision and control of a licensed veterinarian,
37 if that practice is during the last two years of the college course of instruction and does
38 not exceed an 18-month duration;
- 39 (3) a veterinarian who is an officer or employee of the government of the United States, or
40 the state, or its political subdivisions, and technicians under the veterinarian's
41 supervision, while engaged in the practice of veterinary medicine, surgery, or dentistry
42 for that government;
- 43 (4) an individual while engaged in the vaccination of poultry, pullorum testing, typhoid
44 testing of poultry, and related poultry disease control activity;
- 45 (5) an individual who is engaged in bona fide and legitimate medical, dental,
46 pharmaceutical, or other scientific research, if that practice of veterinary medicine,
47 surgery, or dentistry is directly related to, and a necessary part of, that research;
- 48 (6) a veterinarian licensed under the laws of another state rendering professional services in
49 association with licensed veterinarians of this state for a period not to exceed 90 days;
- 50 (7) a registered pharmacist of this state engaged in the sale of veterinary supplies,
51 instruments, and medicines, if the sale is at the registered pharmacist's regular place of
52 business;
- 53 (8) an individual in this state engaged in the sale of veterinary supplies, instruments, and
54 medicines, except prescription drugs which must be sold in compliance with state and
55 federal regulations, if the supplies, instruments, and medicines are sold in original
56 packages bearing adequate identification and directions for application and
57 administration and the sale is made in the regular course of, and at the regular place of
58 business;
- 59 (9) an individual rendering emergency first aid to animals in those areas where a licensed
60 veterinarian is not available, and if suspicious reportable diseases are reported
61 immediately to the state veterinarian;
- 62 (10) an individual performing or teaching nonsurgical bovine artificial insemination;

- 63 (11) an individual affiliated with an institution of higher education who teaches nonsurgical
64 bovine embryo transfer or any technician trained by or approved by an institution of
65 higher education who performs nonsurgical bovine embryo transfer, but only if any
66 prescription drug used in the procedure is prescribed and administered under the
67 direction of a veterinarian licensed to practice in Utah;
- 68 (12) (a) the practice of animal chiropractic by a chiropractic physician licensed under
69 Chapter 73, Chiropractic Physician Practice Act, who has been certified by the
70 American Veterinary Chiropractic Association for performing chiropractic on an
71 animal;
- 72 (b) upon written referral by a licensed veterinarian, the practice of animal physical
73 therapy by a physical therapist licensed under Chapter 24b, Physical Therapy
74 Practice Act, who has completed at least 100 hours of animal physical therapy
75 training, including quadruped anatomy and hands-on training, approved by the
76 division;
- 77 (c) ~~[upon written referral by a licensed veterinarian, the practice of animal massage~~
78 ~~therapy by a massage therapist licensed under Chapter 47b, Massage Therapy~~
79 ~~Practice Act, who has completed at least 60 hours of animal massage therapy~~
80 ~~training, including quadruped anatomy and hands-on training, approved by the~~
81 ~~division;]~~ the practice of animal massage therapy by an individual who has completed
82 at least 60 hours of animal massage therapy training in areas specified by the division
83 in rule made in accordance with Title 63G, Chapter 3, Utah Administrative
84 Rulemaking Act; and
- 85 (d) upon written referral by a licensed veterinarian, the practice of acupuncture by an
86 acupuncturist licensed under Chapter 72, Acupuncture Licensing Act, who has
87 completed a course of study on animal acupuncture approved by the division;
- 88 (13) unlicensed assistive personnel performing duties appropriately delegated to the
89 unlicensed assistive personnel in accordance with Section 58-28-502;
- 90 (14) an animal shelter employee who is:
- 91 (a) (i) acting under the indirect supervision of a licensed veterinarian; and
92 (ii) performing animal euthanasia in the course and scope of employment; and
93 (b) acting under the indirect supervision of a veterinarian who is under contract with the
94 animal shelter, administering a rabies vaccine to a shelter animal in accordance with
95 the Compendium of Animal Rabies Prevention and Control;
- 96 (15) an individual providing appropriate training for animals; however, this exception does

- 97 not include diagnosing any medical condition, or prescribing or dispensing any
98 prescription drugs or therapeutics;
- 99 (16) an individual who performs teeth floating if the individual:
- 100 (a) has a valid certification from the International Association of Equine Dentistry, or an
101 equivalent certification designated by division rule made in collaboration with the
102 board, to perform teeth floating;
- 103 (b) administers or uses a sedative drug only if the individual is under the direct
104 supervision of a veterinarian in accordance with Subsection 58-28-502(2)(a)(iv); and
- 105 (17) an individual testing a bovine for pregnancy if the individual has:
- 106 (a) obtained a masters degree or higher in animal reproductive physiology; and
107 (b) completed at least eight hours of continuing education on animal reproductive
108 physiology within the previous two-year period.
- 109 Section 2. Section **58-47b-304** is amended to read:

110 **58-47b-304 . Exemptions from licensure.**

- 111 (1) In addition to the exemptions from licensure in Section 58-1-307, the following
112 individuals may engage in the practice of massage therapy or the practice of limited
113 massage therapy, subject to the stated circumstances and limitations, without being
114 licensed under this chapter:
- 115 (a) a physician or surgeon licensed under Chapter 67, Utah Medical Practice Act;
116 (b) a physician assistant licensed under Chapter 70a, Utah Physician Assistant Act;
117 (c) a nurse licensed under Chapter 31b, Nurse Practice Act, or under Chapter 44a, Nurse
118 Midwife Practice Act;
119 (d) a physical therapist licensed under Chapter 24b, Physical Therapy Practice Act;
120 (e) a physical therapist assistant licensed under Chapter 24b, Physical Therapy Practice
121 Act, while under the general supervision of a physical therapist;
122 (f) an osteopathic physician or surgeon licensed under Chapter 68, Utah Osteopathic
123 Medical Practice Act;
124 (g) a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice
125 Act;
126 (h) a hospital staff member employed by a hospital, who practices massage as part of the
127 staff member's responsibilities;
128 (i) an athletic trainer licensed under Chapter 40a, Athletic Trainer Licensing Act;
129 (j) a student in training enrolled in a massage therapy school approved by the division;
130 (k) a naturopathic physician licensed under Chapter 71, Naturopathic Physician Practice

- 131 Act;
- 132 (l) (i) an occupational therapist licensed under Chapter 42a, Occupational Therapy
133 Practice Act; and
- 134 (ii) an occupational therapy assistant licensed under Chapter 42a, Occupational
135 Therapy Practice Act, while under the general supervision of an occupational
136 therapist;
- 137 (m) an individual performing animal massage therapy under the rules made by the
138 division in accordance with Subsection 58-28-307(12);
- 139 [~~m~~] (n) an individual performing gratuitous massage; and
- 140 [~~n~~] (o) an individual:
- 141 (i) certified by or through, and in good standing with, an industry organization that is
142 recognized by the division and that represents a profession with established
143 standards and ethics:
- 144 (A) who is certified to practice reflexology and whose practice is limited to the
145 scope of practice of reflexology;
- 146 (B) who is certified to practice a type of zone therapy, including foot zone
147 therapy, and whose practice is limited to the scope of practice for which the
148 individual is certified;
- 149 (C) who is certified to practice ortho-bionomy and whose practice is limited to the
150 scope of practice of ortho-bionomy;
- 151 (D) who is certified to practice bowerwork and whose practice is limited to the
152 scope of practice of bowerwork; or
- 153 (E) who is certified to practice a type of brain integration and whose practice is
154 limited to the scope of practice for which the individual is certified;
- 155 (ii) whose clients remain fully clothed from the shoulders to the knees; and
- 156 (iii) whose clients do not receive gratuitous massage from the individual.
- 157 (2) An individual described in Subsection (1) may not represent oneself as a massage
158 therapist, massage apprentice, massage assistant, or massage assistant in-training.
- 159 (3) This chapter may not be construed to:
- 160 (a) authorize any individual licensed under this chapter to engage in any manner in the
161 practice of medicine as defined by the laws of this state;
- 162 (b) require insurance coverage or reimbursement for massage therapy or limited massage
163 therapy from third party payors; or
- 164 (c) prevent an insurance carrier from offering coverage for massage therapy or limited

165 massage therapy.

166 Section 3. **Effective date.**

167 This bill takes effect on May 1, 2024.