

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 758

By: Jech

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6 AS INTRODUCED

7 An Act relating to massage therapy; amending Section
8 3, Chapter 292, O.S.L. 2016 (59 O.S. Supp. 2016,
9 Section 4200.3), which relates to licensure;
providing certain exemption; and providing an
effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 3, Chapter 292, O.S.L.
14 2016 (59 O.S. Supp. 2016, Section 4200.3), is amended to read as
15 follows:

16 Section 4200.3. A. Unless a person is a licensed massage
17 therapist, a person shall not:

- 18 1. Use the title of massage therapist;
 - 19 2. Represent himself or herself to be a massage therapist;
 - 20 3. Use any other title, words, abbreviations, letters, figures,
21 signs or devices that indicate the person is a massage therapist; or
 - 22 4. Utilize the terms "massage", "massage therapy" or "massage
23 therapist" when advertising or printing promotional material.
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1 B. A person shall not maintain, manage or operate a massage
2 therapy school offering education, instruction or training in
3 massage therapy unless the school is a licensed massage therapy
4 school pursuant to Section 7 4200.7 of this ~~act~~ title.

5 C. Individuals practicing massage therapy under the Massage
6 Therapy Practice Act shall not perform any of the following:

- 7 1. Diagnosis of illness or disease;
- 8 2. High-velocity, low-amplitude thrust;
- 9 3. Electrical stimulation;
- 10 4. Application of ultrasound;
- 11 5. Use of any technique that interrupts or breaks the skin; or
- 12 6. Prescribing of medicines.

13 D. Nothing in the Massage Therapy Practice Act shall be
14 construed to prevent:

15 1. Qualified members of other recognized professions who are
16 licensed or regulated under Oklahoma law from rendering services
17 within the scope of the license of the person, provided the person
18 does not represent himself or herself as a massage therapist. A
19 physician or other licensed health care provider providing health
20 care services within the scope of practice of the physician or
21 provider shall not be required to be licensed by or registered with
22 the State Board of Cosmetology and Barbering;

23 2. Students from rendering massage therapy services within the
24 course of study when enrolled at a licensed massage therapy school;

1 3. Visiting massage therapy instructors from another state or
2 territory of the United States, the District of Columbia or any
3 foreign nation from teaching massage therapy, provided the
4 instructor is duly licensed or registered, if required, and is
5 qualified in the instructor's place of residence for the practice of
6 massage therapy;

7 4. Any nonresident person holding a current license,
8 registration or certification in massage therapy from another state
9 or recognized national certification system determined as acceptable
10 by the Board when temporarily present in this state from providing
11 massage therapy services as a part of an emergency response team
12 working in conjunction with disaster relief officials or at special
13 events such as conventions, sporting events, educational field
14 trips, conferences, traveling shows or exhibitions;

15 5. Physicians or other health care professionals from
16 appropriately referring to duly licensed massage therapists or limit
17 in any way the right of direct access of the public to licensed
18 massage therapists; or

19 6. The practice of any person in this state who uses touch,
20 words and directed movement to deepen awareness of existing patterns
21 of movement in the body as well as to suggest new possibilities of
22 movement while engaged within the scope of practice of a profession
23 with established standards and ethics, provided that the services
24 are not designated or implied to be massage or massage therapy.

1 Practices shall include but are not limited to the Feldenkrais
2 Method of somatic education, Rolf Movement Integration by the Rolf
3 Institute, the Trager Approach of movement education, and Body-Mind
4 Centering. Practitioners shall be recognized by or meet the
5 established standards of either a professional organization or
6 credentialing agency that represents or certifies the respective
7 practice based on a minimal level of training, demonstration of
8 competency, and adherence to ethical standards.

9 E. A physician or other licensed health care provider providing
10 health care services within their scope of practice shall not be
11 required to be licensed or registered with the State Board of
12 Cosmetology.

13 F. Persons possessing an Associate or Bachelor's degree in a
14 health-related field and fifty (50) hours of continuing education
15 units in massage or manual intervention shall not be required to be
16 licensed or registered with the State Board of Cosmetology.

17 SECTION 2. This act shall become effective November 1, 2017.

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