

1 **MASSAGE THERAPY ACT AMENDMENTS**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Tim M. Cosgrove**

5 Senate Sponsor: Aaron Osmond

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies a definition in the Massage Therapy Practice Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies the definition of "practice of massage therapy" to include providing,
- 13 offering, or advertising a paid service using the term massage, regardless of whether
- 14 the service includes physical contact; and
- 15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **58-47b-102**, as last amended by Laws of Utah 2011, Chapter 367

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

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

26 **58-47b-102. Definitions.**

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

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

29 (2) "Breast" means the female mammary gland and does not include the muscles,

30 connective tissue, or other soft tissue of the upper chest.

31 (3) "Homeostasis" means maintaining, stabilizing, or returning to equilibrium the
32 muscular system.

33 (4) "Massage apprentice" means an individual licensed under this chapter as a massage
34 apprentice to work under the direct supervision of a licensed massage therapist.

35 (5) "Massage therapist" means an individual licensed under this chapter as a massage
36 therapist.

37 (6) "Practice of massage therapy" means:

38 (a) the examination, assessment, and evaluation of the soft tissue structures of the body
39 for the purpose of devising a treatment plan to promote homeostasis;

40 (b) the systematic manual or mechanical manipulation of the soft tissue of the body for
41 the purpose of:

42 (i) promoting the therapeutic health and well-being of a client;

43 (ii) enhancing the circulation of the blood and lymph;

44 (iii) relaxing and lengthening muscles;

45 (iv) relieving pain;

46 (v) restoring metabolic balance;

47 (vi) achieving homeostasis; ~~and~~ or

48 (vii) ~~[recreational or]~~ other purposes;

49 (c) the use of the hands or a mechanical or electrical apparatus in connection with this
50 Subsection (6);

51 (d) the use of rehabilitative procedures involving the soft tissue of the body;

52 (e) range of motion or movements without spinal adjustment as set forth in Section
53 58-73-102;

54 (f) oil rubs, heat lamps, salt glows, hot and cold packs, or tub, shower, steam, and
55 cabinet baths;

56 (g) manual traction and stretching exercise;

57 (h) correction of muscular distortion by treatment of the soft tissues of the body;

58 (i) counseling, education, and other advisory services to reduce the incidence and
59 severity of physical disability, movement dysfunction, and pain;

60 (j) similar or related activities and modality techniques; [~~and~~]

61 (k) the practice described in this Subsection (6) on an animal to the extent permitted
62 by:

63 (i) Subsection 58-28-307(12);

64 (ii) the provisions of this chapter; and

65 (iii) division rule[-]; or

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

68 (7) "Soft tissue" means the muscles and related connective tissue.

69 (8) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-47b-501.

70 (9) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-47b-502 and as
71 may be further defined by division rule.