

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 532
Department or Agency: Alabama Board of Massage Therapy
Rule No.: 532-X-3-.05
Rule Title: Massage Therapy School, Massage Therapy Instructor Requirements
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Keith E. Warren

Keith E. Warren

Date

Thursday, July 20, 2023

REC'D & FILED

JUL 20 2023

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF MASSAGE THERAPY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 532-X-3-.05 Massage Therapy School, Massage Therapy
Instructor Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To add definitions for terms used in the required massage therapy education curriculum for Alabama students. The amendment also includes requirements to obtain and renew a Massage Therapy Instructors License.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Written comments will be received by the Board until 4:00 p.m. on Monday, September 4, 2023. Comments should be directed to Keith E. Warren, Executive Director, 2777 Zelda Road, Montgomery, Alabama 36106 or via electronic mail at keith@alstateboard.com.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, October 5, 2023

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, Alabama 36106
334-420-7233

Keith E. Warren

Keith E. Warren

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**Massage Therapy School, Massage Therapy
Instructor Requirements.**Definitions:

"Course of Student" is defined as all coursework required to complete a massage therapy program at a board approved massage therapy school that meets or exceeds the subject area requirements.

"Subject of Course of Student" is defined as a specific area of focus comprised of a portion of a course of student. A subject may span multiple courses offered as a part of the course of study. A course of study should include, but is not limited to, all core classes and electives listed in the chart above.

"Class" is defined as a series of lessons and lectures required in the subject area or subject areas offered as part of the course of study.

"Classroom Hour" is defined as the number of hours lectured per course. A classroom hour should be limited to a minimum of 50 minutes of any one clock hour during which a student participates in a course or series of courses in the presence of a faculty member offered by a board approved massage therapy school.

"Hybrid Learning" is defined as education in which the face-to-face classroom experience is combined with or replaced by an online experience that includes synchronous and asynchronous interactions with students and instructors, and lessons and assessments that can be completed digitally or in person.

"Online learning" refers to instruction that is delivered electronically through various multimedia and internet platforms and applications. It is used interchangeably with other terms such as web-based learning, distance learning, e-learning, computer-assisted instruction, and internet-based learning.

"Instruction Hour" is defined as no less than 50 minutes of a clock hour in which a student participates in a class offered by an approved course of study. Instruction hours may include classes where the delivery is in person, hybrid or online learning. Any and all coursework considered to be a "hands-on" course of student, including massage lab, clinical practicum, massage events off campus, field trips, or a guest speaker for a specific course, a student is required to attend in person.

"Graduate" is defined as a student who has completed a course of study at a board approved massage therapy school.

"Certification" is defined as an official document attesting to a status or level of achievement. A student who graduates from a board approved massage therapy program will gain an "industry-recognized" certification. As example of certification is:

Course Requirements and Clock Hours

Anatomy and Physiology, Kinesiology - 150 hours

Pathology - 40 hours

Masasge Therapy and Practice - 120 hours

Professional Ethics - 15 hours

Alabama Rules & Regulations - 5 hours

Business - 25 hours

Spa/Hydrotherapy - 25 hours

Clinical Practicum - 50 to 100 hours

CPR/First Aid - 5 hours

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Electives - 210 to 250 hours

Pregnancy Massage, Sports Massage, Geriatric Massage, Self-Care, Reflexology, Deep Tissue, Neuromuscular Massage, Esalen, Rolfing, Spa Therapy/Massage, Thai Massage, Thiatsu, Cupping Massage, IASTM, Kinesio Taping, Therapeutic Exercise, Chair Massage, Acupressure, Orthopedic Massage/Assessment, Myofascial Release/Unwinding, Medical Massage, and Lomi Lomi.

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(1) The Board shall establish a list of approved massage therapy schools, and graduation from the massage therapy curriculum of an approved massage therapy school shall satisfy the education requirements of an applicant for licensure.

(2) A massage therapy school located outside of the State of Alabama which is recognized by a regional professional accrediting body, or which is an accredited postgraduate training institute may be recognized by the Board as an approved massage therapy school. A copy of the massage therapy curriculum at such school must be submitted with the transcript of a

student graduating from the school to qualify a student of the school for satisfaction of the education requirements of an applicant for Alabama licensure.

(3) A massage therapy school located outside of the State of Alabama may seek to be approved and registered by the Board in the same manner as a massage therapy school located in the State of Alabama.

(4) A massage therapy school located in the State of Alabama must meet the requirements for approval, and file a completed application for approval of the Board, with the registration fee, to qualify its students to satisfy the education requirements for licensure. The massage therapy school must apply directly to the Board of Massage Therapy for approval, and submit the following information:

(a) sample transcript and diploma;

(b) copy of curriculum, catalog, or other course description;

(c) faculty credentials;

(5) A massage therapy school approved by the Board must register annually with the Board, submitting a renewal form, the renewal fee, a current curriculum, and a list of instructors of massage therapy who teach or supervise at the school. Should a change in ownership, curriculum, faculty or staff, or address of the school occur during the year subsequent to obtaining approval of the Board, the school must notify the Board of such change within 30 days of the school's authorization of the proposed change or of implementation of the change, whichever is sooner.

(6) The Board must consider continued approval of a massage therapy school after a change of ownership, curriculum, or faculty, or staff.

(7) In the event a massage therapy school submits an annual renewal form with current curriculum which does not meet the minimum standards set forth in the Alabama massage therapy statutes and approved by the Board applicable at that time, the Board shall send a deficiency notice to the school and suspend the approval of the school. The school shall have six months in which to correct the deficiency and submit a renewal form with fee and copy of the conforming curriculum. Approval of a massage therapy school may be withdrawn by the Board if the massage therapy school modifies its curriculum without notice to the Board, or falls below the minimum standards required by the statutes and these rules and regulations; or if the school

violates any standard applicable to the accreditation of the school by the Board of education; or violates any applicable rule or regulation of the Board of Massage Therapy.

(8) An instructor of massage therapy course work teaching at a Board approved school located in Alabama must be licensed in Alabama as a massage therapy instructor unless the course is a continuing education course being taught by a visiting instructor who does not teach more than 100 hours of continuing education per year.

(9) To qualify ~~for registration~~ as a massage therapy instructor, an applicant ~~must~~:

(a) must be currently licensed as an Alabama massage therapist and maintain a current license;

(b) should possess training and experience in teh field of study,

(c) have at least 3 years experience in teh field of massage and be supported by management in their professional development and teaching skills,

(d) academic study such as anatomy, physiology and business and related sciences can be taught by a non-massage thearpist professional that has experience in teh field.

(10) To apply as a massage therapy instructor, an applicant must:

(a) submit the application forms~~submit the application form and one-time fee;~~

~~(c) document two~~ (b) document three years of experience in the practice of massage therapy, which documentation may include:

1. City business licenses showing the occupation as a massage therapist;
2. Internal Revenue Service tax returns listing the occupation as massage therapist;
3. Records or correspondence regarding advertisement as a massage therapist;
4. Affiliations with professional organizations;

5. Appointment books kept in the ordinary course of business;

6. Statements from personal knowledge by persons not related to the applicant, which may include: notarized statements of clients; statements of licensed professional associates consulted in relation to the practice of massage therapy; statements of business associates consulted in relation to the practice of massage therapy, such as bankers, brokers, attorneys.

(10) Guidelines for Supervised Student Clinicals

(a) 50 hour minimum

(b) 100 hour maximum

(c) Performed on the school premise

(d) Performed under the direct supervision of licensed massage therapist employed by the school.

(e) During the clinical session, the licensed massage therapist must have direct access to the student/client.

(f) The client must have full knowledge that the massage therapy session is being performed by a student therapist prior to beginning the session.

(g) The student therapist shall receive no compensation for any massage therapy session.

(h) Student may receive clinical hour credit for performing business related tasks such as answering telephones, returning telephone calls, booking therapy appointments, computer or file data entry, laundry of linens if the school provides linens for student clinical use and any other business-related tasks which will aide the students in future massage work environments.

(i) Student clinicals may not include manual labor on the school premise unrelated to every day clinical sessions.

(j) Students may not be required to clean the school premise beyond the normal sanitation procedures inclusive to treatment rooms and the immediate office space (i.e., appointment desk area, copy station and client waiting room) used during clinical sessions.

(k) Students may not be required to perform building maintenance, lawn care, facility housekeeping including bathrooms, floors or anything that does not apply to the education and career goal of a student.

Author: Keith E. Warren

Statutory Authority: Code of Ala. 1975, §34-43-1.

History: New Rule: Filed January 29, 2001; effective March 5,

2001. **Amended:** Filed November 1, 2005; effective December 6,

2005. **Amended:** Filed November 9, 2006; effective December 14,

2006. **Amended:** Filed April 20, 2009; effective May 25, 2009.

Amended: Filed February 10, 2012; effective March 16, 2012.

Filed July 20, 2023;