

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control Department or Agency Alabama Board of Massage Therapy

Rule No. 532-X-6-.01

Rule Title: Continuing Education Requirements

         New     X     Amend          Repeal          Adopt by Reference

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 and, if so, to what degree?         No        

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

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?         No        

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        

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Does the proposed rule have an economic impact?         No        

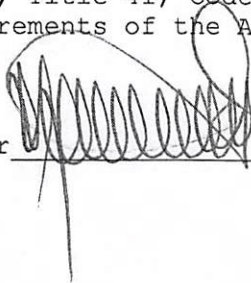
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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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



Date: July 20, 2023

**REC'D & FILED**

**JUL 20 2023**

(DATE FILED)

**LEGISLATIVE SVC AGENCY**

ALABAMA BOARD OF MASSAGE THERAPY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 532-X-6-.01 Continuing Education Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to further define continuing education requirements.

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  
334-420-7233  
keith@alstateboard.com

*Keith E. Warren*

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Keith E. Warren

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

Continuing Education Requirements.

(1) Every massage therapist licensed by the Board must complete 16 hours of continuing education within the 24 months preceding the date of renewal of licensure, from providers of courses approved by the Board, as a condition for renewing the license to practice massage therapy.

(2) The licensee is required to maintain in the licensee's files, for at least four years, the certificates or other documents evidencing completion of the approved continuing education courses.

(3) The licensee must inform the Board, on the application for license renewal, of the licensee's compliance with the continuing education requirement. Failure to do so will result in denial of renewal of licensure.

(5) Upon notification of the licensee that his or her continuing education credits are being audited, the licensee shall send by registered mail to the Board the documents or certificates evidencing his or her completion of the approved continuing education courses. In the event the documentation is not then available to the licensee (as a result of storage in moving, fire, or other catastrophic or like circumstance), without fault on his or her part, the licensee shall so notify the Board by sworn affidavit under notary seal, and shall give the Board a list of the dates, topics, locations, and providers of the approved continuing education courses.

(6) Massage therapists cannot repeat continuing education courses within four (4) years.

(7) Each licensed massage therapist will have there certification attached to their name/license number that can be viewed by the public (clients).

(8) Audit of continuing education. The Board will conduct a mandatory random audit of, at least, ten (10) percent of renewal applications for the most recent renewal period. The audit is to ensure that the continuing education requirement is being met.

(a) A massage therapist whose renewal is selected for audit is required to send verification of his/her continuing education to the Board office within thirty (30) days of the date of the audit notice. The Board will review the records and respond to the individuals with a statement of compliance or non-compliance.

(b) Non-compliance. In the case of non-compliance with continuing education requirements, the audited licensed massage therapist will have a one (1) month compliance period to meet continuing education requirements. During the one (1) month compliance period, the Board may initiate a complaint citing the licensee with failure to meet continuing education requirements in question. Failure to meet continuing education requirements within the one (1) month compliance period may result in formal disciplinary action by the board.

(c) Licensed massage therapists audited for licensure renewal will be subject to random audit selections in subsequent renewal periods. Successful selection for audit review will not remove a licensed massage therapist from a audit review in any subsequent renewal period.

**Author:** Keith E. Warren

**Statutory Authority:** Code of Ala. 1975, §34-43-21.

**History:** **New Rule:** Filed January 29, 2001; effective March 5, 2001. **Amended:** July 20, 2023;