

SUBSTITUTE FOR
HOUSE BILL NO. 5001

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 17959 (MCL 333.17959), as amended by 2010 PA
304.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17959. (1) ~~The department shall, upon submission of IF IT~~
2 **RECEIVES** a completed application and payment of the appropriate
3 application processing and license fee, **THE DEPARTMENT SHALL** issue
4 a license under this part to an individual who fulfills all of the
5 following requirements:
6 ~~—— (a) Has a high school diploma or the equivalent as determined~~
7 ~~by the board.~~
8 **(A)** ~~(b)~~ Is of good moral character as defined in section 1 of

1 1974 PA 381, MCL 338.41.

2 (B) ~~(e)~~ Is at least 18 years of age.

3 (C) ~~(d)~~ Has successfully passed an examination ~~meeting~~ **THAT**
 4 **MEETS** the requirements of section 17961. The passage of this
 5 examination may have occurred before January 9, 2009.

6 (D) ~~(e)~~ Has successfully completed ~~at least 1~~ **ANY** of the
 7 following:

8 (i) A supervised curriculum in a school that ~~has not less than~~
 9 ~~500~~ **REQUIRES THE FOLLOWING NUMBER OF** hours of classroom
 10 ~~instruction.~~ **INSTRUCTION TO COMPLETE ITS PROGRAM OF MASSAGE**
 11 **EDUCATION:**

12 (A) IF THE APPLICANT IS OR WAS ENROLLED IN THE SCHOOL BEFORE
 13 AUGUST 1, 2016, AT LEAST 500 HOURS.

14 (B) IF THE APPLICANT ENROLLS IN THE SCHOOL ON OR AFTER AUGUST
 15 1, 2016, AT LEAST 625 HOURS.

16 (ii) ~~At least 500~~ **THE FOLLOWING NUMBER OF** hours of course and
 17 clinical massage education in a substantially equivalent program in
 18 another state, country, jurisdiction, territory, or province that,
 19 on a case-by-case review, is found by the board to be sufficient: -

20 (A) IF THE APPLICANT IS OR WAS ENROLLED IN THE PROGRAM BEFORE
 21 AUGUST 1, 2016, AT LEAST 500 HOURS.

22 (B) IF THE APPLICANT ENROLLS IN THE PROGRAM ON OR AFTER AUGUST
 23 1, 2016, AT LEAST 625 HOURS.

24 (2) The department shall issue a license to an applicant who
 25 meets the requirements of subsection ~~(1) (a), (b), and (c)~~ **(1) (A)**
 26 **AND (B)** and who is currently licensed as a massage therapist in
 27 another state, country, jurisdiction, territory, or province that

1 requires standards for licensure that are substantially equivalent
2 to the requirements for licensure under this part, as determined by
3 the board.

4 (3) Until 2 years after the effective date of the rules
5 promulgated under this part, the board may issue a license to an
6 applicant who meets the requirements of subsection ~~(1)(a), (b), and~~
7 ~~(e)~~ **(1) (A) AND (B)** and presents proof acceptable to the board that
8 he or she has fulfilled 1 of the following requirements:

9 (a) For at least 1 year before January 9, 2009, has been an
10 active member, as a massage therapist, of a national professional
11 massage therapy association that was established before the year
12 2000, that offers professional liability insurance as a benefit of
13 membership, and that has an established code of professional
14 ethics.

15 (b) Has practiced massage therapy for an average of at least
16 10 hours per week for 5 or more years, as established by affidavit
17 of the applicant.

18 (c) Has practiced massage therapy for an average of at least
19 10 hours per week for at least 3 years, as established by affidavit
20 of the applicant, and has successfully completed at least 300 hours
21 of formal training in massage therapy acceptable to the board, as
22 established by evidence from the school or schools attended.

23 (d) Has successfully passed an examination ~~meeting~~ **THAT MEETS**
24 the requirements of section 17961. The passage of this examination
25 may have occurred before January 9, 2009.

26 (e) Has fulfilled the requirement under subsection
27 ~~(1)(e)~~ **(1) (D)**.

1 Enacting section 1. This amendatory act takes effect 90 days
2 after the date it is enacted into law.