

A SUMMARY OF HOUSE BILL 4203 AS INTRODUCED 2-13-01

The bill would amend the Public Health Code and add a new section to require the licensing of massage therapists, to establish license fees, to define “massage therapy,” and to create a board of massage therapy.

Massage therapy. The bill would define “massage therapist” to mean someone who was licensed under the bill to engage in massage therapy, which the bill would define as “the scientific art of tissue manipulation by hand or with a mechanical or electrical instrument for a therapeutic purpose.” “Massage therapy” could include the use of oil rubs or the application of hot and cold treatments, but would not include the diagnosis of illness, giving medical advice, or dispensing medication.

Title limitation. The bill would limit the use of the titles “massage therapist” (or “M.T.”), “licensed massage therapist” (or “L.M.T.”), or similar words that indicated that the individual were a licensed massage therapist to those who were licensed under the bill.

Board of massage therapy. The bill would create a 9-member Michigan board of massage therapy in the Department of Consumer and Industry Services (DCIS) under the general provisions in Part 161 (“Occupations”) of the health code for the creation of licensing or registration boards. Thus, for example, the governor would appoint the board members, with the advice and consent of the Senate, for four-year terms. The bill would further require that four of the members be public members, and five of the members meet the requirements of Section 16135 of the health code, which requires that board members be at least 18 years old and of good moral character, live in Michigan, and be licensed, and practicing or teaching, in the health profession in question. Board members’ terms would expire at the end of their four-year term on December 31.

Rules promulgation. The board, in conjunction with the DCIS, would have to promulgate rules that specified the minimum standards for licensure as a massage therapist, and could adopt the professional standards issued by the American Massage Therapy Association (or any other recognized professional association). The bill also would require the board to prescribe by rule continuing education requirements as a condition for license renewal, and would prohibit the board from promulgating rules that diminished competition or that exceeded the minimum level of regulation necessary to protect the public.

License fees. The bill would establish a \$20 license application fee and a \$50 annual license fee.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.