

SENATE 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
9 1974 PA 381, MCL 338.41.

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

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

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

7 ~~—— (i) A supervised curriculum in a school that has not less than~~
8 ~~500 hours of classroom instruction.~~ **1 OF THE FOLLOWING, AND PROVIDES**
9 **AN ACADEMIC TRANSCRIPT THAT IS SATISFACTORY TO THE BOARD AS**
10 **EVIDENCE OF SUCCESSFUL COMPLETION:**

11 (i) A MASSAGE EDUCATION PROGRAM THAT MEETS ALL OF THE
12 FOLLOWING:

13 (A) INCLUDES AT LEAST 500 HOURS OF CLASSROOM INSTRUCTION TO
14 COMPLETE THE PROGRAM IF THE APPLICANT IS OR WAS ENROLLED IN THE
15 SCHOOL BEFORE AUGUST 1, 2017, OR AT LEAST 625 HOURS OF CLASSROOM
16 INSTRUCTION IF THE APPLICANT ENROLLS IN THE SCHOOL ON OR AFTER
17 AUGUST 1, 2017.

18 (B) USES ONLY CLASSROOM INSTRUCTION DESCRIBED IN SUBSECTION
19 (3) (A) (i) TO PROVIDE PROGRAM COMPONENTS THAT CONTAIN PSYCHOMOTOR
20 DOMAIN LEARNING, INCLUDING PALPATION, HANDS-ON TECHNIQUES, AND
21 CLINICAL OR LAB EXPERIENCES, OR TO PROVIDE OTHER PROGRAM COMPONENTS
22 THAT THE BOARD DETERMINES REQUIRE CLASSROOM INSTRUCTION DESCRIBED
23 IN SUBSECTION (3) (A) (i) .

24 (C) ALL CLASSROOM INSTRUCTION IN THE PROGRAM IS FACILITATED BY
25 A QUALIFIED INSTRUCTOR WHO IS TRAINED IN THE SUBJECT MATTER HE OR
26 SHE IS TEACHING, AND, IF THE CLASSROOM INSTRUCTION IS PROVIDED BY
27 DISTANCE EDUCATION, IS TRAINED IN DISTANCE EDUCATION TEACHING

1 **METHODS.**

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

6 (A) IF THE APPLICANT IS OR WAS ENROLLED IN THE SCHOOL BEFORE
 7 AUGUST 1, 2017, AT LEAST 500 HOURS.

8 (B) IF THE APPLICANT ENROLLS IN THE SCHOOL ON OR AFTER AUGUST
 9 1, 2017, AT LEAST 625 HOURS.

10 (2) The department shall issue a license to an applicant who
 11 meets the requirements of subsection ~~(1)(a), (b), and (c)~~ **(1)(A)**
 12 **AND (B)** and who is currently licensed as a massage therapist in
 13 another state, country, jurisdiction, territory, or province that
 14 requires standards for licensure that are substantially equivalent
 15 to the requirements for licensure under this part, as determined by
 16 the board.

17 ~~— (3) Until 2 years after the effective date of the rules~~
 18 ~~promulgated under this part, the board may issue a license to an~~
 19 ~~applicant who meets the requirements of subsection (1)(a), (b), and~~
 20 ~~(c) and presents proof acceptable to the board that he or she has~~
 21 ~~fulfilled 1 of the following requirements:~~

22 ~~— (a) For at least 1 year before January 9, 2009, has been an~~
 23 ~~active member, as a massage therapist, of a national professional~~
 24 ~~massage therapy association that was established before the year~~
 25 ~~2000, that offers professional liability insurance as a benefit of~~
 26 ~~membership, and that has an established code of professional~~
 27 ~~ethics.~~

~~1 (b) Has practiced massage therapy for an average of at least
2 10 hours per week for 5 or more years, as established by affidavit
3 of the applicant.~~

~~4 (c) Has practiced massage therapy for an average of at least
5 10 hours per week for at least 3 years, as established by affidavit
6 of the applicant, and has successfully completed at least 300 hours
7 of formal training in massage therapy acceptable to the board, as
8 established by evidence from the school or schools attended.~~

~~9 (d) Has successfully passed an examination meeting the
10 requirements of section 17961. The passage of this examination may
11 have occurred before January 9, 2009.~~

~~12 (e) Has fulfilled the requirement under subsection (1)(c).~~

(3) AS USED IN THIS SECTION:

**(A) "CLASSROOM INSTRUCTION" MEANS EDUCATIONAL INSTRUCTION THAT
15 MEETS EITHER OF THE FOLLOWING:**

**(i) IS PROVIDED AT A PHYSICAL LOCATION WHERE THE STUDENTS AND
17 AN INSTRUCTOR ARE PRESENT.**

(ii) IS PROVIDED BY DISTANCE EDUCATION.

**(B) "DISTANCE EDUCATION" MEANS INSTRUCTION THAT MEETS ALL OF
20 THE FOLLOWING:**

(i) IS PROVIDED ELECTRONICALLY OR ONLINE.

**(ii) DOES NOT REQUIRE THAT THE STUDENTS AND THE INSTRUCTOR ARE
23 PHYSICALLY PRESENT AT THE SAME PLACE.**

**(iii) ALLOWS FOR REGULAR INTERACTION BETWEEN THE STUDENTS AND
25 INSTRUCTOR THROUGH A LEARNING MANAGEMENT SYSTEM, ONLINE DISCUSSION
26 BOARD, LIVE CHAT, OR VIRTUAL CLASSROOM.**

(iv) PROVIDES A METHOD FOR UNIQUE SIGN-IN FOR STUDENT

- 1 IDENTIFICATION, PROVIDES FOR TIMELY COMMUNICATION BETWEEN
- 2 INSTRUCTORS AND STUDENTS, AND ALLOWS STUDENTS TO MONITOR THEIR
- 3 GRADES AND PROGRESS.