

HOUSE BILL No. 5001

October 20, 2015, Introduced by Reps. Lauwers, Leutheuser, Glenn, Chatfield, Johnson, Callton, Bumstead, Cole, Santana, LaVoy and Kosowski and referred to the Committee on Regulatory Reform.

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 a
2 completed application and payment of the appropriate application
3 processing and license fee, issue a license under this part to an
4 individual who fulfills all of the following requirements:

5 ~~—— (a) Has a high school diploma or the equivalent as determined~~
6 ~~by the board.~~

7 (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 **AND PRESENTED EVIDENCE IN**
7 **THE FORM OF AN ACADEMIC TRANSCRIPT THAT IS SATISFACTORY TO THE**
8 **BOARD OF** at least 1 of the following:

9 (i) A supervised curriculum in a school that ~~has not less than~~
10 ~~500~~ **INCLUDES AT LEAST 625** hours of classroom instruction.

11 (ii) At least ~~500~~ **625** hours of course and clinical massage
12 education in a substantially equivalent program in another state,
13 country, jurisdiction, territory, or province that, on a case-by-
14 case review, is found by the board to be sufficient.

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

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

27 (a) For at least 1 year before January 9, 2009, has been an

1 active member, as a massage therapist, of a national professional
2 massage therapy association that was established before the year
3 2000, that offers professional liability insurance as a benefit of
4 membership, and that has an established code of professional
5 ethics.

6 (b) Has practiced massage therapy for an average of at least
7 10 hours per week for 5 or more years, as established by affidavit
8 of the applicant.

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

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

17 (e) Has fulfilled the requirement under subsection
18 ~~(1)(e)~~ **(1) (D)**.

19 **(4) THE DEPARTMENT SHALL ISSUE A TEMPORARY LICENSE AS A**
20 **MASSAGE THERAPIST TO AN INDIVIDUAL WHO IS PREPARING FOR THE**
21 **EXAMINATION DESCRIBED IN SUBSECTION (1) (C); HAS SUCCESSFULLY**
22 **COMPLETED A SUPERVISED CURRICULUM DESCRIBED IN SUBSECTION (1) (D) (i)**
23 **AND PROVIDES A COPY OF HIS OR HER ACADEMIC TRANSCRIPT TO THE BOARD;**
24 **AND MEETS THE REQUIREMENTS OF SUBSECTION (1) (A) AND (B). THE TERM**
25 **OF A TEMPORARY LICENSE ISSUED UNDER THIS SECTION EXPIRES 60 DAYS**
26 **AFTER THE DATE THE TEMPORARY LICENSE IS ISSUED, ON THE DATE THE**
27 **INDIVIDUAL IS NOTIFIED THAT HE OR SHE HAS NOT PASSED THE**

1 EXAMINATION, OR ON THE DATE HIS OR HER APPLICATION FOR A LICENSE AS
2 A MASSAGE THERAPIST IS DENIED FOR ANY REASON, WHICHEVER OCCURS
3 FIRST.

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