

Rulemaking Hearing Rules

Tennessee Massage Licensure Board - 0870

Chapter 0870-1

General Rules Governing Licensed Massage Therapists and Establishments

Amendments

Rule 0870-01-.05 Establishment Licensure Process, is amended by adding the following language as new paragraph (15) and renumbering the present paragraph (15) as paragraph (16):

- (15) An establishment license may be denied, conditioned, restricted and/or disciplined for the same causes and pursuant to the same procedures as a massage therapist's license.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-18-104, 63-18-105, 63-18-111 and 63-18-115.

Rule 0870-01-.12 Continuing Education, is amended by deleting paragraph (2) in its entirety and substituting instead the following language, so that as amended, the new paragraph (2) shall read:

- (2) Continuing Education - Hours Required
 - (a) Beginning on January 1, 2003, each licensed massage therapist must attend and complete twenty-five (25) hours of massage therapy related continuing education in courses approved by the Board on or before December 31st of 2004 and again every two (2) calendar years thereafter (for example January 1, 2005 through December 31, 2006 and then again from January 1, 2007 through December 31, 2008, and so on) for as long as the therapist's license remains active. The due date for completion of the continuing education hours is the same for every licensed massage therapist in this state.
 - (b) Two (2) year cycles:
 - 1. January 1, 2003 to December 31, 2004
 - 2. January 1, 2005 to December 31, 2006
 - 3. January 1, 2007 to December 31, 2008
 - 4. January 1, 2009 to December 31, 2010
 - 5. January 1, 2011 to December 31, 2012
 - 6. January 1, 2013 to December 31, 2014
 - 7. January 1, 2015 to December 31, 2016
 - (c) Every person who receives a license as a massage therapist after January 1, 2003 will have his or her required continuing education hours pro-rated, pursuant to the chart in subparagraph (2) (d), over the remaining months of the continuing education cycle in which the person became licensed. Every fraction of an hour resulting from any such pro-rating shall be rounded up to the next whole hour and to a minimum of four (4) hours. Any such person shall have to obtain one (1) and one/twenty fourth

(1/24) hours for every month remaining in the continuing education cycle in which he or she became licensed but those hours won't be due until the final December 31st of the cycle. [For example a person who becomes licensed in June of the first year of a continuing education cycle (January 1st of one year through December 31st of the following year) will be prorated over the 18 months left on the continuing education cycle from July through December of the following year requiring the person to obtain 18 and $\frac{3}{4}$ hours of continuing education (rounded up to 19 hours) which are due on December 31st of the following year.] Every person who is required, pursuant to the pro-rated system, to obtain only four (4) hours of continuing education must obtain those hours in the subject areas required by subparagraphs (2) (e) and (2) (f).

- (d) New Licensee Pro-Ration Chart - Persons who become licensed will have their required continuing education hours pro-rated over the remaining months of the two (2) year cycle in which they become licensed according to the following chart:

First Year of the Cycle		Second Year of the Cycle	
Month Licensed	Hours Required	Month Licensed	Hours Required
January	25	January	13
February	24	February	12
March	23	March	11
April	22	April	10
May	21	May	9
June	20	June	8
July	19	July	7
August	18	August	6
September	17	September	5
October	16	October	4
November	15	November	4
December	14	December	4

- (e) Two (2) hours of the twenty-five (25) hour requirement shall pertain to federal and Tennessee statutes and rules concerning massage therapists and establishments.
- (f) Two (2) hours of the twenty-five (25) hour requirement shall pertain to the management of practicing massage therapy, or to professional ethics, or to substance abuse.
- (g) The Board approves courses for only the number of hours contained in the course. The approved hours of any individual course will not be counted more than once toward the required two (2) year hourly total regardless of the number of times the course is attended or completed by any individual licensee.

Authority: T.C.A. §§ 4-5-202, 4-5-204, and 63-18-111.

Rule 0870-01-.19 Professional Ethical Standards, is amended by deleting subparagraph (1) (d) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (1) (d) shall read:

- (1) (d) Comply with all applicable Tennessee statutes and regulations as well as Orders issued by the Board pursuant to its disciplinary and/or declaratory order authority; and

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-18-108, and 63-18-111.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 2nd day of February, 2007, and will become effective on the 18th day of April, 2007. (02-07-07, DBID 2240)