

Rulemaking Hearing Rules

Tennessee Massage Licensure Board

Chapter 0870-01
General Rules Governing Licensed Massage Therapists and Establishments

Chapter 0870-02
General Rules Governing Massage Therapy Educational Programs

Amendments

Rule 0870-01-.03 Necessity of Licensure, is amended by deleting paragraph (3) in its entirety and substituting instead the following language, so that as amended, the new paragraph (3) shall read:

- (3) Use of Titles - Any person who possesses a valid, current and active license issued by the Board that has not been suspended or revoked has the right to use the titles "Massage Therapist (M.T.)" or "Licensed Massage Therapist (L.M.T.)" and to practice as a massage therapist, as defined in T.C.A. § 63-18-102. Any person licensed by the Board to whom this rule applies must use one of the titles authorized by this rule in every advertisement he or she publishes. Failure to do so will constitute an omission of a material fact which makes the advertisement misleading and deceptive and subjects the massage therapist to disciplinary action pursuant to T.C.A. §§ 63-18-104(c) and 63-18-108(5), and rule 0870-01-.19 (1) (q).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-145, 63-18-104, 63-18-108, and 63-18-111.

Rule 0870-01-.12 Continuing Education, is amended by deleting subparagraph (4) (a) in its entirety and substituting instead the following language, and is further amended by inserting the following language as new part (4) (b) 3. and renumbering the current parts (4) (b) 3., (4) (b) 4. and (4) (b) 5. as parts (4) (b) 4., (4) (b) 5. and (4) (b) 6., and is further amended by adding the following language as part (4) (b) 7., and is further amended by inserting the following language as new subparagraph (4) (d) and renumbering the current subparagraphs (4) (d) through (4) (h) as subparagraphs (4) (e) through (4) (i), and is further amended by deleting renumbered subparagraph (4) (h) and substituting instead the following language, so that as amended, the new subparagraph (4) (a), the new parts (4) (b) 3. and (4) (b) 7., the new subparagraph (4) (d), and the newly renumbered subparagraph (4) (h) shall read:

- (4) (a) Courses to be offered for credit toward the required continuing education hours must, unless otherwise provided, receive approval from the Board.
- (4) (b) 3. American Massage Therapy Association.
- (4) (b) 7. Tennessee Massage Therapy Association.
- (4) (d) Individual licensees may receive continuing education credit for courses presented out of state with the Board's subsequent approval, if the course is presented during the continuing education cycle in which the licensee is requesting credit be applied, upon submitting the following to the Board Administrative Office:
 - 1. The written learning objectives of the course.
 - 2. A course description or outline.
 - 3. Names of all lecturers.

4. Number of hours of educational credit requested.
5. Date of course.
6. Copies of materials to be utilized in the course, upon a Board request.
7. The course provider's telephone number.
8. The course provider's pre-printed brochure, agenda or other materials which describe and/or advertise the course.

- (4) (h) The records required by subparagraph (f) of this rule shall be retained for a period of five (5) years following the date of each program presentation.

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

Rule 0870-02-.02 Program Approval and Curriculum Requirements, is amended by inserting the following language as new subparagraph (3) (p) and renumbering the current subparagraph (3) (p) as subparagraph (3) (q):

- (3) (p) As a prerequisite to approval or continued approval, the Board's professional peer assistance program must be allowed to make a presentation upon request.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-136, 63-18-111, and 63-18-115.

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 30th day of April, 2008, and will become effective on the 14th day of July, 2008. (FS 04-23-08; DBID 2845-2875)