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**PROPOSED RULE 4731-1-24: Massage therapy renewal and continuing education requirements**

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In 2014 the Medical Board was given statutory authority to establish rules requiring massage therapists to complete continuing education for renewal. A rule was first proposed in 2015, with the input of the Massage Therapy Advisory Committee, but withdrawn from the rule-making process at the Common Sense Initiative level because of strong opposition from the massage therapy community.

The current proposed rule reflects the comments received on the first proposal, and again includes the input of the Massage Therapy Advisory Committee and other interested parties who have taken part in several telephone conferences. The current proposed rule provides additional options in the course subject matter that will fulfill the continuing education requirement and includes a clearer listing of acceptable providers of continuing education. Significant provisions of the proposed rule are as follows:

**Paragraph (C):** The requirement to have completed continuing education will be effective for the first renewal that occurs two years from the effective date of the rule.

**Paragraph (D):** The continuing education credits required for the licensee's first renewal are prorated based on the date the original license was issued.

**Paragraph (E)(1):** The required twenty four hours of continuing education must include general massage courses that contribute to the advancement, extension, and enhancement of professional skills and knowledge; massage therapy law; professional ethics; and human trafficking. Up to four of the twenty four hours may include "self-care courses" such as those related to avoiding burnout or proper care of the therapist's forearms, wrists, and hands. Up to four of the twenty four hours may include business courses with direct application to the practice of massage. The Medical Board will provide the human trafficking course without a course registration fee.

**Paragraph (E)(3):** Approved courses include courses relevant to massage therapy including those offered by national massage therapy organizations, approved massage therapy schools, the Ohio Council of Massage Therapy Schools, health departments and hospitals, relevant courses approved for continuing education credit by certain other licensing boards, and educational institution coursework.

**Paragraph (E)(4):** It is plainly stated that a course used to satisfy continuing education requirements for massage licensure in another jurisdiction may be applied to fulfill the Ohio requirement if the course is relevant to massage therapy.

**Paragraph (E)(5):** Home study courses meeting specified criteria may be used to satisfy the requirement.

**Paragraph (E)(6):** This paragraph provides a mechanism for seeking approval of a course that is not automatically approved under paragraph (E)(3).

**Paragraphs (F), (G), and (H):** These paragraphs incorporate the statutory requirement to provide late renewal of a license that was not renewed due to absence from Ohio because of service in the armed forces, and the extension of the continuing education period based on the licensee's active duty in the armed service for a period in excess of thirty-one days.

Please submit any comments to [Sallie.Debolt@med.ohio.gov](mailto:Sallie.Debolt@med.ohio.gov) by April 14, 2016.

\*\*\* DRAFT - NOT YET FILED \*\*\*

4731-1-24

Massage therapy renewal and continuing education.

(A) For purposes of this rule:

- (1) "CMTE" means continuing massage therapy education approved by the board pursuant to this rule.
- (2) "Course" means a course, seminar, speaker session, on-line course, or webinar, or a home study course that requires passage of an examination in order to receive the award of the certification of completion.

(B) A massage therapy license expires according to the chart below:

| <u>First Initial of Last Name</u> | <u>License Expiration Date</u>        |
|-----------------------------------|---------------------------------------|
| <u>A - B</u>                      | <u>July of odd numbered years</u>     |
| <u>C - D</u>                      | <u>April of odd numbered years</u>    |
| <u>E - G</u>                      | <u>January of odd numbered years</u>  |
| <u>H - K</u>                      | <u>October of even numbered years</u> |
| <u>L - M</u>                      | <u>July of even numbered years</u>    |
| <u>N - R</u>                      | <u>April of even numbered years</u>   |
| <u>S</u>                          | <u>January of even numbered years</u> |
| <u>T - Z</u>                      | <u>October of odd numbered years</u>  |

(C) Beginning two years after the effective date of this rule, an applicant seeking renewal or reinstatement of a massage therapy license shall have completed at least twenty four hours of CMTE during the current biennial licensure period.

(D) The CMTE requirement for persons licensed after the start of a biennial licensure period or for whom the license has been restored shall be computed in the following manner:

- (1) If the license is initially issued prior to the first day of the second year of the biennial licensure period, the licensee shall be required to earn twelve and one-half total hours;
- (2) If the license is issued on or after the first day of the second year of the biennial licensure period and prior to the first day of the eighteenth month of that period, the licensee shall be required to earn six total hours;
- (3) If the license is issued on or after the first day of the eighteenth month of the

biennial licensure period, the licensee shall not be required to earn any hours of CMTE credits for that period.

(E) Courses and providers

(1) Licensees shall complete at least twenty four hours of CMTE as follows during each renewal period:

(a) At least twelve hours in general massage courses that in the board's discretion are relevant to the practice of massage therapy. To be relevant to the practice of massage therapy, a course shall contribute to the advancement, extension, and enhancement of the professional skills and knowledge of the licensee in the practice of massage, which shall include, but not be limited to, critical reasoning, interpersonal abilities, or performance skills;

(b) Although not required, self-care courses with direct application to the practice of massage therapy may be taken but shall be accepted for no more than four hours of the required hours;

(c) Although not required, business courses with direct application to the practice of massage therapy may be taken but shall be accepted for no more than four hours of the required hours;

(d) At least one hour in Ohio law related to the practice of massage therapy;

(e) At least one hour in professional ethics; and

(f) A course on human trafficking awareness approved by the board, completion of which shall result in one hour of CMTE credit.

(2) A course in any of the following subject matters is not acceptable for meeting the continuing education requirement:

(a) A course in a subject area outside of the massage therapy scope of practice.

(b) A course in cardio-pulmonary resuscitation ("CPR").

(3) A CMTE course that is relevant to the practice of massage therapy shall be deemed approved as meeting the continuing education requirements when it is provided by one of the following:

(a) An entity or person approved as a continuing education provider by the "National Certification Board for Therapeutic Massage and Bodywork ("NCBTMB");

- (b) A state or national professional massage therapy association comprised of more than fifty persons licensed to practice massage therapy;
- (c) A massage therapy school approved by the board pursuant to this chapter of the Administrative Code;
- (d) The "Ohio Council of Massage Therapy Schools";
- (e) A health department or hospital which offers programs which have been previously approved for continuing medical education credits, continuing nursing education credits, or continuing physical therapist education credits when the program is relevant to massage therapy practice;
- (f) A course approved for continuing nursing education credits by the Ohio board of nursing or continuing physical therapist education credit by the Ohio occupational therapy, physical therapy, and athletic trainers board when the course is relevant to massage therapy practice; or
- (g) A course that is part of a curriculum of a university, college, or other educational institution when the course is relevant to massage therapy practice. Such a course shall be allotted continuing education credit at the rate of fifteen continuing education hours for each semester hour or ten continuing education hours for each quarter hour of school credit awarded.
- (4) A CMTE course used to satisfy the continuing education requirements of a massage therapy licensing agency in another jurisdiction may be applied to fulfill the continuing education requirements under this rule if the course is relevant to massage therapy practice.
- (5) Home study coursework which meets the requirements of this rule and is offered by a provider recognized in paragraph (E)(3) of this rule shall be accepted for no more than ten hours of the required continuing education when the course requires the passage of an examination over the subject matter before written notification of credit is granted by the provider.
- (6) Request for approval of a CMTE course:
- (a) A massage therapist seeking approval of a CMTE course, seminar, or speaker session that is not deemed approved pursuant to paragraph (E)(3) of this rule may request that the board approve the course by submitting in writing, at least three months in advance of the course registration date, the following information:
  - (i) Title, location, and date of the course;

- (ii) The name of the sponsor or provider of the course;
    - (iii) Course objectives and content;
    - (iv) Course hours;
    - (v) Name of each instructor; and
    - (vi) Educational background and experience of each instructor.
  - (b) The board shall notify the massage therapist of the decision as to whether the board approved the course in sufficient time for the massage therapist to register prior to the deadline.
  - (c) The massage therapist shall seek re-approval of the course from the board if there is a change in subject matter, length of the course, or instructor for the course.
  - (d) The board reserves the right to deny recognition of the credits earned if the course has not received prior approval by the board.
  - (e) The board shall not grant approval of a home study course under this paragraph.
- (F) An expired license to practice as a massage therapist shall be renewed upon payment of the biennial renewal fee provided in section 4731.15 of the revised code and without a late fee or re-examination if the holder meets all of the following requirements:
- (1) The licensee is not otherwise disqualified from renewal because of mental or physical disability;
  - (2) The licensee meets the requirements for renewal under section 4730.15 of the Revised Code;
  - (3) Either of the following situations applies:
    - (a) The license was not renewed because of the licensee's service in the armed forces, or
    - (b) The license was not renewed because the licensee's spouse served in the armed forces, and the service resulted in the licensee's absence from this state.
  - (4) The licensee or the licensee's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable

conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.

(G) Extension of the continuing education period based on active duty service:

(1) The holder of a massage therapy license may apply for an extension of the current continuing education reporting period in the manner provided in section 5903.12 of the Revised Code by submitting both of the following:

(a) A statement that the licensee has served on active duty, whether inside or outside of the United States, for a period in excess of thirty-one days during the current continuing education reporting period; and

(b) Proper documentation certifying the active duty service and the length of that active duty service.

(2) Upon receiving the application and proper documentation, the board shall extend the current continuing education reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current continuing education reporting period. Any portion of a month served shall be considered one full month.

(3) The board shall consider relevant education, training, or service completed by a licensee as a member of the armed forces in determining whether a licensee has met the continuing education requirements needed to renew the license.

(H) For purposes of this rule "armed forces" means any of the following:

(1) The armed forces of the United States, including the army, navy, air force, marine corps, and coast guard;

(2) A reserve component of the armed forces listed in paragraph (H)(1) of this rule;

(3) The national guard, including the Ohio national guard or the national guard of any other state;

(4) The commissioned corps of the United States public health service;

(5) The merchant marine service during wartime;

(6) Such other service as may be designated by Congress; or

(7) The Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.