

S. 3/6/02 Humon Lee.

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Place On Calendar

HOUSE FILE 2390
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 2141)

Passed House, Date ^{p632} 3-6-02 Passed Senate, Date _____
Vote: Ayes 92 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to massage therapy by providing for a study
2 regarding the modalities associated with massage therapy and
3 providing a temporary exemption from licensure requirements.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2390

1 Section 1. Section 152C.1, Code 2001, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. "Reflexology" means the application of
4 specific pressures using thumb, finger, and hand techniques to
5 zones and reflex areas in the feet and hands, with the
6 objective of reducing tension, improving circulation, and
7 promoting the natural functioning of the human body.

8 Sec. 2. NEW SECTION. 152C.5A MASSAGE THERAPY MODALITIES
9 STUDY.

10 The Iowa department of public health, with input from the
11 board, shall conduct a study regarding the modalities
12 associated with the practice of massage therapy. The study
13 shall be conducted with the input of licensed massage
14 therapists, reflexologists, and unlicensed persons practicing
15 modalities related to massage therapy. The objective of the
16 study shall be to determine which modalities shall be included
17 under the definition of massage therapy and require licensure,
18 and shall include, but not be limited to, a recommendation
19 regarding the licensure of reflexologists. The study shall
20 focus on the health, safety, and welfare of the public
21 regarding each of the modalities reviewed. The department
22 shall submit a report summarizing the results of the study and
23 making recommendations regarding modality inclusion to the
24 general assembly by January 15, 2003.

25 Sec. 3. NEW SECTION. 152.7A TEMPORARY EXEMPTIONS.

26 An individual who is engaged exclusively in the practice of
27 reflexology or an unlicensed individual who is practicing a
28 modality related to massage therapy, and whose professional
29 practice does not incorporate aspects that constitute massage
30 therapy as defined in section 152C.1, shall not be subject to
31 the licensure provisions of this chapter for a one-year period
32 beginning July 1, 2002, and ending June 30, 2003. Beginning
33 July 1, 2003, an individual who is engaged exclusively in the
34 practice of reflexology or an unlicensed individual who is
35 practicing a modality related to massage therapy shall be

1 subject to licensure pursuant to this chapter unless, based
2 upon the recommendations contained in the massage therapy
3 modalities study as provided in section 152C.5A, the practice
4 of reflexology or an unlicensed individual who is practicing a
5 modality related to massage therapy is permanently exempted
6 from massage therapy licensure.

7 Sec. 4. Section 152C.8, Code 2001, is amended to read as
8 follows:

9 152C.8 TRANSITION PROVISIONS.

10 1. An applicant for a license to practice massage therapy
11 applying prior to July 1, ~~2002~~ 2003, shall not be required to
12 meet the completion of curriculum of massage therapy
13 requirements contained in section 152C.3, subsection 1,
14 paragraph "a". The applicant shall, however, be required to
15 pass the board-approved national certification examination and
16 pay the applicable licensing fee.

17 2. Applicants with a license that has lapsed prior to July
18 1, ~~2000~~ 2002, who apply for reinstatement prior to July 1,
19 ~~2002~~ 2003, shall be required to complete a reinstatement
20 application and pay a renewal fee and reinstatement fee
21 pursuant to section 147.11 and section 147.80, subsection 26.
22 Penalty fees otherwise incurred pursuant to section 147.10,
23 and continuing education requirements applicable to the period
24 prior to licensure reinstatement, shall be waived by the
25 board.

26 3. Applicants with a license that has lapsed prior to July
27 1, ~~2000~~ 2002, who do not apply for reinstatement prior to July
28 1, ~~2002~~ 2003, shall be required to apply for reinstatement in
29 accordance with lapsed license reinstatement provisions
30 established by rule of the board.

31 EXPLANATION

32 This bill provides for a study regarding massage therapy
33 modalities and for a temporary exemption from licensure
34 requirements.

35 The bill provides that the Iowa department of public

1 health, in conjunction with the board of massage therapy
2 examiners, shall conduct a study regarding the modalities
3 associated with the practice of massage therapy. The bill
4 provides that the study shall be conducted with the input of
5 licensed massage therapists, reflexologists, and unlicensed
6 persons practicing modalities related to massage therapy, with
7 the objective of determining which modalities shall be
8 included under the definition of massage therapy and require
9 licensure. The bill provides that the study shall include,
10 but not be limited to, a recommendation regarding the
11 licensure of reflexologists, and provides a definition of
12 reflexology. The bill provides that the study shall focus on
13 the health, safety, and welfare of the public regarding each
14 of the modalities reviewed, and that the department shall
15 submit a report summarizing the results of the study and
16 making recommendations regarding modality inclusion to the
17 general assembly by January 15, 2003.

18 The bill provides that an individual who is engaged
19 exclusively in the practice of reflexology or an unlicensed
20 individual who is practicing a modality related to massage
21 therapy, but whose professional practice does not incorporate
22 aspects that constitute massage therapy as defined in Code
23 section 152C.1, shall not be subject to the licensure
24 provisions of this chapter for a one-year period beginning
25 July 1, 2002, and ending June 30, 2003. Beginning July 1,
26 2003, these individuals shall be subject to licensure unless
27 permanently exempted based on the results of the modalities
28 study.

29 The bill additionally provides for the extension of
30 transition provisions relating to licensure to practice
31 massage therapy, such that applicants shall not be required to
32 meet the completion of curriculum requirements contained in
33 Code section 152C.3, until July 1, 2003.

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