

ASSEMBLY BILL

No. 1147

Introduced by Assembly Member Gomez

February 22, 2013

An act to amend Section 4601 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1147, as introduced, Gomez. Massage therapy.

Existing law, until January 1, 2015, provides for the voluntary certification of massage therapists by the California Massage Therapy Council. Existing law specifies the requirements for the council to issue to an applicant a certificate as a massage therapist, including, but not limited to, successfully completing curricula in massage and related subjects totaling a minimum of 500 hours, or the credit unit equivalent, a minimum of 250 hours of which shall be from a school approved by the council, and the other 250 hours may be secured as specified.

This bill would instead increase that minimum of hours to 505 hours, or the credit unit equivalent, a minimum of 250 hours of which would be required to be from a school approved by the council, and the other 255 hours secured as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4601 of the Business and Professions
- 2 Code is amended to read:

1 4601. (a) The council shall issue a certificate under this chapter
2 to an applicant who satisfies the requirements of this chapter.

3 (b) (1) In order to obtain certification as a massage practitioner,
4 an applicant shall submit a written application and provide the
5 council with satisfactory evidence that he or she meets all of the
6 following requirements:

7 (A) The applicant is 18 years of age or older.

8 (B) The applicant has successfully completed, at an approved
9 school, curricula in massage and related subjects, totaling a
10 minimum of 250 hours or the credit unit equivalent, that
11 incorporates appropriate school assessment of student knowledge
12 and skills. Included in the hours shall be instruction addressing
13 anatomy and physiology, contraindications, health and hygiene,
14 and business and ethics, with at least 100 hours of the required
15 minimum 250 hours devoted to these curriculum areas.

16 (C) All fees required by the council have been paid.

17 (2) New certificates shall not be issued pursuant to this
18 subdivision after December 31, 2015. Certificates issued pursuant
19 to this section or subdivision (a) or (c) of Section 4604 on or before
20 December 31, 2015, shall, after December 31, 2015, be renewed
21 without any additional educational requirements, provided that the
22 certificate holder continues to be qualified pursuant to this chapter.

23 (c) In order to obtain certification as a massage therapist, an
24 applicant shall submit a written application and provide the council
25 with satisfactory evidence that he or she meets all of the following
26 requirements:

27 (1) The applicant is 18 years of age or older.

28 (2) The applicant satisfies at least one of the following
29 requirements:

30 (A) He or she has successfully completed the curricula in
31 massage and related subjects totaling a minimum of ~~500~~ 505 hours
32 or the credit unit equivalent. Of this ~~500~~ 505 hours, a minimum
33 of 250 hours shall be from approved schools. The remaining ~~250~~
34 255 hours required may be secured either from approved or
35 registered schools, or from continuing education providers
36 approved by, or registered with, the council or the Department of
37 Consumer Affairs. After December 31, 2015, applicants may only
38 satisfy the curricula in massage and related subjects from approved
39 schools.

40 (B) The applicant has done both of the following:

1 (i) Successfully completed, at an approved school, curricula in
2 massage and related subjects totaling a minimum of 250 hours that
3 incorporates appropriate school assessment of student knowledge
4 and skills. Included in the hours shall be instruction addressing
5 anatomy and physiology, contraindications, health and hygiene,
6 and business and ethics, with at least 100 hours of the required
7 minimum 250 hours devoted to these curriculum areas.

8 (ii) Passed a massage and bodywork competency assessment
9 examination that meets generally recognized psychometric
10 principles and standards, and that is approved by the board. The
11 successful completion of this examination may have been
12 accomplished before the date the council is authorized by this
13 chapter to begin issuing certificates.

14 (3) All fees required by the council have been paid.

15 (d) The council shall issue a certificate to an applicant who
16 meets the other qualifications of this chapter and holds a current
17 and valid registration, certification, or license from any other state
18 whose licensure requirements meet or exceed those defined within
19 this chapter. The council shall have discretion to give credit for
20 comparable academic work completed by an applicant in a program
21 outside of California.

22 (e) An applicant applying for a massage therapist certificate
23 shall file with the council a written application provided by the
24 council, showing to the satisfaction of the council that he or she
25 meets all of the requirements of this chapter.

26 (f) Any certification issued under this chapter shall be subject
27 to renewal every two years in a manner prescribed by the council,
28 and shall expire unless renewed in that manner. The council may
29 provide for the late renewal of a license.

30 (g) (1) The council shall have the responsibility to determine
31 that the school or schools from which an applicant has obtained
32 the education required by this chapter meet the requirements of
33 this chapter. If the council has any reason to question whether or
34 not the applicant received the education that is required by this
35 chapter from the school or schools that the applicant is claiming,
36 the council shall investigate the facts to determine that the applicant
37 received the required education prior to issuing a certificate.

38 (2) For purposes of paragraph (1) and any other provision of
39 this chapter for which the council is authorized to receive factual
40 information as a condition of taking any action, the council shall

1 have the authority to conduct oral interviews of the applicant and
2 others or to make any investigation deemed necessary to establish
3 that the information received is accurate and satisfies any criteria
4 established by this chapter.

5 (h) The certificate issued pursuant to this chapter, as well as
6 any identification card issued by the council, shall be surrendered
7 to the council by any certificate holder whose certificate has been
8 suspended or revoked.