

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 237**

March 30, 1999 – Offered by COMMITTEE ON HEALTH.

1 **AN ACT** *to amend* 440.982 (1) (b) of the statutes; **relating to:** educational and
2 examination requirements for massage therapists and bodyworkers and
3 providing an exemption from emergency rule procedures.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 440.982 (1) (b) of the statutes is amended to read:

5 440.982 (1) (b) Promulgate rules establishing the education, training or
6 competency requirements that an applicant for a license must satisfy in order to be
7 issued a license of registration under this subchapter. The rules shall require an
8 applicant to complete at least 500 classroom hours of study in a course of instruction
9 ~~at a school of~~ in massage therapy or bodywork approved by the department or at a
10 school approved by the educational approval board under s. 39.51 ~~and the.~~ The rules
11 shall also require an applicant whose application is received after March 1, 2000, to
12 successfully complete the national certification examination for therapeutic

1 massage and bodywork that is offered by the National Certification Board for
2 Therapeutic Massage and Bodywork or a substantially equivalent examination
3 relating to the practice of massage therapy or bodywork that is approved by the
4 National Commission of Certifying Agencies of the National Organization for
5 Competency Assurance or that is developed, administered or approved by the
6 department. The rules may also require an applicant to pass an examination,
7 administered or approved by the department, to determine fitness to practice on
8 state laws and administrative rules governing massage therapy or bodywork.

9 **SECTION 2. Nonstatutory provisions.**

10 (1) Using the procedure under section 227.24 of the statutes, the department
11 of regulation and licensing may promulgate rules under section 440.982 (1) (b) of the
12 statutes for the period before the effective date of permanent rules promulgated
13 under that section, but not to exceed the period authorized under section 227.24 (1)
14 (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes,
15 the department need not provide evidence of the necessity of preservation of the
16 public peace, health, safety or welfare in promulgating rules under this subsection.

17 (END)