



2015 ASSEMBLY BILL 870

February 5, 2016 - Introduced by Representative TITTL, cosponsored by Senator HARSDORF. Referred to Committee on Workforce Development.

1 **AN ACT** *to renumber and amend* 460.15; *to amend* 460.01 (3) and 460.01 (4);
2 and *to create* 460.01 (1g) (d), 460.01 (1g) (e), 460.03 (4), 460.04 (2) (h) and
3 460.15 (2) of the statutes; **relating to:** the scope of practice of massage
4 therapists and bodywork therapists, the unauthorized practice of massage
5 therapy or bodywork therapy, granting rule-making authority, and providing
6 a criminal penalty.

Analysis by the Legislative Reference Bureau

This bill authorizes the practice of massage therapy or bodywork therapy by a massage therapist or bodywork therapist, either an extern or an intern, under the supervision of a licensed massage therapist or bodywork therapist. The bill requires the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board to establish standards for that practice.

The bill also expands the scope of the practice of massage therapy or bodywork therapy to include all of the following:

1. The application of structural and elastic supportive tape to the skin.
2. The provision of body spa services, as defined by the board by rule, including the application of body wraps and scrubs.
3. Active and passive stretching.
4. Moving a body part through assisted range of motion.
5. Instruction on the self-application outside of the treatment setting of certain massage therapy and bodywork therapy techniques.

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Finally, the bill provides that the penalty for the unauthorized practice of massage therapy or bodywork therapy is a fine of up to \$1,000 or imprisonment for up to 90 days or both.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 460.01 (1g) (d) of the statutes is created to read:

2 460.01 (1g) (d) The application of structural and elastic supportive tape to the
3 skin.

4 **SECTION 2.** 460.01 (1g) (e) of the statutes is created to read:

5 460.01 (1g) (e) The provision of body spa services, as defined by the affiliated
6 credentialing board by rule, including the application of body wraps and scrubs.

7 **SECTION 3.** 460.01 (3) of the statutes is amended to read:

8 460.01 (3) “Manual action” includes holding, positioning, active and passive
9 stretching, moving a body part through assisted range of motion, rocking, kneading,
10 compressing, decompressing, gliding, or percussing the soft tissue of the human body
11 or applying a passive range of motion to the human body without joint mobilization
12 or manipulation.

13 **SECTION 4.** 460.01 (4) of the statutes is amended to read:

14 460.01 (4) “Massage therapy” or “bodywork therapy” means the science and
15 healing art that uses manual actions and adjunctive therapies to palpate and
16 manipulate the soft tissue of the human body in order to improve circulation, reduce
17 tension, relieve soft tissue pain, or increase flexibility. “Massage therapy” or
18 “bodywork therapy” includes determining whether manual actions and adjunctive
19 therapies, including instruction on the self-application outside of the treatment

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1 setting of manual actions and adjunctive therapies, are appropriate or
2 contraindicated, or whether a referral to another health care practitioner is
3 appropriate. “Massage therapy” or “bodywork therapy” does not include making a
4 medical, physical therapy, or chiropractic diagnosis.

5 **SECTION 5.** 460.03 (4) of the statutes is created to read:

6 460.03 (4) A massage therapy or bodywork therapy extern or massage therapy
7 or bodywork therapy intern who practices massage therapy or bodywork therapy
8 under the supervision of a massage therapist or bodywork therapist licensed under
9 this chapter and subject to conditions established by the affiliated credentialing
10 board by rule under s. 460.04 (2) (g).

11 **SECTION 6.** 460.04 (2) (h) of the statutes is created to read:

12 460.04 (2) (h) Conditions for the practice under s. 460.03 (4) of massage therapy
13 or bodywork therapy externs and massage therapy or bodywork therapy interns.
14 The rules promulgated under this paragraph shall define “massage therapy or
15 bodywork therapy extern” and “massage therapy or bodywork therapy intern.”

16 **SECTION 7.** 460.15 of the statutes is renumbered 460.15 (1) and amended to
17 read:

18 460.15 (1) Any Except as provided in sub. (2), any person who violates this
19 chapter or any rule promulgated under this chapter shall forfeit not more than
20 \$1,000 for each violation.

21 **SECTION 8.** 460.15 (2) of the statutes is created to read:

22 460.15 (2) Whoever violates s. 460.02 may be fined not more than \$1,000 or
23 imprisoned for not more than 90 days or both.

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(END)