



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Senate Bill 388**

**Senate  
Amendment 1**

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*Senate Bill 388* makes changes in current law related to regulation of massage therapists and bodyworkers. Under current law, persons are certified as massage therapists or bodyworkers by the Department of Regulation and Licensing (DRL), which is advised by the Massage Therapy and Bodywork Council. The bill creates a new Massage Therapy and Bodywork Therapy Examining Board in DRL. The bill also provides for licensure, rather than certification, and changes the term “bodyworker” to “bodyworker therapist.”

Current law prohibits the use of certain titles or initials unless the person is certified as a massage therapist or bodyworker. The bill also prohibits a person from providing massage therapy or bodywork therapy unless the person is licensed, with specified exceptions. The exceptions from the licensing requirement are as follows:

- A person who manipulates only the soft tissue of the hands, feet, and ears.
- A person whose practice involves the use of touch or touch and movement to assist and bring body awareness to his or her clients and who is recognized by a professional organization or credentialing association after that person has demonstrated an adequate level of training and competency.

Current law requires an applicant for certification as a massage therapist or bodyworker to have passed an examination offered by specific national organizations. The bill requires an applicant to pass a national entry-level competency examination; and to pass an examination on state laws and rules governing massage therapy.

The bill creates requirements for massage therapy and bodywork therapy schools, training programs, and instructors.

The bill provides that the examining board must grant a license to a person who, no later than one year after the effective date of the bill, submits evidence that the person satisfies one of the following requirements:

- Was actively engaged in the practice of massage therapy or bodywork therapy by practicing for an average of 10 hours per week for at least 10 years.
- Passed a nationally administered entry-level competency assessment examination.
- Was actively engaged in the practice of massage therapy or bodywork therapy by practicing an average of 10 hours per week for at least three years and successfully completing a 200-hour board-approved licensure program.
- At least 180 days before the effective date of this bill, graduated from a massage therapy or bodywork therapy training program consisting of at least 600 hours of training.

***Senate Amendment 1*** makes the following changes to the bill:

- Changes the examining board that would be created by the bill to an affiliated credentialing board. The Massage Therapy and Bodywork Therapy Affiliated Credentialing Board would be in DRL and would be attached to the Medical Examining Board.
- Retains the public member of the board, as provided in the bill, but specifies that the public member must be a person who is recognized by or meets the established standards of a professional organization or credentialing association that recognizes a person in a practice after that person demonstrates an adequate level of training and competency and adherence to ethical standards.
- Removes from the provisions of the bill, the listing of specific types of practices that are part of the exception (e.g., Rolfing, Hellerwork, Feldenkrais). However, the amendment retains the provision that allows an exception for a person recognized by or meeting the established standards of a professional organization or credentialing association that recognizes a person in practice after that person demonstrates an adequate level of training and competency and adherence to ethical standards.
- Adds to the list of titles and initials that may not be used by a person without a credential, the terms “masseur” and “masseuse.”

### **Legislative History**

On March 30, 2010, the Senate Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue recommended adoption of Senate Amendment 1 on a vote of Ayes, 6; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 6; Noes, 0.

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