

Chapter SPS 91

APPLICATION

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Note: Chapter RL 91 was renumbered chapter SPS 91 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

SPS 91.01 Application for a certificate. An individual applying for a certificate as a massage therapist or bodyworker shall submit all of the following to the department:

(1) An application on a form provided by the department.

Note: Application forms are available upon request to the department at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) The fee specified under s. 440.05 (1), Stats.

(3) Evidence satisfactory to the department that he or she:

(a) Has graduated from a school of massage therapy or bodywork approved by the educational approval board at the time of the applicant's graduation or completed an approved training program.

Note: A list of approved schools is available upon request to the Educational Approval Board, 30 West Mifflin Street, 9th Floor, P.O. Box 8696, Madison, Wisconsin 53708.

(b) Has successfully completed at least 6 classroom hours of study in the laws of this state and rules of the department relating to the practice of massage therapy or bodywork in a course of instruction offered by any of the following:

1. A school of massage therapy or bodywork approved by the educational approval board, whether or not the course of instruction was completed to meet a requirement for graduation.

2. An approved training program whether or not the training program is completed by the individual for purposes of satisfying par. (a).

3. A school approved by an accrediting agency.

4. A technical college established pursuant to s. 38.02, Stats.

(c) Is 18 years of age or older.

(d) Has graduated high school or attained high school equivalency as determined by the department of public instruction under s. 115.29 (4), Stats.

(e) Has not been convicted of an offense under s. 940.22, 940.225, 944.15, 944.17, 944.30, 944.31, 944.32, 944.33, 944.34, 948.02, 948.025, 948.08, 948.085, 948.09, 948.095 or 948.10, Stats., or a comparable offense under federal law or a law of any other state.

(f) Subject to ss. 111.321, 111.322 and 111.335, Stats., has not been convicted of any other offense not listed in par. (e), the circumstances of which substantially relate to the practice of massage therapy or bodywork.

(g) Has passed either the national certification examination for therapeutic massage and bodywork or the national certification examination for therapeutic massage that are offered by the national certification board for therapeutic massage and bodywork, or another examination relating to the practice of massage therapy or bodywork that is administered by a national board that is accredited by the national commission for certifying agencies or a substantially equivalent examination approved by the department.

(h) Has passed an examination on state laws and administrative rules governing massage therapy or bodywork.

(i) Has in effect as a policyholder and insured, malpractice liability insurance coverage in an amount that is not less than

\$1,000,000 per occurrence and \$1,000,000 for all occurrences in one year.

(j) Has successfully completed a course consisting of 5 classroom hours in adult cardiopulmonary resuscitation and standard first aid if the individual has not graduated from a school of massage therapy or bodywork approved by the educational approval board and the 5 classroom hours are not completed by the individual as part of an approved training program as provided under s. SPS 92.01.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99; emerg. am. (intro.), r. (3) (a), renum. (3) (b) to (e) to be (3) (a) to (d) and am. (3) (a) and (d), cr. (3) (e) and (f), eff. 9-3-00; am. (intro.), r. (3) (a), renum. (3) (b) to (e) to be (3) (a) to (d) and am. (3) (a) and (d), cr. (3) (e) and (f), Register, January, 2001, No. 541, eff. 2-1-01; CR 06-069: am. (intro.) and (2), r. and recr. (3) (a), renum. (3) (b), (c), (d), (e) and (f) to be (f), (i), (g) (h), and (j), and am. (f), (g), (i) and (j), cr. (3) (b) to (e), Register December 2006 No. 612, eff. 1-1-07; **correction in (3) (j) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**

SPS 91.015 Waiver of education requirements. The requirements of s. SPS 91.01 (3) (a) and (b) shall be waived if an individual submits evidence satisfactory to the department that he or she has successfully completed a course consisting of 5 classroom hours in adult cardiopulmonary resuscitation and standard first aid and satisfied one of the following:

(1) Is currently either certified or recertified by the national certification board for therapeutic massage and bodywork.

(2) Is currently either certified or recertified as active and in good standing by any other organization accredited to certify massage therapy or bodywork by the national commission for certifying agencies.

History: CR 06-069: cr. Register December 2006 No. 612, eff. 1-1-07; **correction in (intro.) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**

SPS 91.03 Reciprocal certificate. (1) An individual applying for a certificate on the basis of a similar license, registration or certificate in another state or territory of the United States or another country shall:

(a) Submit an application on a form provided by the department.

Note: Application forms are available upon request to the department at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(b) Pay the fee required under s. 440.05 (2), Stats.

(c) Submit evidence satisfactory to the department that the individual:

1. Holds a current similar license, registration or certificate to practice massage therapy or bodywork in another state or territory of the United States or another country, the requirements for which are substantially equivalent to the requirements under s. 460.05, Stats.

2. Has not been convicted of an offense under s. 940.22, 940.225, 944.15, 944.17, 944.30, 944.31, 944.32, 944.33, 944.34, 948.02, 948.025, 948.08, 948.085, 948.09, 948.095 or 948.10, Stats., or a comparable offense under federal law or a law of any other state.

4. Subject to ss. 111.321, 111.322 and 111.335, Stats., has not been convicted of any other offense not listed under subd. 2., the circumstances of which substantially relate to the practice of massage therapy or bodywork.

7. Has in effect as a policyholder and insured, malpractice liability insurance coverage in an amount that is not less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one year.

(2) Requirements for a current similar license, registration or certificate to practice massage therapy or bodywork in another state or territory of the United States or another country, are substantially equivalent to the requirements under s. 460.05, Stats., if the requirements include either of the following:

(a) Certification by the national certification board for therapeutic massage and bodywork or any other organization accredited by the national commission for certifying agencies to certify massage therapy or bodywork.

(b) Completion of at least 500 classroom hours of instruction in massage therapy or bodywork at a school approved by an accrediting agency, and passing an examination relating to the practice of massage therapy or bodywork that is administered or approved by an accrediting agency.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99; am. (1) (intro.) and (c) 1., Register, January, 2001, No. 541, eff. 2-1-01; CR 06-069: am. (1) (intro.), (1) (c) 1., 4., and 7., and (2) r. and recr. (1) (c) 2., r. (1) (c) 3., 5. and 6., cr. (2) (a) and (b), Register December 2006 No. 612, eff. 1-1-07.

SPS 91.04 Accommodations relating to a disability.

A qualified individual with a disability shall be provided with reasonable accommodations requested in connection with the completion of an application for certification as a massage therapist or bodyworker.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99; CR 06-069: am. Register December 2006 No. 1-1-07.

SPS 91.05 Alternate certification. The department shall grant a certificate as a massage therapist or bodyworker to a person who satisfies all of the following:

(1) Is 18 years of age or older.

(2) Has graduated high school or attained high school graduation equivalency as determined by the department of public instruction under s. 115.29 (4), Stats.

(3) Submits an application for the certificate to the department on a form provided by the department.

Note: Application forms are available upon request to the department at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(4) Has paid the fee specified in s. 440.05 (1) (a), Stats.

(5) Submits evidence satisfactory to the department that the person has in effect as a policyholder and insured, malpractice liability insurance coverage in an amount that is not less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one year.

(6) Has not been convicted of an offense under s. 940.22, 940.225, 944.15, 944.17, 944.30, 944.31, 944.32, 944.33, 944.34, 948.02, 948.025, 948.08, 948.09, 948.095 or 948.10, Stats., or a comparable offense under federal law or a law of any other state.

(7) Submits evidence satisfactory to the department that, during the 2 year period after March 1, 2003, the person was actively engaged in the practice of massage therapy or bodywork. In this subsection, "actively engaged in the practice of massage therapy or bodywork" means having engaged in at least 1500 hours of the practice of massage therapy or bodywork during the 2 year period after March 1, 2003.

(8) Attests that he or she only recently became aware of the requirements of ch. 460, Stats.

History: CR 06-069: cr. Register December 2006 No. 612, eff. 1-1-07.