

The Reading Board of Health Regulations

Section 13 Massage Therapy: Bodywork; Movement Education

13.1 PURPOSE

13.1.1 The Reading Board of Health finds it necessary to license the practice of massage therapy; bodywork; movement education in order to protect the public health and safety. It is the Board's intent that only individuals who meet and maintain minimum standards of competence and conduct may provide services to the public.

13.2 DEFINITIONS

13.2.1 Massage therapy; bodywork; movement education shall mean the act or technique of moving or manipulating superficial or deep tissue, muscles, joints, or bones by rubbing, kneading, guiding or the like by manual or mechanical means, or as directed by the practitioner, for the purpose of invigoration, relaxation, education, or an increase in physical and/or emotional health and well being. The term massage therapy; bodywork; movement education shall include but not be limited to: Body-Mind Centering, Body-Oriented Psychology; FELDENKRAIS Method; Massage Therapy; Neuromuscular Therapy; Oriental Bodywork Therapies including: Accupressure, Amma, Amma Chinei, Jin Shin Do, Okazaki Restorative Massage, Nuat Thai, Shiatusu and Tuina, Polarity Therapy, ROLFING, The TRAGER Approach; and Home Care Chair Massage through a licensed home care agency.

13.2.2 Direct Supervision shall mean a practicum in the context of a 500-hour course of study with an instructor present to observe.

13.2.3 500 hour course of study shall mean in massage therapy; bodywork; movement education taking place in one or any combination of the following: a class setting, a one-on-one student/instructor setting or a direct supervision setting with a supervisor present for observation of work. A 500-hour course of study shall include but not be limited to the subjects of technique, anatomy and physiology, practicum, communication skills, business practices and ethics.

13.2.4 State or national professional association or institute shall mean an organization providing standards for practice; code of ethics and grievance procedure; and providing or approving a 500 hour course of study. State or national professional association or institute meeting the above criteria include but shall not be limited to: American Massage Therapy Association, American Oriental Bodywork Therapy Association, American Polarity Therapy Association, Body- Mind Centering Association, Inc., The Feldenkrais Guild, Massachusetts Association for Body Oriented Psychotherapy and Counseling Bodywork, Massachusetts Professional Bodywork Association. The Rolf Institute, The Trager Institute.

- 13.2.5 Advisory Board shall mean the group of professional and consumer representatives whose function shall be to assist Boards of Health of Massachusetts cities and towns in their evaluation of the credentials of applicants for licenser and in their evaluation of grievances against practitioners. The Advisory Board shall also evaluate and approve additional state and national professional associations and institutes for inclusion on the Advisory Board. See Section XI where the Advisory Board is further defined.
- 13.2.6 Professional practitioner shall mean any person who has completed a minimum 500 hour course of study in massage therapy: bodywork movement education which meets the standards of a state or national professional association or institute; and has passed the National Certification Exam for Therapeutic Massage and Bodywork; Registered nurses, physicians and physical therapists are exempt from the National Certification Exam for Therapeutic Massage and Bodywork; or who has been recommended by the Advisory Board and who for compensation, hire or reward engages in the practice of massage therapy; bodywork; movement education.
- 13.2.7 Training facility or school shall mean any premises, facility, structure or building used to train individuals to become professional practitioners of massage therapy: bodywork; movement education.
- 13.2.8 Field work shall mean a practicum conducted by a student/apprentice practitioner on his/her own without an instructor present to observe. Fieldwork hours may be required as part of a massage therapy; bodywork; movement education curriculum, and shall be over and above the 500 hour course of study. Field work requirements may be met during or after the 500-hour course of study and shall be indirectly supervised by a licensed professional practitioner.
- 13.2.9 Student/apprentice practitioner shall mean any person having accumulated fewer than 500 hours in his/her course of study, engaged in a fieldwork practicum in massage therapy; bodywork: movement education outside of a training facility or school for the purpose of meeting curriculum requirements and/or for compensation, hire or reward. A student/apprentice practitioner shall maintain contact with a licensed professional practitioner responsible for overseeing his/her fieldwork.
- 13.2.10 Member shall mean member of the Advisory Board.
- 13.2.11 Establishment shall mean the room or group of rooms, office, building, place of , Business, or premises where massage therapy: bodywork movement education is practiced.

13.3 LICENSES, PERMITS AND FEES

- 13.3.1 No person shall practice as a professional practitioner of massage therapy; bodywork; movement education for hire or reward or advertise or hold him/herself as being engaged in the business of massage therapy; bodywork; movement education in the Town of Reading unless first having been issued a license required pursuant to these regulations.
- 13.3.2 No person shall practice as a student/apprentice practitioner of massage therapy; bodywork; movement education for gaining practical experience and/or for hire or reward or advertise or hold him/herself as being engaged in the business of massage therapy; bodywork; movement education in the Town of Reading unless first having been issued a permit pursuant to these regulations.
- 13.3.3 No person shall operate an establishment for the practice of massage therapy; bodywork; movement education unless first having been issued a license required pursuant to these regulations. The fees for initial establishment licenses and renewal licenses shall be as noted in Section 22.
- 13.3.4 No person shall conduct solely off-premises business.
- 13.3.5 A license issued to the operator of an establishment; or a permit or license issued to a Professional or student/apprentice practitioner of massage therapy; bodywork; movement education; or a permit issued to conduct solely off-premises business is not transferable to another location or person. All licenses expire at the end of the fiscal year. The fee shall be waived if application takes place in June. There shall be no prorating for other months.
- 13.3.6 No practitioner or instructor of massage therapy; bodywork; movement education shall engage in the practice of massage therapy; bodywork; movement education in the Town of Reading on a temporary basis unless first having been issued a temporary license required pursuant to these regulations. A temporary license shall be required for practitioners participating at events including but not limited to sports events and massage therapy; bodywork; movement education training events.
- 13.3.7 Such temporary licenses shall be obtained by the individual practitioner or on his/her behalf
by a training facility or school or an institution (e.g. Boston Marathon).

13.4 EXCEPTIONS AND EXCLUSIONS:

- 13.4.1 Practitioner: These regulations shall not apply to the following individuals while engaged in the regular performance of the duties of their respective professions:

A. Physicians, chiropractors, osteopaths, occupational therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts.

B. Athletic trainers duly licensed under the laws of the Commonwealth of Massachusetts.

C. Nurses who are registered or licensed under the laws of the Commonwealth of Massachusetts.

D. Barbers and beauticians who are duly registered under the laws of the Commonwealth of Massachusetts, except that this exemption shall apply solely to the massage of the neck, face, scalp, and hair of the customer or client for cosmetic or beautifying purposes.

E. An acupuncturist duly licensed under the laws of the Commonwealth of Massachusetts.

F. Teachers of the Alexander Technique.

13.4.2 Establishment: These regulations shall not apply to the following:

A. Hospitals, nursing homes, convalescent homes, home health agencies or other institutions similarly licensed by the Commonwealth of Massachusetts. Massage therapy; bodywork; movement education practitioners working in such institutions within the city/town are required to obtain a license or permit as provided herein unless excluded under Section 13.4. 1.

13.4.3 Student/Apprentice: A student or apprentice of massage therapy; bodywork; movement education who is gaining practical experience at a training facility or school for the purpose of meeting curriculum requirements and who is under the instruction of a licensed professional practitioner present in the training facility or school shall not be required to obtain a student/apprentice practitioner permit.

13.5 APPLICATION AND RENEWAL PROCEDURE FOR LICENSE OF PROFESSIONAL PRACTITIONER OF MASSAGE THERAPY; BODYWORK; MOVEMENT EDUCATION

No person shall be licensed to practice as a professional practitioner of massage therapy; bodywork; movement education in the Town of Reading unless he/she meets the following requirements:

13.5.1 Submit to the Reading board of Health a completed application form as supplied by the Board of Health. False statements in said application shall be grounds for denial or revocation of a license.

13.5.2 Provide satisfactory evidence that the applicant is eighteen (18) years of age or older, by presenting two forms of positive identification or a valid passport.

13.5.3 Submit a demonstration of competency in one of the following 3 ways:

1. Submit satisfactory evidence of education as outlined on the documentation page of the Information Packet.

2. Submit evidence of having passed the National Certification Exam for Therapeutic Massage and Bodywork.

3. Submit evidence of having received a recommendation from the Advisory Board confirming completion of a course of study and/or training experience evaluated as equivalent to a 500 hour course of study in massage therapy; bodywork; movement education.

13.5.4 Submit one face-front photograph at least two (2) inches by two (2) inches in size taken within thirty (30) days prior to the submission of the application.

13.5.5 Agree to follow all rules and regulations specified herein and conduct him/herself in accordance with the standards for practice and ethical guidelines of his/her state or national professional association or institute named herein or in accordance with the ethical code outlined by the Advisory Board. Professional practitioners shall not misrepresent their training, experience, credentials or title.

13.5.6 Submit proof of a skin test for tuberculosis within 30 days of the application date. A new skin test for tuberculosis within 30 days of the application shall be submitted with the annual renewal application.

13.5.7 File an application for renewal not less than 30 days prior to the expiration of his/her license, whereupon his/her existing license shall not expire until the Reading Board of Health has determined the application's renewal status. At time of filing renewal application, the applicant shall submit satisfactory evidence, as outlined on the documentation page of the Information Packet, of his/her current professional status.

13.6 APPLICATION AND RENEWAL REQUIREMENTS FOR LICENSE OF AN ESTABLISHMENT

13.6.1 Every operator of an establishment for the giving of massage therapy; bodywork; movement education shall meet the following requirements:

A. Submit to the Reading Board of Health a completed application form containing all information therein requested. False statements in said application shall be grounds for revocation or denial of a license.

B. Notify the Reading Board of Health at least fourteen (14) days prior to any change of name, address, or ownership.

C. Operate only under the name or designation specified on the license or a change thereto as pursuant to paragraph B of this section.

D. Employ or cause to be employed as a massage therapy; bodywork; movement education practitioner(s) only a person(s) who has (have) a license(s) or permit(s) for the practice of massage therapy; bodywork; movement education from the Reading Board of Health.

E. Perform or allow to be performed no illegal act on the premises. A violation of this section may be grounds for revocation, suspension or modification of the massage therapy; bodywork; movement education establishment license.

F. Serve no alcoholic beverages in the portion of a building that the Board of Health determines is being used for the purpose of giving massage therapy; bodywork; movement education.

G. Operate no x-ray, fluoroscope, diathermy or other similar equipment unless licensed by the Commonwealth of Massachusetts to practice a profession requiring the use of such equipment.

H. Provide that all rooms used for massage therapy; bodywork; movement education be clean and easily cleanable, well lighted, adequately ventilated and properly heated in accordance with local and/or state regulations.

1. Post conspicuously at the reception area of an establishment where shower facilities are not provided a sign that shall read:

NOTICE TO MASSAGE CLIENTS

THIS ESTABLISHMENT DOES NOT PROVIDE A SHOWER FOR USE AFTER MASSAGE. IF YOU BELIEVE YOU ARE ALLERGIC TO LOTIONS, OILS OR POWDERS, PLEASE NOTIFY THE MASSAGE THERAPIST PRIOR TO THE MASSAGE. THEY WILL NOT BE USED. IF REQUESTED, THE MASSAGE THERAPIST WILL USE RUBBING ALCOHOL OR SOAP. AND WARM WATER TO REMOVE OILS, LOTIONS OR POWDER USED DURING MASSAGE.

The letters in the first two lines shall be at least one inch in height. Hypoallergenic soap, water and rubbing alcohol (70% Isopropyl, by volume) shall be available in the establishment at all times when a shower is not provided. The sign shall not be required in establishments where techniques are performed on clients fully clothed or where techniques are performed that do not use oil (e.g. Oriental bodywork, Polarity therapy, etc.).

J. Maintain all areas of the establishment, including the furniture and equipment therein, in sanitary condition at all times. All massage therapy; bodywork; movement education tables, mattresses, etc. shall be easily cleanable. All surfaces used for massage therapy; bodywork; movement education shall be properly cleaned and sanitized after each massage therapy; bodywork; movement education session.

K. Clean and sanitize after each use all robes, sheets, towels, etc. supplied by the establishment which may come in direct contact with the body. Single service items are acceptable, and shall only be used once.

L. Display in a conspicuous place the current license of the establishment and current licenses or permits of all massage therapy; bodywork; movement education practitioners conducting massage therapy; bodywork; movement education therein.

M. File an application for renewal not less than 30 days prior to the expiration of the establishment license, whereupon the existing license shall not expire until the Reading Board of Health has finally determined the renewal application's status.

13.6.2 Every operator of an establishment for the giving of massage therapy; bodywork; movement education shall require all practitioners conducting massage therapy; bodywork; movement education on the premises to meet the following requirements:

A. Touch or work with a client, when either the client or practitioner is afflicted with a communicable disease that could be spread through the massage therapy; bodywork; movement education process or through close contact ordinarily associated with the massage therapy; bodywork; movement education process, only when precautions are taken to prevent transmission. Should precautions be insufficient to prevent transmission, the practitioner shall be required to refrain from conducting massage therapy; bodywork; movement education until the condition is no longer communicable.

B. Wash hands thoroughly with soap and hot water immediately before and after performing a massage therapy, bodywork, movement education session.

C. Maintain sufficient levels of personal cleanliness and be clothed in clean and appropriate attire.

D. Take all precautions for proper hygiene within the facilities.

13.6.3 For the Reading Board of Health a practitioner who has been issued an establishment license shall not be allowed to conduct off premises business in Reading.

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13.7 APPLICATION PROCEDURE FOR PERMIT OF STUDENT/APPRENTICE PRACTITIONER OF MASSAGE THERAPY, BODYWORK, MOVEMENT EDUCATION

No person shall be granted a student/apprentice practitioner permit to practice massage therapy, bodywork, movement education in the Town of Reading unless he/she meets the following requirements.

- 13.7.1 Submit to the Reading Board of Health a completed application form as supplied by the Board of Health which shall include the name, address and phone number of the applicant's fieldwork instructor (a licensed professional practitioner). False statements in said application shall be grounds for denial or revocation of a permit.
- 13.7.2 Provide satisfactory evidence that the applicant is eighteen (18) years of age or older, by presenting two forms of positive identification or a valid passport.
- 13.7.3 Submit satisfactory evidence as outlined on the documentation page of the Information Packet that he/she is engaged in the pursuit of a 500-hour course of study in massage therapy; bodywork, movement education.
- 13.7.4 Submit one face-front photograph at least two (2) inches by two (2) inches in size taken within thirty (30) days prior to the submission of the application.
- 13.7.5 Submit proof of a skin test for tuberculosis within last 2 years. A new skin test for Tuberculosis shall be required every 3 years thereafter.
- 13.7.6 Agree to follow all rules and regulations specified herein and conduct him/herself in accordance with the standards for practice and ethical guidelines of his/her state or national professional association or institute named herein. Student/apprentice practitioners shall not misrepresent their training, experience, credentials or title.
- 13.7.7 File an application for renewal not less than 30 days prior to the expiration of his/her permit, whereupon the existing permit shall not expire until the Reading Board of Health has determined the renewal application's status. At the time of filing the renewal application, the applicant shall submit satisfactory evidence as outlined on the documentation page of the Information Packet of current enrollment in a training program in massage therapy; bodywork; movement education.

13.8 APPLICATION PROCEDURE FOR TEMPORARY LICENSE OF PROFESSIONAL OR STUDENT/APPRENTICE PRACTITIONER OF MASSAGE THERAPY; BODYWORK; MOVEMENT EDUCATION

No person shall practice massage therapy, bodywork; movement education on a temporary basis in the Town of Reading unless he/she meets the following requirements.

- 13.8.1 Submit to the Reading Board of Health a completed application form supplying all information therein requested. This form shall be completed by the individual practitioner on his/her own behalf or by an agent of the temporary event on behalf of the participating practitioner(s).
- 13.8.2 Perform or allow to be performed no illegal act on the premises of the temporary event.
- 13.8.3 Maintain hygienic practices to the greatest degree allowed by the conditions of the temporary event.
- 13.8.4 Agree to follow all rules and regulations specified herein and conduct him/herself in accordance with the standards for practice and ethical guidelines of his/her professional association or institute named herein.
- 13.8.5 Student/apprentice practitioners who practice in a Massachusetts City or Town that does not require a permit or student/apprentice practitioners from out of state shall not qualify for a temporary license.

13.9 COLONIC HYDROTHERAPY

A massage therapy; bodywork; movement education license does not qualify the practitioner to practice Colonic Hydrotherapy.

13.10 ADVISORY BOARD

- 13.10.1 The Advisory Board shall serve in an advisory capacity to the Reading Board of Health in matters pertaining to the granting of licenses to professional practitioners and permits to student/apprentice practitioners of massage therapy; bodywork; movement education. The Advisory Board shall advise the Reading Board of Health on such matters as policies affecting examination, qualifications, issuance and renewal, denial, suspension or revocation of permits and licenses and the development of rules and regulations. The Advisory Board shall also serve in an advisory capacity in matters pertaining to the evaluation of complaints against practitioners. The Advisory Board shall provide a code of ethics for those practitioners who have not been provided a code through their training.
- 13.10.2 Procedures to evaluate candidates for professional or student/apprentice practitioner of massage therapy; bodywork; movement education shall be as follows:
 - A. The Reading Board of Health using these Rules and Regulations and the Information Packet provided by the Advisory Board shall decide the eligibility of an applicant for a license or permit.

B. When the Reading Board of Health, for any reason, cannot determine an applicant's eligibility for a license or permit, the Board of Health shall contact the Advisory Board for direction and assistance in the following manner:

1. The Board of Health shall ask the applicant to indicate which massage therapy, bodywork; movement education member most closely represents the applicant's work. The Board of Health shall then contact that member with the specific problem or question regarding the applicant's qualifications.

2. If neither the applicant nor the Board of Health can determine the appropriate massage therapy; bodywork; movement education member to contact, the Board of Health shall contact the Advisory Board chairperson. .

3. After reviewing the applicant's qualifications, the appropriate member shall make a recommendation to the Board of Health regarding the applicant's eligibility for a license or permit in a timely fashion.

13.10.3 Procedures to evaluate complaints against professional or student/apprentice practitioners of massage therapy; bodywork; movement education shall be as follows:

A. The Reading Board of Health using these Rules and Regulations and the Information Packet, provided by the Advisory board shall decide the validity of the complaint and determine if said complaint warrants suspension, revocation or modification of the license or permit.

B. When the Reading Board of Health, for any reason, cannot determine the status or validity of a complaint, the Board of Health shall contact the Advisory Board for direction and assistance in the following manner:

1. The Board of Health shall refer the complaint to the member of the Advisory Board most closely representing the work of the practitioner against whom the complaint has been made.

2. After reviewing the complaint, the appropriate member of the Advisory Board shall make a "recommendation regarding the validity of the complaint to the Board of Health in a timely fashion.

13.11 LICENSE OR PERMIT REVOCATION, SUSPENSION OR MODIFICATION AND APPEALS

- 13.11.1 The Board of Health may suspend, revoke or modify a professional practitioner or establishment or temporary license or a student/apprentice practitioner or off-premises business permit for any violation of these rules and regulations or for the performance of any illegal act on the premises by serving an order in writing to the person(s) responsible for the violation.
- 13.11.2 The person(s) to whom an order has been served may request a hearing before the Board of Health within 7 days after the day the order was served. Upon receipt of such petition the Board of Health shall set a time and place for such hearing and shall inform the petitioner thereof in writing. The hearing shall be commenced not later than 30 days after the day on which the order was served. The 30-day period may be extended if in the opinion of the Board of Health the petitioner has submitted a good and sufficient reason for such Postponement.
- 13.11.3 At the hearing the petitioner shall be given an opportunity to be heard and to show Why the order should be modified or withdrawn. After the hearing the Board of Health shall sustain, modify or withdraw the order and shall inform the petitioner in writing of this decision.

13.12 PENALTIES

- 13.12.1 Whoever violates any provision of these Rules and Regulations as stated herein, under the authority of, and as pertaining to Section 31 of Chapter III and Sections 51 and 53, Chapter 140 the Massachusetts General Laws shall be punished by a fine of \$100 dollars.

13.13 VARIANCE

- 13.13.1 Any person(s) may submit a written request to the Board of Health for a variance in the application of any provision of these Rules and Regulations when the enforcement thereof would do manifest injustice. The Board of Health shall respond in writing within 14 days.
- 13.13.2 Any person(s) who has been refused a granting of a variance may request a hearing before the Reading Board of Health within 7 days after the day the refusal was served. Upon receipt of such petition the Board of Health shall set a time and place for such hearing and shall inform the petitioner thereof in writing. The hearing shall be commenced not later than 30 days after the day on which the refusal was served. The 30-day period may be extended if in the opinion of the Reading Board of Health the petitioner has submitted a good and sufficient reason for such postponement.

- 13.13.3 At the hearing the petitioner shall be given an opportunity to be heard and to show

why the variance should be granted. After the hearing the Board of Health shall sustain, modify or withdraw the order and shall inform the petitioner in writing of this decision.

13.14 RECIPROCITY

13.14.1 Any practitioner issued a license or permit to practice massage therapy; bodywork; movement education by any city or town in the Commonwealth of Massachusetts may qualify for a license in the Town of Reading without additional evaluation of qualifications provided that the city/town of original licensing has a comparable regulatory standard.

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The words Rolfing and Rolfer are registered service marks of The Rolf Institute.

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Section 13.5.6 was revised at the August 15, 1996 Board of Health meeting, effective August 22, 1996.

