

**PROPOSED REGULATION OF THE
BOARD OF MASSAGE THERAPY**

LCB FILE NO. R017-24I

**The following document is the initial draft regulation proposed
by the agency submitted on 02/12/2024**

Section 1. NAC 640C is hereby amended by adding thereto a new section to read as follows:

As used in subsection 3 of NRS 640C.700, “moral turpitude” means any conviction of a felony or gross misdemeanor within the immediately preceding 10 years.

Sec. 2. Section 8 of LCB File R128-20 is hereby amended to read as follows:

Sec. 8. 1. During the first licensing period, a massage therapist , *reflexologist*, or structural integration practitioner must complete at least 2 hours of instruction in continuing education in topics relating to human trafficking.

~~2. If the massage therapist or structural integration practitioner works or resides in a county whose population is 100,000 or more, the massage therapist or structural integration practitioner must complete the continuing education described in subsection 1 in person, unless a public health emergency has been declared by the Governor.~~

~~3.~~ For each period of licensing, a massage therapist , *reflexologist* or structural integration practitioner must complete at least 2 hours of instruction in continuing education in topics relating to ethics. As used in this subsection, “ethics” ~~includes,~~ *may include*, without limitation:

- (a) The requirements of NRS 432B.220;
- (b) The requirements of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191;
- (c) The standards of conduct for massage therapists , *reflexologists* or structural integration practitioners, including, without limitation, applicable state and federal law; ~~and~~ ; *or*
- (d) Human trafficking.

~~4. For each period of licensing, a massage therapist or structural integration practitioner~~

~~may take an examination described in section 4 of this regulation, and if the massage therapist or structural integration practitioner passes the examination, the Board will award credit for 2 hours of instruction in continuing education for the applicable licensing period.~~

~~5. The Board will:~~

~~(a) Review and approve courses that satisfy the continuing education requirements described in subsections 1 and 3; and~~

~~(b) Maintain a list of courses that are approved pursuant to paragraph (a).]~~

Sec. 3. NAC 640C.050 is hereby amended to read as follows:

NAC 640C.050 1. For the purposes of paragraph (c) of subsection 2 of NRS ~~640C.400~~ **640C.580**, an applicant for a license to practice massage therapy must pass:

(a) The National Certification Examination for Therapeutic Massage administered by the National Certification Board for Therapeutic Massage and Bodywork;

(b) The National Certification Examination for Therapeutic Massage and Bodywork administered by the National Certification Board for Therapeutic Massage and Bodywork;

(c) The National Examination for State Licensing administered by the National Certification Board for Therapeutic Massage and Bodywork; *or*

(d) The Massage and Bodywork Licensing Examination administered by the Federation of State Massage Therapy Boards ~~]; or~~

~~——(e) The ITEC Examination administered by the International Therapy Examination Council.]~~

2. For the purposes of paragraph (c) of subsection 2 of NRS 640C.600, an applicant for a license to practice reflexology must pass:

(a) The certification exam administered by the American Reflexology Certification Board;

(b) The certification exam administered by the International Institute of Reflexology;

(c) The certification in reflexology exam administered by the International Therapy Examination Council; or

(d) The Board Certification Exam (BCETMB) administered by the National Certification Board for Therapeutic Massage and Bodywork.

3. For the purposes of paragraph (c) of subsection 2 of NRS 640C.620, an applicant for a license to practice structural integration must pass the certification exam for structural integration administered by the Certification Board for Structural Integration.

Sec. 4. NAC 640C.052 is hereby amended to read as follows:

640C.052 The Board will recognize a program of massage therapy pursuant to paragraph (b) of subsection 3 of NRS 640C.580, if the program requires its pupils to complete a minimum of ~~{550}~~ **625** hours of instruction in the following courses before receiving a certificate evidencing successful completion of the program:

1. ~~{At least 125 hours of instruction in the body's systems, including, without limitation, anatomy, physiology and kinesiology;~~

~~— 2.}~~ At least ~~{220}~~ **345** hours of instruction which is taken in a classroom setting with hands-on instruction in *courses of massage therapy*, assessment, theory and application instruction, which must include at least 80 hours in clinical instruction;

~~{3. At least 40 hours of instruction in pathology;~~

~~— 4. At least 40 hours of instruction in business or ethics or a combined total of at least 40 hours of instruction in business and ethics; and~~

~~5. At least 125 hours of instruction in other courses of massage therapy in a classroom setting with hands-on instruction.~~ 2. *At least 280 hours of instruction in the following areas:*

(a) Pathology.

(b) Business.

(c) Ethics.

(d) Anatomy.

(e) Physiology.

(f) Kinesiology.

(g) Any other courses the program deems necessary.

Sec. 5. NAC 640C.060 is hereby amended to read as follows:

640C.060 1. If an applicant for a license to practice massage therapy, reflexology or structural integration who otherwise satisfies the requirements of NRS 640C.420, 640C.580, 640C.600, 640C.610, 640C.620 or 640C.630 wishes the Board to recognize a program of massage therapy, reflexology or structural integration other than a program listed in paragraph (a) of subsection 3 of NRS 640C.580, paragraph (a) of subsection 3 of NRS 640C.600 or paragraph (a) of subsection 3 of NRS 640C.620, as applicable, the applicant must submit to the Board a detailed outline of the training of the applicant that includes, without limitation:

(a) A list of the instructors of the training;

(b) Any texts used as study guides for the training; and

(c) Certificates of completion for the training which evidence that the applicant has satisfied the number of training hours required by the Commission on Postsecondary Education for a program of massage therapy, reflexology or structural integration.

2. *The applicant may direct the program of massage therapy, reflexology or structural integration to submit the information required pursuant to subsection 1, as applicable.*

3. Where practicable, a request for recognition of a program of massage therapy, reflexology or structural integration made pursuant to this section will be considered by the Board at the next regularly scheduled meeting of the Board immediately following the receipt of the request.

Sec. 6. NAC 640C.083 is hereby amended to read as follows:

640C.083 1. A person shall not operate a massage establishment, a reflexology establishment or a structural integration establishment unless the person holds a valid certificate to operate a massage establishment, a reflexology establishment or a structural integration establishment, as applicable, which has been issued by the Board.

2. To obtain a certificate, an applicant for a certificate must:

(a) Submit a completed application for the applicable certificate on a form prescribed by the Board;

(b) Pay the fee set forth in NAC 640C.095; and

(c) Comply with any other requirements of this chapter and chapter 640C of NRS.

3. The application must include, without limitation:

(a) A copy of the state business license of the applicant;

(b) A copy of any business license or conditional business license of the applicant issued by a local government;

(c) A list of services that the applicant wishes to provide to clients; and

(d) A photograph of the entrance of the establishment.

4. The Board will issue a certificate to an applicant who complies with the requirements of subsection 2, if the applicant , *or any member of the entity of the applicant*, has not been:

- (a) Convicted of advancing prostitution pursuant to NRS 201.395;
- (b) Except as otherwise provided in paragraph (a), *cited*, arrested or convicted for any offense involving pandering, prostitution, human trafficking or trafficking in controlled substances; or
- (c) Previously cited by the Board for facilitating unlicensed activities.

5. A certificate is valid for 1 year after the first day of the first calendar month immediately following the date of issuance or renewal and may be renewed if, before the certificate expires, the holder of the certificate:

- (a) Submits to the Board a completed application for renewal on a form prescribed by the Board;
- (b) Pays the fee set forth in NAC 640C.095;
- (c) Complies with any other requirements of this chapter and chapter 640C of NRS; and
- (d) ~~Has~~ *Or any member of the holder of the certificate, has* not been arrested, convicted or cited, as applicable, in the manner described in subsection 4.

6. A certificate issued pursuant to this section is not transferable.

Sec. 7. NAC 640C.095 is hereby amended to read as follows:

640C.095 1. For an application for a license as a massage therapist, a reflexologist or a structural integration practitioner, where the application was submitted by paper copy \$130

2. For an application for a license as a massage therapist, a reflexologist or a structural integration practitioner, where the application was submitted through the Internet website of the Board	\$100
3. For issuing a license as a massage therapist, a reflexologist or a structural integration practitioner	\$295
4. For issuing a temporary license	\$250
5. For conducting a background check	\$85
6. For renewing a license as a massage therapist, a reflexologist or a structural integration practitioner, where the application for renewal was submitted by paper copy	\$325
7. For renewing a license as a massage therapist, a reflexologist or a structural integration practitioner, where the application for renewal was submitted through the Internet website of the Board	\$295
8. For restoring an expired license	\$25 per each expired month, not to exceed \$500
9. For reinstatement of a suspended or revoked license	\$500
10. For issuing a replacement license	\$50
11. For restoring an inactive license	\$295
12. For an examination administered by the Board or the Federation of State Massage Therapy Boards or its successor organization pursuant to section 4 of LCB File R128-20 \$40
13. For reissuance of a certificate for a massage establishment, reflexology establishment or structural integration establishment \$25
14. 13. For a petition submitted to the Board for review of criminal	

history \$50

~~15.1~~ 14. For issuing a certificate for a massage establishment or a structural integration establishment:

- (a) For an establishment with a single room for massage therapy or structural integration
no fee
- (b) For an establishment with at least 2 but not more than 7 rooms for massage therapy or structural integration \$15
- (c) For an establishment with at least 8 but not more than 20 rooms for massage therapy or structural integration \$25
- (d) For an establishment with at least 21 but not more than 40 rooms for massage therapy or structural integration \$35
- (e) For an establishment with more than 40 rooms for massage therapy or structural integration \$50

~~16.1~~ 15. For the renewal of a certificate for a massage establishment or a structural integration establishment:

- (a) For an establishment with a single room for massage therapy or structural integration
no fee
- (b) For an establishment with at least 2 but not more than 7 rooms for massage therapy or structural integration \$15
- (c) For an establishment with at least 8 but not more than 20 rooms for massage therapy or structural integration \$25
- (d) For an establishment with at least 21 but not more than 40 rooms for massage therapy or structural integration \$35

(e) For an establishment with more than 40 rooms for massage therapy or structural integration \$50

~~17.~~ 16. For issuing a certificate for a massage establishment that does not have rooms for massage therapy:

(a) For an establishment with not more than 10 chairs or tables for massage therapy \$20

(b) For an establishment with more than 10 chairs or tables for massage therapy \$40

~~18.~~ 17. For the renewal of a certificate for a massage establishment that does not have rooms for massage therapy:

(a) For an establishment with not more than 10 chairs or tables for massage therapy \$20

(b) For an establishment with more than 10 chairs or tables for massage therapy \$40

~~19.~~ 18. For issuing a certificate for a reflexology establishment:

(a) For an establishment with not more than 10 chairs or tables for reflexology \$20

(b) For an establishment with more than 10 chairs or tables for reflexology \$40

~~20.~~ 19. For renewal of a certificate for a reflexology establishment:

(a) For an establishment with not more than 10 chairs or tables for reflexology \$20

(b) For an establishment with more than 10 chairs or tables for reflexology \$40

Sec. 8. NAC 640C.110 is hereby amended to read as follows:

640C.110 1. The Board will approve credit for continuing education for a license to practice massage therapy as follows:

(a) One hour of credit will be approved for each hour of instruction that a massage therapist attends a workshop, course, conference or seminar relating to the practice of massage therapy which is provided by a person or entity that is:

(1) Accredited by the National Commission for Certifying Agencies, or an equivalent accrediting body approved or recognized by the Board;

(2) Approved by the National Certification Board for Therapeutic Massage and Bodywork;

(3) A massage therapy school, bodywork therapy school, public college, postsecondary institution or other entity which offers a program of massage therapy that is recognized by the Board pursuant to NRS 640C.400 and NAC 640C.060; or

(4) A massage therapist with at least 2 years of experience in the practice of massage therapy or a related field who has previously received approval from the Board for the workshop, course, conference or seminar.

(b) The amount of credit for authoring a publication relating to the practice of massage therapy will be determined upon receipt and evaluation by the Board of the information required to be submitted pursuant to NAC 640C.130.

(c) One hour of credit, up to a maximum of 16 hours of credit per renewal period for each activity listed in subparagraphs (1), (2) and (3), will be approved for each hour of instruction spent:

(1) Giving a presentation at a workshop, course, conference or seminar relating to the practice of massage therapy.

(2) Preparing a presentation described in subparagraph (1).

(3) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board.

2. A massage therapist may receive credit only once for giving or preparing a presentation described in subparagraph (1) of paragraph (c) of subsection 1.

3. The Board will consider the written request of a massage therapist for approval of credit for any continuing education that is not specified in subsection 1, including credit for any continuing education that is not specifically related to massage therapy ~~if the request is submitted to the Board at least 90 days before the date on which the license of the massage therapist expires.~~ *at its next regular meeting.*

Sec. 9. NAC 640C.112 is hereby amended to read as follows:

640C.112 1. The Board will approve credit for continuing education for a license to practice structural integration as follows:

(a) One hour of credit will be approved for each hour of instruction that a structural integration practitioner attends a workshop, course, conference or seminar relating to the practice of structural integration which is provided by a person or entity that is:

(1) Accredited by the National Commission for Certifying Agencies, or an equivalent accrediting body approved or recognized by the Board;

(2) Approved by the International Association of Structural Integrators;

(3) A structural integration school, bodywork therapy school, public college, postsecondary institution or other entity which offers a program of structural integration that is recognized by the Board pursuant to NRS 640C.620 and NAC 640C.060; or

(4) A structural integration practitioner with at least 2 years of experience in the practice of structural integration or a related field who has previously received approval from the Board for the workshop, course, conference or seminar.

(b) The amount of credit for authoring a publication relating to the practice of structural integration will be determined upon receipt and evaluation by the Board of the information required to be submitted pursuant to NAC 640C.130.

(c) One hour of credit, up to a maximum of 16 hours of credit per renewal period for each activity listed in subparagraphs (1) to (4), inclusive, will be approved for each hour of instruction spent:

(1) Giving a presentation at a workshop, course, conference or seminar relating to the practice of structural integration.

(2) Preparing a presentation described in subparagraph (1).

(3) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board.

(4) Serving as a member of a board or committee relating to the practice of structural integration.

2. A structural integration practitioner may receive credit only once for giving or preparing a presentation described in subparagraph (1) of paragraph (c) of subsection 1.

3. The Board will consider the written request of a structural integration practitioner for approval of credit for any continuing education that is not specified in subsection 1, including credit for any continuing education that is not specifically related to structural integration ~~if the request is submitted to the Board at least 90 days before the date on which the license of the structural integration practitioner expires.~~ *at its next regular meeting.*

Sec. 10. NAC 640C.117 is hereby amended to read as follows:

640C.117 1. The Board will approve credit for continuing education for a license to practice reflexology as follows:

(a) One hour of credit will be approved for each hour of instruction that a reflexologist attends a workshop, course, conference or seminar relating to the practice of reflexology which is provided by a person or entity that is:

(1) Accredited by the National Commission for Certifying Agencies, or an equivalent accrediting body approved or recognized by the Board;

(2) Approved by the American Reflexology Certification Board;

(3) A reflexology school, massage therapy school, bodywork therapy school, public college, postsecondary institution or other entity which offers a program of reflexology that is recognized by the Board pursuant to NRS 640C.600 and NAC 640C.060; or

(4) A reflexologist with at least 2 years of experience in the practice of reflexology who is certified by the American Reflexology Certification Board, International Institute of Reflexology or National Certification Board for Therapeutic Massage and Bodywork or who has experience in a related field and has previously received approval from the Board for the workshop, course, conference or seminar.

(b) The amount of credit for authoring a publication relating to the practice of reflexology will be determined upon receipt and evaluation by the Board of the information required to be submitted pursuant to NAC 640C.130.

(c) One hour of credit, up to a maximum of 16 hours of credit per renewal period for each activity listed in subparagraphs (1), (2) and (3), will be approved for each hour of instruction spent:

(1) Giving a presentation at a workshop, course, conference or seminar relating to the practice of reflexology.

(2) Preparing a presentation described in subparagraph (1).

(3) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board.

2. A reflexologist may receive credit only once for giving or preparing a presentation described in subparagraph (1) of paragraph (c) of subsection 1.

3. The Board will consider the written request of a reflexologist for approval of credit for any continuing education that is not specified in subsection 1, including credit for any continuing education that is not specifically related to reflexology ~~if the request is submitted to the Board at least 90 days before the date on which the license of the reflexologist expires.~~ *at its next regular meeting.*

Sec. 11. NAC 640C.130 is hereby amended to read as follows:

640C.130 1. To obtain credit for attending a program of continuing education relating to the practice of massage therapy, reflexology or structural integration, a massage therapist, reflexologist or structural integration practitioner must submit to the Board:

- (a) The name of the program;
- (b) The name of the sponsor of the program;
- (c) Biographical information regarding the instructor of the program;
- (d) The inclusive dates and location of attendance of the program;
- (e) The number of hours awarded by the sponsor of the program for completion of the program;
- (f) A ~~certified or original~~ copy of the signed certificate of completion; and
- (g) A brief summary of the information that the massage therapist, reflexologist or structural integration practitioner learned at the program and the manner in which the massage therapist, reflexologist or structural integration practitioner will use that information in his or her practice.

2. To obtain credit for preparing or giving a presentation at a program of continuing education relating to the practice of massage therapy, reflexology or structural integration, a massage therapist, reflexologist or structural integration practitioner must submit to the Board:

(a) Biographical information regarding the massage therapist, reflexologist or structural integration practitioner who is preparing or giving the presentation at the program of continuing education;

(b) The title of the presentation;

(c) The name of the sponsor of the presentation;

(d) The location of the presentation;

(e) The number of hours of the presentation;

(f) The source of the information conveyed in the presentation;

(g) The inclusive dates of the presentation;

(h) A list of all the persons who attended the presentation; and

(i) A brief summary of the presentation and the information that a person who attended the presentation was expected to learn.

3. To obtain credit for authoring a publication relating to the practice of massage therapy, reflexology or structural integration, a massage therapist, reflexologist or structural integration practitioner must submit to the Board:

(a) A copy of the published material; and

(b) The title, publisher and date of publication of the published material.

4. Except as otherwise provided in subsection 5, if the credit for continuing education is for a course of study, training or performing an educational activity relating to the practice of massage therapy, reflexology or structural integration which is not specified in subsection 1 of

NAC 640C.110, subsection 1 of NAC 640C.117 or subsection 1 of NAC 640C.112, as applicable, the massage therapist, reflexologist or structural integration practitioner must submit to the Board:

(a) A description of the subject matter studied, the training received or the educational activity performed;

(b) A schedule of the time spent studying, training or performing; and

(c) A brief summary of the manner in which the course, training or activity relates to massage therapy, reflexology or structural integration.

5. If the credit for continuing education is sought for:

(a) A course attended by telecommunication or on the Internet, the massage therapist, reflexologist or structural integration practitioner must submit to the Board a copy of the transcript and the certificate of completion or other proof of completion, which includes the contact information of the provider.

(b) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board, the massage therapist, reflexologist or structural integration practitioner must submit to the Board a list of the dates on which the meetings were attended.

Sec. 12. NAC 640C.210 is hereby amended to read as follows:

NAC 640C.210 1. A lubricant used in the practice of massage therapy, reflexology or structural integration, including, without limitation, oil, soap, alcohol, powder, lotion, shampoo and salts, must be:

(a) Dispensed from a suitable container that prevents contamination; and

(b) Stored ~~+~~

~~(1) Separately from cleaning supplies; and~~

~~(2) In~~ *in* a manner that prevents contamination and preserves the integrity of the lubricant.

2. A massage therapist, reflexologist or structural integration practitioner shall:

(a) Sanitize a container used to dispense a lubricant:

(1) Between each client; and

(2) Each time before the massage therapist, reflexologist or structural integration practitioner refills the container.

(b) Ensure that there are no contraindications before using a lubricant or topical application on a client.

3. A massage therapist or structural integration practitioner may use spa treatments, muds and body wraps while practicing massage therapy if the massage therapist or structural integration practitioner considers and follows sanitary procedures in his or her use of those materials.

Sec. 13. NAC 640C.270 is hereby amended to read as follows:

640C.270 1. If a bathing facility other than a shower is used in a massage establishment, reflexology establishment or structural integration establishment, the bathing facility must:

(a) Have floors that are slip-resistant, *and* easily cleaned ~~and covered to a height of 4 inches~~ ;

(b) If an artificial surface made from resilient materials is used for the floor, be vacuumed with a wet vacuum frequently, to keep the floor clean and free from accumulated moisture;

(c) Have interior walls and ceiling finishes which are easily cleaned and are impervious to water; and

(d) If there is more than one bathing facility, be separated by a nonporous, nonabsorbent floor.

2. A massage establishment, reflexology establishment or structural integration establishment shall ensure that:

(a) An effective watertight joint between the wall and the floor is maintained in a bathing facility that is used in a massage establishment, reflexology establishment or structural integration establishment; and

(b) Any rubber or impervious mats that are used in the bathing facility are cleaned, sanitized and dried between uses.

3. If a shower is provided in a massage establishment, reflexology establishment or structural integration establishment, the shower must:

(a) ~~Have compartments which are~~ *Be* impervious to water to a height of 6 feet above the floor;

(b) Have a floor that is furnished with a nonslip impervious surface; and

(c) Have tempered glass or acrylic glass doors if the doors are made of glass or a substitute for glass.

4. A massage establishment, reflexology establishment or structural integration establishment shall ensure that all bathing facilities provided for use in the massage establishment, reflexology establishment or structural integration establishment satisfy the requirements of chapters 444 of NRS and NAC.

5. As used in this section:

(a) “Bathing facility” includes, without limitation, a spa, shower, bathtub, sauna and steam bath.

(b) "Spa" means a pool primarily designed for therapeutic use which is not drained, cleaned or refilled for each user. The term includes units which employ hydrojet circulation, hot water, cold water, mineral water or air induction bubbles, or any combination thereof.

Sec. 14. NAC 640C.340 is hereby amended to read as follows:

NAC 640C.340 **1.** A massage therapist shall drape a client by covering the client with a towel, sheet, blanket, linen or other covering in such a manner that:

~~1.1~~ The client's genitals and gluteal cleft and ~~1, if the client is a female,~~ the client's breasts are not exposed; and

~~1.2~~ Neither the massage nor the movement of the body expose the client's genitals or gluteal cleft or ~~1, if the client is a female,~~ the client's breasts.

2. *A massage therapist shall drape a client's breasts even if the client has executed a consent form pursuant to paragraph (c) of subsection 4 of NRS 640C.700.*

Sec. 15. Section 4 of LCB File R128-20 is hereby repealed.