

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT
TO THE GEORGIA BOARD OF MASSAGE THERAPY
CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE
STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.02, CONTINUING
EDUCATION HOURS, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Massage Therapy (hereinafter "Board") proposes an amendment to Rule Chapter 345-4, License Renewal, Continuing Education, Inactive Status and Reinstatement of License, rule 345-4-.02, Continuing Education Hours (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being disseminated to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board website <http://sos.ga.gov/index.php/licensing/plb/33>, or by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at 9:30 a.m. on December 5, 2014, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on November 25, 2014. Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Massage Therapy, 237 Coliseum Drive, Macon, Georgia 31217; Fax (866) 888-1308.

The Board will consider the proposed rule amendment for adoption at its meeting scheduled to begin at 9:30 a.m. on December 5, 2014 at the Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Board has the authority to adopt proposed rule amendment to 345-4-.02 pursuant to authority contained in O.C.G.A. §§ 43-1-1 to 43-1-31; 43-24A-1 to 43-24A-24.

At its meeting on August 29, 2014, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-1 to 43-1-31; 43-24A-1 to 43-24A-24.

Additionally, at its meeting on August 29, 2014, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-1 to 43-1-31; 43-24A-1 to 43-24A-24 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of massage therapy.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 4 day of November 2014.



Lisa W. Durden
Director
Professional Licensing Boards

Posted: 11-4-14

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA BOARD OF MASSAGE
THERAPY CHAPTER 345-4, LICENSE RENEWAL, CONTINUING EDUCATION,
INACTIVE STATUS AND REINSTATEMENT OF LICENSE, RULE 345-4-.02,
CONTINUING EDUCATION HOURS**

Purpose: The purpose is to amend the rule and to accept only the continuing education courses for renewal of Massage Therapy license that fall within the realm of the scope of practice for Massage Therapy.

Main Features: Gives a list of unacceptable continuing education courses. These are practices that fall outside the scope of Massage Therapy.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA BOARD OF MASSAGE THERAPY CHAPTER
345-4, LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND
REINSTATEMENT OF LICENSE, RULE 345-4-.02, CONTINUING EDUCATION
HOURS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

345-4-.02 Continuing Education Hours. Amended.

(1) Every massage therapist licensed pursuant to this chapter shall be required to complete a minimum of twenty-four (24) continuing education (CE) hours through an approved provider related to the practice of massage therapy as a condition for renewing his or her license for each biennium renewal expiration date except as otherwise provided for in this chapter.

~~(a)~~ (A) 12 of the total 24 CE Hours must include direct hands-on supervised instruction; and

~~(b)~~ (B) The remaining 12 CE Hours may include direct hands-on supervised instruction or other massage therapy related CE hours.

~~(c)~~ (C) CE Hours for renewal must be obtained during the two year renewal cycle beginning November 1st through October 31st of the two year licensure period.

~~(d)~~ (D) Failure to obtain the required CE Hours within the two (2) year licensure period shall result in the Board taking disciplinary action and imposing a fine, including but not limited to, the following:

~~1-~~(i) Public Reprimand and fine of \$500 and,

~~2-~~(ii) Deficient CE Hours must be obtained within two (2) months of the date of notification by the Board of the deficient CE Hours. These CE hours may NOT be used to satisfy the CE requirement of any subsequent renewal cycle.

~~3-~~(iii) Falsification of a renewal application affidavit of having obtained the required CE Hours shall result in the Board taking the disciplinary actions noted above (#'s 1 & 2), and, any future incidents may result in additional disciplinary actions up to, and possibly including, revocation of a license to practice massage therapy in Georgia.

~~(2)~~(A) Approved providers for Continuing Education may be found on the National Certification Board for Therapeutic Massage and Bodywork website at www.ncbtmb.org. Licensees do not have to be nationally certified by NCBTMB to access the NCBTMB continuing education providers. The Board only accepts those Continuing Education Providers assigned a provider code number by NCBTMB.

~~(B) Beginning November 1, 2014, the~~ The Board will not accept any continuing education courses taken on modalities which are not within the scope of practice massage therapy or as referenced in the exceptions of O.C.G.A. § 43-24A-19 to include but not limited to the following:

(i) Movement practices include, but are not limited to: Alexander Technique, Aston Patterning, Body-Mind Centering®, Feldenkrais Method® of Somatic Education, ISMETA – Registered Somatic Educator, ISEMTA – Registered Somatic Movement Therapist, Laban Movement Analysis, Rolf Institute® Rolf Movement Integration, Trager® Approach to Movement Education.

(ii) Structural Integration practices include, but are not limited to: Hellerwork®, Rolfing® Structural Integration, Structural Integration.

(iii) Energy practices include, but are not limited to: Asian Bodywork Therapy, Acupressure, Amma, AMMA Therapy®, Chi Nei Tsang, Craniosacral Therapy, Jin Shin, Jin Shin Do® Bodymind Acupressure, Jin Shin Jitsu, Jin Shin Jyutsu®, Medical Qigong, Nuad Bo 'Rarn (Traditional Thai Bodywork), Okazaki Restorative Therapy, Polarity, Polarity Therapy, Polarity Bodywork Therapy, Qigong, Reiki, Shiatsu (all forms including, but not limited to, Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Macrobiotic Shiatsu, Ohashiatsu®, Quantum Shiatsu, Zen Shiatsu), Shiatsu Anma Therapy, Tuina.

(iv) Reflexology

(3) The Board may consider a waiver or variance of the requirement of CE hours for licensees who can provide acceptable proof of a verifiable illness, disability or hardship that substantially affected their ability to obtain the required CE hours during the prior biennium renewal period through submission to the board of a completed, signed waiver/variance request form *prior* to the biennium renewal expiration date of October 31st of every even numbered year.

(4) An applicant who is licensed **during the second year** of the biennium renewal period shall only be required to provide 12 hours of continuing education (CE) hours through an approved provider for that renewal period.

(a) (A) 6 of the total 12 CE Hours must include direct hands-on supervised instruction; and,
(b) (B) The remaining 6 CE Hours may include direct hands on supervised instruction or other massage therapy related CE hours.

(5) An applicant having graduated from a Board recognized approved massage therapy education program within one year of their application date shall be exempt from continuing education requirements for their initial biennium renewal period only.

(6) An applicant for reinstatement of a lapsed or revoked license must show along with their completed application and fee payment that they have taken the required twenty-four (24) hours of continuing education, in accordance with this rule, within one (1) year of the date of their reinstatement application to the board.

~~(7) The continuing education hours used for the reinstatement of a license cannot be used to meet the continuing education hours required for the biennium during which the license was reinstated.~~

~~(7)(8) Each licensed massage therapist shall maintain records of attendance and supporting documents for continuing education for a period of three (3) years from the date of attendance.~~

~~(8)(9) Reporting and Auditing:~~

(a) (A) Upon applying for license renewal, each massage therapist shall certify to the Board that he/she has completed the continuing educational hours required for license renewal. The method of reporting and auditing continuing education shall be as stated in this Rule.

(b) (B) The Board may direct the staff to audit a percentage of randomly selected active renewing licensees, as determined by the Board, for compliance with continuing education requirements. Documentation of completed continuing education hours which the Board deems to be acceptable proof or verification of completion shall include, but not be limited to, the following:

†(i). Attendance and participation at a live presentation such as a workshop, seminar, conference or direct hands-on client care educational program: A certificate of completion or similar

documentation that includes a massage therapist license number and the approved provider's number, signed or verified by a program official, and a program or course description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule.

2(ii). Lectures and Multi-Media Courses: For lectures, a certificate of completion, or similar documentation, including a massage therapist license number and the approved provider's number, signed or verified by a program official, and a program description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule. Multi-Media courses shall require the successful completion and submission of a written post experience examination to evaluate material retention. Multi-Media courses include, but are not limited to, audio, audiovisual, closed circuit television, and internet courses.

3(iii). Correspondence Courses: A certificate of completion or similar documentation, including a massage therapist license number and the approved provider's number signed or verified by a program official and a program description including sponsor, course title, date, program objective/learning outcomes, content description, agenda or schedule.

4(iv). Formal self-study, viewing of videotapes in a professional setting, satellite broadcasts, or computer learning activities. Documentation must include:

(i)(a) Verified instructional time by the course sponsor, a certificate of completion or similar documentation that is signed or verified by program official; and

(ii)(b) A program description including sponsor, course title, date, program objective or learning outcomes, and description of program content.

Authority: O.C.G.A. §§ 43-24A-20, 43-1-1, 43-1-31, 43-24A-1, and 43-24A-24.