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**SENATE BILL 6399**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Senators Rivers, Keiser, Cleveland, Angel, Pedersen, and McAuliffe

AN ACT Relating to the board of massage; amending RCW 18.108.025, 18.108.070, and 18.108.073; and adding a new section to chapter 18.108 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 18.108 RCW to read as follows:

In order to recognize prior education that is applicable to licensure as a massage therapist or massage practitioner while protecting the public, the board shall adopt rules to allow massage programs that are approved by the board to establish transfer programs that accept an individual's credits or clock hours from schools that have not been approved by the board. "Prior education" must be defined to include but not be limited to, credits or clock hours from schools, colleges, and universities that are:

(1) Accredited by a national or regional accreditation organization;

(2) Approved by a state authority with responsibility for oversight of vocational programs; or

(3) Approved by a state agency that regulates massage programs and is a member of the federation of state massage therapy boards.

**Sec.**  RCW 18.108.025 and 2012 c 137 s 4 are each amended to read as follows:

(1) In addition to any other authority provided by law, the board of massage may:

(a) Adopt rules in accordance with chapter 34.05 RCW necessary to implement massage practitioner licensure under this chapter, subject to the approval of the secretary;

(b) Define, evaluate, approve, and designate those massage schools, massage programs, transfer programs, and massage apprenticeship programs including all current and proposed curriculum, faculty, and health, sanitation, and facility standards from which graduation will be accepted as proof of an applicant's eligibility to take the massage licensing examination;

(c) Review approved massage schools and programs periodically;

(d) Prepare, grade, administer, and supervise the grading and administration of, examinations for applicants for massage licensure;

(e) Establish and administer requirements for continuing education, which shall be a prerequisite to renewing a massage practitioner license under this chapter; and

(f) Determine which states have educational and licensing requirements for massage practitioners equivalent to those of this state.

(2) The board shall establish by rule the standards and procedures for approving courses of study in massage therapy and may contract with individuals or organizations having expertise in the profession or in education to assist in evaluating courses of study. The standards and procedures set shall apply equally to schools and training within the United States of America and those in foreign jurisdictions.

**Sec.**  RCW 18.108.070 and 2012 c 137 s 10 are each amended to read as follows:

(1) The secretary shall issue a massage practitioner's license to an applicant who demonstrates to the secretary's satisfaction that the following requirements have been met:

(a) Effective June 1, 1988, successful completion of a course of study in an approved massage program, transfer program, or approved apprenticeship program;

(b) Successful completion of an examination administered or approved by the board; and

(c) Be eighteen years of age or older.

(2) Beginning July 1, 2013, the secretary shall issue a reflexologist certification to an applicant who completes an application form that identifies the name and address of the applicant and the certification request, and demonstrates to the secretary's satisfaction that the following requirements have been met:

(a) Successful completion of a course of study in reflexologist program approved by the secretary;

(b) Successful completion of an examination administered or approved by the secretary; and

(c) Be eighteen years of age or older.

(3) Applicants for a massage practitioner's license or for certification as a reflexologist shall be subject to the grounds for denial or issuance of a conditional credential under chapter 18.130 RCW.

(4) The secretary may require any information and documentation that reasonably relates to the need to determine whether the massage practitioner or reflexologist applicant meets the criteria for licensure provided for in this chapter and chapter 18.130 RCW. The secretary shall establish by rule what constitutes adequate proof of meeting the criteria.

**Sec.**  RCW 18.108.073 and 2012 c 137 s 11 are each amended to read as follows:

(1) Applicants for the massage practitioner license examination must demonstrate to the secretary's satisfaction that the following requirements have been met:

(a)(i) Effective June 1, 1988, successful completion of a course of study in an approved massage program or transfer program; or

(ii) Effective June 1, 1988, successful completion of an apprenticeship program established by the board; and

(b) Be eighteen years of age or older.

(2) The board or its designee shall examine each massage practitioner applicant in a written examination determined most effective on subjects appropriate to the massage scope of practice. The subjects may include anatomy, kinesiology, physiology, pathology, principles of human behavior, massage theory and practice, hydrotherapy, hygiene, first aid, Washington law pertaining to the practice of massage, and such other subjects as the board may deem useful to test applicant's fitness to practice massage therapy. Such examinations shall be limited in purpose to determining whether the applicant possesses the minimum skill and knowledge necessary to practice competently.

(3) All records of a massage practitioner candidate's performance shall be preserved for a period of not less than one year after the board has made and published decisions thereupon. All examinations shall be conducted by the board under fair and impartial methods as determined by the secretary.

(4) A massage practitioner applicant who fails to make the required grade in the first examination is entitled to take up to two additional examinations upon the payment of a fee for each subsequent examination determined by the secretary as provided in RCW 43.70.250. Upon failure of three examinations, the secretary may invalidate the original application and require such remedial education as is required by the board before admission to future examinations.

(5) The board may approve an examination prepared or administered, or both, by a private testing agency or association of licensing boards for use by a massage practitioner applicant in meeting the licensing requirement.

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