

**Chapter 18.108 RCW
MESSAGE THERAPISTS**

Sections

- 18.108.005 Intent—Health care insurance not affected.
- 18.108.010 Definitions.
- 18.108.020 Board of massage—Generally.
- 18.108.025 Board powers and duties.
- 18.108.028 Transfer programs.
- 18.108.030 Licensure or certification required.
- 18.108.035 Unlicensed practice—Penalties.
- 18.108.040 Advertising—Use of title.
- 18.108.045 Display of license or certification—Availability of photo identification.
- 18.108.050 Exemptions.
- 18.108.060 Applicant—License or certificate holder—Compliance with procedures, requirements, fees.
- 18.108.070 Qualifications for licensure or certification.
- 18.108.073 Massage therapist examination.
- 18.108.074 Reflexology examination.
- 18.108.085 Powers and duties of secretary—Uniform Disciplinary Act—License or certificate revocation—Reinstatement.
- 18.108.095 Out-of-state massage therapist applicants.
- 18.108.115 Persons licensed under prior law.
- 18.108.125 Inactive credential—Reinstatement.
- 18.108.131 Exemptions—Reflexology.
- 18.108.195 Inspection of premises by secretary.
- 18.108.210 Authority of local political subdivisions.
- 18.108.220 Federal classification.
- 18.108.230 Animal massage therapist—Endorsement—Training requirements—Rules.
- 18.108.240 Chapter 277, Laws of 2002—Review/regulatory changes.
- 18.108.250 Intraoral massage—Endorsement.
- 18.108.902 Savings—1987 c 443.

Authority to regulate massage therapists—Limitations: RCW 35.21.692, 35A.82.025, and 36.32.122.

RCW 18.108.005 Intent—Health care insurance not affected. (1)

The legislature finds it necessary to license the practice of massage and massage therapy and certify persons practicing reflexology in order to protect the public health and safety. It is the legislature's intent that only individuals who meet and maintain minimum standards of competence and conduct may provide services to the public.

(2) This chapter shall not be construed to:

(a) Require individual or group policies or contracts of a health carrier to provide, or prohibit such policies or contracts from providing, benefits or coverage for services and supplies provided by a person licensed under this chapter; or

(b) Require that a health carrier contract with a person certified under this chapter. [2012 c 137 § 2; 1997 c 297 § 1; 1987 c 443 § 1.]

Finding—Purpose—2012 c 137: "The legislature finds that protecting the public health and safety from the harms of human trafficking has become more difficult and complex, with severe consequences for the victims and the public. The purpose of this legislation is to provide additional tools so that the regulatory agency has authority to make reasonable inspections of the premises in which services subject to this chapter are being provided in order to determine whether the services are being provided in compliance with this chapter and to support state investigations of human trafficking and other illicit activity." [2012 c 137 § 1.]

Rules—2012 c 137: "The department of health shall adopt any rules necessary to implement this act." [2012 c 137 § 21.]

Effective date—2012 c 137: "Sections 1 through 19 of this act take effect July 1, 2013." [2012 c 137 § 22.]

RCW 18.108.010 Definitions. In this chapter, unless the context otherwise requires, the following meanings shall apply:

(1) "Animal massage therapist" means an individual with a license to practice massage therapy in this state with additional training in animal therapy.

(2) "Board" means the Washington state board of massage.

(3) "Certified reflexologist" means an individual who is certified under this chapter.

(4) "Health carrier" means the same as the definition in RCW 48.43.005.

(5) "Intraoral massage" means the manipulation or pressure of soft tissue inside the mouth or oral cavity for therapeutic purposes.

(6) "Massage" and "massage therapy" mean a health care service involving the external manipulation or pressure of soft tissue for therapeutic purposes. Massage therapy includes techniques such as tapping, compressions, friction, reflexology, Swedish gymnastics or movements, gliding, kneading, shaking, and fascial or connective tissue stretching, with or without the aids of superficial heat, cold, water, lubricants, or salts. Massage therapy does not include diagnosis or attempts to adjust or manipulate any articulations of the body or spine or mobilization of these articulations by the use of a thrusting force, nor does it include genital manipulation.

(7) "Massage business" means the operation of a business where massages are given.

(8) "Massage therapist" means an individual licensed under this chapter.

(9) "Reflexology" means a health care service that is limited to applying alternating pressure with thumb and finger techniques to reflexive areas of the lower one-third of the extremities, feet, hands, and outer ears based on reflex maps. Reflexology does not include the diagnosis of or treatment for specific diseases, or joint manipulations.

(10) "Reflexology business" means the operation of a business where reflexology services are provided.

(11) "Secretary" means the secretary of health or the secretary's designee. [2016 c 41 § 1. Prior: 2012 c 137 § 3; 2007 c 272 § 1; 2002 c 277 § 1; 2001 c 297 § 2; 1997 c 297 § 2; 1991 c 3 § 252; 1987 c 443 § 2; 1979 c 158 § 74; 1975 1st ex.s. c 280 § 1.]

Effective date—2016 c 41: "This act takes effect July 1, 2017."
[2016 c 41 § 28.]

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

Findings—Intent—2001 c 297: "The legislature finds that massage therapists have contributed significantly to the welfare of humans. The legislature also finds that massage therapists can have a significant positive impact on the well-being of animals, especially in the equine industry.

It is the legislature's intent to have the Washington state board of massage adopt rules under their current authority providing for an endorsement for currently licensed massage practitioners to perform animal massage upon completion of certain training courses." [2001 c 297 § 1.]

RCW 18.108.020 Board of massage—Generally. The Washington state board of massage is created. The board shall consist of seven members who shall be appointed by the governor for a term of four years each. All members shall be residents of this state. Five members shall be massage therapists licensed under this chapter with at least three years' experience in the practice of massage immediately preceding their appointment and shall at all times during their terms remain licensed massage therapists.

One member shall be a consumer whose occupation does not include the administration of health activities or the provision of health services and who has no material financial interest in the provision of health care services.

One member shall be a massage educator or massage school owner with at least three years' experience in the teaching or administration of direct student learning of the practice of massage. The educator or school owner member is not required to be a licensed massage therapist. The member shall recuse themselves from any board deliberations or decision making involving the school or educational program with which the member is professionally affiliated.

In the event that a member cannot complete their term of office, another appointment shall be made by the governor in accordance with the procedures stated in this section to fill the remainder of the term. No member may serve more than two successive full terms. The governor may remove any member of the board for neglect of duty, incompetence, or unprofessional or disorderly conduct as determined under chapter 18.130 RCW.

Each member of the board shall be compensated in accordance with RCW 43.03.265. The board is designated as a class five group for purposes of chapter 43.03 RCW. Members shall be reimbursed for travel expenses incurred in the actual performance of their duties, as provided in RCW 43.03.050 and 43.03.060.

The board may annually elect a chairperson to direct the meetings of the board. The board shall meet as called by the chairperson or the secretary. A majority of the board members appointed and serving constitutes a quorum for the transaction of board business. The affirmative vote of a majority of a quorum of the board is required to carry a motion or resolution, to adopt a rule, or to pass a measure. [2022 c 240 § 9; 1991 c 3 § 253; 1987 c 443 § 9. Prior: 1984 c 287 §

53; 1984 c 279 § 56; 1975-'76 2nd ex.s. c 34 § 57; 1975 1st ex.s. c 280 § 2.]

Legislative findings—Severability—Effective date—1984 c 287: See notes following RCW 43.03.220.

Severability—1984 c 279: See RCW 18.130.901.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 18.108.025 Board powers and duties. (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 therapist 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 therapist license under this chapter; and
- (f) Determine which states have educational and licensing requirements for massage therapists 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. [2016 c 53 § 2; 2016 c 41 § 2; 2012 c 137 § 4; 2008 c 25 § 1; 1991 c 3 § 254; 1987 c 443 § 10.]

Reviser's note: This section was amended by 2016 c 41 § 2 and by 2016 c 53 § 2, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

Effective date—2008 c 25: "This act takes effect July 1, 2009." [2008 c 25 § 3.]

RCW 18.108.028 Transfer programs. 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. [2016 c 53 § 1.]

RCW 18.108.030 Licensure or certification required. (1)(a) No person may practice or represent himself or herself as a massage therapist without first applying for and receiving from the department a license to practice. However, this subsection does not prohibit a certified reflexologist from practicing reflexology.

(b) A person represents himself or herself as a massage therapist when the person adopts or uses any title or any description of services that incorporates one or more of the following terms or designations: Massage, massage practitioner, massage therapist, massage therapy, therapeutic massage, massage technician, massage technology, massagist, masseur, masseuse, myotherapist or myotherapy, touch therapist, reflexologist except when used by a certified reflexologist, acupressurist, body therapy or body therapist, or any derivation of those terms that implies a massage technique or method.

(2)(a) No person may practice reflexology or represent himself or herself as a reflexologist by use of any title without first being certified as a reflexologist or licensed as a massage therapist by the department.

(b) A person represents himself or herself as a reflexologist when the person adopts or uses any title in any description of services that incorporates one or more of the following terms or designations: Reflexologist, reflexology, foot pressure therapy, foot reflex therapy, or any derivation of those terms that implies a reflexology technique or method. However, this subsection does not prohibit a licensed massage therapist from using any of these terms as a description of services.

(c) A person may not use the term "certified reflexologist" without first being certified by the department. [2016 c 41 § 3; 2012 c 137 § 5; 1995 c 198 § 15; 1987 c 443 § 3; 1975 1st ex.s. c 280 § 3.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.035 Unlicensed practice—Penalties. The following penalties must be imposed upon an owner of a massage business or reflexology business where the unlicensed practice of massage therapy or reflexology has been committed:

(1) Any person who with knowledge or criminal negligence allows or permits the unlicensed practice of massage therapy or reflexology to be committed within his or her massage business or reflexology business by another is guilty of a misdemeanor for a single violation.

(2) Each subsequent violation, whether alleged in the same or in subsequent prosecutions, is a gross misdemeanor punishable according to chapter 9A.20 RCW. [2015 c 18 § 1.]

RCW 18.108.040 Advertising—Use of title. (1) (a) It shall be unlawful to advertise the practice of massage using the term massage or any other term that implies a massage technique or method in any public or private publication or communication by a person not licensed by the secretary as a massage therapist. However, this subsection does not prohibit a certified reflexologist from using the term reflexology or derivations of the term, subject to subsection (2) (b) of this section.

(b) Any person who holds a license to practice as a massage therapist in this state may use the title "licensed massage therapist" and the abbreviation "L.M.T." No other persons may assume such title or use such abbreviation or any other word, letters, signs, or figures to indicate that the person using the title is a licensed massage therapist.

(c) A massage therapist's name and license number must conspicuously appear on all of the massage therapist's advertisements.

(2) (a) It is unlawful to advertise the practice of reflexology or use any other term that implies reflexology technique or method in any public or private publication or communication by a person not certified by the secretary as a reflexologist or licensed as a massage therapist.

(b) A person certified as a reflexologist may not adopt or use any title or description of services, including for purposes of advertising, that incorporates one or more of the following terms or designations: Massage, masseuse, massager, massagist, masseur, myotherapist or myotherapy, touch therapist, body therapy or therapist, or any derivation of those terms that implies a massage technique or therapy unless the person is also licensed under this chapter as a massage therapist.

(c) A reflexologist's name and certification number must conspicuously appear on all of the reflexologist's advertisements. [2016 c 41 § 4; 2012 c 137 § 6; 2011 c 223 § 1; 1995 c 353 § 1; 1991 c 3 § 255; 1987 c 443 § 4; 1975 1st ex.s. c 280 § 4.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.045 Display of license or certification—Availability of photo identification. (1) A massage therapist licensed under this chapter or a reflexologist certified under this chapter must conspicuously display his or her credential in his or her principal place of business. If the licensed massage therapist or certified reflexologist does not have a principal place of business or conducts business in any other location, he or she must have a copy of his or

her credential available for inspection while performing services within his or her authorized scope of practice.

(2) A massage therapist licensed under this chapter or a reflexologist certified under this chapter must have government-issued photo identification on his or her person or have it be available for inspection by city, county, or state law enforcement or department personnel at all times he or she practices massage therapy or reflexology. The name of the massage therapist or reflexologist on the government-issued photo identification must match the name on the massage therapy license or reflexology certification. [2020 c 295 § 1; 2016 c 41 § 5; 2012 c 137 § 7; 2011 c 223 § 2.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.050 Exemptions. This chapter does not apply to:

(1) An individual giving massage or reflexology to members of his or her immediate family;

(2) The practice of a profession by individuals who are licensed, certified, or registered under other laws of this state and who are performing services within their authorized scope of practice;

(3) Massage or reflexology practiced at the athletic department of:

(a) Any institution maintained by the public funds of the state, or any of its political subdivisions;

(b) Any primary or secondary school or institution of higher education;

(c) Any school or college approved by the department of health by rule using recognized national professional standards; or

(d) Any nonprofit organization licensed under RCW 66.24.400 and 66.24.450;

(4) Students enrolled in an approved massage school, approved program, or approved apprenticeship program, practicing massage techniques, incidental to the massage school or program and supervised by the approved school or program. Students must identify themselves as a student when performing massage services on members of the public. Students may not be compensated for the massage services they provide;

(5) Students enrolled in an approved reflexology school, approved program, or approved apprenticeship program, practicing reflexology techniques, incidental to the reflexologist school or program and supervised by the approved school or program. Students must identify themselves as a student when performing reflexology services on members of the public. Students may not be compensated for the reflexology services they provide; or

(6) (a) Individuals who have completed a somatic education training program approved by the secretary.

(b) For purposes of this subsection (6), "somatic education" means: Using minimal touch, words, and directed movement to deepen awareness of existing patterns of movement and suggest new possibilities of movement; and using minimal touch over specific points of the body to facilitate balance in the nervous system. It includes: (i) Any somatic education training program approved by the

secretary as of July 23, 2017; (ii) the practice of ortho-bionomy; and (iii) the Feldenkrais method of somatic education. [2017 c 77 § 1; 2012 c 137 § 8; 2002 c 277 § 2; 1997 c 297 § 3; 1995 c 198 § 16; 1987 c 443 § 5; 1975 1st ex.s. c 280 § 5.]

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.060 Applicant—License or certificate holder—Compliance with procedures, requirements, fees. Each applicant and license or certificate holder shall comply with administrative procedures, administrative requirements, and fees set by the secretary under RCW 43.70.250 and 43.70.280. [2012 c 137 § 9; 1996 c 191 § 81; 1991 c 3 § 256; 1987 c 443 § 6; 1985 c 7 § 79; 1975 1st ex.s. c 280 § 6.]

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.070 Qualifications for licensure or certification.

(1) The secretary shall issue a massage therapist'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 therapist'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 therapist 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. [2016 c 53 § 3; 2016 c 41 § 6; 2012 c 137 § 10; 1991 c 3 § 257; 1987 c 443 § 7; 1975 1st ex.s. c 280 § 7.]

Reviser's note: This section was amended by 2016 c 41 § 6 and by 2016 c 53 § 3, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.073 Massage therapist examination. (1) Applicants for the massage therapist 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 therapist 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 therapist 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 therapist 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 therapist applicant in meeting the licensing requirement. [2016 c 53 § 4; 2016 c 41 § 7; 2012 c 137 § 11; 1995 c 198 § 17; 1991 c 3 § 258; 1987 c 443 § 8.]

Reviser's note: This section was amended by 2016 c 41 § 7 and by 2016 c 53 § 4, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.074 Reflexology examination. (1) Beginning July 1, 2013, applicants for the reflexology certification examination must

demonstrate to the secretary's satisfaction that the following requirements have been met:

(a) (i) Successful completion of a course of study in an approved reflexology program; or

(ii) Successful completion of an apprenticeship program approved by the secretary; and

(b) Be eighteen years of age or older.

(2) The secretary or his or her designee shall examine each reflexology applicant in a written examination determined most effective on subjects appropriate to the reflexology scope of practice. The subjects may include those that the secretary deems useful to test applicant's fitness to practice reflexology. Such examinations shall be limited in purpose to determining whether the applicant possesses the minimum skill and knowledge necessary to practice reflexology competently.

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

(4) A reflexology 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 secretary before admission to future examinations.

(5) The secretary may approve an examination prepared or administered, or both, by a private testing agency or association of licensing boards for use by a reflexology applicant in meeting the certification requirement. [2012 c 137 § 12.]

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.085 Powers and duties of secretary—Uniform Disciplinary Act—License or certificate revocation—Reinstatement.

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

(a) Adopt rules, in accordance with chapter 34.05 RCW necessary to implement this chapter;

(b) Set all license, certification, examination, and renewal fees in accordance with RCW 43.70.250;

(c) Establish forms and procedures necessary to administer this chapter;

(d) Issue a massage therapist's license to any applicant who has met the education, training, and examination requirements for licensure and deny licensure to applicants who do not meet the requirements of this chapter;

(e) Issue a reflexology certification to any applicant who has met the requirements for certification and deny certification to applicants who do not meet the requirements of this chapter; and

(f) Hire clerical, administrative, and investigative staff as necessary to implement this chapter.

(2) The Uniform Disciplinary Act, chapter 18.130 RCW, governs unlicensed and uncertified practice, the issuance and denial of licenses and certifications, and the disciplining of persons under this chapter. The secretary shall be the disciplining authority under this chapter.

(3) Any license or certification issued under this chapter to a person who is or has been convicted of violating RCW 9A.88.030, 9A.88.070, 9A.88.080, or 9A.88.090 or equivalent local ordinances shall automatically be revoked by the secretary upon receipt of a certified copy of the court documents reflecting such conviction, except as provided in RCW 9.97.020. No further hearing or procedure is required, and the secretary has no discretion with regard to the revocation of the license or certification. The revocation shall be effective even though such conviction may be under appeal, or the time period for such appeal has not elapsed. However, upon presentation of a final appellate decision overturning such conviction, the license or certification shall be reinstated, unless grounds for disciplinary action have been found under chapter 18.130 RCW. No license or certification may be granted under this chapter to any person who has been convicted of violating RCW 9A.88.030, 9A.88.070, 9A.88.080, or 9A.88.090 or equivalent local ordinances within the eight years immediately preceding the date of application, except as provided in RCW 9.97.020. For purposes of this subsection, "convicted" does not include a conviction that has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence, but does include convictions for offenses for which the defendant received a deferred or suspended sentence, unless the record has been expunged according to law.

(4) The secretary shall keep an official record of all proceedings under this chapter, a part of which record shall consist of a register of all applicants for licensure or certification under this chapter, with the result of each application. [2016 c 81 § 11; 2016 c 41 § 8; 2012 c 137 § 14; 1996 c 154 § 1; 1995 c 353 § 2; 1991 c 3 § 259; 1987 c 443 § 11.]

Reviser's note: This section was amended by 2016 c 41 § 8 and by 2016 c 81 § 11, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Finding—Conflict with federal requirements—2016 c 81: See notes following RCW 9.97.010.

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.095 Out-of-state massage therapist applicants. A massage therapist applicant holding a license in another state or foreign jurisdiction may be granted a Washington license without examination, if, in the opinion of the board, the other state's or foreign jurisdiction's examination and educational requirements are substantially equivalent to Washington's. However, the applicant must demonstrate to the satisfaction of the board a working knowledge of Washington law pertaining to the practice of massage. The applicant

shall provide proof in a manner approved by the department that the examination and requirements are equivalent to Washington's. [2016 c 41 § 9; 2012 c 137 § 13; 1987 c 443 § 12.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

Effective date—1987 c 443 § 12: "Section 12 of this act shall take effect June 1, 1988." [1987 c 443 § 19.]

RCW 18.108.115 Persons licensed under prior law. Any person holding a valid license to practice massage issued by authority of the state on July 26, 1987, shall continue to be licensed as a massage therapist under the provisions of this chapter. [2016 c 41 § 10; 1987 c 443 § 13.]

Effective date—2016 c 41: See note following RCW 18.108.010.

RCW 18.108.125 Inactive credential—Reinstatement. (1) The secretary must grant a massage therapist an inactive credential if the massage therapist submits a letter to the board stating his or her intent to obtain an inactive credential, and he or she:

- (a) Holds an active Washington state massage therapist's license;
- (b) Is in good standing, as determined by the board; and
- (c) Does not practice massage in the state of Washington.

(2) The secretary may reinstate the massage therapist's license if the massage therapist:

(a) Pays the current active renewal fee and other fees for active licensure;

(b) Provides a written declaration that:

(i) No action has been taken by a state or federal jurisdiction or a hospital which would prevent or restrict the therapist's practice of massage therapy;

(ii) He or she has not voluntarily given up any credential or privilege or been restricted in the practice of massage therapy to avoid other sanctions; and

(iii) He or she has satisfied continuing education and competency requirements for the two most recent years; and

(c) Meets other requirements for reinstatement, as may be determined by the board. [2016 c 41 § 11; 2008 c 25 § 2.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Effective date—2008 c 25: See note following RCW 18.108.025.

RCW 18.108.131 Exemptions—Reflexology. (1) The secretary may certify an applicant as a reflexologist without examination if the applicant:

(a) Has practiced reflexology as a licensed massage therapist for at least five years prior to July 1, 2013, or provides evidence satisfactory to the secretary that he or she has, prior to July 1,

2013, successfully completed a course of study in a reflexology program approved by the secretary; and

(b) Applies for certification by one year after July 1, 2013.

(2) An applicant holding a reflexology credential in another state or a territory of the United States may be certified to practice in this state without examination if the secretary determines that the other jurisdiction's credentialing standards are substantially equivalent to the standards in this state. [2016 c 41 § 12; 2012 c 137 § 15.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.195 Inspection of premises by secretary. (1) For the purposes of ascertaining violations of this chapter and chapter 18.130 RCW, the secretary or authorized representative has the authority to inspect, within reasonable limits and in a reasonable manner, the premises of any massage or reflexology business establishment during hours such business is open. If the secretary is denied access to any premises or establishment the secretary may apply to any court of competent jurisdiction for a warrant authorizing access to such premises or establishment for such purposes. The court may, upon such application, issue a warrant for the purpose requested.

(2) This section does not require advance notice of an inspection. [2012 c 137 § 16.]

Finding—Purpose—Rules—Effective date—2012 c 137: See notes following RCW 18.108.005.

RCW 18.108.210 Authority of local political subdivisions. Nothing in this chapter limits or abridges the authority of any political subdivision to levy and collect a general and nondiscriminatory license fee levied upon all businesses, or to levy a tax based upon gross business conducted by any firm within said political subdivision. [2007 c 165 § 2; 1975 1st ex.s. c 280 § 22.]

Finding—2007 c 165: "The legislature finds that licensed massage practitioners should be treated the same as other health professionals under Title 18 RCW and that additional registrations or licenses regulating massage or massage practitioners are not authorized." [2007 c 165 § 1.]

RCW 18.108.220 Federal classification. For the purposes of this chapter, licensed massage therapists shall be classified as "offices and clinics of health practitioners, not elsewhere classified" under section 8049 of the standard industrial classification manual published by the executive office of the president, office of management and budget. [2016 c 41 § 13; 1994 c 228 § 1.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Effective date—1994 c 228: "This act shall take effect July 1, 1994." [1994 c 228 § 3.]

RCW 18.108.230 Animal massage therapist—Endorsement—Training requirements—Rules. (1) A massage therapist licensed under this chapter may apply for an endorsement as a small or large animal massage therapist upon completion of one hundred hours of training in either large or small animal massage. Training must include animal massage techniques, kinesiology, anatomy, physiology, first aid care, and proper handling techniques.

(2) An applicant who applies for an endorsement within the first year following July 22, 2001, may submit documentation of a minimum of fifty hours of training with up to fifty hours of practical experience or continuing education, or a combination thereof, to fulfill the requirements of this section.

(3) Massage therapy of animals does not include diagnosis, prognosis, or all treatment of diseases, deformities, defects, wounds, or injuries of animals. For the purposes of this section, massage for therapeutic purposes may be performed solely for purposes of patient well-being.

(4) A person licensed and endorsed under this section may hold themselves out as an animal massage therapist.

(5) The board may adopt rules to implement this section upon consultation with the Washington state veterinary board of governors and licensed massage therapists with training in animal massage. [2016 c 41 § 14; 2001 c 297 § 3.]

Effective date—2016 c 41: See note following RCW 18.108.010.

Findings—Intent—2001 c 297: See note following RCW 18.108.010.

RCW 18.108.240 Chapter 277, Laws of 2002—Review/regulatory changes. The department of health shall review the implementation of chapter 277, Laws of 2002 and make recommendations to the legislature by December 1, 2005, regarding regulatory changes to chapter 277, Laws of 2002. [2002 c 277 § 3.]

RCW 18.108.250 Intraoral massage—Endorsement. (1) A massage therapist licensed under this chapter may apply for an endorsement to perform intraoral massage upon completion of training determined by the board and specified in rules. Training must include intraoral massage techniques, cranial anatomy, physiology, and kinesiology, hygienic practices, safety and sanitation, pathology, and contraindications.

(2) A massage therapist who has obtained an intraoral massage endorsement to his or her massage therapist license may practice intraoral massage. [2016 c 41 § 15; 2007 c 272 § 2.]

Effective date—2016 c 41: See note following RCW 18.108.010.

RCW 18.108.902 Savings—1987 c 443. This chapter shall not be construed as affecting any existing right acquired or liability or

obligations incurred under the sections amended or repealed in this chapter or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections. [1987 c 443 § 14.]