

Senate Bill 454

Sponsored by Senator JOHNSON (at the request of Pratiti Fullerton) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts certain practitioners from regulation by State Board of Massage Therapists.

A BILL FOR AN ACT

Relating to the regulation of massage therapy; amending ORS 687.031.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 687.031 is amended to read:

687.031. (1) ORS 687.011 to 687.250, 687.895 and 687.991 do not apply to:

(a) Persons licensed under any other law of this state to do any acts included in the definition of massage in ORS 687.011 or persons working under the direction of any such person.

(b) Trainers of any amateur, semiprofessional or professional athlete or athletic team.

(c) Massage practiced at the athletic department of any institution maintained by public funds of the state or of any of its political subdivisions.

(d) Massage practiced at the athletic department of any school or college.

(e) Massage clinics operated as part of a certified class for the purpose of student training supervised by an approved instructor or preceptor if:

(A) Any charge for the massage does not exceed the cost incurred in providing the massage; and

(B) The student is not compensated.

(f) Students enrolled in a certified class when practicing massage techniques in a nonclinical setting, at or away from massage school premises or program sites, under the supervision of an approved instructor or preceptor, if:

(A) The student is clearly identified as a student to any member of the public receiving massage services; and

(B) The student is not compensated.

(g) Nonresident practitioners holding a valid license, permit, certificate or registration issued by any other state or territory of the United States or by a foreign country and temporarily practicing massage in this state for a period not exceeding 30 days for the purpose of:

(A) Presenting educational or clinical programs, lectures, seminars or workshops;

(B) Furnishing massage services during an emergency as part of a disaster response team; or

(C) Consulting with a massage therapist licensed in this state regarding massage practices or services.

(h) Trained or licensed practitioners of psychotherapy or counseling modalities that use physical techniques to access or support psychotherapeutic processes when practicing within the scope of a license or if the practitioner has an express oral or written agreement that the sole intent in using the physical techniques is to render the psychotherapy or counseling.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (i) Practitioners of reflexology who do not claim expressly or implicitly to be massage therapists
2 and who limit their work to the practice of reflexology through the application of pressure with the
3 thumbs to reflex points on the feet, hands and ears for the purpose of bringing the body into balance,
4 thereby promoting the well-being of clients.

5 **(j) Practitioners who:**

6 **(A) Do not claim expressly or implicitly to be massage therapists;**

7 **(B) Limit their work to the following practices:**

8 **(i) Using touch, words and directed movement to deepen awareness of existing patterns**
9 **of movement and suggest new possibilities of movement;**

10 **(ii) Using minimal touch over specific points on the body for the purpose of rebalancing**
11 **the nervous system;**

12 **(iii) Using touch to affect the energy systems, acupressure points or channels of energy**
13 **of the body; or**

14 **(iv) Using touch to effect change in the integration of body structure; and**

15 **(C) Are certified by a professional organization or credentialing agency that:**

16 **(i) Requires a minimum level of training, demonstration of competence and adherence to**
17 **an approved scope of practice and ethical standards; and**

18 **(ii) Maintains disciplinary procedures to ensure adherence to the requirements of the**
19 **organization or agency.**

20 (2) A nonresident practitioner performing massage under subsection (1)(g) of this section must
21 obtain a temporary practice permit if practicing in this state for a total of more than 30 days in a
22 calendar year. Applications [*shall*] **must** be accompanied by the application fee provided for in ORS
23 687.071. A temporary practice permit shall allow the nonresident practitioner to practice massage
24 in this state for a maximum of 180 days in a calendar year.

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