

# Senate Bill 124

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## 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**.

Subjects certain persons to statutes governing massage therapy.

## A BILL FOR AN ACT

1  
2 Relating to massage therapists; amending ORS 687.031.

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

4 **SECTION 1.** ORS 687.031 is amended to read:

5 687.031. (1) ORS 687.011 to 687.250, 687.895 and 687.991 do not apply to:

6 (a) Persons licensed under [*any other*] **another** law of this state to [*do any acts*] **perform an**  
7 **act** included in the definition of "massage" in ORS 687.011 [*or persons working under the direction*  
8 *of any such person*].

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

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

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

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

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

16 (B) The student is not compensated.

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

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

22 (B) The student is not compensated.

23 (g) Nonresident practitioners holding a valid license, permit, certificate or registration issued  
24 by [*any other*] **another** state or territory of the United States or by a foreign country and tempo-  
25 rarily practicing massage in this state for a period not exceeding 30 days for the purpose of:

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

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

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

30 (h) Trained or licensed practitioners of psychotherapy or counseling modalities that use physical  
31 techniques to access or support psychotherapeutic processes when practicing within the scope of a

**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 license or if the practitioner has an express oral or written agreement that the sole intent in using  
 2 the physical techniques is to render the psychotherapy or counseling.

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

7 (j) Practitioners who:

8 (A) Do not claim expressly or implicitly to **perform an act included in the definition of**  
 9 **“massage” in ORS 687.011 or to** be massage therapists;

10 (B) Limit their work to one or more of the following practices:

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

13 (ii) Using minimal touch over specific points on the body to facilitate balance in the nervous  
 14 system; or

15 (iii) Using touch to affect the energy systems or channels of energy of the body;

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

17 (i) Requires a minimum level of training, demonstration of competence and adherence to an ap-  
 18 proved scope of practice and ethical standards; and

19 (ii) Maintains disciplinary procedures to ensure adherence to the requirements of the organiza-  
 20 tion or agency; and

21 (D) Provide contact information in the practitioner’s place of business for any organization or  
 22 agency that has certified the practitioner.

23 (2) The State Board of Massage Therapists has the authority to verify that a practitioner  
 24 claiming to be exempt from application of ORS 687.011 to 687.250, 687.895 and 687.991 under sub-  
 25 section (1)(j) of this section is certified by a professional organization or credentialing agency as  
 26 required by subsection (1)(j)(C) of this section.

27 (3) A nonresident practitioner performing massage under subsection (1)(g) of this section must  
 28 obtain a temporary practice permit if practicing in this state for a total of more than 30 days in a  
 29 calendar year. Applications must be accompanied by the application fee provided for in ORS 687.071.  
 30 A temporary practice permit [*shall allow*] **issued by the board under this section authorizes** the  
 31 nonresident practitioner to practice massage in this state for a maximum of 180 days in a calendar  
 32 year.

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