

Senate Bill 143

By: Senators Henson of the 41st and Shafer of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24A of Title 43 of the Official Code of Georgia Annotated, relating to
2 massage therapy practice, so as to provide that an applicant for a license by endorsement
3 shall provide certain information; to repeal certain obsolete provisions; to repeal conflicting
4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Chapter 24A of Title 43 of the Official Code of Georgia Annotated, relating to massage
8 therapy practice, is amended by revising Code Section 43-24A-8, relating to licensure of
9 massage therapists, applications, and requirements, as follows:

10 43-24A-8.

11 (a) No person may practice massage therapy in this state who is not a licensed massage
12 therapist or the holder of a valid provisional permit issued by the division director pursuant
13 to this chapter.

14 (b) ~~Prior to July 1, 2007, any applicant for a license as a massage therapist must submit a~~
15 ~~completed application upon a form and in such manner as the board prescribes,~~
16 ~~accompanied by applicable fees, and evidence satisfactory to the board that:~~

17 (1) ~~The applicant is at least 18 years of age;~~

18 (2) ~~The applicant is of good moral character. For purposes of this paragraph, 'good~~
19 ~~moral character' means professional integrity and a lack of any conviction for acts~~
20 ~~involving moral turpitude where the underlying conduct relates to the applicant's fitness~~
21 ~~to practice massage therapy;~~

22 (3) ~~The applicant agrees to provide the board with any and all information necessary to~~
23 ~~perform a criminal background check and expressly consents and authorizes the board~~
24 ~~or its representative to perform such a check; and~~

25 (4) ~~The applicant has met at least one of the following requirements:~~

- 26 ~~(A) He or she has completed successfully a board recognized educational program with~~
 27 ~~a minimum of 500 hours of course and clinical work;~~
- 28 ~~(B) He or she has passed satisfactorily the National Certification Examination for~~
 29 ~~Therapeutic Massage and Bodywork, an equivalent test approved by the board, or an~~
 30 ~~examination administered by another state or jurisdiction whose license requirements~~
 31 ~~meet or exceed those of this state;~~
- 32 ~~(C) He or she meets the qualifications necessary to sit for the National Certification~~
 33 ~~Examination for Therapeutic Massage and Bodywork or has substantially similar~~
 34 ~~qualifications as determined by the board;~~
- 35 ~~(D) He or she holds a license as a massage therapist in another state or jurisdiction~~
 36 ~~whose license requirements meet or exceed the licensing requirements of this state;~~
- 37 ~~(E) He or she has practiced massage therapy for at least ten hours per week on average~~
 38 ~~for at least ten years prior to the date of application and has completed at least 100~~
 39 ~~hours of formal training in massage therapy as determined by the board;~~
- 40 ~~(F) He or she has practiced massage therapy for at least five years prior to the date of~~
 41 ~~application and has completed a minimum of 200 hours of formal training in massage~~
 42 ~~therapy as determined by the board;~~
- 43 ~~(G) He or she has, to the satisfaction of the board, training in another state or~~
 44 ~~jurisdiction that meets or exceeds the requirements for licensing in this state;~~
- 45 ~~(H) He or she has been a member, as a massage therapist, for a period of one year prior~~
 46 ~~to his or her application for licensure of a professional massage therapy association~~
 47 ~~established before 2002 which holds its members to a published code of ethics; or~~
- 48 ~~(I) He or she has been legally practicing massage therapy in this state for compensation~~
 49 ~~prior to July 1, 2005.~~
- 50 ~~(c) On and after July 1, 2007, any Any applicant for a license as a massage therapist must~~
 51 ~~submit a completed application upon a form and in such manner as the board prescribes,~~
 52 ~~accompanied by applicable fees, and evidence satisfactory to the board that:~~
- 53 ~~(1) The applicant is at least 18 years of age;~~
- 54 ~~(2) The applicant has a high school diploma or its recognized equivalent;~~
- 55 ~~(3) The applicant is a citizen of the United States or a permanent resident of the United~~
 56 ~~States;~~
- 57 ~~(4) The applicant is of good moral character. For purposes of this paragraph, 'good~~
 58 ~~moral character' means professional integrity and a lack of any conviction for acts~~
 59 ~~involving moral turpitude where the underlying conduct relates to the applicant's fitness~~
 60 ~~to practice massage therapy;~~
- 61 ~~(5) The applicant has satisfactory results from a fingerprint record check report~~
 62 ~~conducted by the Georgia Crime Information Center and the Federal Bureau of~~

63 Investigation, as determined by the board. Application for a license under this Code
 64 section shall constitute express consent and authorization for the board or its
 65 representative to perform a criminal background check. Each applicant who submits an
 66 application to the board for licensure by examination agrees to provide the board with any
 67 and all information necessary to run a criminal background check, including, but not
 68 limited to, classifiable sets of fingerprints. The applicant shall be responsible for all fees
 69 associated with the performance of such background check ~~The applicant agrees to~~
 70 ~~provide the board with any and all information necessary to perform a criminal~~
 71 ~~background check and expressly consents and authorizes the board or its representative~~
 72 ~~to perform such a check;~~
 73 (6) The applicant has completed successfully a board recognized educational program
 74 consisting of a minimum of 500 hours of course and clinical work; and
 75 (7) The applicant has passed satisfactorily the National Certification Examination for
 76 Therapeutic Massage and Bodywork, an equivalent test approved by the board, or an
 77 examination administered by another state or jurisdiction whose license requirements
 78 meet or exceed those of this state."

79 **SECTION 2.**

80 Said chapter is further amended by revising paragraph (3) of Code Section 43-24A-13,
 81 relating to license by endorsement, as follows:

82 "(3) The applicant has satisfactory results from a fingerprint record check report
 83 conducted by the Georgia Crime Information Center and the Federal Bureau of
 84 Investigation, as determined by the board. Application for a license under this Code
 85 section shall constitute express consent and authorization for the board or its
 86 representative to perform a criminal background check. Each applicant who submits an
 87 application to the board for licensure by endorsement agrees to provide the board with
 88 any and all information necessary to run a criminal background check, including, but not
 89 limited to, classifiable sets of fingerprints. The applicant shall be responsible for all fees
 90 associated with the performance of such background check ~~The applicant agrees to~~
 91 ~~provide the board with any and all information necessary to perform a criminal~~
 92 ~~background check and expressly consents and authorizes the board or its representative~~
 93 ~~to perform such a check; and"~~

94 **SECTION 3.**

95 All laws and parts of laws in conflict with this Act are repealed.