PROFESSIONAL LICENSURE DIVISION [645]

Notice of Intended Action

Proposing rulemaking related to massage therapy education curriculum and providing an opportunity for public comment

The Board of Massage Therapy hereby proposes to rescind Chapter 132, "Massage Therapy Education Curriculum," Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 147.36, 152C.3, 272C.3, 272C.4 and 272C.10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 17A, 147, 152C and 272C.

Purpose and Summary

Proposed Chapter 132 sets minimum standards for the education provided to massage therapists. Iowa residents, licensees, and employers benefit from the chapter since it articulates the processes by which schools can be recognized as an approved massage therapy school with an approved massage therapy curriculum. This includes ensuring the school meets curriculum requirements and student clinical practicum standards, as well as appropriate retention of school records. These requirements ensure public safety by setting standards that will allow schools to graduate students into the profession with the minimum competency needed to safely serve the public.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 645—Chapter 18.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Department of Inspections, Appeals, and Licensing no later than 4:30 p.m. on January 31, 2024. Comments should be directed to:

Jessica O'Brien Iowa Department of Inspections, Appeals, and Licensing 6200 Park Avenue Des Moines, Iowa 50321

Phone: 515.281.6352

Email: jessica.o'brien@dia.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

January 30, 2024 6200 Park Avenue 10:30 a.m. Des Moines, Iowa

Video call link: meet.google.com/jji-jaoj-uqy

Or dial: 1.904.330.1060 PIN: 744 558 427#

January 31, 2024 6200 Park Avenue 10:30 a.m. Des Moines, Iowa

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Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking. In an effort to ensure accuracy in memorializing a person's comments, a person may provide written comments in addition to or in lieu of oral comments at a hearing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 645—Chapter 132 and adopt the following **new** chapter in lieu thereof:

CHAPTER 132 MASSAGE THERAPY EDUCATION CURRICULUM

645—132.1(152C) Definitions.

"Approved curriculum" means that the massage therapy education course of study meets the criteria specified in this chapter and has been approved by the board of massage therapy.

"Board" means the board of massage therapy.

"Clinical practicum" means hands-on massage therapy provided to members of the public by a student who is enrolled at a massage therapy school and is under the supervision of an instructor who is an Iowa-licensed massage therapist, is physically present on the premises and is available for advice and assistance. "Clinical practicum" does not include classroom practice.

"Course of study" means a series of classroom courses, not including continuing education, which is approved by the board as having a unified purpose in training individuals toward a certificate, degree or diploma in the practice of massage therapy.

645—132.2(152C) Application for approval of massage therapy education curriculum.

132.2(1) Applications for curriculum approval of in-state massage therapy schools will be submitted online with the accompanying fee. Curriculum approval is valid for up to two years with reapplication for approval due June 30 of each even-numbered year. The biennial renewal cycle begins July 1 of an even-numbered year and ends June 30 two years later. Schools that receive curriculum approval within

six months prior to the start of the next biennial renewal cycle do not need to reapply for curriculum approval until the following even-numbered year.

132.2(2) The application for curriculum approval includes the following:

- a. A completed board-approved application form;
- b. The curriculum approval application fee as specified in 645—Chapter 4;
- c. A completed Curriculum Criteria and Documentation form;
- d. The current school catalog, including name of the program(s), a description of the curriculum delivery system, course descriptions, and program accreditation or approval by other professional entities; and
- e. A sample diploma and a sample transcript that identify the name of the graduate, name of the program, graduation date, and the degree, diploma or certificate awarded.
- 132.2(3) Out-of-state school curriculum will be reviewed on a case-by-case basis upon receipt of the curriculum as a part of an individual's application for licensure to practice massage therapy in the state of Iowa.
- **132.2(4)** Massage therapy schools that do not renew curriculum approval by the expiration date shall be removed from the board's list of approved curriculum providers until such time that they comply with curriculum approval requirements.
- 132.2(5) Schools that apply for curriculum approval shall, at a minimum, provide a curriculum that meets the requirements of this chapter, offer a course of study of at least 600 clock hours or the equivalent in academic credit hours, and require for entrance into the massage therapy school graduation from high school or its equivalent.

645—132.3(152C) Curriculum requirements. An approved curriculum will include but not be limited to the following content areas:

- 1. Massage theory and principles.
- 2. Massage professional practices.
- 3. The therapeutic relationship.
- 4. Anatomy, physiology, and pathology.
- 5. Assessment and documentation.
- 6. Massage and bodywork application.
- 7. Palpation and movement.
- 8. Adapting sessions for clients.
- 9. Career development.
- 10. Iowa law and professional ethics.

645—132.4(152C) Student clinical practicum standards.

- **132.4(1)** The school must provide clinical practicum hours at the school's primary location or an event sponsored by the school.
- **132.4(2)** At all times when the student delivers physical contact with the public or other students, a clinical instructor/supervisor who is an Iowa-licensed massage therapist shall be personally in attendance to supervise and evaluate.
- **132.4(3)** Students shall complete at least 200 hours of coursework in the content areas of fundamentals of massage therapy and assessment that includes indications and contraindications for treatment prior to providing services to the public and beginning the clinical practicum. Included in this 200 hours will be a minimum of 100 hours in anatomy and physiology, which includes the structure and function of the human body and common pathologies.
 - 132.4(4) The clinical practicum shall not exceed 25 percent of a program's total required hours.
- 645—132.5(152C) School records retention. Records documenting the student's completion of the curriculum will be maintained for two years following the student's graduation date. In the event of school closure, the board will be notified of the location of the records.

645—132.6(152C) Massage school curriculum compliance.

- 132.6(1) A school will maintain curriculum records and make the records available to the board upon request.
- **132.6(2)** A school whose curriculum is approved shall notify the board in writing within 30 days if there is a change of address, a school closing, or a curriculum revision that does not meet the requirements of this chapter.
- 132.6(3) Each student who successfully completes curriculum requirements will be awarded a certificate or diploma that includes the student's legal name, date of graduation, the name of the program, and the degree or certificate awarded. The school will also provide them with an official transcript that includes the student's legal name and date of graduation.

645—132.7(152C) Denial or withdrawal of approval.

- 132.7(1) The board will deny or withdraw approval of a school curriculum if the board determines the curriculum does not meet the requirements of this chapter.
- 132.7(2) The board will notify the school in writing if the board denies or withdraws curriculum approval. Following denial or withdrawal of approval by the board, the school may request that the board reconsider its decision. The board in its sole discretion shall determine whether to grant such a request.

These rules are intended to implement Iowa Code chapter 152C.