

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978
PART 179A.
MASSAGE THERAPY

333.17951 Definitions.

Sec. 17951.

(1) As used in this part:

(a) "Feldenkrais method" means a system of somatic education in which touch and words are used to eliminate faulty habits, learn new patterns of self-organization and action, and improve a person's own functional movement patterns. Feldenkrais method is based on principles of physics, biomechanics, and an understanding of, or learning about, human development.

(b) "Massage therapist" means an individual engaged in the practice of massage therapy.

(c) "Polarity therapy" means diverse applications affecting the human energy system and includes energetic approaches to somatic contact, verbal facilitation, nutrition, exercise, and health education. Polarity therapy does not make medical claims, diagnose physical ailments, or allow prescription of medications.

(d) "Practice of massage therapy" means the application of a system of structured touch, pressure, movement, and holding to the soft tissue of the human body in which the primary intent is to enhance or restore the health and well-being of the client. Practice of massage therapy includes complementary methods, including the external application of water, heat, cold, lubrication, salt scrubs, body wraps, or other topical preparations; and electromechanical devices that mimic or enhance the actions possible by the hands. Practice of massage therapy does not include medical diagnosis; practice of physical therapy; high-velocity, low-amplitude thrust to a joint; electrical stimulation; application of ultrasound; or prescription of medicines.

(e) "School" means any of the following accredited or licensed institutions of higher education that meet the minimum standards and curriculum, in compliance with section 16148:

(i) A public or private community college, college, or university.

(ii) A public or private trade, vocational, or occupational school.

(f) "Trager approach" means a form of movement education that uses subtle directed movements and the skilled touch of a practitioner. The Trager approach combines physical movement with sensory awareness and internal imagery designed to increase the client's self-awareness and generate physiological changes in the body tissues so as to allow the client to experience a new way of moving his or her body.

(2) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this act and part 161 contains definitions applicable to this part.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17953 Use of certain titles, words, or initials.

Sec. 17953.

An individual shall not use the titles "licensed massage therapist", "massage therapist", "masseur", "massagist", "certified massage therapist", "clinical massage therapist", "medical massage therapist", "manual massage therapist", "board certified massage therapist", "massage technician", "myomassologist", "masseuse", "l.m.t.", "m.m.t.", and "c.m.t.", or similar words or initials that indicate that the individual is a massage therapist, unless the individual is licensed under this article as a massage therapist. This section does not prevent the use of a name, title, or initials that are registered or otherwise protected under law and used by a person certified or otherwise approved by a private organization.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17955 Michigan board of massage therapy; creation; membership; qualifications; terms; appointment; vacancy.

Sec. 17955.

(1) The Michigan board of massage therapy is created in the department and consists of the following 11 members appointed by the governor who meet the requirements of part 161:

- (a) Seven individuals who meet the requirements of section 16135(2).
- (b) Four public members.

(2) Except as otherwise provided in this subsection, the terms of office of individual members of the board created under subsection (1) expire 4 years after appointment on December 31 of the year in which the term will expire. Of the members first appointed to the board under subsection (1), 4 shall be appointed for terms of 4 years, 4 shall be appointed for terms of 3 years, and 3 shall be appointed for terms of 2 years. The term of office of an individual appointed to fill a vacancy expires at the end of the term of the vacancy being filled.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17957 Massage therapy; license required; exceptions.

Sec. 17957.

(1) An individual shall not engage in the practice of massage therapy unless licensed under this part. The practices for which a license is not required under this subsection include, but are not limited to, all of the following:

(a) The use of touch, words, or directed movement to deepen awareness of patterns of movement in the body as long as those services are not designated or implied to be massage or massage therapy. These practices include, but are not limited to, all of the following:

- (i) The Feldenkrais method.
- (ii) The Trager approach.

(b) The affectation of the human energy system or acupoints or qi meridians of the human body while engaged within the scope of practice of a profession with established standards and ethics and as long as those services are not designated or implied to be massage or massage therapy. These practices include, but are not limited to, all of the following:

- (i) Polarity or polarity therapy.
- (ii) Asian bodywork therapy.
- (iii) Reiki.
- (iv) Shiatsu.
- (c) Reflexology.
- (d) Structural integration.

(2) The department shall provide for a 3-year license cycle.

(3) Subsection (1) does not prevent any of the following:

(a) An individual licensed under any other part or act from performing activities that are considered massage therapy services if those activities are within the individual's scope of practice and if the individual does not use the titles, words, or initials protected under section 17953.

(b) The practice of massage therapy that is an integral part of a program of study by students enrolled in a school, provided that they are identified as students and provide massage therapy services only while under the supervision of a licensed massage therapist.

(c) Self-care by a patient or uncompensated care by a friend or family member who does not represent or hold himself or herself out to be a licensed massage therapist.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17959 Massage therapist; license; issuance; requirements; "classroom instruction" and "distance education" defined.

Sec. 17959.

(1) If it receives a completed application and payment of the appropriate application processing and license fee, the department shall issue a license under this part to an individual who fulfills all of the following requirements:

- (a) Is of good moral character as defined in section 1 of 1974 PA 381, MCL 338.41.
- (b) Is at least 18 years of age.
- (c) Has successfully passed an examination that meets the requirements of section 17961.
- (d) Has successfully completed 1 of the following, and provides an academic transcript that is satisfactory to the board as evidence of successful completion:

- (i) A massage education program that meets all of the following:

- (A) Includes at least 500 hours of classroom instruction to complete the program if the applicant is or was enrolled in the school before August 1, 2017, or at least 625 hours of classroom instruction if the applicant enrolls in the school on or after August 1, 2017.

- (B) Uses only classroom instruction described in subsection (3)(a)(i) to provide program components that contain psychomotor domain learning, including palpation, hands-on techniques, and clinical or lab experiences, or to provide other program components that the board determines require classroom instruction described in subsection (3)(a)(i).

- (C) All classroom instruction in the program is facilitated by a qualified instructor who is trained in the subject matter he or she is teaching, and, if the classroom instruction is provided by distance education, is trained in distance education teaching methods.

- (ii) The following number of hours of course and clinical massage education in a substantially equivalent program in another state, country, jurisdiction, territory, or province that, on a case-by-case review, is found by the board to be sufficient:

- (A) If the applicant is or was enrolled in the school before August 1, 2017, at least 500 hours.

- (B) If the applicant enrolls in the school on or after August 1, 2017, at least 625 hours.

- (2) The department shall issue a license to an applicant who meets the requirements of subsection (1)(a) and (b) and who is currently licensed as a massage therapist in another state, country, jurisdiction, territory, or province that requires standards for licensure that are substantially equivalent to the requirements for licensure under this part, as determined by the board.

- (3) As used in this section:

- (a) "Classroom instruction" means educational instruction that meets either of the following:

- (i) Is provided at a physical location where the students and an instructor are present.

- (ii) Is provided by distance education.

- (b) "Distance education" means instruction that meets all of the following:

- (i) Is provided electronically or online.

- (ii) Does not require that the students and the instructor are physically present at the same place.

- (iii) Allows for regular interaction between the students and instructor through a learning management system, online discussion board, live chat, or virtual classroom.

- (iv) Provides a method for unique sign-in for student identification, provides for timely communication between instructors and students, and allows students to monitor their grades and progress.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009 ;-- Am. 2010, Act 304, Imd. Eff. Dec. 17, 2010 ;-- Am. 2016, Act 371, Imd. Eff. Dec. 22, 2016

Popular Name: Act 368

333.17961 Examination.

Sec. 17961.

(1) The board shall provide that applicants pass an examination that measures entry level competence before issuance of a license under this part.

(2) For licensure purposes under this part, the board shall adopt only those examinations that meet all of the following requirements:

- (a) Are statistically validated through a job analysis under current standards for educational and professional

testing.

(b) Has examination standards that comply with pertinent state and federal equal employment opportunity guidelines.

(c) Are available to all potential candidates for licensure.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17963 Rules.

Sec. 17963.

(1) The board shall promulgate rules to create a code of professional ethics.

(2) A licensee shall make a written referral of a client to an appropriate health professional if the client's physical or medical condition appears to constitute a contraindication for massage therapy.

(3) The board and department shall not, by rule or otherwise, restrict the right of a licensee to participate in and become a member of any nationally recognized trade or professional association.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17965 Renewal; continuing education.

Sec. 17965.

Subject to section 16204, the board shall, by rule, require as a condition of renewal of a license the furnishing of evidence of at least 18 hours, or the equivalent acceptable to the board, of continuing education for each 3-year license cycle. The courses shall be approved by the board and shall include subjects related to the practice of massage therapy.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368

333.17967 Licensing requirements; administrative rules.

Sec. 17967.

Beginning 1 year after the certification of administrative rules to implement and administer this part, a local unit of government shall not establish or maintain licensing requirements for a massage therapist licensed under this part.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009 ;-- Am. 2010, Act 88, Imd. Eff. June 7, 2010

Popular Name: Act 368

333.17969 Third party reimbursement or mandated worker's compensation benefits.

Sec. 17969.

This part does not require new or additional third party reimbursement or mandated worker's compensation benefits for services rendered by an individual licensed under this part.

History: Add. 2008, Act 471, Imd. Eff. Jan. 9, 2009

Popular Name: Act 368