

*** DRAFT - NOT YET FILED ***

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Massage therapy renewal and continuing education.

(A) For purposes of this rule, "CMTE" means continuing massage therapy education approved by the board pursuant to this rule.

(B) A massage therapy license expires according to the chart below:

<u>First Initial of Last Name</u>	<u>License Expiration Date</u>
<u>A-B</u>	<u>July of odd numbered years</u>
<u>C-D</u>	<u>April of odd numbered years</u>
<u>E-G</u>	<u>January of odd numbered years</u>
<u>H-K</u>	<u>October of odd numbered years</u>
<u>L-M</u>	<u>July of even numbered years</u>
<u>N-R</u>	<u>April of even numbered years</u>
<u>S</u>	<u>January of even numbered years</u>
<u>T-Z</u>	<u>October of odd numbered years</u>

(C) Beginning two years after the effective date of this rule, an applicant seeking renewal or reinstatement of a massage therapy license shall have completed at least twenty four hours of CMTE during the current biennial licensure period. The CMTE shall include at least one hour in each of the following areas:

- (1) Human trafficking awareness;
- (2) Ohio law related to the practice of massage therapy; and
- (3) Professional ethics.

(D) The CMTE requirement for persons licensed after the start of a renewal period or for whom the license has been restored shall be computed in the following manner:

- (1) If the license is initially issued prior to the first day of the second year of the biennial licensure period, the licensee shall be required to earn twelve and one-half total hours;
- (2) If the license is issued on or after the first day of the second year of the biennial licensure period and prior to the first day of the eighteenth month of that period, the licensee shall be required to earn six total hours;
- (3) If the license is issued on or after the first day of the eighteenth month of the

biennial licensure period, the licensee shall not be required to earn any hours of CMTE credits for that period.

(E) Board approval of courses:

(1) The board shall deem a course, seminar, or speaker session to be approved if, in its discretion, the board determines it is relevant to the clinical practice of massage therapy and it meets one of the following requirements:

(a) The sponsor is a college or university approved by the state department of education;

(b) The sponsor is a state or national professional massage therapy association comprised of more than fifty persons licensed to practice massage therapy;

(c) The sponsor is a massage therapy school approved by the board pursuant to Chapter 4731-1 of the Administrative Code;

(d) The sponsor is a health department or hospital which offers programs which had been previously approved for continuing medical education credits, continuing nursing education credits, or continuing physical therapist education credits; or

(e) It is approved for continuing nursing education credit by the Ohio board of nursing or continuing physical therapist education credit by the Ohio occupational therapy, physical therapy, and athletic trainers board.

(2) Request for board approval of CMTE course:

(a) If a course, seminar, or speaker session is not deemed approved pursuant to paragraph (E)(1) of this rule, a massage therapist may request that the board approve the course by submitting in writing, at least three months in advance of the course registration date, the following information:

(i) Title, location, and date of the course;

(ii) Sponsoring agency;

(iii) Course objective and content;

(iv) Hours of study;

(v) Name of each instructor; and

(vi) Educational background and experience of each instructor.

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- (b) At least one month in advance of the course registration date, the board shall notify the massage therapist by mail of the decision as to whether the board approved the course.
- (c) A change in subject matter, length, or instructor of a course requires re-approval by the board.
- (d) If a massage therapist has not received prior approval for continuing education credits, the board reserves the right to deny recognition of the credits earned.
- (F) Beginning two years after the effective date of this rule, the holder of a massage therapy license shall certify on the renewal or reinstatement application that the CMTE requirements stated in paragraph (C) have been met.

 - (1) The holder of a massage therapy license who has not completed the requisite hours of CMTE prior to the applicable expiration date stated in paragraph (B) of this rule is not eligible for renewal or reinstatement of the license until such time as those hours have been completed.
 - (2) Any CMTE undertaken after the end of a biennial licensure period and utilized for purposes of renewing or reinstating a license cannot be utilized to meet the CMTE requirement for the next continuing education reporting period.
- (G) The certification required by paragraph (F) of this rule shall establish a presumption of completion of the CMTE requirement.

 - (1) The holder of a massage therapy license shall keep detailed records of CMTE hours completed, retain the records until one year after the end of the registration period, and make the records available for review by agents of the board. At a minimum, the licensee's records shall provide the following information:

 - (a) Description of the CMTE activity;
 - (b) Location of the CMTE activity;
 - (c) Hours of the CMTE activity; and
 - (d) Any available documentation of the completion of the CMTE activity.
 - (2) A licensee's failure to maintain records shall rebut the presumption established in this paragraph that the CMTE requirements have been completed.
- (H) The board may randomly select applications for verification that the CMTE requirements have been met. Persons whose applications are selected for audit shall

submit documentation of compliance with CMTE requirements as the board may require.

(I) Reduction of hours can be granted on an individual basis to those who have been ill for more than six consecutive months or out of the United States for more than six consecutive months during the licensure period.

(1) The applicant will have the burden of establishing that the illness or absence affected the reasonable opportunity to participate in CMTE activities.

(2) One hour will be subtracted from the CMTE requirements for each month which is approved for reduction of hours.

(3) Applications for reduction of hours are available upon written request to the board. Applications should be completed by the applicant and submitted to the board at least sixty days prior to the end of the licensure period.

(J) An expired license to practice as a massage therapist shall be renewed upon payment of the biennial renewal fee provided in section 4731.15 of the Revised Code, and without a late fee or re-examination, if the holder meets all of the following four requirements:

(1) The licensee is not otherwise disqualified from renewal because of mental or physical disability;

(2) The licensee meets the requirements for renewal under sections 4731.15 and 4731.155 of the Revised Code and this rule;

(3) Either of the following situations applies:

(a) The license was not renewed because of the licensee's service in the armed forces, or

(b) The license was not renewed because the licensee's spouse served in the armed forces, and the service resulted in the licensee's absence from this state.

(4) The licensee or the licensee's spouse, whichever is applicable, has presented satisfactory evidence of the service member's discharge under honorable conditions or release under honorable conditions from active duty or national guard duty within six months after the discharge or release.

(K) Nothing in this rule shall limit the board's authority to investigate and take action under section 4731.22 of the Revised Code.