

4731-1-05

Scope of practice: massage therapy.

- (A) Massage therapy is the treatment of disorders of the human body by the manipulation of soft tissue through the systematic external application of massage techniques including touch, stroking, friction, vibration, percussion, kneading, stretching, compression, and joint movements within the normal physiologic range of motion; and adjunctive thereto, the external application of water, heat, cold, topical preparations, and mechanical devices.
- (B) A massage therapist shall not diagnose a patient's condition. A massage therapist shall evaluate whether the application of massage therapy is advisable. A massage therapist may provide information or education consistent with that evaluation, including referral to an appropriate licensed health care professional, provided that any form of treatment advised by a massage therapist falls within the scope of practice of, and relates directly to a condition that is amenable to treatment by, a massage therapist. In determining whether the application of massage therapy is advisable, a massage therapist shall be limited to taking a written or verbal inquiry, visual inspection including observation of range of motion, touch, and the taking of a pulse, temperature and blood pressure.
- (C) No person shall use the words or letters "massage therapist," "licensed massage therapist," "L.M.T." or any other letters, words, abbreviations, or insignia, indicating or implying that the person is a licensed massage therapist without a valid license under Chapter 4731. of the Revised Code.
- (D) A massage therapist may ~~treat temporomandibular joint dysfunction provided that the patient has been directly referred in writing for such treatment to the massage therapist by a physician currently licensed pursuant to Chapter 4731. of the Revised Code, by a chiropractor currently licensed pursuant to Chapter 4734. of the Revised Code, or a dentist currently licensed pursuant to Chapter 4715. of the Revised Code.~~ perform the following services in compliance with the following:
- (1) A massage therapist may treat temporomandibular joint dysfunction provided that the patient has been directly referred in writing for such treatment to the massage therapist by a physician currently licensed pursuant to Chapter 4731. of the Revised Code, by a chiropractor currently licensed pursuant to Chapter 4734. of the Revised Code, or a dentist currently licensed pursuant to Chapter 4715. of the Revised Code.
 - (2) A massage therapist may apply ultrasound, diathermy, electrical neuromuscular stimulation, or substantially similar modalities provided that such treatment is under the on-site supervision of a physician or podiatric physician licensed under Chapter 4731. of the Revised Code, physician assistant licensed under Chapter 4730. of the Revised Code, chiropractor licensed under Chapter 4734.

of the Revised Code, advanced practice registered nurse licensed under Chapter 4723. of the Revised Code, or physical therapist licensed under Chapter 4755. of the Revised Code, who is acting within the scope of their professional license. The massage therapist must perform the modality within the minimal standards of care.

(E) All persons who hold a certificate to practice massage therapy issued pursuant to section 4731.17 of the Revised Code shall prominently display that certificate in the office or place where a major portion of the certificate holder's practice is conducted. If a certificate holder does not have a primary practice location, the certificate holder shall at all times when practicing keep either the wallet-wall certificate on the holder's person or provide verification of licensure status from the board's internet web site upon request . The board's website is: www.med.ohio.gov.

(F) Massage therapy does not include:

- ~~(1)~~ The application of ultrasound, diathermy, and electrical neuromuscular stimulation or substantially similar modalities;
- ~~(2)~~(1) Colonic irrigation;
- ~~(3)~~(2) The practice of chiropractic, including the application of a high velocity-low amplitude thrusting force to any articulation of the human body;
- ~~(4)~~(3) The use of graded force applied across specific joint surfaces for the purpose of breaking capsular adhesions;
- ~~(5)~~(4) The prescription of therapeutic exercise for the purpose of rehabilitation or remediation of a disorder of the human body;
- ~~(6)~~(5) The treatment of infectious, contagious or venereal diseases;
- ~~(7)~~(6) The prescription, dispensing, personally furnishing or administration of drugs; and
- ~~(8)~~(7) The performance of surgery or practice of medicine in any other form.

(G) As used within this rule:

- (1) "External" does not prohibit a massage therapist from performing massage therapy inside the mouth or oral cavity; and

- (2) "Mechanical devices" means any tool or device which mimics or enhances the actions possible by the hands that is within the scope of practice as defined in section ~~4731.17~~4731.04 of the Revised Code and this rule.

Effective:

Five Year Review (FYR) Dates: 4/29/2019

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4731.05, 4731.15, 4731.20
Rule Amplifies: 4731.04, 4731.15
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12/31/2018

4731-1-24

Massage therapy renewal and continuing education.(A) For purposes of this rule:

- (1) "CMTE" means continuing massage therapy education approved by the board pursuant to this rule.
- (2) "Course" means a course, seminar, speaker session, on-line course, or webinar, or a home study course that requires passage of an examination in order to receive the award of the certification of completion.
- (3) "Distance learning" means a course using synchronous instructional methods where the instructor is in a distant location from the student, but during which there is direct communication between the instructor and participants.
- (4) "Home study coursework" means a course where the subject matter is delivered by a means that does not provide direct, contemporaneous communication between the instructor and the student.

(B) A massage therapy license expires according to the chart below unless otherwise provided in Chapter 4731. of the Revised Code:

<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 even 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 twelve hours of CMTE during the current biennial licensure period.

- (1) The applicant for renewal or reinstatement shall certify on the application having completed at least twelve hours of CMTE during the biennial licensure period.
- (2) The requirement to complete continuing education shall not be applicable to the first renewal of the license.

(D) Courses and providers

- (1) Licensees shall complete at least twelve hours of CMTE as follows during each biennial licensure period:
 - (a) At least ten hours in courses that in the board's discretion are relevant to the practice of massage therapy.
 - (i) To be relevant to the practice of massage therapy, a course shall contribute to the advancement, extension, and enhancement of the professional skills and knowledge of the licensee in the practice of massage, which shall include, but not be limited to, critical reasoning, interpersonal abilities, or performance skills;
 - (ii) Although not required, self-care courses or business courses with direct application to the practice of massage therapy may be taken but shall be accepted for no more than two hours of the required hours;
 - (b) At least one hour in professional ethics and Ohio law related to the practice of massage therapy;
 - (c) A course on human trafficking awareness approved by the board, completion of which shall result in one hour of CMTE credit.
- (2) A course in any of the following subject matters is not acceptable for meeting the continuing education requirement:
 - (a) A course in a subject area outside of the massage therapy scope of practice.
 - (b) A course in cardio-pulmonary resuscitation ("CPR").
- (3) A CMTE course that is relevant to the practice of massage therapy shall be deemed approved as meeting the continuing education course requirements whether it is provided via an in-person, distance learning, or home study course when it complies with one of the following:

- (a) The course is provided by an entity or person approved as a continuing education provider by the “National Certification Board for Therapeutic Massage and Bodywork (“NCBTMB”). The listing of approved providers can be found on the NCBTMB website at the following link: <http://www.ncbtmb.org/>;
 - (b) The course is provided by a state or national professional massage therapy association comprised of more than fifty persons licensed to practice massage therapy;
 - (c) The course is provided by a massage therapy school approved by the board pursuant to this chapter of the Administrative Code;
 - (d) The course is provided by a health department or hospital which offers programs which have been previously approved for continuing medical education credits, continuing nursing education credits, or continuing physical therapist education credits when the program is relevant to massage therapy practice;
 - (e) The course is approved for continuing nursing education credits by the Ohio board of nursing or continuing physical therapist education credit by the Ohio occupational therapy, physical therapy, and athletic trainers board when the course is relevant to massage therapy practice; or
 - (f) The course is part of a curriculum of a university, college, or other educational institution when the course is relevant to massage therapy practice. Such a course shall be allotted continuing education credit at the rate of fifteen continuing education hours for each semester hour or ten continuing education hours for each quarter hour of school credit awarded.
 - (g) The course is provided by an entity or person approved as a provider by, or the course is presented by, the Federation of State Massage Therapy Boards.
- (4) A CMTE course used to satisfy the continuing education requirements of a massage therapy licensing agency in another jurisdiction may be applied to fulfill the continuing education requirements under this rule if the course is relevant to massage therapy practice.
- (5) Home study coursework which meets the requirements of this rule and is offered by a provider recognized in paragraph (D)(3) of this rule shall be accepted for no more than three hours of the required continuing education only when the

course requires the passage of an examination over the subject matter before written notification of credit is granted by the provider.

(6) Request for approval of a CMTE course:

(a) A massage therapist seeking approval of a CMTE course, seminar, or speaker session that is not deemed approved pursuant to paragraph (D)(3) of this rule 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) The name of the sponsor or provider of the course;

(iii) Course objectives and content;

(iv) Course hours;

(v) Name of each instructor; and

(vi) Educational background and experience of each instructor.

(b) The board shall notify the massage therapist of the decision as to whether the board approved the course in sufficient time for the massage therapist to register prior to the deadline.

(c) The massage therapist shall seek re-approval of the course from the board if there is a change in subject matter, length of the course, or instructor for the course.

(d) The board reserves the right to deny recognition of the credits earned if the course has not received prior approval by the board.

(e) The board shall not grant approval of a home study course under this paragraph.

(E) 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 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 section 4731.15 of the Revised Code;

(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.

(F) Extension of the continuing education period based on active duty service:

(1) The holder of a massage therapy license may apply for an extension of the current continuing education reporting period in the manner provided in section 5903.12 of the Revised Code by submitting both of the following:

(a) A statement that the licensee has served on active duty, whether inside or outside of the United States, for a period in excess of thirty-one days during the current continuing education reporting period; and

(b) Proper documentation certifying the active duty service and the length of that active duty service.

(2) Upon receiving the application and proper documentation, the board shall extend the current continuing education reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current continuing education reporting period. Any portion of a month served shall be considered one full month.

(3) The board shall consider relevant education, training, or service completed by a licensee as a member of the armed forces in determining whether a licensee has met the continuing education requirements needed to renew the license.

(G) For purposes of this rule "armed forces" means any of the following:

(1) The armed forces of the United States, including the army, navy, air force, marine corps, and coast guard;

- (2) A reserve component of the armed forces listed in paragraph (G)(1) of this rule;
 - (3) The national guard, including the Ohio national guard or the national guard of any other state;
 - (4) The commissioned corps of the United States public health service;
 - (5) The merchant marine service during wartime;
 - (6) Such other service as may be designated by Congress; or
 - (7) The Ohio organized militia when engaged in full-time national guard duty for a period of more than thirty days.
- (H) The board may grant a waiver of a portion of required CMTE if the licensee's illness or absence from the United States lasted a minimum of six consecutive months during a single biennial licensing period.
- (1) The licensee shall have the burden of establishing that the illness or absence affected the reasonable opportunity to participate in CMTE activities.
 - (2) The licensee shall submit an application for waiver to the board at least sixty days prior to the end of the biennial licensure period.
 - (3) The licensee who applies for a CMTE waiver shall not submit the licensure renewal application prior to receiving approval of a waiver from the board.
 - (4) When granting a waiver the board shall waive no more than five hours of CMTE for any biennial licensure period.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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4731.05, 4731.20, 4731.155

Rule Amplifies:

4731.155, 4731.282, 5903.10, 5903.12, 5903.121