

4731-1-04

Scope of practice: mechanotherapy.

- (A) A practitioner of mechanotherapy shall examine patients only by verbal inquiry, examination of the musculoskeletal system by hand, and visual inspection and observation. A practitioner of mechanotherapy shall specifically not employ any techniques which involve extraction or analysis of body tissue or fluids.
- (B) A practitioner of mechanotherapy shall not diagnose a patient's condition except as to whether or not there is a disorder of the musculoskeletal system present.
- (C) A practitioner of mechanotherapy, in the treatment of patients, may apply only those techniques listed below, but he may apply such techniques only to those disorders of the musculoskeletal system which are amenable to treatment by the listed techniques and which are identifiable by examination and diagnosis as described in this rule:
- (1) advised or supervised exercise;
 - (2) massage or manipulation; ~~or~~
 - (3) employment of air, water, heat, cold, sound or infrared rays; ~~or~~
 - (4) electrical neuromuscular stimulation.

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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.
- (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) Colonic irrigation;
- (3) The practice of chiropractic, including the application of a high velocity-low amplitude thrusting force to any articulation of the human body;
- (4) The use of graded force applied across specific joint surfaces for the purpose of breaking capsular adhesions;
- (5) The prescription of therapeutic exercise for the purpose of rehabilitation or remediation of a disorder of the human body;
- (6) The treatment of infectious, contagious or venereal diseases;
- (7) The prescription, dispensing, personally furnishing or administration of drugs; and
- (8) 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 of the Revised Code and this rule.

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4731-1-07

Eligibility of electrologists licensed by the Ohio state board of cosmetology to obtain licensure as cosmetic therapists pursuant to Chapter 4731. of the Revised Code and subsequent limitations.

A person who was issued a cosmetic therapist's license prior to February 1, 1993 based upon holding a certificate to practice electrolysis and registration issued under Chapter 4713. of the Revised Code, may be registered by the board as a cosmetic therapist but may not apply "systematic friction, stroking, slapping, and kneading or tapping of the face, neck, scalp, or shoulders" as defined in division ~~(A)(2)(A)~~ of section ~~4731.15~~ 4731.04 of the Revised Code until that person has completed coursework in that area that has been approved by the board at a school approved by the board pursuant to this chapter of the Administrative Code.

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4731-1-10

Distance education.

(A) For purposes of this chapter of the Administrative Code:

- (1) "Asynchronous instructional methods" means an educational technique in which the communication between parties does not take place simultaneously and in which students may access a prepared educational program electronically or by other means at a time of their own choosing rather than at a specified time;
- (2) "Brick and mortar school" means an educational institution in which students and faculty are co-located during the entirety of the course of instruction.
- (3) "Distance education" means an instructional delivery system in which students and teachers are in separate locations during at least half of the total number of hours offered during the course of study and in which education and training are delivered through video, audio, computer, multimedia communications or some combination of these with other traditional delivery methods;
- (4) "Home study school" means a form of correspondence instruction through mail or e-mail in which the institution provides lesson materials for study and completion by a student on his or her own, with completed lessons being returned by the student to the school for evaluation by the school. "Home study school" shall not be considered a form of distance education.
- (5) "Synchronous instructional methods" means an educational technique in which the communication between parties takes place simultaneously and in real-time.

(B) Each distance education program shall apply for and receive a separate certificate of good standing from the board prior to the students who have completed a course of instruction from that school being admitted to the licensure examination. A certificate of good standing held by a brick and mortar school shall not be sufficient for any distance learning program operated by that school.

(C) To be eligible to receive a certificate of good standing from the board, a distance education school or program shall submit evidence that complies with all of the following:

- (1) Meet all of the requirements for receipt of a certificate of good standing required pursuant to Chapter 4731. of the Revised Code and this chapter of the Administrative Code;
- (2) Have in place a procedure whereby applicants for a distance education course of instruction are assessed as to their psychological predisposition toward distance

learning and their capabilities to use computer technologies appropriate to the particular course of study;

- (3) Have in place a plan for on-line attendance and assessment of student performance;
 - (4) Require instructors, in addition to the requirements of rule 4731-1-17 of the Administrative Code, to have documented training or certification in the development of distance education course materials, curricula and instructional methods;
 - (5) Demonstrate possession of minimally sufficient technical resources to meet the requirements of this rule;
 - (6) Offer a mix of synchronous and asynchronous instruction and identify the number of clock hours required for each form of instruction;
 - (7) Of the required three hundred and twenty-five clock hours in massage theory and practical, require a minimum of two hundred hours of hands-on instruction in the limited branch theory and practical portion of the course of instruction.
 - (8) Of the minimum of twenty-five hours of instruction in ethics required in rules 4731-1-09 and 4731-1-16 of the Administrative Code, a minimum of ten hours shall be taught in a dedicated interactive manner during the hands-on instruction;
 - (9) Provide to all applicants an explanation of the types of delivery systems used in the distance education course of instruction, hardware and software requirements, whether the school will provide remedial technical training, and any other information the board deems appropriate.
- (D) Home study schools are considered to be inappropriate for the education required to be given by limited branch schools. Therefore, any home study school is not in good standing with the board for purposes of admitting graduates from that school for examination for licensure in a limited branch of medicine or surgery.
- (E) The certificate of good standing issued pursuant to this rule is valid for two years from the date of issuance. It may be renewed upon the holder's submission of evidence demonstrating that all of the requirements of paragraph (C) of this rule are satisfied, as determined by the board.

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4731-1-15

Determination of standing of school, college or institution.

(A) A person desiring to have the board determine the standing of a school, college or institution that offers instruction in a limited branch of medicine shall file a completed application for a certificate of good standing with the board on a form prescribed by the board. The completed application form and other data shall be submitted in full. The completed application shall be signed by the owner or owners and shall include the following information:

(1) If the school, college or institution is located in this state, that:

(a) It holds a certificate of authorization issued by the Ohio board of regents pursuant to Chapter 1713. of the Revised Code; or

(b) It holds a valid certificate of registration and a valid program authorization for the program in the limited branch of medicine issued by the state board of career colleges and schools registration pursuant to Chapter 3332. of the Revised Code; or

(c) It holds a certificate of authorization issued by the Ohio department of education, division of career/technical adult education; and

(d) It offers a course of instruction in compliance with this chapter of the Administrative Code.

(2) If the school, college or institution is located outside this state, that:

(a) It holds a current or valid registration authorizing its operation issued by the appropriate regulatory body in the state of location that is substantially equivalent to the board of regents or the state board of career colleges and schools registration in this state; and

(b) It offers a course of instruction in compliance with this chapter of the Administrative Code.

(B) At or before the time a school, college or institution in this state accepts a student for admission to a cosmetic therapy or massage therapy course of instruction, the school, college or institution shall provide the student with written notice regarding arrests, charges, or convictions of criminal offenses.

(1) The notice must inform the student that arrests, charges, or convictions of criminal offenses may be cause to deny or limit licensure or employment opportunities in specific careers and occupations and may limit the student's ability to obtain federal, state, and other financial aid. The notice must encourage students to investigate these possibilities.

- (2) The notice provided under this rule must direct students to paragraph (D) of rule 4731-4-02 of the Administrative Code for factors the board may consider when reviewing the results of a criminal records check.
- (C) At or before the time a school, college, or institution in this state accepts a student for admission to a cosmetic therapy or massage therapy course of instruction, the student must have attained high school graduation or its equivalent.
- (D) A school, college or institution not meeting the requirements of paragraph (A) of this rule shall not be considered a school in good standing, provided that a school, college or institution that offers instruction in a limited branch of medicine and that holds a valid provisional certificate of good standing or a valid certificate of good standing on the effective date of this rule shall continue to be recognized as a school in good standing for one year following the effective date of this rule, unless suspended, revoked or placed on probation by the board pursuant to this chapter of the Administrative Code.
- (E) The certificate of good standing issued pursuant to this rule is valid for two years from the date of issuance. It may be renewed upon the holder's submission of evidence demonstrating that all of the requirements of paragraph (C) of this rule are satisfied, as determined by the board

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4731-1-17

Instructional staff in Ohio cosmetic therapy and massage therapy programs.

- (A) An instructor in limited branch theory or clinical practice shall be a high school graduate or equivalent, shall be currently licensed in Ohio in the applicable limited branch and shall have practiced in the applicable limited branch for a minimum of three years.
- (1) An instructor in massage therapy business shall also have experience in all aspects of a massage therapy business gained as an owner and operator of a massage therapy business for a minimum of three years.
- (2) An instructor in massage therapy ethics shall also have successfully completed and advanced continuing education course in massage therapy ethics.
- (B) A classroom instructor teaching basic science or general education courses shall hold a bachelor's degree with a concentration in the discipline in which that instructor is providing instruction. The requirements of this paragraph may be waived for faculty ~~with certification by a recognized body of authority~~ or who, on the date this rule becomes effective, have taught the course for more than one year at a limited branch school that holds a certificate of good standing issued by the board.

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