

*Rule 2.2 A. Fines and Penalties.* The Board shall establish reasonable and customary fines and penalties. Any violation of the Rules and Regulations, or provisions of 73-67-1 through 73-67-39, shall be punishable by a fine of no less than \$25.00 and no more than \$100.00 per occurrence unless otherwise set forth by rule or statutory provision. By definition, a violation is the first day that sufficient evidence is received, either in writing or via on-site inspection. Fine schedule for violations (including but not limited to):

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| 1.  | Working without a License properly displayed  | \$25.00 per occurrence   |
| 2.  | Working without a License for that location   | \$25.00 per occurrence   |
| 3.  | Working without a Code of Ethics properly displayed   | \$25.00 per occurrence   |
| 4.  | Working with an expired Provisional Permit  | \$100.00 per occurrence for the first violation; and Up to \$500.00 per occurrence for each violation thereafter |
| 5.  | Working with an expired License   | \$100.00 per occurrence for first violation; and Up to \$500.00 per occurrence for each violation thereafter     |
| 6.  | Advertising with a revoked, inactive, retired, suspended or expired Provisional Permit or License   | \$100.00 per occurrence for first violation; and Up to \$500.00 per occurrence for each violation thereafter     |
| 7.  | Working without a license: See section 73-67-27(3)(a), (b), (c) Miss. Code Ann. (1972) as amended   |  |
| 8.  | It shall be the responsibility of a massage therapy establishment to verify the current license of any and all persons practicing massage therapy at the location of or on behalf of the establishment. Failure to comply is subject to penalty assessed by the Board of not less than \$500.00 and not more than \$1000.00 per violation.  |  |
| 9.  | It shall be the responsibility of the licensee, a massage therapy establishment, a Board approved school, and/or a separate advertising entity to verify and include current license numbers in all advertising, no matter the format. (See section 73-67-29 (7). Failure to comply is subject to penalty assessed by the Board up the \$1000.00 per violation. See Exemptions in 73-67-21 (2). |  |
| 10.   | Failure to comply with any provisions of Rule 7.5 is subject to penalty assessed by the Board up to \$500.00 per violation.   |  |
| In addition to administrative penalties of the Board, criminal sanctions for violations may be imposed in accordance with § 73-67-27(3)(a), (b), (c) Miss. Code Ann. (1972) as amended. |   |  |

Source: *Miss Code Ann.* § 73-67-15 (1) (p) (Rev. 2008); § 73-67-21 (1); 21 (2) (Rev. 2008); § 73-67-25 (2) (Rev. 2008); § 73-67-27 (Rev. 2008); § 73-67-29 (Rev. 2008)

*Rule 4.3 Massage Therapy Curriculum Requirements*

A massage therapy program shall not operate in the State of Mississippi unless it meets the minimum standards of curriculum for license approved by the Board and is licensed with the State Board of Massage Therapy.

A. Massage schools and massage curriculums for license preparation must obtain a national accreditation from such agencies as the Commission on Massage Therapy Accreditation or programs with the same or greater requirements. New massage schools will have five (5) years from opening of the massage school to show conformity with the accreditation requirements and shall within two (2) years from opening show proof of application with periodic reporting to the board of its progress. Should accreditation be lost for any reason, the school shall within three (3) years from the accreditation final ruling date show proof of full accreditation from an accreditation body as described above. If a licensed massage school or massage curriculum with existing accreditation loses its accreditation for any reason, the school shall immediately initiate actions to obtain accreditation with periodic reporting to the Board of its progress. Within three (3) years from the accreditation agency's final action date, the school shall show proof of full accreditation from an accreditation body as described above.

B. No massage therapy program shall consist of more than forty (40) in-class clock hours per week.

C. Hours credited through transfer credit shall not be recognized by the board unless the following transfer standards are met:

1. The transferring school shall provide a certified transcript that includes the schools name, state license number, physical address and mailing address if different, telephone number and signed by the owner, director or administrator of the school;
2. Courses for which credit is granted shall parallel in content and intensity to the course offered by the school; and
3. Documentation of previous training shall be included in each student's permanent file.

Source: *Miss Code Ann.* § 73-67-35 (Rev. 2008)

*Rule 4.4 Examination Requirements*

A. All persons seeking licensure with the Board must pass one of the following board comprehensive examinations:

1. The Mississippi Board Examination administered by or on behalf of MSBMT (effective June 30, 2007);
2. The Massage and Bodywork Licensing Exam (MBLEx) administered by or on behalf of the Federation of State Massage Therapy Boards (FSMTB) (effective April 10, 2009). Cost is determined by FSMTB;
3. The National Examination for State Licensing (NESL) (effective April 10, 2009) or the National Certification Examination for Massage Therapy and

Bodywork (NCETMB) (effective July 1, 2001) administered by or on behalf of the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB). Students MUST take the NCETMB option of the NESL and select Mississippi as the Official Score Report section for automatic reporting to MSBMT. Cost is determined by NCBTMB;

4. The Asian Bodywork Therapy Examination (ABTE) administered by or on behalf of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) (effective July 1, 2001). Cost is determined by NCCAOM. The NCCAOM will continue to certify; however effective December 31, 2012 the ABTE will be discontinued.

5. Any other state, nationally or internationally accredited examination approved by the Board.

B. Effective January 1, 2011 all persons submitting an application for licensure with the Board must also pass the Mississippi State Law Examination (MSLE) that is given by the Mississippi State Board or its representative. Any student graduating from a Board approved massage therapy school may request a waiver of this requirement if the graduate will not be practicing in Mississippi. The content includes the Mississippi Professional Massage Therapy Act § 73-67 and its relevant MSBMT Rules and Regulations. The Board may schedule a session of the MSLE in coordination with a school. A minimum score of 70% is required prior to licensure.

Source: *Miss Code Ann.* § 73-67-7 (e); § 73-67-35; (Rev. 2008)

#### *Rule 6.1 Renewal*

Licenses expire on May 31<sup>st</sup> of the second year following issuance or any renewal thereafter. Therapist shall not practice massage after the expiration date listed on their license unless renewed either by paper or online method.

A. Proof of current CPR and First Aid certifications will be required with each renewal application. CEU credits will not be awarded for these certifications.

B. A 3-hour CEU class of Mississippi Law / Rules and Regulations and a 3-hour course in ethics will be required with each renewal.

C. As a courtesy, Licensed Massage Therapists may be notified of renewal.

D. Failure to receive a renewal notice from the Board will not relieve the license holder from the renewal requirements.

E. Paper Renewals: The following items must be postmarked 30 days prior to expiration for every licensed therapist who continues to practice:

1. The most recent renewal form which may be downloaded from the Board website, completed in its entirety; and the prescribed license renewal fee.

2. The late fee must be included for applications postmarked less than 30 days prior to expiration plus any other fees that may apply as listed in Chapter 2 above.

3. A fee of \$35.00 will apply to LMT's who renew by paper method.

4. Payment must be remitted by Cashier's Check or Money Order. . Corporate checks are accepted from Mississippi licensed massage therapy schools in good standing.

F. Online Renewals: Massage therapists may renew licenses online. The licensee is not excused from paying late fees or other consequences of license expiration due to the

unavailability of the on-line renewal method on the last working day or any holiday or weekend day for state employees prior to license expiration, or failure of the licensee to complete the on-line renewal process prior to midnight on the last day for which the license is active. All other provisions for renewal will apply. The most up to date information may be found at [www.msbmt.state.ms.us](http://www.msbmt.state.ms.us).

1. Renewals may be processed up to 60 days prior to license expiration and theoretically up to midnight 11:59 of the expiration date provided.
  - a. There is no charge that would require verification such as a name change. However, this must be done prior to online renewal by providing MSBMT a copy of the legal document verifying the name change.
  - b. All requirements including CEU's are posted to the therapist's account. While Providers are responsible for reporting CEU's promptly, it is the therapist's responsibility to verify that the information is current and accurate.
2. Renewals may be processed up to 90 days after license expiration; however, the therapist shall not practice massage until the license has been renewed. Applicable late fees apply.

G. The license status will be changed to "Expired" for all licensees who fail to renew their license more than 90 days after expiration date listed on their license.

H. An individual with an "Expired" license for up to and including 90 days who wishes to return to current status must pay applicable late fee(s) in addition to the current renewal fee. An individual with an "Expired" license for more than 90 days who wishes to reinstate to active status must submit a paper application for renewal, pay the current renewal fee, reapplication fee and submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status. An individual with an "Expired" license cannot move to "Inactive" or "Retired" status. After three (3) years on expired status, the licensee must submit a MT.01 Application for Professional Licensure (for first time applicants), submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status, and must also follow the rules set forth in Chapter 4 "License Requirements" as if a new applicant.

I. "Inactive" Status: Those who wish to put their active license on the inactive list, remaining there for a period not to exceed three (3) years before returning to active practice, may do so without reexamination or late fees upon submission of all fees and an affidavit provided by the Board requesting inactive status, which shall attest that they shall not perform massage therapy for compensation within the State of Mississippi while on inactive status. They shall surrender their license to the Board and no license shall be issued while on inactive status. To reinstate to active status the licensee must submit an application for renewal, pay the current renewal fee, reapplication fee and submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status. CEU credits do not expire while on "Inactive Status". After three (3) years of inactive status, the license shall be considered expired. Should the license expire, all requirements of an "expired" license shall apply.

J. Any license that is not renewed or placed on inactive or retired status before the license has expired/lapsed will be deemed expired.

K. Any individual whose license has expired/lapsed for failure to pay the required renewal fees for a period of three (3) years must follow the rules set forth in Chapter 4 “License Requirements” as if a new applicant.

L. “Military personnel”: refer to Section 33-1-39, Miss. Code Ann. 1972 (as amended).

M. “Retired” Status: Those who wish to be removed from active status and have held a Mississippi Massage Therapist License for a period of five (5) years with no fines or penalties imposed for the last three (3) years of active service. This status is provided upon request of the licensee to the Board and no license shall be issued while on retired status. To reinstate to active status, the licensee must submit an application for renewal, pay the current renewal fee, reapplication fee and submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status. CEU credits do not expire while on “Retired” status. A “retired” massage therapist may remain in this status for an indefinite period of time.

N. “Suspended” Status: The Board at its discretion may place a license on suspended status which indicates that the privilege to practice massage therapy has been temporarily terminated. This status results from actions taken under Chapter 8 of these Rules and Regulations.

O. “Revoked” Status: The board at its discretion may place a license on revoked status which indicates that a license has been nullified. This status results from actions taken under Chapter 8 of these Rules and Regulations.

Source: *Miss Code Ann.* § 73-67-15 (1) (m) (iii) (Rev. 2008); § 73-67-17 (g); (Rev. 2008)

### *Rule 9.1 Instructor Qualifications*

Any person involved in the instruction of students must be licensed by the Board as an Instructor in all Mississippi Board approved schools of massage therapy, during any part of the 700 hours required by MSBMT. Every instructor must be a licensed, inactive or retired status massage therapist in good standing with this Board unless exempt from this provision by § 73-67-5 or the exceptions for CPR, First Aid or HIV/AIDS training, Law, Business, Pathology, Anatomy and Physiology, or Kinesiology lecture instructors who must have other qualifications as specified below.

A. A person desiring to be licensed as a massage therapy instructor of palpatory anatomy / kinesiology or a specific therapy technique or clinical practicum-related modality (Category M) shall produce evidence satisfactory to the Board of Massage Therapy that the applicant:

1. is a graduate from a qualified school of massage therapy and is a licensed therapist in good standing with the Board of Massage Therapy; and
2. has lawfully practiced massage therapy for at least three (3) years; and,
3. has completed at least 2 times the hours education in the subject matter, except that this subparagraph shall not apply to instruction of basic Swedish and / or relaxation massage therapy; and
4. has completed a Board approved course of at least 20 hours in teaching skills for adult education and have practical experience in adult education.

B. A person desiring to be licensed as an instructor of pathology, anatomy lecture, physiology lecture, kinesiology lecture or AIDS/HIV and infectious disease awareness

(Category A) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. has a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the US Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in pathology, anatomy, physiology, kinesiology, sports medicine, exercise physiology, nursing, education with a concentration in biology or a substantially equivalent major; or
2. has accumulated a minimum of 270 classroom hours of discrete science courses related to the human body. Acceptable courses are pathology, anatomy, physiology, kinesiology, palpatory anatomy, or AIDS/HIV and infectious disease. Each course must be documented in a transcript from a Board-approved school of massage therapy and / or from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state. One college or university semester credit shall be converted to fifteen (15) classroom hours. One college or university quarter credit shall be converted to ten (10) classroom hours. Only courses that were successfully completed with a grade of "C" or higher will be accepted; or
3. a licensed physician (MD), osteopath or chiropractor.

C. A person desiring to be licensed as an instructor of business practices and marketing (Category B) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. is a graduate from a qualified school of massage therapy, has at least three (3) years of experience as a full-time practicing massage therapist and owner / operator of a massage therapy establishment; or
2. has a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the US Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in business, marketing, or a substantially equivalent major.

D. A person desiring to be certified as an instructor of Mississippi Law, Rules and Regulations pertaining to massage therapy (Category L) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. is a graduate from a qualified school of massage therapy, is a licensed massage therapist in good standing with the Board of Massage Therapy and has lawfully practiced massage therapy for at least three (3) years; or
2. is licensed to practice law in Mississippi, as evidenced by a certificate from the Supreme Court of Mississippi that the individual is a member in good standing of the bar of that Court.

E. A person desiring to be licensed as an instructor of hydrotherapy, safety, hygiene and/or sanitary practices (Category H) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. is a graduate from a qualified school of massage therapy, is a licensed massage therapist in good standing with the Board of Massage therapy and has lawfully practiced massage therapy for at least three (3) years; or
2. has specialized training satisfactory to the Board; or

3. has a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the US Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in nursing, or a substantially equivalent major.
- F. A person desiring to be approved as an instructor of CPR, First Aid or AIDS/HIV and infectious disease awareness (Category C) shall produce evidence satisfactory to the Board of Massage Therapy that the individual is certified by the Red Cross, The American Heart Association, or another organization recognized by the Board, as an instructor in these topics. Individuals who will teach only CPR and First Aid are not required to be a MSBMT licensed instructor as long as their credentials are on file at the school.
- G. 1. Temporary Instructor License may be granted for a period of ninety (90) days when a school can show proof of an emergency need including but not limited to the following conditions:
- a. The unexpected resignation or termination of an instructor immediately preceding the scheduled class.
  - b. The absence of an instructor due to illness, bereavement, relocation, or military deployment.
  - c. Increase in class enrollment that dictates additional staff to meet the Instructor/Student ratio requirements.
2. The Temporary Instructor License application must include the following:
- a. certification from all states in which the applicant holds a license and/or educational credentials in the area of instruction.
  - b. payment in the form of a cashier's check or money order in the amount of One Hundred Dollars (\$100.00) payable to MSBMT. Corporate checks are accepted from Mississippi licensed massage therapy schools in good standing.
3. Renewals will not be granted for a temporary instructor license.
4. Should an individual who has been granted a temporary instructor license desire to become a full licensed instructor, they must complete the instructor application as a new applicant and submit a \$50.00 instructor license fee.
- H. Instructor certificates must be prominently displayed in the Board approved school where instructing.
- I. If a licensed instructor is teaching at two (2) or more Board approved schools, a separate certificate must be prominently displayed at each location.
- J. The Board licenses instructors and has the right of acceptance or revocation for cause.
- K. All instructor licenses expire June 30<sup>th</sup> of each year. Schools may submit instructor renewals; however, the instructor is responsible for insuring that the renewal is filed in a timely manner. No instruction may be provided under an expired license. A \$100 late fee will be charged on instructor renewals filed after June 30<sup>th</sup>. Renewals may be accomplished by either online renewal (effective July 1, 2010) or by paper renewal:
1. If by online method, the renewal may be initiated between April 1<sup>st</sup> and June 30<sup>th</sup> of each year. No additional areas of instruction will be licensed via the online renewal method.

2. If by paper form, the renewal applications must be submitted on forms prescribed by the Board and must be submitted by June 15<sup>th</sup> of each year. The licensee must renew by this method to seek approval of any additional areas of instruction not authorized on the current license.

Source: *Miss Code Ann.* § 73-67-35 (Rev. 2008); § 73-67-7 (Rev. 2008); § 73-67-15 (1) (s) (Rev. 2008)

*Rule 9.2 School Application for License*

- A. Any school making application for a license under the Mississippi Professional Massage Therapy Act should contact the Board through its website, [www.msmt.state.ms.us](http://www.msmt.state.ms.us) or directly at [director@msmt.state.ms.us](mailto:director@msmt.state.ms.us) for further directions.
  1. The application packet fee is \$25.00 and must be submitted by certified check or money order; however, there is no charge for downloading the application from the web. Corporate checks are accepted from Mississippi licensed massage therapy schools in good standing.
  2. After receipt of the written request, and a \$25.00 application fee, each prospective applicant will be sent a copy of the Mississippi State Board of Massage Therapy Regulations and a copy of the application packet.
- B. The completed application must be returned to the Board along with a non-refundable application fee of Five Hundred Dollars (\$500.00) payable to MSBMT (Mississippi State Board of Massage Therapy).
- C. A surety bond in the penal sum of Fifty Thousand Dollars (\$50,000.00) in favor of The Mississippi State Board of Massage Therapy is required. The bond form must be completed by the Insurance Company or Agency and signed by a Mississippi Resident Agent. See Attachment 'C'.
- D. Applicants may file in lieu of the bond, cash, a certificate of deposit or government bonds in the amount of Fifty Thousand Dollars (\$50,000.00).
- E. Schools shall maintain a professional liability insurance policy covering any aspect of the facility, personnel and/or students. The Board shall be provided a copy of such policy and notified of any changes or renewals.
- F. A license shall be granted or denied within sixty (60) days after receipt of the completed application by the Board of Massage Therapy.
- G. All school locations shall meet all requirements set forth in these Regulations. This shall include, but is not limited to the following:
  1. Providing complete verification of all information and commitments made in the application for a license or renewal, including but not limited to the following:
    - General School Information
    - Instructional Equipment
    - Job Placement Services
    - The Student Enrollment Contract
    - Additional Information
    - Annex Locations
    - Facility Information
    - Program of Study Information

Instructors  
 Student Grievance Procedures  
 School Ownership  
 Evaluation System  
 Disclosure of Information to Students  
 Documents Verifying Completion of a Program of Study  
 Financial Resources Information  
 Adherence to Refund Policy  
 Administrators  
 Bond Information

School Financial Status (Solvency) as determined by accrediting body

2. Making available all records related to the above statement upon request.
3. Meeting all applicable health and safety standards that may be required by local, state and federal agencies.
4. Agreement to notify the Board within 10 working days of changes in any of the following:

|   |                       |
|---|-----------------------|
| Ownership                                 | Job Placement Service |
| Agents                                    | School Director       |
| Instructors                               | Financial Stability   |
| Programs of Study                         | Evaluation System     |
| Facility Standards                        | School Name           |
| Instructional Equipment                   |                       |
| Loss of Financial Aid Program Eligibility |                       |

5. Agreement to maintain all premises, equipment, and facilities of the school in adequate, safe, and sanitary condition.
6. Agreement to make enrollees accessible to be interviewed for the purpose of securing information to verify compliance with the conditions of the application for a license or license renewal.

H. All school locations are subject to announced and unannounced visitation by the Board of Massage Therapy or its representatives.

I. Private business and vocational schools that have obtained national accreditation from an accrediting agency designated by the United States Department of Education may submit evidence of current accreditation in lieu of other application request.

1. The school's application submitted on evidence of national accreditation must clearly and completely identify the school's compliance with all of the Board's application requirements and the requirements of this Chapter, including payment of fees. Failure to do so may result in denial of the school's application.
2. Applications submitted on evidence of national accreditation must be approved or denied within thirty (30) days after receipt. If no action is taken within thirty (30) days, the application shall be deemed approved and a massage therapy license must be issued.

Source: *Miss Code Ann.* § 73-67-15 (1)(s) (Rev. 2008); § 73-67-35 (Rev. 2011);

*Rule 9.14 Educational Standards*

A. The course content and length of instruction shall be of such nature and quality as to assure that the students will adequately develop the job skills and knowledge necessary for passing any and all examinations required for licensure by the Mississippi State Board of Massage Therapy.

B. Instructional practices: Schools shall provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes (a) well defined instructional objectives, (b) systematic planning, (c) selection and use of varied types of learning materials and experiences, (d) adaptation of organization and instructional procedures to student needs, (e) use of varied evaluation instruments and procedures, and (f) good student and teacher morale.

C. Each Board approved school of massage therapy must provide proof to the Board of an annual pass rate that meets or exceeds the current minimum standard as established by the Board. All Board approved schools must include a comprehensive review class of no less than sixteen (16) hours.

D. Each Board approved school of massage therapy must provide a list of graduates to the Board noting status of MSLE or appropriate waiver. This list must accompany the annual report.

E. School Licenses

1. Temporary licenses are issued for a 1 year period. These licenses are issued to new schools with less than two (2) graduating classes. Annual reports are required and are due by July 16<sup>th</sup> of each year unless otherwise specified.

Prospective students prior to enrolling and enrolled students must be notified in writing of the schools temporary status. Schools with a temporary Board status license must include three (3) hours to sit for and pass a board comprehensive exam.

2. Probationary licenses indicate warning status and are issued for a 1 year period. These licenses are issued to new schools with less than two (2) graduating classes and with any significant violation(s) in the most recent year. Annual reports are required and are due by July 16<sup>th</sup> of each year unless otherwise specified. Prospective students prior to enrolling and enrolled students must be notified in writing of the schools probationary status. Schools with a probationary Board status license must include three (3) hours to sit for and pass a board comprehensive examination.

3. Conditional licenses are issued to schools for a 1-year period. These licenses are issued to schools with two (2) or more graduating classes and with any of the following:

a. Any significant violation(s) in the most recent year.

b. Either the school's annual pass rate or the school's comprehensive pass rate does not meet or exceed the Board's current minimum standard.

Annual reports are required and are due by July 16<sup>th</sup> of each year unless otherwise specified. Prospective students prior to enrolling and enrolled students must be notified in writing of the school's conditional status.

4. Non-conditional licenses are issued for a 2-year period. These licenses are issued to schools with two or more graduating classes and with all of the following:

- a. No significant violation(s) in the most recent year.
  - b. Either the school's annual pass rate or the school's comprehensive pass rate meets or exceeds the Board's current minimum standard. Annual reports are required and are due July 16<sup>th</sup> of each year.
5. Conditional license status for schools that previously held a non-conditional license shall not exceed 2 years.
6. The combined temporary, probationary, and/or conditional license status for schools shall not exceed a 5-year consecutive period before moving to a non-conditional license status.
- F. Massage therapy school owners, instructors, and/or employees or contractors of the school shall adhere to generally accepted Code of Ethics as well as the Mississippi Board of Massage Therapy Code of Ethics and shall regard students with the same care and consideration as clients.
- G. The Board of Massage Therapy will evaluate school curriculum for conformance with educational requirements set forth by the Mississippi Professional Massage Therapy Act.

Source: *Miss Code Ann.* § 73-67-15 (1) (g) (h) (Rev. 2008); §73-67-35; § 73-67-15 (1) (s) (Rev. 2008); § 73-67-35 (Rev. 2008); §73-67-35 (Rev. 2011)

*Rule 10.2 Requirements for Board Approval of Continuing Education Provider and Programs*

- A. For the purpose of renewing or reinstating an LMT license, credit for Continuing Education Units (CEUs) will be awarded only for providers and programs approved by the Board. Each provider must make application for Board approval on forms provided by the Board, submit fees in accordance with Chapter 2 for a biennial approval and demonstrate that the provider will meet the following requirements:
- 1. The provider must retain a "sign-in sheet" with the signature of participants and copies of any promotional materials for at least four (4) years following each program. The provider must furnish each participant with a certificate or letter of attendance verifying that the program has been completed. The certificate or letter shall not be issued until completion of the program and shall contain the provider's name and number, the title of the program and instructor, the date, the number of CEU hours, and the therapist's name and license number. Within five (5) days after the program, the provider must complete the required CEU reporting form in full of the persons who received a certificate or letter of attendance for the program. Please visit the Board website at [www.msbmt.state.ms.us](http://www.msbmt.state.ms.us) for form CEU.04. A CEU certificate cannot be issued for other than the number of hours approved.
  - 2. Each program presented for Mississippi CEU credits shall be relevant to and focus on massage theory, practice, methods, or laws, regulations and ethical principles pertaining to the practice of massage therapy and shall have stated learning objectives. No Mississippi CEU credits will be approved for programs which exceed the scope of knowledge for massage therapy practice as described in § 73-67-7 (g).
  - 3. Each program presented for Mississippi CEU credits shall be taught by a person who:

- a. holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the United States Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the programs to be offered; or,
- b. has completed at least three (3) years of professional experience in the practice of massage therapy; and
  - (i) has, within the last five years of practical experience, had a minimum of two (2) years teaching experience in the subject matter to be offered; or
  - (ii) has completed specialized training in the subject matter satisfactory to the Board and has a minimum of two (2) years of practical experience in the subject.

4. The provider must provide to the Board, in writing, the name and address of the person responsible for ensuring that each program meets the requirements of subparagraphs (1) through (3) above and said person shall so certify in the application for provider approval.

B. Providers must have approval, in writing, from the Board before advertising or presenting a program. In the event a provider does advertise approval by the Board or present the program and approval has not been granted in writing, that provider will be subject to a fine not to exceed \$1,000.00 and will be subject to a period of up to two years, during which time no application for approval of continuing education programs by that provider will be considered for approval. At the end of that two-year period all fines must have been paid before any applications are considered for any future programs by that provider. Providing information concerning continuing education of massage therapy in national massage publications and out-of-state instruction/ education/ information materials shall not constitute advertising as provided in §73-67-29 (4).

C. Program Approval. Providers approved pursuant to Paragraph (A) above may obtain two-year approval for all programs to be offered during their period as an approved provider. Providers may obtain program approval by making timely application on a form approved by the Board, submitting a program fee of \$50.00 that will cover all sessions of the program within the two-year period that is exactly the same material presented and the same presenter. The provider must demonstrate that each program and presenter meets the requirements of Paragraph (A) above. The provider may amend the program application at any time during the two-year period to add and/or change presenters after an application has been approved by the State Board and a \$50.00 fee has been paid. Approval for a particular program will be denied if sought later than forty-five (45) day before the start of the program. Programs that include copyrighted materials must submit proof that the presenter has express permission to use said materials.

D. Out-of-State Programs. Mississippi licensees may request approval of an individual out-of-state program that has not been approved pursuant to the foregoing provisions by submitting forty five (45) days before the date of the program, an application form approved by the Board, all materials showing curriculum objectives and presenter qualifications pursuant to and satisfying paragraph A (2) and (3) above and a program review fee of \$100.00. If the individual is seeking approval for multiple programs offered at a national convention of a professional massage therapy organization, only a

single \$100.00 fee need be paid by the licensee to seek approval for the multiple programs. Approval shall be for the program sessions attended by the licensed massage therapist(s) requesting approval. No credit will be issued to any other licensed massage therapist(s) attending the program.

E. Provider and Program Renewal. A certificate from the Board approving a provider pursuant to Paragraph (A) above or a certificate from the Board approving a program pursuant to Paragraph (C) above shall be valid through the second December 31<sup>st</sup> following the date that the certificate was issued. During the certificate renewal period, a renewal reminder may be sent to the provider at the last address supplied to the Board. In order to obtain renewal of the certificate, the provider must return the executed renewal form to the Board on or before December 15<sup>th</sup> of the expiration year, together with a provider renewal fee stated in Chapter 2. Alternatively, effective October 1, 2010, the provider may renew both the provider and program(s) online.

F. Statement as to Approval.

1. The provider of a program approved for Mississippi CEU's, including Nationally Approved Providers and Programs under Paragraph (c) above, may announce or indicate as follows in advertising, promotional and other materials: "This program has been approved by the Mississippi Board of Massage Therapy for a maximum of \_\_\_ hours CEU credit". No other statement regarding Mississippi CEU approval may be made in advertising, promotional and/or other materials, including, but not limited to, a statement that an application has been made to the Board for approval or that the provider intends to apply for approval.

2. Providers may offer programs that are not approved pursuant to this Section. However, if a provider offers a program for which approval is not sought, or for which approval has been denied, the provider must announce in all advertising, promotional and other materials concerning the program as follows: "Not offered for Mississippi State Board of Massage Therapy CEU's".

G. Authority to Renew and Revoke Approval. The Board retains the right and authority to audit and/or monitor CEU providers and/or programs. The Board may at any time evaluate any provider and/or program and deny, revoke, and/or decline to renew approval of that provider and/or program for good cause. This right to deny, revoke and/or decline to renewal approval includes, but is not limited to, the right to deny, revoke and/or decline to renew approval if the provider has disseminated any false or misleading information in connection with the continuing education program or if the provider has failed to conform to and abide by any governing standards, rules and/or written agreements concerning the provider and/or program.

H. Violations of this chapter will result in fines and penalties as assessed in Chapter 2.

Source: *Miss Code Ann.* § 73-67-15 (1) (f) (Rev. 2008); § 73-67-17 (d) (Rev. 2008); § 73-67-29 (4) (Rev. 2008)

*Rule 2.2 A. Fines and Penalties.* The Board shall establish reasonable and customary fines and penalties. Any violation of the Rules and Regulations, or provisions of 73-67-1 through 73-67-39, shall be punishable by a fine of no less than \$25.00 and no more than \$100.00 per occurrence unless otherwise set forth by rule or statutory provision. By definition, a violation is the first day that sufficient evidence is received, either in writing or via on-site inspection. Fine schedule for violations (including but not limited to):

|     |   |  |
|-----|---|--|
| 1.  | Working without a License properly displayed  | \$25.00 per occurrence   |
| 2.  | Working without a License for that location   | \$25.00 per occurrence   |
| 3.  | Working without a Code of Ethics properly displayed   | \$25.00 per occurrence   |
| 4.  | Working with an expired Provisional Permit  | \$100.00 per occurrence for the first violation; and Up to \$500.00 per occurrence for each violation thereafter |
| 5.  | Working with an expired License   | \$100.00 per occurrence for first violation; and Up to \$500.00 per occurrence for each violation thereafter     |
| 6.  | Advertising with a revoked, inactive, retired, suspended or expired Provisional Permit or License   | \$100.00 per occurrence for first violation; and Up to \$500.00 per occurrence for each violation thereafter     |
| 7.  | Working without a license: See section 73-67-27(3)(a), (b), (c) Miss. Code Ann. (1972) as amended   |  |
| 8.  | It shall be the responsibility of a massage therapy establishment to verify the current license of any and all persons practicing massage therapy at the location of or on behalf of the establishment. Failure to comply is subject to penalty assessed by the Board of not less than \$500.00 and not more than \$1000.00 per violation.  |  |
| 9.  | It shall be the responsibility of the licensee, a massage therapy establishment, a Board approved school, and/or a separate advertising entity to verify and include current license numbers in all advertising, no matter the format. (See section 73-67-29 (7). Failure to comply is subject to penalty assessed by the Board up the \$1000.00 per violation. See Exemptions in 73-67-21 (2). |  |
| 10. | Failure to comply with any provisions of Rule 7.5 is subject to penalty assessed by the Board up to \$500.00 per violation.   |  |
| 11. | <del>Failure of an LMT or a massage establishment to maintain all required documents including, but not limited to, client history/intake forms and</del>   |  |

|   |   |
|---|---|
|   | client release forms for a period of two (2) years. |
| In addition to administrative penalties of the Board, criminal sanctions for violations may be imposed in accordance with § 73-67-27(3)(a), (b), (c) Miss. Code Ann. (1972) as amended. |   |

Source: *Miss Code Ann.* § 73-67-15 (1) (p) (Rev. 2008); § 73-67-21 (1); 21 (2) (Rev. 2008); § 73-67-25 (2) (Rev. 2008); § 73-67-27 (Rev. 2008); § 73-67-29 (Rev. 2008)

*Rule 4.3 Massage Therapy Curriculum Requirements*

A massage therapy program shall not operate in the State of Mississippi unless it meets the minimum standards of curriculum for license approved by the Board and is licensed with the State Board of Massage Therapy.

- A. Massage schools and massage curriculums for license preparation must obtain a national accreditation from such agencies as the Commission on Massage Therapy Accreditation or programs with the same or greater requirements. New massage schools will have five (5) years from opening of the massage school to show conformity with the accreditation requirements and shall within two (2) years from opening show proof of application with periodic reporting to the board of its progress. If a licensed massage school or massage curriculum with existing accreditation loses its accreditation for any reason, the school shall immediately initiate actions to obtain accreditation with periodic reporting to the Board of its progress. Within three (3) years from the accreditation agency’s final action date, the school shall show proof of full accreditation from an accreditation body as described above.
- B. No massage therapy program shall consist of more than forty (40) in-class clock hours per week.
- C. Hours credited through transfer credit shall not be recognized by the board unless the following transfer standards are met:
  - 1. The transferring school shall provide a certified transcript that includes the schools name, state license number, physical address and mailing address if different, telephone number and signed by the owner, director or administrator of the school;
  - 2. Courses for which credit is granted shall parallel in content and intensity to the course offered by the school; and
  - 3. Documentation of previous training shall be included in each student’s permanent file.

Source: *Miss Code Ann.* § 73-67-35 (Rev. 2008)

*Rule 4.4 Examination Requirements*

- A. All persons seeking licensure with the Board must pass one of the following board comprehensive examinations:
  - 1. The Mississippi Board Examination administered by or on behalf of MSBMT (effective June 30, 2007);
  - 2. The Massage and Bodywork Licensing Exam (MBLEx) administered by or on behalf of the Federation of State Massage Therapy Boards (FSMTB) (effective April 10, 2009). Cost is determined by FSMTB;

3. The National Examination for State Licensing (NESL) (effective April 10, 2009) or the National Certification Examination for Massage Therapy and Bodywork (NCETMB) (effective July 1, 2001) administered by or on behalf of the National Certification Board of Therapeutic Massage and Bodywork (NCBTMB). Students MUST take the NCETMB option of the NESL and select Mississippi as the Official Score Report section for automatic reporting to MSBMT. Cost is determined by NCBTMB;

4. The Asian Bodywork Therapy Examination (ABTE) administered by or on behalf of the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) (effective July 1, 2001). Cost is determined by NCCAOM; The NCCAOM will continue to certify; however effective December 31, 2012 the ABTE will be discontinued.

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5. Any other state, nationally or internationally accredited examination approved by the Board.

B. Effective January 1, 2011 all persons submitting an application for licensure with the Board must also pass the Mississippi State Law Examination (MSLE) that is given by the Mississippi State Board or its representative. Any student graduating from a Board approved massage therapy school may request a waiver of this requirement if the graduate will not be practicing in Mississippi. The content includes the Mississippi Professional Massage Therapy Act § 73-67 and its relevant MSBMT Rules and Regulations. The Board may schedule a session of the MSLE in coordination with a school. A minimum score of 70% is required prior to licensure.

Source: *Miss Code Ann.* § 73-67-7 (e); § 73-67-35; (Rev. 2008)

#### *Rule 6.1 Renewal*

Licenses expire on May 31<sup>st</sup> of the second year following issuance or any renewal thereafter. Therapist shall not practice massage after the expiration date listed on their license unless renewed either by paper or online method.

A. Proof of current CPR and First Aid certifications will be required with each renewal application. CEU credits will not be awarded for these certifications.

B. A 3-hour CEU class of Mississippi Law / Rules and Regulations and a 3-hour course in ethics will be required with each renewal.

C. As a courtesy, Licensed Massage Therapists may be notified of renewal.

D. Failure to receive a renewal notice from the Board will not relieve the license holder from the renewal requirements.

E. Paper Renewals: The following items must be postmarked 30 days prior to expiration for every licensed therapist who continues to practice:

1. The most recent renewal form which may be downloaded from the Board website, completed in its entirety; and the prescribed license renewal fee.

2. The late fee must be included for applications postmarked less than 30 days prior to expiration plus any other fees that may apply as listed in Chapter 2 above.

3. A fee of \$35.00 will apply to LMT's who renew by paper method.

4. Payment must be remitted by Cashier's Check or Money Order. . Corporate checks are accepted from Mississippi licensed massage therapy schools in good standing.

F. Online Renewals: Massage therapists may renew licenses online. The licensee is not excused from paying late fees or other consequences of license expiration due to the unavailability of the on-line renewal method on the last working day or any holiday or weekend day for state employees prior to license expiration, or failure of the licensee to complete the on-line renewal process prior to midnight on the last day for which the license is active. All other provisions for renewal will apply. The most up to date information may be found at [www.msbmt.state.ms.us](http://www.msbmt.state.ms.us).

1. Renewals may be processed up to 60 days prior to license expiration and theoretically up to midnight 11:59 of the expiration date provided.
  - a. There is no charge that would require verification such as a name change. However, this must be done prior to online renewal by providing MSBMT a copy of the legal document verifying the name change.
  - b. All requirements including CEU's are posted to the therapist's account. While Providers are responsible for reporting CEU's promptly, it is the therapist's responsibility to verify that the information is current and accurate.

2. Renewals may be processed up to 90 days after license expiration; however, the therapist shall not practice massage until the license has been renewed. Applicable late fees apply.

G. The license status will be changed to "Expired" for all licensees who fail to renew their license more than 90 days after expiration date listed on their license.

H. An individual with an "Expired" license for up to and including 90 days who wishes to return to current status must pay applicable late fee(s) in addition to the current renewal fee. An individual with an "Expired" license for more than 90 days who wishes to reinstate to active status must submit a paper application for renewal, pay the current renewal fee, reapplication fee and submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status. An individual with an "Expired" license cannot move to "Inactive" or "Retired" status. After three (3) years on expired status, the licensee must submit a MT.01 Application for Professional Licensure (for first time applicants), submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status, and must also follow the rules set forth in Chapter 4 "License Requirements" as if a new applicant.

I. "Inactive" Status: Those who wish to put their active license on the inactive list, remaining there for a period not to exceed three (3) years before returning to active practice, may do so without reexamination or late fees upon submission of all fees and an affidavit provided by the Board requesting inactive status, which shall attest that they shall not perform massage therapy for compensation within the State of Mississippi while on inactive status. They shall surrender their license to the Board and no license shall be issued while on inactive status. To reinstate to active status the licensee must submit an application for renewal, pay the current renewal fee, reapplication fee and submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status. CEU credits do not expire while on "Inactive Status". After three (3) years of inactive status, the license shall be considered expired. Should the license expire, all requirements of an "expired" license shall apply.

- J. Any license that is not renewed or placed on inactive or retired status before the license has expired/lapsed will be deemed expired.
- K. Any individual whose license has expired/lapsed for failure to pay the required renewal fees for a period of three (3) years must follow the rules set forth in Chapter 4 “License Requirements” as if a new applicant.
- L. “Military personnel”: refer to Section 33-1-39, Miss. Code Ann. 1972 (as amended).
- M. “Retired” Status: Those who wish to be removed from active status and have held a Mississippi Massage Therapist License for a period of five (5) years with no fines or penalties imposed for the last three (3) years of active service. This status is provided upon request of the licensee to the Board and no license shall be issued while on retired status. To reinstate to active status, the licensee must submit an application for renewal, pay the current renewal fee, reapplication fee and submit proof to the Board that the licensee has satisfied the CEU requirements that would have been applicable had the licensee been on active status. CEU credits do not expire while on “Retired” status. A “retired” massage therapist may remain in this status for an indefinite period of time.
- N. “Suspended” Status: The Board at its discretion may place a license on suspended status which indicates that the privilege to practice massage therapy has been temporarily terminated. This status results from actions taken under Chapter 8 of these Rules and Regulations.
- O. “Revoked” Status: The board at its discretion may place a license on revoked status which indicates that a license has been nullified. This status results from actions taken under Chapter 8 of these Rules and Regulations.

Source: *Miss Code Ann.* § 73-67-15 (1) (m) (iii) (Rev. 2008); § 73-67-17 (g); (Rev. 2008)

### *Rule 9.1 Instructor Qualifications*

Any person involved in the instruction of students must be licensed by the Board as an Instructor in all Mississippi Board approved schools of massage therapy, during any part of the 700 hours required by MSBMT. Every instructor must be a licensed, inactive or retired status massage therapist in good standing with this Board unless exempt from this provision by § 73-67-5 or the exceptions for CPR, First Aid or HIV/AIDS training, Law, Business, Pathology, Anatomy and Physiology, or Kinesiology lecture instructors who must have other qualifications as specified below.

- A. A person desiring to be licensed as a massage therapy instructor of palpatory anatomy / kinesiology or a specific therapy technique or clinical practicum-related modality (Category M) shall produce evidence satisfactory to the Board of Massage Therapy that the applicant:
1. is a graduate from a qualified school of massage therapy and is a licensed therapist in good standing with the Board of Massage Therapy; and
  2. has lawfully practiced massage therapy for at least three (3) years; and,
  3. has completed at least 2 times the hours education in the subject matter, except that this subparagraph shall not apply to instruction of basic Swedish and / or relaxation massage therapy; and
  4. has completed a Board approved course of at least 20 hours in teaching skills for adult education and have practical experience in adult education.

B. A person desiring to be licensed as an instructor of pathology, anatomy lecture, physiology lecture, kinesiology lecture or AIDS/HIV and infectious disease awareness (Category A) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. has a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the US Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in pathology, anatomy, physiology, kinesiology, sports medicine, exercise physiology, nursing, education with a concentration in biology or a substantially equivalent major; or
2. has accumulated a minimum of 270 classroom hours of discrete science courses related to the human body. Acceptable courses are pathology, anatomy, physiology, kinesiology, palpatory anatomy, or AIDS/HIV and infectious disease. Each course must be documented in a transcript from a Board-approved school of massage therapy and / or from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state. One college or university semester credit shall be converted to fifteen (15) classroom hours. One college or university quarter credit shall be converted to ten (10) classroom hours. Only courses that were successfully completed with a grade of "C" or higher will be accepted; or
3. a licensed physician (MD), osteopath or chiropractor.

C. A person desiring to be licensed as an instructor of business practices and marketing (Category B) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. is a graduate from a qualified school of massage therapy, has at least three (3) years of experience as a full-time practicing massage therapist and owner / operator of a massage therapy establishment; or
2. has a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the US Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in business, marketing, or a substantially equivalent major.

D. A person desiring to be certified as an instructor of Mississippi Law, Rules and Regulations pertaining to massage therapy (Category L) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. is a graduate from a qualified school of massage therapy, is a licensed massage therapist in good standing with the Board of Massage Therapy and has lawfully practiced massage therapy for at least three (3) years; or
2. is licensed to practice law in Mississippi, as evidenced by a certificate from the Supreme Court of Mississippi that the individual is a member in good standing of the bar of that Court.

E. A person desiring to be licensed as an instructor of hydrotherapy, safety, hygiene and/or sanitary practices (Category H) shall produce evidence satisfactory to the Board of Massage Therapy that the individual either:

1. is a graduate from a qualified school of massage therapy, is a licensed massage therapist in good standing with the Board of Massage therapy and has lawfully practiced massage therapy for at least three (3) years; or
  2. has specialized training satisfactory to the Board; or
  3. has a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the US Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in nursing, or a substantially equivalent major.
- F. A person desiring to be approved as an instructor of CPR, First Aid or AIDS/HIV and infectious disease awareness (Category C) shall produce evidence satisfactory to the Board of Massage Therapy that the individual is certified by the Red Cross, The American Heart Association, or another organization recognized by the Board, as an instructor in these topics. Individuals who will teach only CPR and First Aid are not required to be a MSBMT licensed instructor as long as their credentials are on file at the school.
- G. 1. Temporary Instructor License may be granted for a period of ninety (90) days when a school can show proof of an emergency need including but not limited to the following conditions:
- a. The unexpected resignation or termination of an instructor immediately preceding the scheduled class.
  - b. The absence of an instructor due to illness, bereavement, relocation, or military deployment.
  - c. Increase in class enrollment that dictates additional staff to meet the Instructor/Student ratio requirements.
2. The Temporary Instructor License application must include the following:
- a. certification from all states in which the applicant holds a license and/or educational credentials in the area of instruction.
  - b. payment in the form of a cashier's check or money order in the amount of One Hundred Dollars (\$100.00) payable to MSBMT. Corporate checks are accepted from Mississippi licensed massage therapy schools in good standing.
3. Renewals will not be granted for a temporary instructor license.
4. Should an individual who has been granted a temporary instructor license desire to become a full licensed instructor, they must complete the instructor application as a new applicant and submit a \$50.00 instructor license fee.
- H. Instructor certificates must be prominently displayed in the Board approved school where instructing.
- I. If a licensed instructor is teaching at two (2) or more Board approved schools, a separate certificate must be prominently displayed at each location.
- J. The Board licenses instructors and has the right of acceptance or revocation for cause.
- K. All instructor licenses expire June 30<sup>th</sup> of each year. Schools may submit instructor renewals; however, the instructor is responsible for insuring that the renewal is filed in a timely manner. No instruction may be provided under an expired license. A \$100 late fee will be charged on instructor renewals filed after June 30<sup>th</sup>. Renewals may be accomplished by either online renewal (effective July 1, 2010) or by paper renewal:

1. If by online method, the renewal may be initiated between April 1<sup>st</sup> and June 29<sup>30</sup><sup>th</sup> of each year. No additional areas of instruction will be licensed via the online renewal method.
2. If by paper form, the renewal applications must be submitted on forms prescribed by the Board and must be submitted by June 15<sup>th</sup> of each year. The licensee must renew by this method to seek approval of any additional areas of instruction not authorized on the current license.

Source: *Miss Code Ann.* § 73-67-35 (Rev. 2008); § 73-67-7 (Rev. 2008); § 73-67-15 (1) (s) (Rev. 2008)

*Rule 9.2 School Application for License*

- A. Any school making application for a license under the Mississippi Professional Massage Therapy Act should contact the Board through its website, [www.msmt.state.ms.us](http://www.msmt.state.ms.us) or directly at [director@msmt.state.ms.us](mailto:director@msmt.state.ms.us) for further directions.
  1. The application packet fee is \$25.00 and must be submitted by certified check or money order; however, there is no charge for downloading the application from the web. Corporate checks are accepted from Mississippi licensed massage therapy schools in good standing.
  2. After receipt of the written request, and a \$25.00 application fee, each prospective applicant will be sent a copy of the Mississippi State Board of Massage Therapy Regulations and a copy of the application packet.
- B. The completed application must be returned to the Board along with a non-refundable application fee of Five Hundred Dollars (\$500.00) payable to MSBMT (Mississippi State Board of Massage Therapy).
- C. A surety bond in the penal sum of Fifty Thousand Dollars (\$50,000.00) in favor of The Mississippi State Board of Massage Therapy is required. The bond form must be completed by the Insurance Company or Agency and signed by a Mississippi Resident Agent. See Attachment 'C'.
- D. Applicants may file in lieu of the bond, cash, a certificate of deposit or government bonds in the amount of Fifty Thousand Dollars (\$50,000.00).
- E. Schools shall maintain a professional liability insurance policy covering any aspect of the facility, personnel and/or students. The Board shall be provided a copy of such policy and notified of any changes or renewals.
- F. A license shall be granted or denied within sixty (60) days after receipt of the completed application by the Board of Massage Therapy.
- G. All school locations shall meet all requirements set forth in these Regulations. This shall include, but is not limited to the following:
  1. Providing complete verification of all information and commitments made in the application for a license or renewal, including but not limited to the following:
    - General School Information
    - Instructional Equipment
    - Job Placement Services
    - The Student Enrollment Contract
    - Additional Information

Annex Locations  
 Facility Information  
 Program of Study Information  
 Instructors  
 Student Grievance Procedures  
 School Ownership  
 Evaluation System  
 Disclosure of Information to Students  
 Documents Verifying Completion of a Program of Study  
 Financial Resources Information  
 Adherence to Refund Policy  
 Administrators  
 Bond Information

School Financial Status (Solvency) as determined by accrediting body

2. Making available all records related to the above statement upon request.
3. Meeting all applicable health and safety standards that may be required by local, state and federal agencies.
4. Agreement to notify the Board within 10 working days of changes in any of the following:

|   |                       |
|---|-----------------------|
| Ownership                                 | Job Placement Service |
| Agents                                    | School Director       |
| Instructors                               | Financial Stability   |
| Programs of Study                         | Evaluation System     |
| Facility Standards                        | School Name           |
| Instructional Equipment                   |                       |
| Loss of Financial Aid Program Eligibility |                       |

5. Agreement to maintain all premises, equipment, and facilities of the school in adequate, safe, and sanitary condition.
6. Agreement to make enrollees accessible to be interviewed for the purpose of securing information to verify compliance with the conditions of the application for a license or license renewal.

H. All school locations are subject to announced and unannounced visitation by the Board of Massage Therapy or its representatives.

I. Private business and vocational schools that have obtained national accreditation from an accrediting agency designated by the United States Department of Education may submit evidence of current accreditation in lieu of other application request.

1. The school's application submitted on evidence of national accreditation must clearly and completely identify the school's compliance with all of the Board's application requirements and the requirements of this Chapter, including payment of fees. Failure to do so may result in denial of the school's application.
2. Applications submitted on evidence of national accreditation must be approved or denied within thirty (30) days after receipt. If no action is taken within thirty (30) days, the application shall be deemed approved and a massage therapy license must be issued. ~~If the Board is unable to complete its review of the application within the 30-day period, the Board shall issue a Provisional License~~

~~valid for 30 days to permit the Board to complete its review in accordance with Rule 9.2.F.~~

Source: *Miss Code Ann.* § 73-67-15 (1)(s) (Rev. 2008); § 73-67-35 (Rev. 2011);

*Rule 9.14 Educational Standards*

A. The course content and length of instruction shall be of such nature and quality as to assure that the students will adequately develop the job skills and knowledge necessary for passing any and all examinations required for licensure by the Mississippi State Board of Massage Therapy.

B. Instructional practices: Schools shall provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes (a) well defined instructional objectives, (b) systematic planning, (c) selection and use of varied types of learning materials and experiences, (d) adaptation of organization and instructional procedures to student needs, (e) use of varied evaluation instruments and procedures, and (f) good student and teacher morale.

C. Each Board approved school of massage therapy must provide proof to the Board of an annual pass rate that meets or exceeds the current minimum standard as established by the Board. All Board approved schools must include a comprehensive review class of no less than sixteen (16) hours.

D. Each Board approved school of massage therapy must provide a list of graduates to the Board noting status of MSLE or appropriate waiver. This list must accompany the annual report.

E. School Licenses

1. Temporary licenses are issued for a 1 year period. These licenses are issued to new schools with less than two (2) graduating classes. Annual reports are required and are due by July 16<sup>th</sup> of each year unless otherwise specified. Prospective students prior to enrolling and enrolled students must be notified in writing of the schools temporary status. Schools with a temporary Board status license must include three (3) hours to sit for and pass a board comprehensive exam.

2. Probationary licenses indicate warning status and are issued for a 1 year period. These licenses are issued to new schools with less than two (2) graduating classes and with any significant violation(s) in the most recent year. Annual reports are required and are due by July 16<sup>th</sup> of each year unless otherwise specified. Prospective students prior to enrolling and enrolled students must be notified in writing of the schools probationary status. Schools with a probationary Board status license must include three (3) hours to sit for and pass a board comprehensive examination.

3. Conditional licenses are issued to schools for a 1-year period. These licenses are issued to schools with two (2) or more graduating classes and with any of the following:

a. Any significant violation(s) in the most recent year.

b. Either the school's annual pass rate or the school's comprehensive pass rate does not meet or exceed the Board's current minimum standard.

Annual reports are required and are due by July 16<sup>th</sup> of each year unless

otherwise specified. Prospective students prior to enrolling and enrolled students must be notified in writing of the school's conditional status.

~~e~~4. Non-conditional licenses are issued for a 2-year period. These licenses are issued to schools with two or more graduating classes and with all of the following:

~~1~~a. No significant violation(s) in the most recent year.

~~2~~b. Either the school's annual pass rate or the school's comprehensive pass rate meets or exceeds the Board's current minimum standard. Annual reports are required and are due July 16<sup>th</sup> of each year.

d. Conditional license status for schools that previously held a non-conditional license shall not exceed 2 years.

e. The combined temporary, probationary, and/or conditional license status for schools shall not exceed a 5-year consecutive period before moving to a non-conditional license status.

~~4. Provisional licenses are issued for a 30-day period. These licenses may be issued to schools within thirty (30) days after receipt of an application submitted on evidence of national accreditation to permit the Board to complete its review under Rule 9.2.I.~~

~~F~~F. Massage therapy school owners, instructors, and/or employees or contractors of the school shall adhere to generally accepted Code of Ethics as well as the Mississippi Board of Massage Therapy Code of Ethics and shall regard students with the same care and consideration as clients.

~~G~~G. The Board of Massage Therapy will evaluate school curriculum for conformance with educational requirements set forth by the Mississippi Professional Massage Therapy Act.

Source: *Miss Code Ann.* § 73-67-15 (1) (g) (h) (Rev. 2008); §73-67-35; § 73-67-15 (1) (s) (Rev. 2008); § 73-67-35 (Rev. 2008); §73-67-35 (Rev. 2011)

*Rule 10.2 Requirements for Board Approval of Continuing Education Provider and Programs*

A. For the purpose of renewing or reinstating an LMT license, credit for Continuing Education Units (CEUs) will be awarded only for providers and programs approved by the Board. Each provider must make application for Board approval on forms provided by the Board, submit fees in accordance with Chapter 2 for a biennial approval and demonstrate that the provider will meet the following requirements:

1. The provider must retain a "sign-in sheet" with the signature of participants and copies of any promotional materials for at least four (4) years following each program. The provider must furnish each participant with a certificate or letter of attendance verifying that the program has been completed. The certificate or letter shall not be issued until completion of the program and shall contain the provider's name and number, the title of the program and instructor, the date, the number of CEU hours, and the therapist's name and license number. Within five (5) days after the program, the provider must complete the required CEU reporting form in full of the persons who received a certificate or letter of attendance for the program. Please visit the Board website at

[www.ms bmt.state.ms.us](http://www.ms bmt.state.ms.us) for form CEU.04. A CEU certificate cannot be issued for other than the number of hours approved.

2. Each program presented for Mississippi CEU credits shall be relevant to and focus on massage theory, practice, methods, or laws, regulations and ethical principles pertaining to the practice of massage therapy and shall have stated learning objectives. No Mississippi CEU credits will be approved for programs which exceed the scope of knowledge for massage therapy practice as described in § 73-67-7 (g).

3. Each program presented for Mississippi CEU credits shall be taught by a person who:

- a. holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the United States Department of Education, or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the programs to be offered; or,
- b. has completed at least three (3) years of professional experience in the practice of massage therapy; and
  - (i) has, within the last five years of practical experience, had a minimum of two (2) years teaching experience in the subject matter to be offered; or
  - (ii) has completed specialized training in the subject matter satisfactory to the Board and has a minimum of two (2) years of practical experience in the subject.

4. The provider must provide to the Board, in writing, the name and address of the person responsible for ensuring that each program meets the requirements of subparagraphs (1) through (3) above and said person shall so certify in the application for provider approval.

B. Providers must have approval, in writing, from the Board before advertising or presenting a program. In the event a provider does advertise approval by the Board or present the program and approval has not been granted in writing, that provider will be subject to a fine not to exceed \$1,000.00 and will be subject to a period of up to two years, during which time no application for approval of continuing education programs by that provider will be considered for approval. At the end of that two-year period all fines must have been paid before any applications are considered for any future programs by that provider. Providing information concerning continuing education of massage therapy in national massage publications and out-of-state instruction/ education/ information materials shall not constitute advertising as provided in §73-67-29 (4).

C. Program Approval. Providers approved pursuant to Paragraph (A) above may obtain two-year approval for all programs to be offered during their period as an approved provider. Providers may obtain program approval by making timely application on a form approved by the Board, submitting a program fee of \$50.00 that will cover all sessions of the program within the two-year period that is exactly the same material presented and the same presenter. The provider must demonstrate that each program and presenter meets the requirements of Paragraph (A) above. The provider may amend the program application at any time during the two-year period to add and/or change presenters after an application has been approved by the State Board and a \$50.00 fee has

been paid. Approval for a particular program will be denied if sought later than forty-five (45) day before the start of the program. Programs that include copyrighted materials must submit proof that the presenter has express permission to use said materials.

D. Out-of-State Programs. Mississippi licensees may request approval of an individual out-of-state program that has not been approved pursuant to the foregoing provisions by submitting forty five (45) days before the date of the program, an application form approved by the Board, all materials showing curriculum objectives and presenter qualifications pursuant to and satisfying paragraph A (2) and (3) above and a program review fee of \$100.00. If the individual is seeking approval for multiple programs offered at a national convention of a professional massage therapy organization, only a single \$100.00 fee need be paid by the licensee to seek approval for the multiple programs. Approval shall be for the program sessions attended by the licensed massage therapist(s) requesting approval. No credit will be issued to any other licensed massage therapist(s) attending the program.

E. Provider and Program Renewal. A certificate from the Board approving a provider pursuant to Paragraph (A) above or a certificate from the Board approving a program pursuant to Paragraph (C) above shall be valid through the second December 31<sup>st</sup> following the date that the certificate was issued. During the certificate renewal period, a renewal reminder ~~will~~ may be sent to the provider at the last address supplied to the Board. In \_\_\_\_\_ order to obtain renewal of the certificate, the provider must return the \_\_\_\_\_ executed renewal \_\_\_\_\_ form to the Board on or before December 15<sup>th</sup> of the expiration \_\_\_\_\_ year, together with a provider renewal fee stated in Chapter 2. Alternatively, effective \_\_\_\_\_ October 1, 2010, the provider may renew both the provider and program(s) online.

F. Statement as to Approval.

1. The provider of a program approved for Mississippi CEU's, including Nationally Approved Providers and Programs under Paragraph (c) above, may announce or indicate as follows in advertising, promotional and other materials: "This program has been approved by the Mississippi Board of Massage Therapy for a maximum of \_\_\_ hours CEU credit". No other statement regarding Mississippi CEU approval may be made in advertising, promotional and/or other materials, including, but not limited to, a statement that an application has been made to the Board for approval or that the provider intends to apply for approval.
2. Providers may offer programs that are not approved pursuant to this Section. However, if a provider offers a program for which approval is not sought, or for which approval has been denied, the provider must announce in all advertising, promotional and other materials concerning the program as follows: "Not offered for Mississippi State Board of Massage Therapy CEU's".

G. Authority to Renew and Revoke Approval. The Board retains the right and authority to audit and/or monitor CEU providers and/or programs. The Board may at any time evaluate any provider and/or program and deny, revoke, and/or decline to renew approval of that provider and/or program for good cause. This right to deny, revoke and/or decline to renewal approval includes, but is not limited to, the right to deny, revoke and/or decline to renew approval if the provider has disseminated any false or misleading information in connection with the continuing education program or if the provider has failed to conform to and abide by any governing standards, rules and/or written agreements concerning the provider and/or program.

H. Violations of this chapter will result in fines and penalties as assessed in Chapter 2.

Source: *Miss Code Ann.* § 73-67-15 (1) (f) (Rev. 2008); § 73-67-17 (d) (Rev. 2008); § 73-67-29 (4) (Rev. 2008)