

CONNECTICUT GENERAL STATUTES
Chapter 384a
Massage Therapists

Sec. 20-206a. Definitions. As used in subsection (c) of section 19a-14 and sections 20-206a to 20-206f, inclusive, and Section 3 of Public Act 07-35:

As used in subsection (c) of section 19a-14, and sections 20-206a to 20-206g, inclusive:

(a) "Commissioner" means the Commissioner of Public Health.

(b) "Department" means the Department of Public Health.

(c) "Massage therapist" means a person who has been licensed to practice massage therapy under the provisions of sections 20-206a to 20-206f, inclusive.

(d) "Massage therapy" means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition. Massage therapy does not encompass (1) diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, (2) any service or procedure for which a license to practice medicine, chiropractic, natureopathy, physical therapy, or podiatry is required by law, or (3) Thai yoga practiced by a person who is registered as a yoga teacher with the Yoga Alliance Registry and has completed two hundred hours of training in Thai yoga.

(e) "Massage" shall have the same meaning as "massage therapy", as defined in subsection (d) of this section.

Sec. 20-206b. Practice restricted to licensed persons. Qualifications. Application and renewal. Fees. Exceptions. Medical referral required. Penalty for knowing or willful employment of unlicensed person. (a) No person shall engage in the practice of massage therapy unless the person has obtained a license from the department pursuant to this section. Each person seeking licensure as a massage therapist shall make application on forms prescribed by the department, pay an application fee of three hundred seventy-five dollars and present to the department satisfactory evidence that the applicant: (1) Has graduated from a school of massage therapy offering a course of study of not less than five hundred classroom hours, with the instructor present, that, at the time of the applicant's graduation, had a current school code assigned by the National Certification Board for Therapeutic Massage and Bodywork and was either (A) accredited by an agency recognized by the United States Department of Education or by a state board of postsecondary technical trade and business schools, or (B) accredited by the Commission on Massage Therapy Accreditation, and (2) has passed an examination prescribed by the department. The National Certification Board for Therapeutic Massage and Bodywork's national examination for state licensing option shall not satisfy the examination requirements for a person seeking licensure pursuant to this section.

(b) Licenses shall be renewed once every two years in accordance with the provisions of section 19a-88. The fee for renewal shall be two hundred fifty dollars. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or jurisdiction. Any certificate granted by the department prior to June 1, 1993, shall be deemed a valid license permitting continuance of profession subject to the provisions of this chapter.

(c) (1) Notwithstanding the provisions of subsection (a) of this section, the department may issue a license to an applicant whose school of massage therapy does not satisfy the requirement of subparagraph (A) or (B) of subdivision (1) of said subsection (a), provided the school held, at the time of the applicant's graduation, a certificate issued by the Commissioner of Education pursuant to section 10-7b and provided the applicant graduated within thirty-three months of the date such school first offered the curriculum

completed by the applicant. No license shall be issued under this subsection to a graduate of a school that fails to apply for and obtain accreditation by (A) an accrediting agency recognized by the United States Department of Education, or (B) the Commission on Massage Therapy Accreditation within thirty-three months of the date such school first offered the curriculum.

(2) Notwithstanding the provisions of subsection (a) of this section and subdivision (1) of this subsection, the department may issue a license to an applicant who submits evidence satisfactory to the commissioner that the applicant (A) was enrolled, on or before July 1, 2005, in a school of massage therapy that was approved or accredited by a state board of postsecondary technical trade and business schools or a state agency recognized as such state's board of postsecondary technical trade and business schools, (B) graduated from a school of massage therapy with a course of study of not less than five hundred classroom hours, with the instructor present, that at the time of the applicant's graduation was approved or accredited by a state board of postsecondary technical trade and business schools or a state agency recognized as such state's board of postsecondary technical trade and business schools, and (C) has passed an examination prescribed by the department.

(d) Each person licensed pursuant to this section has an affirmative duty to make a written referral to a licensed healing arts practitioner, as defined in section 20-1, of any client who has any physical or medical condition that would constitute a contraindication for massage therapy or that may require evaluation or treatment beyond the scope of massage therapy.

(e) No person shall use the title "massage therapist", "licensed massage therapist", "massage practitioner", "massagist", "masseur" or "masseuse", unless the person holds a license issued in accordance with this section or other applicable law.

(f) Notwithstanding the provisions of subsection (a) of this section, the commissioner may issue a license to an out-of-state applicant who submits evidence satisfactory to the commissioner of either: (1) (A) A current license to practice therapeutic massage from another state or jurisdiction, (B) documentation of practice for at least one year immediately preceding application, and (C) successful completion of the examination prescribed pursuant to subsection (a) of this section; or (2) (A) graduation from a school of massage therapy offering a course of study of not less than five hundred classroom hours, with the instructor present, and, at the time of the applicant's graduation, was either (i) accredited by an agency recognized by the United States Department of Education or by a state board of postsecondary technical trade and business schools, or (ii) accredited by the Commission on Massage Therapy Accreditation, and (B) successful completion of examination prescribed pursuant to subsection (a) of this section.

(g) Any person who violates the provisions of subsection (a) or (e) of this section shall be guilty of a class C misdemeanor.

(h) Any employer who knowingly and wilfully employs a person who is in violation of the provisions of subsection (a) or (e) of this section to engage in massage therapy shall be guilty of a class C misdemeanor.

Sec. 20-206c. Disciplinary action. Grounds. The department may take any action set forth in section 19a-17 if a person issued a license pursuant to section 20-206b fails to conform to the accepted standards of the massage therapy profession, including, but not limited to, the following: Conviction of a felony; fraud or deceit in obtaining a license; fraud or deceit in the practice of massage therapy; negligent, incompetent or wrongful conduct in professional activities; emotional disorder or mental illness; physical illness including, but not limited to, deterioration through the aging process; abuse or excessive use of drugs, including alcohol, narcotics or chemicals; wilful falsification of entries into any client record pertaining to massage therapy; failure to make a written referral, as required in section 20-206b; violation of any provisions of this section and sections 20-206a and 20-206b. The commissioner may order a license holder to submit to a reasonable physical or mental examination if the license holder's physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17. Notice of any contemplated action under said section, the cause of the action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54.

Sec. 20-206d. Exempt activities. (a) No provision of this chapter shall be construed to prohibit a student of massage therapy enrolled in a school of massage therapy which satisfies the requirements of section 20-206b from performing work as a required component of his course of study at such school, provided the student shall not hold himself or herself out as licensed as a massage therapist and shall not receive compensation for such work.

(b) No provision of this chapter shall be construed to prohibit an instructor of massage therapy from demonstrating massage therapy techniques as a component of a course of instruction in a course, seminar or workshop, provided (1) the instruction is under the direct supervision of a licensed massage therapist; (2) the instructor is not a resident of this state; (3) the instructor does not represent himself or herself as a licensed massage therapist; (4) the instructor is licensed or certified as a massage therapist in his or her home state, territory or country, if such licensure or certification is required; (5) the instructor does not receive compensation for massage therapy services, other than compensation as an instructor; and (6) the demonstrated massage therapy services are available only to persons enrolled in the course, seminar or workshop.

(c) No provision of this chapter shall be construed to prohibit an out-of-state massage therapist who (1) is licensed or certified in another state whose standards for licensure or certification are equivalent to or greater than those required in this state, or (2) if licensure or certification is not required in such other state, is a member in good standing of the American Massage Therapy Association, from providing uncompensated massage therapy services during the Special Olympics or similar athletic competitions for persons with disabilities, provided such out-of-state massage therapist (A) does not represent himself or herself to be a massage therapist; (B) provides massage therapy under the supervision of a massage therapist; and (C) only provides massage therapy to persons participating in the Special Olympics or similar athletic competitions for persons with disabilities.

Sec. 20-206e. Temporary permit. The department may, upon receipt of an application for massage therapist licensure, accompanied by the licensure application fee of three hundred seventy five dollars, issue a temporary permit to a person who has met the requirements of subsection (a) of section 20-206b, as amended, except that the applicant has not yet sat for or received the results of the examination required under said subsection (a). Such temporary permit shall authorize the permittee to practice as a massage therapist under the supervision of a person licensed pursuant to section 20-206b, as amended. Such practice shall be limited to those settings where the licensed supervisor is physically present on the premises and is immediately available to render assistance and supervision, as needed, to the permittee. Such temporary permit shall be valid for a period not to exceed one hundred twenty calendar days after the date of completion of the required course of study in massage therapy. Such permit shall become void and shall not be reissued in the event that the permittee fails to pass the examination for licensure. No permit shall be issued to any person who has previously failed the examination for licensure prescribed pursuant to section 20-206b, as amended, or who is the subject of an unresolved complaint or pending professional disciplinary action. Violation of the restrictions on practice set forth in this section may constitute a basis for denial of licensure as a massage therapist.

20-206f. Continuing education requirements. (a) Each person licensed in accordance with the provisions of sections 20-206a to 20-206e, inclusive, of the general statutes shall complete a minimum of twenty-four hours of continuing education every four years. Such four-year period shall commence on the first date of renewal of the licensee's license after October 1, 2003. The continuing education shall be in areas related to the licensee's practice, including, but not limited to, courses offered by providers that are approved by the National Certification Board for Therapeutic Massage and Bodywork.

(b) No more than six continuing education units shall be completed via the Internet or distance learning and no more than twelve continuing education units shall be obtained from providers that are not approved by the National Certification Board for Therapeutic Massage and Bodywork. For purposes of this section, "continuing education unit" means fifty to sixty minutes of participation in accredited continuing professional education.

(c) The Department of Public Health may require an applicant for license renewal to submit evidence of continuing education on forms that may be prescribed by the department. Each licensee shall maintain records, or certificates or other evidence of compliance with continuing education requirements for a period of six years. Failure on the part of the licensee to demonstrate that such continuing education

requirements have been met shall be grounds for disciplinary action pursuant to section 20-206c of the general statutes.

(d) This section shall not apply to licensees who have been continuously licensed since February 1, 1994. The continuing education requirements shall be waived for licensees applying for licensure renewal for the first time. The department may, for a licensee who has a medical disability or illness, grant a waiver of the continuing education requirements for a specific period of time or may grant the licensee an extension of time in which to fulfill the requirements.

20-206g. Advertising by massage therapists. Requirements and prohibitions.

(a) As used in this section, "advertise" includes, but is not limited to, the issuance of any card, sign or device to any person; causing, permitting or allowing any sign or marking on or in any building, vehicle or structure; advertising in any newspaper or magazine, or the placement of any listing or advertisement in any directory under a classification or heading that includes the words "massage", "massage therapist", "massage therapy", "massage therapy establishment", "shiatsu", "acupressure", "Thai massage", "Thai yoga massage" or "Thai yoga".

(b) No person, firm, partnership or corporation shall advertise any of the services included in the definition of massage therapy in any manner using the term or title "massage", "shiatsu", "acupressure", "Thai massage", "Thai yoga massage" or "Thai yoga", except as provided in subsection (e) of this section, unless such services are performed by a massage therapist.

(c) Each person who holds a license as a massage therapist shall include his or her license number in any advertisement for such person's massage therapy services that appears in a newspaper, telephone directory or other advertising medium.

(d) It shall be a violation of this section for any person who does not hold a current license as a massage therapist to advertise massage therapy services by using the term "massage", "massage therapist", "licensed massage therapist", "massage practitioner", "massagist", "masseur" or "masseuse", "shiatsu", "acupressure", "Thai massage", "Thai yoga massage" or "Thai yoga", except as provided in subsection (e) of this section.

(e) A person who does not hold a current license as a massage therapist but who is registered as a yoga teacher with the Yoga Alliance Registry and has completed two hundred hours of training in Thai yoga may advertise "Thai yoga" services.

Sec. 20-206h. Enforcement within available appropriations.

(a) The Commissioner of Public Health shall carry out the commissioner's responsibilities with respect to enforcement of the provisions of sections 20-206b, as amended by this act, 20-206d and 20-206g, as amended by this act, within available appropriations.

(b) If the commissioner has cause to believe, based upon credible information or complaint, that any person has violated the provisions of section 20-206b, 20-206d or 20-206g, the commissioner may, not later than thirty days after receiving such information or complaint, begin a formal investigation of the alleged violation. In the course of such formal investigation, the commissioner may inquire as to whether a person under investigation obtained a license from the department legally by comparing the photograph on such person's identification with a photograph of such person obtained from the organization that administered the examination prescribed by the department pursuant to section 20-206b. Photographs that do not match shall constitute prima facie evidence that such person is engaging in the practice of massage therapy without a license in violation of section 20-206b. For purposes of this subsection, "identification" means a motor vehicle operator's license issued pursuant to section 14-36 or any other valid form of identification issued by the federal government or a state or municipal government, provided such identification includes a photograph.