

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 433

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE LICENSURE OF MASSAGE THERAPISTS; AMENDING SECTION 54-4003,
2 IDAHO CODE, TO ALLOW FOR COMPENSATION OF MASSAGE THERAPY STUDENTS AS
3 PART OF A TUITION WORK-OFF PROGRAM WHERE SUCH PROGRAM HAS BEEN ESTAB-
4 LISHED BY THE INSTITUTION TEACHING STUDENTS MASSAGE THERAPY AND TO MAKE
5 TECHNICAL CORRECTIONS.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 54-4003, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 54-4003. EXEMPTIONS. (1) Nothing in this chapter shall be construed
11 to restrict any person licensed or regulated by the state of Idaho from en-
12 gaging in the profession or practice for which they are licensed or regu-
13 lated.

14 (2) Nothing in this chapter shall prohibit, prevent or restrict:

15 (a) The practice of massage therapy by a person employed by the govern-
16 ment of the United States while the person is engaged in the performance
17 of duties prescribed by the laws and regulations of the United States.

18 (b) The practice of massage therapy by persons licensed, registered or
19 certified in another state, a territory, the District of Columbia or
20 a foreign country when incidentally called into this state to teach a
21 course related to massage therapy or to consult with a person licensed
22 under this chapter.

23 (c) The practice of massage therapy by persons licensed, registered or
24 certified and in good standing in another state, a territory, the Dis-
25 trict of Columbia or a foreign country when practicing on clients par-
26 ticipating in organized athletic events or affiliated with or employed
27 by established athletic teams, athletic organizations or performing
28 arts companies temporarily practicing, competing or performing in this
29 state for no more than sixty (60) days in a calendar year.

30 (d) The practice of students enrolled in a board-approved course of
31 instruction while completing a clinical requirement or supervised
32 massage therapy fieldwork experience for graduation performed under
33 the supervision of a person licensed under this chapter, provided the
34 student does not hold himself or herself out as a licensed massage ther-
35 apist and does not receive compensation for services performed other
36 than for a tuition work-off program where such program has been estab-
37 lished by the institution teaching massage therapy.

38 (e) The practice of any person in this state who uses touch, words and
39 directed movement to deepen awareness of existing patterns of movement
40 in the body as well as to suggest new possibilities of movement while en-
41 gaged within the scope of practice of a profession, provided that their
42 services are not designated or implied to be massage or massage ther-

1 apy. Such practices include, but are not limited to, the Feldenkrais
2 method® of somatic education, the Trager approach® to movement educa-
3 tion, body-mind centering®, Ortho-Bionomy® and craniosacral therapy.

4 (f) The practice of persons who restrict their practice to manipulation
5 of the soft tissues of the human body to the hands, feet or ears and do
6 not hold themselves out to be massage therapists or to do massage or mas-
7 sage therapy.

8 (g) The practice of any person in this state who uses touch to affect
9 the energy systems, acupoints or qi meridians, or channels of energy of
10 the human body while engaged within the scope of practice of a profes-
11 sion, provided that their services are not designated or implied to be
12 massage or massage therapy. Such practices include, but are not limited
13 to, polarity, polarity therapy, polarity bodywork therapy, Asian body-
14 work therapy, acupressure, jin shin do®, qi gong, reiki and shiatsu.

15 (h) The practice of persons engaged in the profession of structural
16 integration, restoring postural balance and functional ease by inte-
17 grating the body in gravity based on a system of fascial manipulation,
18 awareness, and education developed by Dr. Ida P. Rolf, provided their
19 services are not designated or implied to be massage or massage therapy.
20 Such practices include, but are not limited to: Rolfing® structural
21 integration, the guild for of structural integration, and Hellerwork®
22 structural integration.