

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 23

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO MASSAGE THERAPY; AMENDING SECTION 54-4003, IDAHO CODE, TO REVISE
2 LANGUAGE RELATING TO EXEMPTIONS, TO PROVIDE AN ADDITIONAL EXEMPTION AND
3 TO MAKE TECHNICAL CORRECTIONS.
4

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

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

8 54-4003. EXEMPTIONS. (1) Nothing in this chapter shall be construed
9 to restrict any person licensed or regulated by the state of Idaho from en-
10 gaging in the profession or practice for which they are licensed or regu-
11 lated.

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

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

16 (b) The practice of massage therapy by persons ~~duly~~ licensed, regis-
17 tered or certified in another state, a territory, the District of Co-
18 lumbia or a foreign country when incidentally called into this state to
19 teach a course related to massage therapy or to consult with a person li-
20 icensed under this chapter.

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

28 (d) The practice of sStudents enrolled in a board-approved course of
29 instruction while completing a clinical requirement or supervised mas-
30 sage therapy fieldwork experience for graduation performed under the
31 supervision of a person licensed under this chapter, provided the stu-
32 dent does not hold himself or herself out as a licensed massage thera-
33 pist and does not receive compensation for services performed.

34 ~~(de) Nothing in this chapter shall be construed to prevent or restrict~~
35 ~~the practice of any person in this state who uses touch, words and di-~~
36 ~~rected movement to deepen awareness of existing patterns of movement in~~
37 ~~the body as well as to suggest new possibilities of movement while en-~~
38 ~~gaged within the scope of practice of a profession, provided that their~~
39 ~~services are not designated or implied to be massage or massage ther-~~
40 ~~apy. Such practices include, but are not limited to, the Feldenkrais~~
41 ~~method® of somatic education, the Trager approach® to movement educa-~~
42 ~~tion, body-mind centering®, Ortho-Bionomy® and craniosacral therapy.~~

1 (ef) The practice of pPersons who restrict their practice to manipula-
2 tion of the soft tissues of the human body to the hands, feet or ears and
3 do not hold themselves out to be massage therapists or to do massage or
4 massage therapy.

5 ~~(fg) Nothing in this chapter shall be construed to prevent or restrict~~
6 ‡The practice of any person in this state who uses touch to affect the
7 energy systems, acupoints or qi meridians, or channels of energy, of the
8 human body while engaged within the scope of practice of a profession,
9 provided that their services are not designated or implied to be mas-
10 sage or massage therapy. Such practices include, but are not limited
11 to, polarity, polarity therapy, polarity bodywork therapy, Asian body-
12 work therapy, acupressure, jin shin do®, qi gong, reiki and shiatsu.

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