

ORDINANCE NO. 2012-_____

AN ORDINANCE AMENDING CHAPTER 14, AS IT RELATES TO THE EXCEPTIONS TO MASSAGE THERAPIST LICENSING

The City Council of the City of Bloomington hereby ordains: That Chapter 14 of the City Code is hereby amended to read as follows:

Division K. Massage

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SEC. 14.263. EXCEPTIONS.

A Therapeutic Massage Enterprise or Therapist License is not required for the following persons and places:

- (1) Persons duly licensed as a doctor by this state to practice medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry, provided the massage is administered in the regular course of the medical business as it prepares the patient for a medical procedure or complements a medical procedure previously performed on the patient and not provided as part of a separate and distinct massage business. Any duly licensed doctor that offers any form of massage without a direct link to a medical procedure must obtain a massage license.
- (2) Persons duly licensed by this state as beauty culturists or barbers, provided such persons do not hold themselves out as giving massage treatments and provided the massage by beauty culturists is limited to the head, hand, neck, and feet and the massage by barbers is limited to the head and neck.
- (3) Persons working solely under the direction and control of a ~~[person]~~ duly licensed doctor by this state to practice medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry provided the massage is administered in the regular course of the medical business as it prepares the patient for a medical procedure or complements a medical procedure previously performed on the patient and not provided as part of a separate service. Any person that works under the direction and control of a duly licensed doctor and offers any form of massage without a direct link to a medical procedure must obtain a massage license.
- (4) Places duly licensed or operating as a hospital, nursing home, hospice, sanitarium, or group home established for the hospitalization or care of human beings provided the massage is administered only to the residents or patients of the facility as part of their care and not provided as a part of a separate service.
- (5) Students of an accredited institution who are performing massage services in the course of a clinical component of an accredited program of study, provided that the students are performing the massage services at the location of the accredited institution and provided the students are identified to the public as students of massage therapy. ~~[Students of an accredited institution who are performing massage services at clinics or other facilities located outside of the accredited institution must have at least one hundred fifty (150) hours of certified therapeutic massage training at the accredited institution prior to performing the therapy outside of the institution and must be identified to the public as a student of massage therapy.]~~
- (6) Students of an accredited institution may perform massage services at a location other than the accredited institution, provided the accredited institution has formed a partnership with the location. Students must be under the direct supervision of the faculty of the institution. The students must be identified to the public as students of massage therapy. Students may only perform such services for no more than 12 calendar days a year, and no more than two consecutive days.
- (7) Students of an accredited institution who are performing massage services in the course of a clinical component of an accredited program of study at clinics or other facilities located outside the accredited institution, and without direct faculty supervision, must have earned at least 400 hours of certified therapeutic massage training at an accredited institution prior to performing the therapy outside the institution. This work may be performed only as a specific class or internship. Students may work no more than 20 hours a week. Students must be identified to the public as a student of massage therapy. A letter from the accredited institution with proof of certified training hours, authenticated through a certified copy of a transcript from the accredited institution issuing the training, a description of the course and the expected hours to be worked must be submitted to the Issuing Authority with a letter of sponsorship from the clinic or licensed facility explaining the schedule the student will be working prior to the student beginning any massage service.

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Passed and adopted this _____ day of _____ 2012.

Mayor

ATTEST:

Secretary to the Council

APPROVED:

City Attorney