

Hall of the House of Representatives
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 1183

TO AMEND VARIOUS PROVISIONS OF THE MASSAGE THERAPY ACT.

Amendment No. 1 to House Bill No. 1183

Amend House Bill No. 1183 as originally introduced:

Page 1, delete line 22 and substitute the following:

"(1) "Board" means the Arkansas State Board of Massage Therapy;"

AND

Page 1, line 23, delete "~~(2)~~(1)" and substitute "(2)"

AND

Page 1, line 25, delete "~~(3)~~(A)~~(2)~~(A)" and substitute "(3)(A)"

AND

Page 2, line 2, delete "~~(4)~~(A)~~(C)~~ (3)(A) - (C)" and substitute "(4)(A) - (C)"

AND

Page 2, line 4, delete "~~(4)~~(A)~~(3)~~(A)" and substitute "(4)(A)"

AND

Page 2, line 27, delete "~~(5)~~(4)" and substitute "(5)"

AND

Page 2, line 31 delete "~~(6)~~(A)~~(5)~~(A)" and substitute "(6)(A)"

AND

Page 3, line 8, delete "~~(6)~~(A)~~(i)~~ (5)(A)(i)" and substitute "(6)(A)(i)"

AND



Page 3, line 23, delete "~~(7)(6)~~" and substitute "(7)"

AND

Page 3, line 26, delete "~~(7)~~" and substitute "~~(8)~~"

AND

Page 3, line 28, delete "(8)(A)" and substitute "~~(8)(A)~~(9)(A)"

AND

Page 4, delete lines 19 and 21 and substitute the following:
"required by § 17-86-306(e); ~~and~~

(9) "Sexual misconduct" includes:

(A) A range of behavior used to obtain sexual gratification against another's will, at the expense of another, without the client's knowledge, engaging in sexual activity for profit, or a combination of any of these activities; and

(B) Massage of the genitalia, anus, and, except under specific circumstances, the breast; and

~~(9)(10)~~ "This chapter" means the "Massage Therapy Act", § 17-86-101 et seq."

AND

Page 4, delete lines 26 through 31 and substitute the following:

"An applicant applying as a new massage therapy licensee, an individual applying for a new massage therapy school license, or a licensee applying for an upgrade issued by the Arkansas State Board of Massage Therapy shall apply to the Identification Bureau of the Department of Arkansas State Police for a state and federal criminal background check to be conducted by the Identification Bureau and the Federal Bureau of Investigation."

AND

Page 5, delete line 19 and substitute the following:
~~"shall not be~~ is not eligible for an initial appointment."

AND

Page 6, delete line 5 and substitute the following:
~~"cause to be inspected~~ an inspection of student records at"

AND

Page 7, delete line 21 and substitute the following:
"submit the transcript directly to the board office.

(D)(i) If the applicant's transcript is not obtainable from the original school, the applicant shall submit a statement to explain why it may not be obtained.

(ii) Other documentation of credentials may be submitted and accepted for licensure at the discretion of the board;"

AND

Page 8, delete line 36

AND

Page 9, delete line 1 and substitute the following:
"member ~~and~~ or board designee, to include without limitation proof of required forms completed and returned to the"

AND

Page 9, delete lines 24 through 28 and substitute the following:
"(2)(A) If the applicant's transcript is not obtainable from the original school, the applicant shall submit a statement to explain why it may not be obtained.
(B) Other documentation of credentials may be submitted and accepted for licensure at the discretion of the board."

AND

Page 9, delete line 33 and substitute the following:
"license issued under this chapter is valid for two (2) years and expires on the licensee's birthday."

AND

Page 10, delete lines 1 through 4 and substitute the following:
"(i)(a) If a license expires under subdivision (a)(1)(B)(i) of this section, a renewal license may be issued upon submission of a completed license renewal application with payment of the fee or fees prescribed for class of certification the applicant shall submit a new application that requires the applicant to meet current requirements and successfully complete an examination recognized by the board.
(b) The board shall issue a license effective as of the date of receipt of the late application and all new applicant fees.
(c) An individual licensee who is not currently in practice and who wishes to place his or her license on the inactive list may remain on the inactive list for not more than four (4) years without reexamination."

AND

Page 11, line 6, delete "(c)(1)(A)" and substitute "(c)(1)"

AND

Page 11, delete lines 9 through 12 and substitute the following:
"Sexual misconduct is prohibited."

AND

Page 11, delete line 19 and substitute the following:

SECTION 21. Arkansas Code § 17-86-312 is amended to read as follows:
17-86-312. Fees.

(a) All registration fees and other fees due the Arkansas State Board of Massage Therapy shall be paid in accordance with the provisions of this chapter and all other laws and regulations of this state.

(b)(1) The initial inspection fee for a massage therapy school shall not exceed one hundred dollars (\$100).

(2) The annual renewal and inspection fee for a massage therapy school shall not exceed one hundred dollars (\$100).

(3) A licensee whose massage therapy school license renewal is postmarked after April 30 of each year shall pay a late fee not to exceed five hundred dollars (\$500).

SECTION 22. Arkansas Code § 17-86-313 is repealed."

The Amendment was read _____
By: Representative Wright
MGF/NJR - 03-01-2013 13:51:38
MGF290

Chief Clerk