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SYNOPSIS:

Under existing law, termination dates are established for enumerated state agencies. The agencies are periodically reviewed by the Alabama Sunset Committee. After the review process is completed, the committee prepares its recommendation for the agencies to the Legislature in the form of sunset bills which either continue, terminate, or continue with modification each agency reviewed.

This bill would provide for the continuance of the Alabama Board of Massage Therapy, with the following changes: To require representation on the board from each Congressional District; to require meetings to be recorded, upon request; to require the publication of proposed rules and related proceedings on the board website; to require the board to accept a criminal history check from an approved national board under certain circumstances; and to cap certain fees charged by the board.

A BILL  
TO BE ENTITLED  
AN ACT



29 Relating to the Alabama Sunset Law; to continue the  
30 existence and functioning of the Alabama Board of Massage  
31 Therapy until October 1, 2024, with certain modifications: To  
32 amend Sections 34-43-6, 34-43-9, 34-43-11, 34-43-12, 34-43-13,  
33 34-43-14, 34-43-15, 34-43-20, and 34-43-21, Code of Alabama  
34 1975, as amended by Act 2022-408, 2022 Regular Session; to  
35 require representation on the board from each Congressional  
36 District; to require meetings to be recorded, upon request; to  
37 require the publication of proposed rules and related  
38 proceedings on the board website; to require the board to  
39 accept a criminal history check from an approved national  
40 board under certain circumstances; and to cap certain fees  
41 charged by the board.

42 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

43 Section 1. Pursuant to the Alabama Sunset Law, the  
44 Sunset Committee recommends the continuance of the Alabama  
45 Board of Massage Therapy until October 1, 2024, with the  
46 additional recommendation for statutory change as set out in  
47 Section 3.

48 Section 2. The existence and functioning of the Alabama  
49 Board of Massage Therapy, created and functioning pursuant to  
50 Sections 34-43-1 to 34-43-21, inclusive, Code of Alabama 1975,  
51 is continued until October 1, 2024, and those code sections  
52 are expressly preserved.

53 Section 3. Sections 34-43-6, 34-43-9, 34-43-11,  
54 34-43-12, 34-43-13, 34-43-14, 34-43-15, 34-43-20, and 34-43-21  
55 of the Code of Alabama 1975, as amended by Act 2022-408, 2022  
56 Regular Session, are amended to read as follows:



57           "§34-43-6

58           (a) There is created the Alabama Board of Massage  
59   Therapy. The purpose of the board is to protect the health,  
60   safety, and welfare of the public by ensuring that licensed  
61   massage therapists, massage therapy schools, and massage  
62   therapy instructors meet prescribed standards of education,  
63   competency, and practice. To accomplish this mission, the  
64   board shall establish standards pursuant to this chapter to  
65   complete all board functions in a timely and effective manner  
66   and to provide open and immediate access to all relevant  
67   public information. The board shall communicate its  
68   responsibilities and services to the public as part of its  
69   consumer protection duties. The board shall develop and  
70   implement a long range plan to ensure effective regulation and  
71   consumer protection.

72           (b) The board shall consist of seven members appointed  
73   by the Governor, subject to confirmation by the Senate. No  
74   member of the board shall serve more than two full consecutive  
75   terms. The members initially appointed to the board shall be  
76   appointed not later than July 16, 1996. Five of the members  
77   initially appointed to the board shall have been actively  
78   engaged in the practice of massage therapy for not less than  
79   three consecutive years prior to the date of their appointment  
80   to the board. Successor members to these initial five  
81   appointees shall be licensees of the board. Two members shall  
82   be public members who shall not be licensed, nor have been  
83   licensed in the past, and shall not have any direct financial  
84   interest in the massage therapy profession. Each board member



85 shall be a high school graduate or shall have received a  
86 graduate equivalency diploma. Each board member shall be  
87 selected upon personal merit and qualifications, not per  
88 membership or affiliation with an association. Each board  
89 member shall be a citizen of the United States ~~and this state~~  
90 and a resident of this state for two years immediately  
91 preceding the appointment. The Governor shall coordinate his  
92 or her appointments to assure that the membership of the board  
93 ~~shall be is~~ inclusive and ~~reflect~~ reflects the racial, gender,  
94 geographic, ~~urban/rural~~ urban, rural, and economic diversity  
95 of the state. As the terms of members serving on the board on  
96 the effective date of the act amending this subsection expire,  
97 or as vacancies occur, new members shall be appointed so that  
98 not more than one member from each United States Congressional  
99 District in the state is appointed to serve at the same time.

100 (c) Of the initial seven appointees to the board, three  
101 members shall be appointed for terms ending September 30,  
102 1997, and four members shall be appointed for terms ending  
103 September 30, 1999. Thereafter, successors shall be appointed  
104 for terms of four years, each term expiring on September 30.

105 (d) Vacancies on the board occurring prior to the  
106 expiration of a term shall be filled by the Governor within 30  
107 days of the vacancy to serve for the remainder of the  
108 unexpired term. Each member of the board shall serve until his  
109 or her successor has been duly appointed and qualified.

110 (e) At the first meeting, and annually thereafter in  
111 the month of October, the board shall elect a chair and vice  
112 chair from its membership.



113 (f) The board shall hold its first meeting within 30  
114 days after the initial members are appointed. The board shall  
115 hold meetings during the year as ~~it~~ the board determines  
116 necessary, two of which shall be the biannual meetings for the  
117 purpose of reviewing license applications. Additional meetings  
118 may be held at the discretion of the chair or upon written  
119 request of any three members of the board. A quorum of the  
120 board shall be a majority of the current appointed board  
121 members. Upon the written request of any person, submitted to  
122 the board at least 24 hours in advance of a scheduled meeting,  
123 the meeting shall be recorded.

124 (g) Board members shall not receive compensation for  
125 their services, but shall receive the same per diem and  
126 allowance as provided to state employees for each day the  
127 board meets and conducts business.

128 (h) The board shall adopt the rules necessary to  
129 implement this chapter pursuant to the Administrative  
130 Procedure Act. Proposed rules, and a schedule of proceedings  
131 relating to their adoption, shall be conspicuously posted and  
132 routinely updated on the website of the board.

133 (i) The board may employ, and at its pleasure  
134 discharge, an executive secretary and other officers and  
135 employees which may be necessary, including an attorney, to  
136 implement this chapter. The board shall also outline the  
137 duties and fix the compensation and expense allowances of the  
138 employees.

139 (j) An affirmative vote of a majority of the members of  
140 the board shall be required to grant, suspend, or revoke a



141 license to practice massage therapy or a license to operate a  
142 massage therapy establishment. ~~The board may grant authority~~  
143 ~~to the executive director to approve licenses.~~

144 (k) The board shall be financed only from income  
145 accruing to ~~it~~ the board from fees, licenses, other charges  
146 and funds collected by ~~it~~ the board, and any monies that are  
147 appropriated to ~~it~~ the board by the Legislature.

148 (l) Each board member shall be accountable to the  
149 Governor for the proper performance of his or her duties as a  
150 member of the board. The board shall report to the Governor  
151 annually and at other times as requested by the Governor. The  
152 Governor shall investigate any complaints or unfavorable  
153 reports concerning the actions of the board and take  
154 appropriate action thereon, including removal of any board  
155 member for misfeasance, malfeasance, neglect of duty,  
156 commission of a felony, incompetence, or permanent inability  
157 to perform official duties. A board member may be removed at  
158 the request of the board after failing to attend two  
159 consecutive properly noticed meetings.

160 (m) Members of the board are immune from liability for  
161 all good faith acts performed in the execution of their duties  
162 as members of the board.

163 (n) Appointees to the board shall take the  
164 constitutional oath of office and file it in the office of the  
165 Governor before undertaking any duties as a board member. Upon  
166 receiving the oath, the Governor shall issue a certificate of  
167 appointment to each appointee."

168 "§34-43-9



169 (a) A person desiring to be licensed as a massage  
170 therapist shall apply to the board on forms provided by the  
171 board. Unless licensed pursuant to subsection (b), applicants  
172 for licensure shall submit evidence satisfactory to the board  
173 that they have met each of the following requirements:

174 (1) Satisfactorily completed a minimum of 650 hours of  
175 instruction. By rule of the board, the minimum 650 hours shall  
176 consist of the following: 100 hours of anatomy and physiology  
177 to include 35 hours of myology, 15 hours of osteology, 10  
178 hours of circulatory system, and 10 hours of nervous system,  
179 with the remaining 30 hours to address other body systems at  
180 the discretion of the school; 250 hours of basic massage  
181 therapy, the contradistinctions of massage therapy, and  
182 related touch therapy modalities, to include a minimum of 50  
183 hours of supervised massage; 50 hours to include business,  
184 hydrotherapy, first aid, cardiopulmonary resuscitation, and  
185 professional ethics; and 250 hours of electives to be  
186 determined by the school. The board may adopt a rule to  
187 further increase the minimum number of hours of instruction  
188 required for licensure, not to exceed the number of hours  
189 recommended by the National Certification Board for  
190 Therapeutic Massage and Bodywork. Before performing  
191 therapeutic massage on an animal, a massage therapist shall  
192 graduate from a nationally approved program and complete at  
193 least 100 hours of postgraduate training and education in  
194 animal anatomy, pathology, and physiology for the type of  
195 animal upon which the massage therapist wishes to perform  
196 therapeutic massage.



197 (2) Successfully passed a national standardized  
198 examination approved by the board.

199 (3) Completed a criminal history check.

200 (4) Paid all applicable fees.

201 (b) Notwithstanding the requirements in subdivisions  
202 (1) and (2) of subsection (a), the board may license an  
203 applicant if the applicant is licensed or registered in  
204 another state, which, in the opinion of the board, has  
205 standards of practice or licensure that are equal to or  
206 stricter than the requirements imposed by this chapter at the  
207 time of licensure in that state.

208 (c) Notwithstanding any other provision of this section  
209 to the contrary, each applicant for licensure shall be a  
210 citizen of the United States or, if not a citizen of the  
211 United States, a person who is legally present in the United  
212 States with appropriate documentation from the federal  
213 government.

214 (d) The board ~~may~~ shall notify each applicant that his  
215 or her application has been received and is pending and shall  
216 also notify each applicant of the acceptance or rejection of  
217 his or her application. If the application is rejected, the  
218 board shall list the reasons for rejection."

219 "§34-43-11

220 (a) Establishments shall be licensed by the board. A  
221 sexually oriented business may not be licensed as an  
222 establishment and shall not operate as an establishment  
223 licensed pursuant to this chapter.

224 (b) Establishments shall contract with or employ only





225 licensed massage therapists to perform massage therapy.

226 (c) Each establishment shall contract with or employ at  
227 least one licensed massage therapist who is registered with  
228 the board as the individual designated to ensure the  
229 establishment follows state law and administrative rules.

230 (d) An establishment license issued pursuant to this  
231 chapter is not assignable ~~or transferable~~.

232 (e) Each unlicensed massage therapist applying for an  
233 establishment license shall be subject to a criminal history  
234 check or shall submit to the board proof of a completed  
235 criminal history check performed through the National  
236 Certification Board of Therapeutic Massage and Bodywork, or  
237 other national certifying board approved by the board, during  
238 the previous two-year period. No licensed massage therapist  
239 shall be subject to an additional criminal history check when  
240 applying for an establishment license.

241 (f) An establishment owned by an individual who is not  
242 a resident of this state shall be subject to an initial  
243 inspection before licensure. ~~The amount of the initial~~  
244 ~~inspection fee shall be determined by rule of the board."~~

245 "§34-43-12

246 (a) Applications for initial licensure or renewal shall  
247 be on forms provided by the board and shall be accompanied by  
248 the proper fee. A two-by-two photograph, taken no more than  
249 six months earlier, showing a frontal view of the head and  
250 shoulders of the applicant, shall be submitted with the  
251 application. All documents shall be submitted in English.

252



253 (b) Each applicant for initial licensure shall be  
254 subject to a criminal history check. Refusal to consent to a  
255 criminal history check constitutes grounds for the board to  
256 deny the applicant's application for licensure.

257 (c) The board shall issue a license to each person who  
258 qualifies to be a massage therapist and to each qualified  
259 massage therapy establishment. To be qualified for a license  
260 as a massage therapist the applicant shall successfully pass  
261 the examination, pay the examination fee, pass the criminal  
262 history check pursuant to rules adopted by the board, pay the  
263 criminal history check fee, and pay the license fee. A license  
264 grants all professional rights, honors, and privileges  
265 relating to the practice of massage therapy.

266 (d) Each licensed therapist shall display his or her  
267 license in the manner specified by the board. Each  
268 establishment shall post its license in plain sight and the  
269 license of each massage therapist who practices in the  
270 establishment.

271 (e) A license is the property of the board and shall be  
272 surrendered upon demand of the board."

273 "§34-43-13

274 (a) Each license shall be renewed biennially, on or  
275 before the anniversary date, by forwarding to the board a  
276 renewal application accompanied by the renewal fee. ~~Each~~  
277 ~~applicant for renewal for licensure shall be subject to a~~  
278 ~~criminal history check.~~ Any license not renewed biennially on  
279 or before the anniversary date shall expire.

280 (b) Each licensee, upon application for renewal of a



281 license, shall ~~do both of the following:~~

282 ~~(1) Submit~~ submit evidence of satisfactory completion  
283 of the continuing education requirements contained in Section  
284 34-43-21.

285 ~~(2) Consent to a criminal history check. Refusal to~~  
286 ~~consent to a criminal history check constitutes grounds for~~  
287 ~~the board to deny the licensee's application for renewal of~~  
288 ~~the license.~~

289 (c) Licenses are valid for two years from the date of  
290 issuance. An individual whose license has expired and who has  
291 ceased to practice massage therapy for a period of not longer  
292 than five years may have his or her license reinstated upon  
293 payment of a renewal fee and a late fee and submission of a  
294 renewal application and evidence satisfactory to the board  
295 that the applicant has fulfilled continuing education  
296 requirements, ~~passed a criminal history check pursuant to~~  
297 ~~rules adopted by the board~~, paid the criminal history check  
298 fee, and passed the examination.

299 (d) Subsequent to an official complaint, the board may  
300 request a criminal background check of the licensee through  
301 the district attorney of the circuit in which the licensee is  
302 located."

303 "§34-43-14

304 (a) By rule, the board shall assess and collect the  
305 following fees not to exceed:

306 (1) ~~Two hundred fifty dollars (\$250)~~ One hundred  
307 dollars (\$100) for the initial massage therapist license.

308 (2) ~~Three hundred dollars (\$300)~~ One hundred dollars



309 (\$100) for all biennial license renewals postmarked or  
310 received at the office of the board by the date ~~in~~ on which  
311 the license expires.

312 (3) ~~Three hundred dollars (\$300)~~ One hundred dollars  
313 (\$100) for the initial, and fifty dollars (\$50) for any  
314 renewal of, an establishment license.

315 (4) ~~Five hundred dollars (\$500)~~ One hundred fifty  
316 dollars (\$150) for the initial registration, and any renewal  
317 registration, as a massage therapy school in this state.

318 (5) ~~Two hundred fifty dollars (\$250)~~ One hundred  
319 dollars (\$100) to register and renew registration as a massage  
320 therapy instructor in this state.

321 (6) ~~One hundred fifty dollars (\$150)~~ Seventy-five  
322 dollars (\$75) to reactivate an expired license.

323 (7) ~~One hundred dollars (\$100)~~ Twenty-five dollars  
324 (\$25) shall be added to all license fees not post-marked or  
325 received by the board before the expiration date of the  
326 license.

327 ~~(8) Twenty-five dollars (\$25) to verify a license.~~

328 ~~(9) Twenty-five dollars (\$25)~~ (8) Ten dollars (\$10) for  
329 a duplicate license certificate or a name change on a license  
330 certificate. The board may issue a duplicate certificate for  
331 each establishment on file with the board where the massage  
332 therapist practices massage therapy. The board may issue  
333 additional duplicate certificates only after receiving a sworn  
334 letter from the massage therapist that ~~the~~ an original  
335 certificate was lost, stolen, or destroyed. The records of the  
336 board shall reflect that a duplicate certificate was issued.



337 ~~(10) A fee, set by the board, for the criminal history~~  
338 ~~check.~~

339 ~~(11) A fee, set by the board, for an establishment~~  
340 ~~inspection.~~

341 (b) Necessary administrative fees may be charged by the  
342 board, including, but not limited to, reasonable costs for  
343 copying, labels, and lists. Examination and license fees may  
344 be adjusted as by rule of the board ~~shall deem appropriate.~~

345 (c) There is ~~hereby~~ established a separate special  
346 revenue trust fund in the State Treasury to be known as the  
347 Alabama Board of Massage Therapy Fund. All receipts collected  
348 by the board under this chapter ~~are to~~ shall be deposited in  
349 this fund and used only to carry out this chapter. ~~Such~~  
350 ~~receipts~~ Receipts shall be disbursed only by warrant of the  
351 state Comptroller, upon itemized vouchers approved by the  
352 chair of the board; ~~provided that no.~~ No funds shall be  
353 withdrawn except as budgeted and allotted according to ~~the~~  
354 ~~provisions of~~ Sections 41-4-80 to 41-4-96, inclusive, 41-19-1,  
355 and 41-19-12, as amended, and only in amounts as stipulated in  
356 the general appropriations bill or other appropriations  
357 bills."

358 "§34-43-15

359 (a) Any person may file with the board a written  
360 complaint regarding an allegation of impropriety by a  
361 licensee, establishment, or person. Complaints shall be made  
362 in the manner prescribed by the board. Complaints received by  
363 the board shall be referred to a standing investigative  
364 committee consisting of a board member, the Executive



365 Director, the board attorney, and the board investigator. If  
366 no probable cause is found, the investigative committee may  
367 dismiss the charges and prepare a statement, in writing, of  
368 the reasons for the decision.

369 (b) If probable cause is found, the board shall  
370 initiate an administrative proceeding. Upon a finding that the  
371 licensee has committed any of the following instances of  
372 misconduct, the board may suspend, revoke, or refuse to issue  
373 or renew a license or impose a civil penalty after notice and  
374 opportunity for a hearing pursuant to the Administrative  
375 Procedure Act:

376 (1) The license was obtained by means of fraud,  
377 misrepresentation, or concealment of material facts, including  
378 making a false statement on an application or any other  
379 document required by the board for licensure.

380 (2) The licensee sold or bartered or offered to sell or  
381 barter a license for a massage therapist or a massage therapy  
382 establishment.

383 (3) The licensee has engaged in unprofessional conduct  
384 that has endangered or is likely to endanger the health,  
385 safety, and welfare of the public, as defined by the rules of  
386 the board. ~~As used in this subdivision, unprofessional conduct~~  
387 ~~includes, but is not limited to, allowing any individual to~~  
388 ~~remain in a massage therapy establishment overnight.~~

389 (4) The licensee has been convicted of a felony or of  
390 any crime arising out of or connected with the practice of  
391 massage therapy.

392 (5) The licensee has violated or aided and abetted in



393 the violation of this chapter.

394 (6) The licensee is adjudicated as mentally incompetent  
395 by a court of law.

396 (7) The licensee uses controlled substances or  
397 habitually and excessively uses alcohol.

398 (8) The licensee engaged in false, deceptive, or  
399 misleading advertising.

400 (9) The licensee engaged in or attempted to or offered  
401 to engage a client in sexual activity, including, but not  
402 limited to, genital contact, within the client-massage  
403 therapist relationship.

404 (10) The licensee has knowingly allowed the massage  
405 therapy establishment to be used as an overnight sleeping  
406 accommodation.

407 (11) The licensee had a license revoked, suspended, or  
408 denied in any other territory or jurisdiction of the United  
409 States for any act described in this section.

410 (c) (1) A person governed by this chapter who has a  
411 reasonable belief that another massage therapist has engaged  
412 in or attempted to or offered to engage a client in sexual  
413 activity, as provided in subdivision ~~(9) of subsection~~ (b) (9),  
414 shall inform the board in writing within 30 calendar days from  
415 the date the person discovers this activity. Upon finding that  
416 a person has violated this subsection, the board shall alert  
417 local law enforcement and may do any of the following:

418 a. Impose an administrative fine of not more than  
419 ~~twenty-five thousand dollars (\$25,000)~~ ten thousand dollars  
420 (\$10,000) according to a disciplinary infraction fine schedule



421 adopted by rule of the board.

422           b. Suspend or revoke the person's license to practice  
423 massage therapy.

424           (2) Upon a finding that a person has violated this  
425 subsection three or more times, the board shall impose a  
426 mandatory license suspension for a period of no less than  
427 three years and a fine of ~~twenty-five thousand dollars~~  
428 ~~(\$25,000)~~ ten thousand dollars (\$10,000).

429           (d) Any person who has been convicted of, or entered a  
430 plea of nolo contendere to, a crime or offense involving  
431 prostitution or other sexual ~~offenses~~ offense is ineligible to  
432 hold a license as a massage therapist for a period of at least  
433 three years after the entry of the conviction or plea. The  
434 board retains the right to revoke a license indefinitely if  
435 the licensee is proven guilty of a crime or of sexual  
436 misconduct. Reinstatement of licensure is contingent upon  
437 proof of weekly counseling by a licensed professional  
438 counselor.

439           (e) An establishment where a person has been convicted  
440 of, or entered a plea of nolo contendere to, an offense  
441 involving prostitution or any other type of sexual offense may  
442 not receive a license for a massage therapy establishment for  
443 a period of three years after the date of conviction or entry  
444 of the plea. The board shall revoke the establishment license  
445 of any establishment which the board determines is a sexually  
446 oriented business. The board may revoke an establishment  
447 license if a person is convicted of, or enters a plea of nolo  
448 contendere to, any crime involving prostitution or any other





449 sexual offense against a client which occurred on the premises  
450 of the establishment. ~~The violation is attached to the address~~  
451 ~~of the establishment.~~

452 (f) (1) Upon finding a person, who is governed by this  
453 chapter, performing massage therapy without having obtained a  
454 license, the board may do any of the following:

455 a. Impose an administrative fine of not more than  
456 ~~twenty-five thousand dollars (\$25,000)~~ ten thousand dollars  
457 (\$10,000).

458 b. Issue a cease and desist order.

459 c. Petition the circuit court of the county where the  
460 act occurred to enforce the cease and desist order and collect  
461 the assessed fine.

462 (2) Any person aggrieved by any adverse action of the  
463 board ~~must~~ shall appeal the action to the Circuit Court of  
464 Montgomery County in accordance with the Alabama  
465 Administrative Procedure Act.

466 (g) The board shall present any incident of misconduct  
467 to the local district attorney for review and appropriate  
468 action.

469 (h) The board may adopt rules to implement and  
470 administer this section."

471 "§34-43-20

472 (a) To be approved by the board, a massage therapy  
473 school shall meet all of the following requirements:

474 (1) File a completed application prescribed by the  
475 board with the board and pay a registration fee as specified  
476 in Section 34-43-14.



477 (2) Provide documentation of a curriculum which  
478 includes a minimum number of required hours of instruction in  
479 the subjects required pursuant to Section 34-43-9.

480 (3) Register annually with the board by filing a  
481 renewal form, accompanied ~~with~~ by the renewal fee pursuant to  
482 Section 34-43-14, and submit a current curriculum and a list  
483 of instructors.

484 (b) Every instructor teaching course work titled  
485 massage therapy at a board approved school located in Alabama  
486 shall be licensed in Alabama as a massage therapist and  
487 registered as a massage therapy instructor. Instructors who  
488 are not teaching massage therapy do not need to be registered.  
489 Any adjunct instructors shall be dually licensed in the state  
490 where they reside, or be nationally certified, or both.

491 (c) The board shall register as a massage therapy  
492 instructor any applicant who meets all of the following  
493 requirements:

494 (1) Is currently licensed as a massage therapist in  
495 Alabama.

496 (2) Has filed a completed application prescribed by the  
497 board and paid a one-time application fee pursuant to Section  
498 34-43-14.

499 (3) Documents three years of experience in the practice  
500 of massage therapy. The documentation may be considered by the  
501 board on a case-by-case basis.

502 ~~(4) Any other requirements adopted by rule of the~~  
503 ~~board."~~

504 "§34-43-21



505 (a) The board is subject to the Alabama Sunset Law of  
506 1981, and is classified as an enumerated agency pursuant to  
507 Section 41-20-3. The board shall automatically terminate on  
508 October 1, 2007, and every four years thereafter, unless  
509 continued pursuant to the Alabama Sunset Law.

510 (b) The board shall adopt a program of continuing  
511 education for licensees which shall be a requisite for the  
512 renewal of licenses issued pursuant to this chapter and not  
513 exceed the requirements of a board approved nationally  
514 recognized board certification organization such as the  
515 National Certification Board of Therapeutic Massage and  
516 Bodywork."

517 Section 4. This act shall become effective on July 1,  
518 2023, following its passage and approval by the Governor, or  
519 its otherwise becoming law.