

Report From Agency

**STATE OF WISCONSIN
MASSAGE THERAPY AND BODYWORK THERAPY AFFILIATED
CREDENTIALING BOARD**

IN THE MATTER OF RULEMAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : CR 19-102
MASSAGE THERAPY AND :
BODYWORK THERAPY :
AFFILIATED CREDENTIALING :
BOARD :

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

Sections MTBT 4.02 and 4.04 contain the provisions for renewal and late renewal of a license as a massage therapist or bodywork therapist. These provisions are not clear concerning educational and examination requirements for late renewal and do not specify the requirements for reinstatement when a licensee has unmet disciplinary requirements, or a license has been revoked or surrendered. In addition, s. MTBT 4.04 does not reflect the requirement under s. 460.07 (2) (d), Stats., that a renewal application include evidence satisfactory to the Board that the applicant has current proficiency in the use of an automated external defibrillator (AED).

The proposed rules clarify the requirements in ss. MTBT 4.02 and 4.04 for renewal and late renewal of a license and create s. MTBT 4.05 to specify the requirements for reinstatement of a license. The proposed rules also update provisions throughout ch. MTBT 4 for clarity and to conform with current drafting standards and applicable Wisconsin statutes.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Massage Therapy and Bodywork Affiliated Credentialing Board held a public hearing on September 3, 2019. The Board did not receive any written comments or testimony concerning the proposed rules.

VI. RESPONSE TO MEDICAL EXAMINING BOARD AND LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

The proposed rule was submitted to the Medical Examining Board on October 17, 2018. The Medical Examining Board had no recommendations concerning the proposed rule.

All Legislative Council recommendations have been incorporated into the proposed rules.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

N/A