

CERTIFICATE


**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Marlene A. Cummings, Secretary, Wisconsin Department of Regulation and Licensing and custodian of the official records of the Department of Regulation and Licensing, hereby certify that the annexed rules were duly approved and adopted by the Department of Regulation and Licensing on the 30th day of November, 2000.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

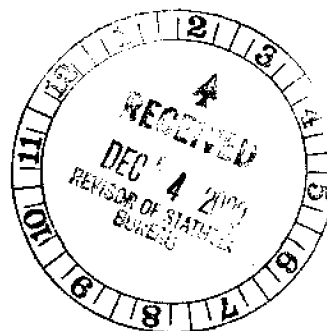
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 1400 East Washington Avenue, Madison, Wisconsin this 30th day of November, 2000.



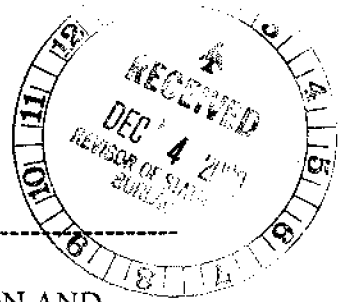
**Marlene A. Cummings, Secretary,
Department of Regulation and
Licensing**

00-128

2-1-01



STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING



IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION AND
DEPARTMENT OF REGULATION : LICENSING ADOPTING RULES
AND LICENSING : (CLEARINGHOUSE RULE 00-128)

ORDER

An order of the Department of Regulation and Licensing to repeal RL 91.01 (3) (a) and 91.02; to renumber RL 90.02 (1), (3), (4), (5), (6), (7) and (8), 91.01 (3) (c) and (d); to renumber and amend RL 90.02 (2) and 91.01 (3) (b) and (e); to amend RL 91.03 (1) (intro.) and (1) (c) 1., 92.01 (1), (5) (e) and (f) and 92.02; to repeal and recreate RL 92.01 (3) and (4); and to create RL 90.02 (1) and 91.01 (3) (e) and (f), relating to educational and examination requirements for massage therapists and bodyworkers.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutory authority: s. 227.11 (2), Stats. and s. 440.982 (1) (b), Stats., as amended by 1999 Wisconsin Act 98.

Statutes interpreted: ss. 440.982 (1) (a) and (b), Stats.

The proposed revisions to Chapters RL 90, 91 and 92 are necessary to implement 1999 Wisconsin Act 98 relating to educational and examination requirements for massage therapists and bodyworkers. The proposed rules redefine an approved course of instruction to state that a course of instruction may now be approved by the department in addition to being offered by a school approved by the Educational Approval Board under s. 39.51, Stats. Prior to 1999 Wisconsin Act 98, an approved course of instruction could only be offered by a school approved by the Educational Approval Board.

The proposed rules provide that a course of instruction approved by the department is either: (1) an associate degree program, or a vocational diploma program in massage therapy or bodywork offered by a technical college, or (2) a course of instruction in massage therapy or bodywork offered by a school accredited by an accrediting agency recognized by the U.S. Department of Education, or the Commission on Massage Training Accreditation.

An approved course of instruction must also meet the minimum requirements set forth in s. RL 92.02 (5), consisting of 600 classroom hours satisfying the subject area requirements listed in that section. Additional amendments renumber those remaining sections where affected.

SECTION 2 creates the definition of an accrediting agency.

SECTION 3 renumbers and amends a provision to allow the department to approve a course of instruction authorized by s. 440.982 (1) (b), Stats.

SECTION 5 amends the introduction to s. RL 91.01, removing a reference to a section that is deleted.

SECTION 6 repeals a provision relating to a registration that is no longer offered.

SECTION 7 renumbers and amends a provision relating to an approved course of instruction authorized by s. 440.982 (1) (b), Stats.

SECTION 9 renumbers and amends provisions relating to successful completion of examinations required for registration.

SECTION 10 amends provisions to require evidence that the applicant completed a course in adult cardiopulmonary resuscitation.

SECTION 11 repeals outdated provisions.

SECTION 12 clarifies reciprocal registration.

SECTION 13 amends a provision relating to the submitted proof pertaining to completion of an approved course of instruction authorized by s. 440.982 (1) (b), Stats.

SECTION 14 repeals a reference to a formerly approved course of instruction and creates a provision that a course of instruction from a school that is not approved by the educational approval board be from a school that is either a technical college or accredited by an accrediting agency.

SECTION 15 amends the requirement for a course of instruction including an adult cardiopulmonary course, and to correct a typographical error.

SECTION 16 amends a provision relating to approved schools following amendment of s. 440.982 (1) (b), Stats.

TEXT OF RULE

SECTION 1. RL 90.02 (1) is renumbered RL 90.02 (2).

SECTION 2. RL 90.02 (1) is created to read:

RL 90.02 (1) "Accrediting agency" means any of the following:

(a) A regional or national accrediting agency recognized by the U.S. department of education.

(b) Commission on massage therapy accreditation.

SECTION 3. RL 90.02 (2) is renumbered RL 90.02 (3) and amended to read:

RL 90.02 (3) "Course of instruction" means a series of classroom courses, not including continuing education, which is approved by the department or at a school approved by the educational approval board under s. 39.51, Stats., having a unified purpose which lead to a diploma or degree or to an occupational or vocational objective, meeting the requirements of s. RL 92.01(5).

SECTION 4. RL 90.02 (3), (4), (5), (6), (7) and (8) are renumbered RL 90.02 (4), (5), (6), (7), (8) and (9).

SECTION 5. RL 91.01 (intro.) is amended to read:

RL 91.01 Application for registration. (intro.) ~~Except as provided in s. RL 91.02, an~~ An individual applying for registration as a massage therapist or bodyworker shall submit all of the following to the department:

SECTION 6. RL 91.01 (3) (a) is repealed.

SECTION 7. RL 91.01 (3) (b) is renumbered RL 91.01 (3) (a) and amended to read:

RL 91.01 (3) (a) ~~If filing an application for registration on or after March 1, 2000, has~~ Has completed at least 600 classroom hours of study in a course of instruction at an approved school of massage therapy or bodywork, as provided under s. 440.982 (1) (b), Stats.

SECTION 8. RL 91.01 (3) (c) and (d) are renumbered RL 91.01 (3) (b) and (c).

SECTION 9. RL 91.01 (3) (e) is renumbered RL 91.01 (3) (d) and amended to read:

RL 91.01 (3) (d) ~~If filing an application for registration on or after March 1, 2000, passed examinations~~ Has passed the national certification examination for therapeutic massage and bodywork offered by the national certification board for therapeutic massage and bodywork or a substantially equivalent examination approved by the national commission of certifying agencies of the national organization for competency assurance or that is developed, administered or approved by the department relating to the practice of massage therapy or bodywork and state laws governing the practice of massage therapy and bodywork.

SECTION 10. RL 91.01 (3) (e) and (f) are created to read:

RL 91.01 (3) (e) Has passed an examination on state laws and administrative rules governing massage therapy or bodywork.

(f) Has successfully completed a course consisting of 8 classroom hours in adult cardiopulmonary resuscitation and standard first aid, unless the 8 classroom hours are completed as part of a course of instruction as provided under s. RL 92.01 (5) (e).

SECTION 11. RL 91.02 is repealed.

SECTION 12. RL 91.03 (1) (intro.) and (1) (c) 1. are amended to read:

RL 91.03 (1) (intro.) An individual applying for registration on the basis of a similar license, registration or certification in another state or jurisdiction of the United States or another country shall:

(1) (c) 1. Holds a current similar license, registration or certificate to practice massage therapy or bodywork in another state or jurisdiction of the United States or another country.

SECTION 13. RL 92.01 (1) is amended to read:

RL 92.01 (1) An individual applying for registration as a massage therapist or bodyworker ~~prior to March 1, 2000, shall submit evidence satisfactory to the department that he or she has completed at least 500 classroom hours of study in a course of instruction at an approved school of massage therapy or bodywork, as provided under s. 440.982 (1) (b), Stats.~~ An individual applying for registration as a massage therapist or bodyworker on or after March 1, 2000, shall submit evidence satisfactory to the department, an official transcript or other official documentation showing dates and total hours attended and a description of the curriculum completed establishing that he or she has completed at least 600 classroom hours of study in a course of instruction at an approved school of massage therapy or bodywork, as provided under s. 440.982 (1) (b), Stats.

SECTION 14. RL 92.01 (3) and (4) are repealed and recreated to read:

RL 92.01 (3) A course of instruction at a school approved by the educational approval board under s. 39.51, Stats., shall in addition meet the requirements of sub. (5).

(4) In addition to satisfying the requirements of sub. (5), a course of instruction that is approved by the department shall be one of the following:

(a) An associate degree program, or a vocational diploma program in massage therapy or bodywork offered by a technical college established pursuant to s. 38.02, Stats.

(b) A course of instruction in massage therapy or bodywork offered by a school accredited by an accrediting agency.

SECTION 15. RL 92.01 (5) (c) and (f) are amended to read:

RL 92.01 (5) (e) Adult cardiopulmonary resuscitation (CPR) and standard first aid: 8 classroom hours. The requirement of this paragraph may be alternatively satisfied as provided under s. RL 91.01 (3) (f).

(f) Additional massage therapy or bodywork course offerings meeting the objectives of the course of instruction: ~~102~~ 100 classroom hours.

SECTION 16. RL 92.02 is amended to read:

RL 92.02 Approved schools. Except for a course of instruction that is approved by the department, as provided under s. RL 92.01 ~~(3)~~ (4), an approved course of instruction ~~designed to meet the requirements in this chapter~~ shall be provided by an approved a school of massage therapy or bodywork, approved by the educational approval board as provided under s. 440.982 (1) (b), s. 39.51, Stats.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated 11/30/00

Agency Marlene A. Cummings
Marlene A. Cummings, Secretary
Department of Regulation and Licensing



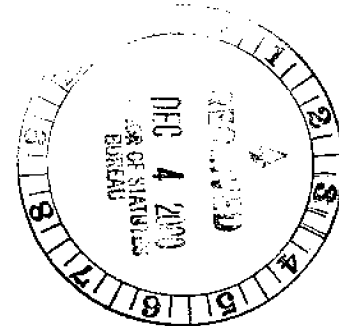
State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
CORRESPONDENCE/MEMORANDUM

DATE: December 4, 2000

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Paralegal
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: Department of Regulation and Licensing

Clearinghouse Rule 00-128

Attached is a copy and a certified copy of a final order adopting rules relating to educational and examination requirements for massage therapists and bodyworkers.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.