
SUBSTITUTE SENATE BILL 5718

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau and Deccio)

Read first time 02/28/2001. Referred to Committee on .

1 AN ACT Relating to certification of reflexologists; amending RCW
2 18.108.010, 18.108.020, 18.108.025, 18.108.030, and 18.130.040; adding
3 new sections to chapter 18.108 RCW; creating new sections; and
4 providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 18.108.010 and 1997 c 297 s 2 are each amended to read
7 as follows:

8 In this chapter, unless the context otherwise requires, the
9 following meanings shall apply:

10 (1) "Board" means the Washington state board of massage.

11 (2) "Massage" and "massage therapy" mean a health care service
12 involving the external manipulation or pressure of soft tissue for
13 therapeutic purposes. Massage therapy includes techniques such as
14 tapping, compressions, friction, Swedish gymnastics or movements,
15 gliding, kneading, shaking, and (~~facial~~) fascial or connective tissue
16 stretching, with or without the aids of superficial heat, cold, water,
17 lubricants, or salts. Massage therapy does not include diagnosis or
18 attempts to adjust or manipulate any articulations of the body or spine

1 or mobilization of these articulations by the use of a thrusting force,
2 nor does it include genital manipulation.

3 (3) "Massage practitioner" means an individual licensed under this
4 chapter.

5 (4) "Secretary" means the secretary of health or the secretary's
6 designee.

7 (5) "Massage business" means the operation of a business where
8 massages are given.

9 (6) "Certified reflexologist" means a person certified to practice
10 reflexology under this chapter.

11 **Sec. 2.** RCW 18.108.020 and 1991 c 3 s 253 are each amended to read
12 as follows:

13 The Washington state board of massage is hereby created. The board
14 shall consist of (~~four~~) five members who shall be appointed by the
15 governor for a term of four years each. Four members shall be
16 residents of this state and shall have not less than three years
17 experience in the practice of massage immediately preceding their
18 appointment and shall be licensed under this chapter and actively
19 engaged in the practice of massage during their incumbency. One member
20 shall be a certified reflexologist who is engaged in the active
21 practice of reflexology and who is a resident of the state.

22 In addition to the members specified in this section, the governor
23 shall appoint a consumer member of the board, who shall serve for a
24 term of four years. The consumer member of the board shall be an
25 individual who does not derive his or her livelihood by providing
26 health care services or massage therapy and is not a licensed health
27 professional. The consumer member shall not be an employee of the
28 state nor a present or former member of another licensing board.

29 In the event that a member cannot complete his or her term of
30 office, another appointment shall be made by the governor in accordance
31 with the procedures stated in this section to fill the remainder of the
32 term. No member may serve more than two successive terms whether full
33 or partial. The governor may remove any member of the board for
34 neglect of duty, incompetence, or unprofessional or disorderly conduct
35 as determined under chapter 18.130 RCW.

36 Each member of the board shall be compensated in accordance with
37 RCW 43.03.240. Members shall be reimbursed for travel expenses

1 incurred in the actual performance of their duties, as provided in RCW
2 43.03.050 and 43.03.060.

3 The board may annually elect a chairperson to direct the meetings
4 of the board. The board shall meet as called by the chairperson or the
5 secretary. Three members of the board shall constitute a quorum of the
6 board.

7 **Sec. 3.** RCW 18.108.025 and 1991 c 3 s 254 are each amended to read
8 as follows:

9 In addition to any other authority provided by law, the board may:

10 (1) Adopt rules in accordance with chapter 34.05 RCW necessary to
11 implement this chapter, subject to the approval of the secretary;

12 (2) Define, evaluate, approve, and designate those schools,
13 programs, and apprenticeship programs including all current and
14 proposed curriculum, faculty, and health, sanitation, and facility
15 standards from which graduation will be accepted as proof of an
16 applicant's eligibility to take the licensing examination;

17 (3) Review approved schools and programs periodically;

18 (4) Prepare, grade, administer, and supervise the grading and
19 administration of, examinations for applicants for licensure; ~~((and))~~

20 (5) Determine which states have educational and licensing
21 requirements equivalent to those of this state; and

22 (6) Certify reflexologists.

23 The board shall establish by rule the standards and procedures for
24 approving courses of study and may contract with individuals or
25 organizations having expertise in the profession or in education to
26 assist in evaluating courses of study. The standards and procedures
27 set shall apply equally to schools and training within the United
28 States of America and those in foreign jurisdictions.

29 **Sec. 4.** RCW 18.108.030 and 1995 c 198 s 15 are each amended to
30 read as follows:

31 (1) No person may practice or represent himself or herself as a
32 massage practitioner without first applying for and receiving from the
33 department a license to practice.

34 (2) A person represents himself or herself as a massage
35 practitioner when the person adopts or uses any title or any
36 description of services that incorporates one or more of the following
37 terms or designations: Massage, massage practitioner, massage

1 therapist, massage therapy, therapeutic massage, massage technician,
2 massage technology, massagist, masseur, masseuse, myotherapist or
3 myotherapy, touch therapist, ((reflexologist,)) acupressurist, body
4 therapy or body therapist, or any derivation of those terms that
5 implies a massage technique or method.

6 NEW SECTION. **Sec. 5.** (1) No person may for a fee or as part of
7 his or her position as an employee, proprietorship, or corporation
8 practice reflexology without being certified under this chapter unless
9 otherwise authorized by law in his or her professional scope of
10 practice.

11 (2) The board shall establish by rule initial certification
12 standards for applicants for reflexology certification. The initial
13 certification standards must meet recognized national standards for
14 reflexology training.

15 NEW SECTION. **Sec. 6.** The practice of reflexology is limited to
16 the distal one-third of the forearm, the distal one-third of the lower
17 leg, and the external ear.

18 NEW SECTION. **Sec. 7.** The department shall appoint an ad hoc
19 committee of reflexologists to advise the board.

20 **Sec. 8.** RCW 18.130.040 and 1999 c 335 s 10 are each amended to
21 read as follows:

22 (1) This chapter applies only to the secretary and the boards and
23 commissions having jurisdiction in relation to the professions licensed
24 under the chapters specified in this section. This chapter does not
25 apply to any business or profession not licensed under the chapters
26 specified in this section.

27 (2)(a) The secretary has authority under this chapter in relation
28 to the following professions:

29 (i) Dispensing opticians licensed under chapter 18.34 RCW;

30 (ii) Naturopaths licensed under chapter 18.36A RCW;

31 (iii) Midwives licensed under chapter 18.50 RCW;

32 (iv) Ocularists licensed under chapter 18.55 RCW;

33 (v) ((~~Massage operators and businesses licensed~~)) Persons
34 credentialed under chapter 18.108 RCW;

35 (vi) Dental hygienists licensed under chapter 18.29 RCW;

1 (vii) Acupuncturists licensed under chapter 18.06 RCW;
2 (viii) Radiologic technologists certified and X-ray technicians
3 registered under chapter 18.84 RCW;
4 (ix) Respiratory care practitioners licensed under chapter 18.89
5 RCW;
6 (x) Persons registered or certified under chapter 18.19 RCW;
7 (xi) Persons registered as nursing pool operators under chapter
8 18.52C RCW;
9 (xii) Nursing assistants registered or certified under chapter
10 18.88A RCW;
11 (xiii) Health care assistants certified under chapter 18.135 RCW;
12 (xiv) Dietitians and nutritionists certified under chapter 18.138
13 RCW;
14 (xv) Chemical dependency professionals certified under chapter
15 18.205 RCW;
16 (xvi) Sex offender treatment providers certified under chapter
17 18.155 RCW;
18 (xvii) Persons licensed and certified under chapter 18.73 RCW or
19 RCW 18.71.205;
20 (xviii) Persons registered as adult family home providers and
21 resident managers under RCW 18.48.020;
22 (xix) Denturists licensed under chapter 18.30 RCW;
23 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;
24 and
25 (xxi) Surgical technologists registered under chapter 18.215 RCW.
26 (b) The boards and commissions having authority under this chapter
27 are as follows:
28 (i) The podiatric medical board as established in chapter 18.22
29 RCW;
30 (ii) The chiropractic quality assurance commission as established
31 in chapter 18.25 RCW;
32 (iii) The dental quality assurance commission as established in
33 chapter 18.32 RCW;
34 (iv) The board of hearing and speech as established in chapter
35 18.35 RCW;
36 (v) The board of examiners for nursing home administrators as
37 established in chapter 18.52 RCW;
38 (vi) The optometry board as established in chapter 18.54 RCW
39 governing licenses issued under chapter 18.53 RCW;

1 (vii) The board of osteopathic medicine and surgery as established
2 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
3 18.57A RCW;

4 (viii) The board of pharmacy as established in chapter 18.64 RCW
5 governing licenses issued under chapters 18.64 and 18.64A RCW;

6 (ix) The medical quality assurance commission as established in
7 chapter 18.71 RCW governing licenses and registrations issued under
8 chapters 18.71 and 18.71A RCW;

9 (x) The board of physical therapy as established in chapter 18.74
10 RCW;

11 (xi) The board of occupational therapy practice as established in
12 chapter 18.59 RCW;

13 (xii) The nursing care quality assurance commission as established
14 in chapter 18.79 RCW governing licenses issued under that chapter;

15 (xiii) The examining board of psychology and its disciplinary
16 committee as established in chapter 18.83 RCW; and

17 (xiv) The veterinary board of governors as established in chapter
18 18.92 RCW.

19 (3) In addition to the authority to discipline license holders, the
20 disciplining authority has the authority to grant or deny licenses
21 based on the conditions and criteria established in this chapter and
22 the chapters specified in subsection (2) of this section. This chapter
23 also governs any investigation, hearing, or proceeding relating to
24 denial of licensure or issuance of a license conditioned on the
25 applicant's compliance with an order entered pursuant to RCW 18.130.160
26 by the disciplining authority.

27 (4) All disciplining authorities shall adopt procedures to ensure
28 substantially consistent application of this chapter, the Uniform
29 Disciplinary Act, among the disciplining authorities listed in
30 subsection (2) of this section.

31 NEW SECTION. **Sec. 9.** The department of health shall review the
32 implementation of this act and make recommendations to the legislature
33 by December 1, 2005, regarding regulatory changes to this act.

34 NEW SECTION. **Sec. 10.** Sections 5 and 6 of this act are each added
35 to chapter 18.108 RCW.

1 NEW SECTION. **Sec. 11.** This act takes effect July 1, 2002.

--- END ---