

FINAL BILL REPORT

ESSB 6103

C 137 L 12
Synopsis as Enacted

Brief Description: Concerning the practice of reflexology and massage therapy.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and Fraser).

Senate Committee on Health & Long-Term Care

House Committee on Health Care & Wellness

House Committee on Health & Human Services Appropriations & Oversight

Background: Reflexology involves applying varying amounts of pressure at specified points on the body, most often on the hands, feet, and ears. These points correspond to distinct areas throughout the body.

Legislation was enacted in 2002 exempting reflexologists from any health profession credentialing requirement. Prior to that, reflexology was included in the definition of massage under the Massage Practice Act. In order to practice reflexology, practitioners had to be licensed as massage therapists under chapter 18.108 RCW.

Summary: No one may practice reflexology or represents himself or herself as a reflexologist unless certified as a reflexologist or licensed as a massage practitioner by the Department of Health (DOH). The requirement that reflexologists be certified is placed in chapter 18.108 RCW, the statute which regulates the licensing of massage practitioners. A person represents himself or herself as a reflexologist when that person uses any term that implies a reflexology technique or method.

To qualify for certification, an applicant must complete a course of study in reflexology approved by DOH and pass an exam administered or approved by DOH. DOH may certify an applicant without exam if the applicant has (1) practiced reflexology as a licensed massage practitioner for at least five years prior to the bill's effective date; (2) successfully completed approved training prior to the act's effective date and applies for certification within one year of the act's effective date; or (3) holds a credential from another state and the Secretary of Health (Secretary) determines that the state's credentialing standards are substantially equivalent to Washington State's standards.

Exemptions from the certification requirement are provided for licensed massage practitioners and other credentialed providers performing services within their scope of

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practice; students enrolled in an approved education, training, or apprentice program; individuals giving reflexology to members of their immediate family; individuals practicing reflexology at an athletic department of any institution which is maintained with public funds, approved by DOH, or that is a nonprofit organization holding a specific license; and individuals who have completed an approved somatic education training program.

It is unlawful to advertise the practice of reflexology using any term that implies reflexology technique or method in any public or private publication or communication by a person not certified as a reflexologist or licensed as a massage practitioner. A person certified as a reflexologist must conspicuously put their name and certification number on all advertisements and the reflexologist's credential must be displayed in the principal place of business. A person certified as a reflexologist is prohibited from adopting the title of massage practitioner unless also licensed as a massage practitioner.

In order to ascertain violations of chapter 18.108 RCW or the Uniform Disciplinary Act for health professions, the Secretary may inspect the premises of any reflexology or massage business establishment during business hours. If access is denied, the Secretary may apply to any court of competent jurisdiction for a warrant authorizing entry to the establishment for these purposes. These provisions do not require advanced notice of an inspection.

Reflexologists are placed under the Uniform Disciplinary Act for health professions and the Regulation of Health Professions Act. The Secretary is provided with disciplining authority. DOH may adopt any rules necessary to implement this act.

Various technical and clarifying changes are made to the massage licensure statute including providing for consistent use of terms and deleting obsolete examination provisions.

Votes on Final Passage:

Senate	33	16	
House	88	10	(House amended)
Senate	36	11	(Senate concurred)

Effective: June 7, 2012
July 1, 2013 (Sections 1-19)