

---

**SUBSTITUTE HOUSE BILL 2425**

---

**State of Washington                      64th Legislature                      2016 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Kuderer, Schmick, S. Hunt, Chandler, Goodman, Rodne, Kilduff, Manweller, and Jinkins)

READ FIRST TIME 02/02/16.

1            AN ACT Relating to changing the words "massage practitioner" and  
2 "animal massage practitioner" to "massage therapist" and "animal  
3 massage therapist"; amending RCW 18.108.025, 18.108.030, 18.108.040,  
4 18.108.045,      18.108.070,      18.108.073,      18.108.085,      18.108.095,  
5 18.108.115,      18.108.125,      18.108.131,      18.108.220,      18.108.230,  
6 18.108.250,      18.120.020,      18.130.040,      18.240.005,      18.240.010,  
7 18.240.020,      18.250.010,      35.21.692,      35A.82.025,      36.32.122,      and  
8 50.04.223; reenacting and amending RCW 18.108.010 and 18.74.010;  
9 creating a new section; and providing an effective date.

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

11            **Sec. 1.** RCW 18.108.010 and 2012 c 137 s 3 are each reenacted and  
12 amended to read as follows:

13            In this chapter, unless the context otherwise requires, the  
14 following meanings shall apply:

15            (1) "Animal massage (~~practitioner~~) therapist" means an  
16 individual with a license to practice massage therapy in this state  
17 with additional training in animal therapy.

18            (2) "Board" means the Washington state board of massage.

19            (3) "Certified reflexologist" means an individual who is  
20 certified under this chapter.

1 (4) "Health carrier" means the same as the definition in RCW  
2 48.43.005.

3 (5) "Intraoral massage" means the manipulation or pressure of  
4 soft tissue inside the mouth or oral cavity for therapeutic purposes.

5 (6) "Massage" and "massage therapy" mean a health care service  
6 involving the external manipulation or pressure of soft tissue for  
7 therapeutic purposes. Massage therapy includes techniques such as  
8 tapping, compressions, friction, reflexology, Swedish gymnastics or  
9 movements, gliding, kneading, shaking, and fascial or connective  
10 tissue stretching, with or without the aids of superficial heat,  
11 cold, water, lubricants, or salts. Massage therapy does not include  
12 diagnosis or attempts to adjust or manipulate any articulations of  
13 the body or spine or mobilization of these articulations by the use  
14 of a thrusting force, nor does it include genital manipulation.

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

17 (8) "Massage (~~practitioner~~) therapist" means an individual  
18 licensed under this chapter.

19 (9) "Reflexology" means a health care service that is limited to  
20 applying alternating pressure with thumb and finger techniques to  
21 reflexive areas of the lower one-third of the extremities, feet,  
22 hands, and outer ears based on reflex maps. Reflexology does not  
23 include the diagnosis of or treatment for specific diseases, or joint  
24 manipulations.

25 (10) "Reflexology business" means the operation of a business  
26 where reflexology services are provided.

27 (11) "Secretary" means the secretary of health or the secretary's  
28 designee.

29 **Sec. 2.** RCW 18.108.025 and 2012 c 137 s 4 are each amended to  
30 read as follows:

31 (1) In addition to any other authority provided by law, the board  
32 of massage may:

33 (a) Adopt rules in accordance with chapter 34.05 RCW necessary to  
34 implement massage (~~practitioner~~) therapist licensure under this  
35 chapter, subject to the approval of the secretary;

36 (b) Define, evaluate, approve, and designate those massage  
37 schools, massage programs, and massage apprenticeship programs  
38 including all current and proposed curriculum, faculty, and health,  
39 sanitation, and facility standards from which graduation will be

1 accepted as proof of an applicant's eligibility to take the massage  
2 licensing examination;

3 (c) Review approved massage schools and programs periodically;

4 (d) Prepare, grade, administer, and supervise the grading and  
5 administration of, examinations for applicants for massage licensure;

6 (e) Establish and administer requirements for continuing  
7 education, which shall be a prerequisite to renewing a massage  
8 (~~practitioner~~) therapist license under this chapter; and

9 (f) Determine which states have educational and licensing  
10 requirements for massage (~~practitioners~~) therapists equivalent to  
11 those of this state.

12 (2) The board shall establish by rule the standards and  
13 procedures for approving courses of study in massage therapy and may  
14 contract with individuals or organizations having expertise in the  
15 profession or in education to assist in evaluating courses of study.  
16 The standards and procedures set shall apply equally to schools and  
17 training within the United States of America and those in foreign  
18 jurisdictions.

19 **Sec. 3.** RCW 18.108.030 and 2012 c 137 s 5 are each amended to  
20 read as follows:

21 (1)(a) No person may practice or represent himself or herself as  
22 a massage (~~practitioner~~) therapist without first applying for and  
23 receiving from the department a license to practice. However, this  
24 subsection does not prohibit a certified reflexologist from  
25 practicing reflexology.

26 (b) A person represents himself or herself as a massage  
27 (~~practitioner~~) therapist when the person adopts or uses any title  
28 or any description of services that incorporates one or more of the  
29 following terms or designations: Massage, massage practitioner,  
30 massage therapist, massage therapy, therapeutic massage, massage  
31 technician, massage technology, massagist, masseur, masseuse,  
32 myotherapist or myotherapy, touch therapist, reflexologist except  
33 when used by a certified reflexologist, acupressurist, body therapy  
34 or body therapist, or any derivation of those terms that implies a  
35 massage technique or method.

36 (2)(a) No person may practice reflexology or represent himself or  
37 herself as a reflexologist by use of any title without first being  
38 certified as a reflexologist or licensed as a massage  
39 (~~practitioner~~) therapist by the department.

1 (b) A person represents himself or herself as a reflexologist  
2 when the person adopts or uses any title in any description of  
3 services that incorporates one or more of the following terms or  
4 designations: Reflexologist, reflexology, foot pressure therapy, foot  
5 reflex therapy, or any derivation of those terms that implies a  
6 reflexology technique or method. However, this subsection does not  
7 prohibit a licensed massage (~~(practitioner)~~) therapist from using any  
8 of these terms as a description of services.

9 (c) A person may not use the term "certified reflexologist"  
10 without first being certified by the department.

11 **Sec. 4.** RCW 18.108.040 and 2012 c 137 s 6 are each amended to  
12 read as follows:

13 (1)(a) It shall be unlawful to advertise the practice of massage  
14 using the term massage or any other term that implies a massage  
15 technique or method in any public or private publication or  
16 communication by a person not licensed by the secretary as a massage  
17 (~~(practitioner)~~) therapist. However, this subsection does not  
18 prohibit a certified reflexologist from using the term reflexology or  
19 derivations of the term, subject to subsection (2)(b) of this  
20 section.

21 (b) Any person who holds a license to practice as a massage  
22 (~~(practitioner)~~) therapist in this state may use the title "licensed  
23 massage (~~(practitioner)~~) therapist" and the abbreviation (~~("L.M.P.")~~)  
24 "L.M.T.". No other persons may assume such title or use such  
25 abbreviation or any other word, letters, signs, or figures to  
26 indicate that the person using the title is a licensed massage  
27 (~~(practitioner)~~) therapist.

28 (c) A massage (~~(practitioner's)~~) therapist's name and license  
29 number must conspicuously appear on all of the massage  
30 (~~(practitioner's)~~) therapist's advertisements.

31 (2)(a) It is unlawful to advertise the practice of reflexology or  
32 use any other term that implies reflexology technique or method in  
33 any public or private publication or communication by a person not  
34 certified by the secretary as a reflexologist or licensed as a  
35 massage (~~(practitioner)~~) therapist.

36 (b) A person certified as a reflexologist may not adopt or use  
37 any title or description of services, including for purposes of  
38 advertising, that incorporates one or more of the following terms or  
39 designations: Massage, masseuse, massager, massagist, masseur,

1 myotherapist or myotherapy, touch therapist, body therapy or  
2 therapist, or any derivation of those terms that implies a massage  
3 technique or therapy unless the person is also licensed under this  
4 chapter as a massage (~~(practitioner)~~) therapist.

5 (c) A reflexologist's name and certification number must  
6 conspicuously appear on all of the reflexologist's advertisements.

7 **Sec. 5.** RCW 18.108.045 and 2012 c 137 s 7 are each amended to  
8 read as follows:

9 A massage (~~(practitioner)~~) therapist licensed under this chapter  
10 or a reflexologist certified under this chapter must conspicuously  
11 display his or her credential in his or her principal place of  
12 business. If the licensed massage (~~(practitioner)~~) therapist or  
13 certified reflexologist does not have a principal place of business  
14 or conducts business in any other location, he or she must have a  
15 copy of his or her credential available for inspection while  
16 performing services within his or her authorized scope of practice.

17 **Sec. 6.** RCW 18.108.070 and 2012 c 137 s 10 are each amended to  
18 read as follows:

19 (1) The secretary shall issue a massage (~~(practitioner's)~~)  
20 therapist's license to an applicant who demonstrates to the  
21 secretary's satisfaction that the following requirements have been  
22 met:

23 (a) Effective June 1, 1988, successful completion of a course of  
24 study in an approved massage program or approved apprenticeship  
25 program;

26 (b) Successful completion of an examination administered or  
27 approved by the board; and

28 (c) Be eighteen years of age or older.

29 (2) Beginning July 1, 2013, the secretary shall issue a  
30 reflexologist certification to an applicant who completes an  
31 application form that identifies the name and address of the  
32 applicant and the certification request, and demonstrates to the  
33 secretary's satisfaction that the following requirements have been  
34 met:

35 (a) Successful completion of a course of study in reflexologist  
36 program approved by the secretary;

37 (b) Successful completion of an examination administered or  
38 approved by the secretary; and

1 (c) Be eighteen years of age or older.

2 (3) Applicants for a massage (~~(practitioner's)~~) therapist's  
3 license or for certification as a reflexologist shall be subject to  
4 the grounds for denial or issuance of a conditional credential under  
5 chapter 18.130 RCW.

6 (4) The secretary may require any information and documentation  
7 that reasonably relates to the need to determine whether the massage  
8 (~~(practitioner)~~) therapist or reflexologist applicant meets the  
9 criteria for licensure provided for in this chapter and chapter  
10 18.130 RCW. The secretary shall establish by rule what constitutes  
11 adequate proof of meeting the criteria.

12 **Sec. 7.** RCW 18.108.073 and 2012 c 137 s 11 are each amended to  
13 read as follows:

14 (1) Applicants for the massage (~~(practitioner)~~) therapist license  
15 examination must demonstrate to the secretary's satisfaction that the  
16 following requirements have been met:

17 (a)(i) Effective June 1, 1988, successful completion of a course  
18 of study in an approved massage program; or

19 (ii) Effective June 1, 1988, successful completion of an  
20 apprenticeship program established by the board; and

21 (b) Be eighteen years of age or older.

22 (2) The board or its designee shall examine each massage  
23 (~~(practitioner)~~) therapist applicant in a written examination  
24 determined most effective on subjects appropriate to the massage  
25 scope of practice. The subjects may include anatomy, kinesiology,  
26 physiology, pathology, principles of human behavior, massage theory  
27 and practice, hydrotherapy, hygiene, first aid, Washington law  
28 pertaining to the practice of massage, and such other subjects as the  
29 board may deem useful to test applicant's fitness to practice massage  
30 therapy. Such examinations shall be limited in purpose to determining  
31 whether the applicant possesses the minimum skill and knowledge  
32 necessary to practice competently.

33 (3) All records of a massage (~~(practitioner)~~) therapist  
34 candidate's performance shall be preserved for a period of not less  
35 than one year after the board has made and published decisions  
36 thereupon. All examinations shall be conducted by the board under  
37 fair and impartial methods as determined by the secretary.

38 (4) A massage (~~(practitioner)~~) therapist applicant who fails to  
39 make the required grade in the first examination is entitled to take

1 up to two additional examinations upon the payment of a fee for each  
2 subsequent examination determined by the secretary as provided in RCW  
3 43.70.250. Upon failure of three examinations, the secretary may  
4 invalidate the original application and require such remedial  
5 education as is required by the board before admission to future  
6 examinations.

7 (5) The board may approve an examination prepared or  
8 administered, or both, by a private testing agency or association of  
9 licensing boards for use by a massage (~~(practitioner)~~) therapist  
10 applicant in meeting the licensing requirement.

11 **Sec. 8.** RCW 18.108.085 and 2012 c 137 s 14 are each amended to  
12 read as follows:

13 (1) In addition to any other authority provided by law, the  
14 secretary may:

15 (a) Adopt rules, in accordance with chapter 34.05 RCW necessary  
16 to implement this chapter;

17 (b) Set all license, certification, examination, and renewal fees  
18 in accordance with RCW 43.70.250;

19 (c) Establish forms and procedures necessary to administer this  
20 chapter;

21 (d) Issue a massage (~~(practitioner's)~~) therapist's license to any  
22 applicant who has met the education, training, and examination  
23 requirements for licensure and deny licensure to applicants who do  
24 not meet the requirements of this chapter;

25 (e) Issue a reflexology certification to any applicant who has  
26 met the requirements for certification and deny certification to  
27 applicants who do not meet the requirements of this chapter; and

28 (f) Hire clerical, administrative, and investigative staff as  
29 necessary to implement this chapter.

30 (2) The Uniform Disciplinary Act, chapter 18.130 RCW, governs  
31 unlicensed and uncertified practice, the issuance and denial of  
32 licenses and certifications, and the disciplining of persons under  
33 this chapter. The secretary shall be the disciplining authority under  
34 this chapter.

35 (3) Any license or certification issued under this chapter to a  
36 person who is or has been convicted of violating RCW 9A.88.030,  
37 9A.88.070, 9A.88.080, or 9A.88.090 or equivalent local ordinances  
38 shall automatically be revoked by the secretary upon receipt of a  
39 certified copy of the court documents reflecting such conviction. No

1 further hearing or procedure is required, and the secretary has no  
2 discretion with regard to the revocation of the license or  
3 certification. The revocation shall be effective even though such  
4 conviction may be under appeal, or the time period for such appeal  
5 has not elapsed. However, upon presentation of a final appellate  
6 decision overturning such conviction, the license or certification  
7 shall be reinstated, unless grounds for disciplinary action have been  
8 found under chapter 18.130 RCW. No license or certification may be  
9 granted under this chapter to any person who has been convicted of  
10 violating RCW 9A.88.030, 9A.88.070, 9A.88.080, or 9A.88.090 or  
11 equivalent local ordinances within the eight years immediately  
12 preceding the date of application. For purposes of this subsection,  
13 "convicted" does not include a conviction that has been the subject  
14 of a pardon, annulment, or other equivalent procedure based on a  
15 finding of innocence, but does include convictions for offenses for  
16 which the defendant received a deferred or suspended sentence, unless  
17 the record has been expunged according to law.

18 (4) The secretary shall keep an official record of all  
19 proceedings under this chapter, a part of which record shall consist  
20 of a register of all applicants for licensure or certification under  
21 this chapter, with the result of each application.

22 **Sec. 9.** RCW 18.108.095 and 2012 c 137 s 13 are each amended to  
23 read as follows:

24 A massage (~~(practitioner)~~) therapist applicant holding a license  
25 in another state or foreign jurisdiction may be granted a Washington  
26 license without examination, if, in the opinion of the board, the  
27 other state's or foreign jurisdiction's examination and educational  
28 requirements are substantially equivalent to Washington's. However,  
29 the applicant must demonstrate to the satisfaction of the board a  
30 working knowledge of Washington law pertaining to the practice of  
31 massage. The applicant shall provide proof in a manner approved by  
32 the department that the examination and requirements are equivalent  
33 to Washington's.

34 **Sec. 10.** RCW 18.108.115 and 1987 c 443 s 13 are each amended to  
35 read as follows:

36 Any person holding a valid license to practice massage issued by  
37 authority of the state on July 26, 1987, shall continue to be



1 licensed as a massage (~~practitioner~~) therapist under the provisions  
2 of this chapter.

3 **Sec. 11.** RCW 18.108.125 and 2008 c 25 s 2 are each amended to  
4 read as follows:

5 (1) The secretary must grant a massage (~~practitioner~~) therapist  
6 an inactive credential if the massage (~~practitioner~~) therapist  
7 submits a letter to the board stating his or her intent to obtain an  
8 inactive credential, and he or she:

9 (a) Holds an active Washington state massage (~~practitioner's~~)  
10 therapist's license;

11 (b) Is in good standing, as determined by the board; and

12 (c) Does not practice massage in the state of Washington.

13 (2) The secretary may reinstate the massage (~~practitioner's~~)  
14 therapist's license if the massage (~~practitioner~~) therapist:

15 (a) Pays the current active renewal fee and other fees for active  
16 licensure;

17 (b) Provides a written declaration that:

18 (i) No action has been taken by a state or federal jurisdiction  
19 or a hospital which would prevent or restrict the (~~practitioner's~~)  
20 therapist's practice of massage therapy;

21 (ii) He or she has not voluntarily given up any credential or  
22 privilege or been restricted in the practice of massage therapy to  
23 avoid other sanctions; and

24 (iii) He or she has satisfied continuing education and competency  
25 requirements for the two most recent years; and

26 (c) Meets other requirements for reinstatement, as may be  
27 determined by the board.

28 **Sec. 12.** RCW 18.108.131 and 2012 c 137 s 15 are each amended to  
29 read as follows:

30 (1) The secretary may certify an applicant as a reflexologist  
31 without examination if the applicant:

32 (a) Has practiced reflexology as a licensed massage  
33 (~~practitioner~~) therapist for at least five years prior to July 1,  
34 2013, or provides evidence satisfactory to the secretary that he or  
35 she has, prior to July 1, 2013, successfully completed a course of  
36 study in a reflexology program approved by the secretary; and

37 (b) Applies for certification by one year after July 1, 2013.

1 (2) An applicant holding a reflexology credential in another  
2 state or a territory of the United States may be certified to  
3 practice in this state without examination if the secretary  
4 determines that the other jurisdiction's credentialing standards are  
5 substantially equivalent to the standards in this state.

6 **Sec. 13.** RCW 18.108.220 and 1994 c 228 s 1 are each amended to  
7 read as follows:

8 For the purposes of this chapter, licensed massage  
9 (~~(practitioners)~~) therapists shall be classified as "offices and  
10 clinics of health practitioners, not elsewhere classified" under  
11 section 8049 of the standard industrial classification manual  
12 published by the executive office of the president, office of  
13 management and budget.

14 **Sec. 14.** RCW 18.108.230 and 2001 c 297 s 3 are each amended to  
15 read as follows:

16 (1) A massage (~~(practitioner)~~) therapist licensed under this  
17 chapter may apply for an endorsement as a small or large animal  
18 massage (~~(practitioner)~~) therapist upon completion of one hundred  
19 hours of training in either large or small animal massage. Training  
20 must include animal massage techniques, kinesiology, anatomy,  
21 physiology, first aid care, and proper handling techniques.

22 (2) An applicant who applies for an endorsement within the first  
23 year following July 22, 2001, may submit documentation of a minimum  
24 of fifty hours of training with up to fifty hours of practical  
25 experience or continuing education, or a combination thereof, to  
26 fulfill the requirements of this section.

27 (3) Massage therapy of animals does not include diagnosis,  
28 prognosis, or all treatment of diseases, deformities, defects,  
29 wounds, or injuries of animals. For the purposes of this section,  
30 massage for therapeutic purposes may be performed solely for purposes  
31 of patient well-being.

32 (4) A person licensed and endorsed under this section may hold  
33 themselves out as an animal massage (~~(practitioner)~~) therapist.

34 (5) The board may adopt rules to implement this section upon  
35 consultation with the Washington state veterinary board of governors  
36 and licensed massage (~~(practitioners)~~) therapists with training in  
37 animal massage.

1       **Sec. 15.** RCW 18.108.250 and 2007 c 272 s 2 are each amended to  
2 read as follows:

3       (1) A massage (~~(practitioner)~~) therapist licensed under this  
4 chapter may apply for an endorsement to perform intraoral massage  
5 upon completion of training determined by the board and specified in  
6 rules. Training must include intraoral massage techniques, cranial  
7 anatomy, physiology, and kinesiology, hygienic practices, safety and  
8 sanitation, pathology, and contraindications.

9       (2) A massage (~~(practitioner)~~) therapist who has obtained an  
10 intraoral massage endorsement to his or her massage (~~(practitioner)~~)  
11 therapist license may practice intraoral massage.

12       **Sec. 16.** RCW 18.74.010 and 2014 c 116 s 3 are each reenacted and  
13 amended to read as follows:

14       The definitions in this section apply throughout this chapter  
15 unless the context clearly requires otherwise.

16       (1) "Authorized health care practitioner" means and includes  
17 licensed physicians, osteopathic physicians, chiropractors,  
18 naturopaths, podiatric physicians and surgeons, dentists, and  
19 advanced registered nurse practitioners: PROVIDED, HOWEVER, That  
20 nothing herein shall be construed as altering the scope of practice  
21 of such practitioners as defined in their respective licensure laws.

22       (2) "Board" means the board of physical therapy created by RCW  
23 18.74.020.

24       (3) "Close supervision" means that the supervisor has personally  
25 diagnosed the condition to be treated and has personally authorized  
26 the procedures to be performed. The supervisor is continuously on-  
27 site and physically present in the operatory while the procedures are  
28 performed and capable of responding immediately in the event of an  
29 emergency.

30       (4) "Department" means the department of health.

31       (5) "Direct supervision" means the supervisor must (a) be  
32 continuously on-site and present in the department or facility where  
33 the person being supervised is performing services; (b) be  
34 immediately available to assist the person being supervised in the  
35 services being performed; and (c) maintain continued involvement in  
36 appropriate aspects of each treatment session in which a component of  
37 treatment is delegated to assistive personnel or is required to be  
38 directly supervised under RCW 18.74.190.

1 (6) "Indirect supervision" means the supervisor is not on the  
2 premises, but has given either written or oral instructions for  
3 treatment of the patient and the patient has been examined by the  
4 physical therapist at such time as acceptable health care practice  
5 requires and consistent with the particular delegated health care  
6 task.

7 (7) "Physical therapist" means a person who meets all the  
8 requirements of this chapter and is licensed in this state to  
9 practice physical therapy.

10 (8)(a) "Physical therapist assistant" means a person who meets  
11 all the requirements of this chapter and is licensed as a physical  
12 therapist assistant and who performs physical therapy procedures and  
13 related tasks that have been selected and delegated only by the  
14 supervising physical therapist. However, a physical therapist may not  
15 delegate sharp debridement to a physical therapist assistant.

16 (b) "Physical therapy aide" means a person who is involved in  
17 direct physical therapy patient care who does not meet the definition  
18 of a physical therapist or physical therapist assistant and receives  
19 ongoing on-the-job training.

20 (c) "Other assistive personnel" means other trained or educated  
21 health care personnel, not defined in (a) or (b) of this subsection,  
22 who perform specific designated tasks related to physical therapy  
23 under the supervision of a physical therapist, including but not  
24 limited to licensed massage (~~practitioners~~) therapists, athletic  
25 trainers, and exercise physiologists. At the direction of the  
26 supervising physical therapist, and if properly credentialed and not  
27 prohibited by any other law, other assistive personnel may be  
28 identified by the title specific to their training or education.

29 (9) "Physical therapy" means the care and services provided by or  
30 under the direction and supervision of a physical therapist licensed  
31 by the state. Except as provided in RCW 18.74.190, the use of  
32 Roentgen rays and radium for diagnostic and therapeutic purposes, the  
33 use of electricity for surgical purposes, including cauterization,  
34 and the use of spinal manipulation, or manipulative mobilization of  
35 the spine and its immediate articulations, are not included under the  
36 term "physical therapy" as used in this chapter.

37 (10) "Practice of physical therapy" is based on movement science  
38 and means:

39 (a) Examining, evaluating, and testing individuals with  
40 mechanical, physiological, and developmental impairments, functional

1 limitations in movement, and disability or other health and movement-  
2 related conditions in order to determine a diagnosis, prognosis, plan  
3 of therapeutic intervention, and to assess and document the ongoing  
4 effects of intervention;

5 (b) Alleviating impairments and functional limitations in  
6 movement by designing, implementing, and modifying therapeutic  
7 interventions that include therapeutic exercise; functional training  
8 related to balance, posture, and movement to facilitate self-care and  
9 reintegration into home, community, or work; manual therapy including  
10 soft tissue and joint mobilization and manipulation; therapeutic  
11 massage; assistive, adaptive, protective, and devices related to  
12 postural control and mobility except as restricted by (c) of this  
13 subsection; airway clearance techniques; physical agents or  
14 modalities; mechanical and electrotherapeutic modalities; and  
15 patient-related instruction;

16 (c) Training for, and the evaluation of, the function of a  
17 patient wearing an orthosis or prosthesis as defined in RCW  
18 18.200.010. Physical therapists may provide those direct-formed and  
19 prefabricated upper limb, knee, and ankle-foot orthoses, but not  
20 fracture orthoses except those for hand, wrist, ankle, and foot  
21 fractures, and assistive technology devices specified in RCW  
22 18.200.010 as exemptions from the defined scope of licensed orthotic  
23 and prosthetic services. It is the intent of the legislature that the  
24 unregulated devices specified in RCW 18.200.010 are in the public  
25 domain to the extent that they may be provided in common with  
26 individuals or other health providers, whether unregulated or  
27 regulated under this title (~~18-RCW~~), without regard to any scope of  
28 practice;

29 (d) Performing wound care services that are limited to sharp  
30 debridement, debridement with other agents, dry dressings, wet  
31 dressings, topical agents including enzymes, hydrotherapy, electrical  
32 stimulation, ultrasound, and other similar treatments. Physical  
33 therapists may not delegate sharp debridement. A physical therapist  
34 may perform wound care services only by referral from or after  
35 consultation with an authorized health care practitioner;

36 (e) Reducing the risk of injury, impairment, functional  
37 limitation, and disability related to movement, including the  
38 promotion and maintenance of fitness, health, and quality of life in  
39 all age populations; and

1 (f) Engaging in administration, consultation, education, and  
2 research.

3 (11) "Secretary" means the secretary of health.

4 (12) "Sharp debridement" means the removal of devitalized tissue  
5 from a wound with scissors, scalpel, and tweezers without anesthesia.  
6 "Sharp debridement" does not mean surgical debridement. A physical  
7 therapist may perform sharp debridement, to include the use of a  
8 scalpel, only upon showing evidence of adequate education and  
9 training as established by rule. Until the rules are established, but  
10 no later than July 1, 2006, physical therapists licensed under this  
11 chapter who perform sharp debridement as of July 24, 2005, shall  
12 submit to the secretary an affidavit that includes evidence of  
13 adequate education and training in sharp debridement, including the  
14 use of a scalpel.

15 (13) "Spinal manipulation" includes spinal manipulation, spinal  
16 manipulative therapy, high velocity thrust maneuvers, and grade five  
17 mobilization of the spine and its immediate articulations.

18 (14) Words importing the masculine gender may be applied to  
19 females.

20 **Sec. 17.** RCW 18.120.020 and 2015 c 118 s 12 are each amended to  
21 read as follows:

22 The definitions in this section apply throughout this chapter  
23 unless the context clearly requires otherwise.

24 (1) "Applicant group" includes any health professional group or  
25 organization, any individual, or any other interested party which  
26 proposes that any health professional group not presently regulated  
27 be regulated or which proposes to substantially increase the scope of  
28 practice of the profession.

29 (2) "Certificate" and "certification" mean a voluntary process by  
30 which a statutory regulatory entity grants recognition to an  
31 individual who (a) has met certain prerequisite qualifications  
32 specified by that regulatory entity, and (b) may assume or use  
33 "certified" in the title or designation to perform prescribed health  
34 professional tasks.

35 (3) "Grandfather clause" means a provision in a regulatory  
36 statute applicable to practitioners actively engaged in the regulated  
37 health profession prior to the effective date of the regulatory  
38 statute which exempts the practitioners from meeting the prerequisite

1 qualifications set forth in the regulatory statute to perform  
2 prescribed occupational tasks.

3 (4) "Health professions" means and includes the following health  
4 and health-related licensed or regulated professions and occupations:  
5 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
6 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
7 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
8 dental anesthesia assistants under chapter 18.350 RCW; dispensing  
9 opticians under chapter 18.34 RCW; hearing instruments under chapter  
10 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and  
11 funeral directing under chapter 18.39 RCW; midwifery under chapter  
12 18.50 RCW; nursing home administration under chapter 18.52 RCW;  
13 optometry under chapters 18.53 and 18.54 RCW; ocularists under  
14 chapter 18.55 RCW; osteopathic medicine and surgery under chapters  
15 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW;  
16 medicine under chapters 18.71 and 18.71A RCW; emergency medicine  
17 under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW;  
18 practical nurses under chapter 18.79 RCW; psychologists under chapter  
19 18.83 RCW; registered nurses under chapter 18.79 RCW; occupational  
20 therapists licensed under chapter 18.59 RCW; respiratory care  
21 practitioners licensed under chapter 18.89 RCW; veterinarians and  
22 veterinary technicians under chapter 18.92 RCW; massage  
23 (~~practitioners~~) therapists under chapter 18.108 RCW; East Asian  
24 medicine practitioners licensed under chapter 18.06 RCW; persons  
25 registered under chapter 18.19 RCW; persons licensed as mental health  
26 counselors, marriage and family therapists, and social workers under  
27 chapter 18.225 RCW; dietitians and nutritionists certified by chapter  
28 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing  
29 assistants registered or certified under chapter 18.88A RCW;  
30 reflexologists certified under chapter 18.108 RCW; medical  
31 assistants-certified, medical assistants-hemodialysis technician,  
32 medical assistants-phlebotomist, and medical assistants-registered  
33 certified and registered under chapter 18.360 RCW; and licensed  
34 behavior analysts, licensed assistant behavior analysts, and  
35 certified behavior technicians under chapter 18.380 RCW.

36 (5) "Inspection" means the periodic examination of practitioners  
37 by a state agency in order to ascertain whether the practitioners'  
38 occupation is being carried out in a fashion consistent with the  
39 public health, safety, and welfare.

1 (6) "Legislative committees of reference" means the standing  
2 legislative committees designated by the respective rules committees  
3 of the senate and house of representatives to consider proposed  
4 legislation to regulate health professions not previously regulated.

5 (7) "License," "licensing," and "licensure" mean permission to  
6 engage in a health profession which would otherwise be unlawful in  
7 the state in the absence of the permission. A license is granted to  
8 those individuals who meet prerequisite qualifications to perform  
9 prescribed health professional tasks and for the use of a particular  
10 title.

11 (8) "Professional license" means an individual, nontransferable  
12 authorization to carry on a health activity based on qualifications  
13 which include: (a) Graduation from an accredited or approved program,  
14 and (b) acceptable performance on a qualifying examination or series  
15 of examinations.

16 (9) "Practitioner" means an individual who (a) has achieved  
17 knowledge and skill by practice, and (b) is actively engaged in a  
18 specified health profession.

19 (10) "Public member" means an individual who is not, and never  
20 was, a member of the health profession being regulated or the spouse  
21 of a member, or an individual who does not have and never has had a  
22 material financial interest in either the rendering of the health  
23 professional service being regulated or an activity directly related  
24 to the profession being regulated.

25 (11) "Registration" means the formal notification which, prior to  
26 rendering services, a practitioner shall submit to a state agency  
27 setting forth the name and address of the practitioner; the location,  
28 nature and operation of the health activity to be practiced; and, if  
29 required by the regulatory entity, a description of the service to be  
30 provided.

31 (12) "Regulatory entity" means any board, commission, agency,  
32 division, or other unit or subunit of state government which  
33 regulates one or more professions, occupations, industries,  
34 businesses, or other endeavors in this state.

35 (13) "State agency" includes every state office, department,  
36 board, commission, regulatory entity, and agency of the state, and,  
37 where provided by law, programs and activities involving less than  
38 the full responsibility of a state agency.



1       **Sec. 18.** RCW 18.130.040 and 2015 c 118 s 13 are each amended to  
2 read as follows:

3       (1) This chapter applies only to the secretary and the boards and  
4 commissions having jurisdiction in relation to the professions  
5 licensed under the chapters specified in this section. This chapter  
6 does not apply to any business or profession not licensed under the  
7 chapters specified in this section.

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

10       (i) Dispensing opticians licensed and designated apprentices  
11 under chapter 18.34 RCW;

12       (ii) Midwives licensed under chapter 18.50 RCW;

13       (iii) Ocularists licensed under chapter 18.55 RCW;

14       (iv) Massage (~~(practitioners)~~) therapists and businesses licensed  
15 under chapter 18.108 RCW;

16       (v) Dental hygienists licensed under chapter 18.29 RCW;

17       (vi) East Asian medicine practitioners licensed under chapter  
18 18.06 RCW;

19       (vii) Radiologic technologists certified and X-ray technicians  
20 registered under chapter 18.84 RCW;

21       (viii) Respiratory care practitioners licensed under chapter  
22 18.89 RCW;

23       (ix) Hypnotherapists and agency affiliated counselors registered  
24 and advisors and counselors certified under chapter 18.19 RCW;

25       (x) Persons licensed as mental health counselors, mental health  
26 counselor associates, marriage and family therapists, marriage and  
27 family therapist associates, social workers, social work associates—  
28 advanced, and social work associates—independent clinical under  
29 chapter 18.225 RCW;

30       (xi) Persons registered as nursing pool operators under chapter  
31 18.52C RCW;

32       (xii) Nursing assistants registered or certified or medication  
33 assistants endorsed under chapter 18.88A RCW;

34       (xiii) Dietitians and nutritionists certified under chapter  
35 18.138 RCW;

36       (xiv) Chemical dependency professionals and chemical dependency  
37 professional trainees certified under chapter 18.205 RCW;

38       (xv) Sex offender treatment providers and certified affiliate sex  
39 offender treatment providers certified under chapter 18.155 RCW;

1 (xvi) Persons licensed and certified under chapter 18.73 RCW or  
2 RCW 18.71.205;

3 (xvii) Orthotists and prosthetists licensed under chapter 18.200  
4 RCW;

5 (xviii) Surgical technologists registered under chapter 18.215  
6 RCW;

7 (xix) Recreational therapists under chapter 18.230 RCW;

8 (xx) Animal massage (~~(practitioners)~~) therapists certified under  
9 chapter 18.240 RCW;

10 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

11 (xxii) Home care aides certified under chapter 18.88B RCW;

12 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

13 (xxiv) Reflexologists certified under chapter 18.108 RCW;

14 (xxv) Medical assistants-certified, medical assistants-  
15 hemodialysis technician, medical assistants-phlebotomist, and medical  
16 assistants-registered certified and registered under chapter 18.360  
17 RCW; and

18 (xxvi) Behavior analysts, assistant behavior analysts, and  
19 behavior technicians under chapter 18.380 RCW.

20 (b) The boards and commissions having authority under this  
21 chapter are as follows:

22 (i) The podiatric medical board as established in chapter 18.22  
23 RCW;

24 (ii) The chiropractic quality assurance commission as established  
25 in chapter 18.25 RCW;

26 (iii) The dental quality assurance commission as established in  
27 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,  
28 licenses and registrations issued under chapter 18.260 RCW, and  
29 certifications issued under chapter 18.350 RCW;

30 (iv) The board of hearing and speech as established in chapter  
31 18.35 RCW;

32 (v) The board of examiners for nursing home administrators as  
33 established in chapter 18.52 RCW;

34 (vi) The optometry board as established in chapter 18.54 RCW  
35 governing licenses issued under chapter 18.53 RCW;

36 (vii) The board of osteopathic medicine and surgery as  
37 established in chapter 18.57 RCW governing licenses issued under  
38 chapters 18.57 and 18.57A RCW;

1 (viii) The pharmacy quality assurance commission as established  
2 in chapter 18.64 RCW governing licenses issued under chapters 18.64  
3 and 18.64A RCW;

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

7 (x) The board of physical therapy as established in chapter 18.74  
8 RCW;

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

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

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

16 (xiv) The veterinary board of governors as established in chapter  
17 18.92 RCW;

18 (xv) The board of naturopathy established in chapter 18.36A RCW;  
19 and

20 (xvi) The board of denturists established in chapter 18.30 RCW.

21 (3) In addition to the authority to discipline license holders,  
22 the disciplining authority has the authority to grant or deny  
23 licenses. The disciplining authority may also grant a license subject  
24 to conditions.

25 (4) All disciplining authorities shall adopt procedures to ensure  
26 substantially consistent application of this chapter, the uniform  
27 disciplinary act, among the disciplining authorities listed in  
28 subsection (2) of this section.

29 **Sec. 19.** RCW 18.240.005 and 2007 c 70 s 1 are each amended to  
30 read as follows:

31 The certification of animal massage (~~(practitioners)~~) therapists  
32 is in the interest of the public health, safety, and welfare. While  
33 veterinarians and certain massage (~~(practitioners)~~) therapists may  
34 perform animal massage techniques, the legislature finds that meeting  
35 all of the requirements of those professions can be unnecessarily  
36 cumbersome for those individuals who would like to limit their  
37 practice only to animal massage.

1       **Sec. 20.** RCW 18.240.010 and 2007 c 70 s 2 are each amended to  
2 read as follows:

3       The definitions in this section apply throughout this chapter  
4 unless the context clearly requires otherwise.

5       (1) "Board" means the veterinary board of governors established  
6 in chapter 18.92 RCW.

7       (2) "Certified animal massage (~~(practitioner)~~) therapist" means  
8 an individual who provides external manipulation or pressure of soft  
9 tissues by use of the hands, body, or device designed and limited to  
10 providing massage. Animal massage may include techniques such as  
11 stroking, percussions, compressions, friction, Swedish gymnastics or  
12 movements, gliding, kneading, range of motion or stretching, and  
13 fascial or connective tissue stretching, with or without the aid of  
14 superficial heat, cold, water, lubricants, or salts. Animal massage  
15 does not include: Diagnosis, prognosis, or all treatment of diseases,  
16 deformities, defects, wounds, or injuries of animals; attempts to  
17 adjust or manipulate any articulations of the animal's body or spine  
18 or mobilization of these articulations by the use of a thrusting  
19 force; acupuncture involving the use of needles; or mechanical  
20 therapies that are restricted to the field of veterinary medicine.  
21 Animal massage may be performed solely for purposes of patient well-  
22 being.

23       (3) "Department" means the department of health.

24       (4) "Secretary" means the secretary of health or the secretary's  
25 designee.

26       **Sec. 21.** RCW 18.240.020 and 2007 c 70 s 3 are each amended to  
27 read as follows:

28       No person may practice as a certified animal massage  
29 (~~(practitioner)~~) therapist in this state without having a  
30 certification issued by the secretary unless he or she is exempt  
31 under RCW 18.240.040.

32       **Sec. 22.** RCW 18.250.010 and 2014 c 194 s 1 are each amended to  
33 read as follows:

34       The definitions in this section apply throughout this chapter  
35 unless the context clearly requires otherwise.

36       (1) "Athlete" means a person who participates in exercise,  
37 recreation, sport, or games requiring physical strength,  
38 range-of-motion, flexibility, body awareness and control, speed,

1 stamina, or agility, and the exercise, recreation, sports, or games  
2 are of a type conducted in association with an educational  
3 institution or professional, amateur, or recreational sports club or  
4 organization.

5 (2) "Athletic injury" means an injury or condition sustained by  
6 an athlete that affects the person's participation or performance in  
7 exercise, recreation, sport, or games and the injury or condition is  
8 within the professional preparation and education of an athletic  
9 trainer.

10 (3) "Athletic trainer" means a person who is licensed under this  
11 chapter. An athletic trainer can practice athletic training through  
12 the consultation, referral, or guidelines of a licensed health care  
13 provider working within their scope of practice.

14 (4)(a) "Athletic training" means the application of the following  
15 principles and methods as provided by a licensed athletic trainer:

16 (i) Risk management and prevention of athletic injuries through  
17 preactivity screening and evaluation, educational programs, physical  
18 conditioning and reconditioning programs, application of commercial  
19 products, use of protective equipment, promotion of healthy  
20 behaviors, and reduction of environmental risks;

21 (ii) Recognition, evaluation, and assessment of athletic injuries  
22 by obtaining a history of the athletic injury, inspection and  
23 palpation of the injured part and associated structures, and  
24 performance of specific testing techniques related to stability and  
25 function to determine the extent of an injury;

26 (iii) Immediate care of athletic injuries, including emergency  
27 medical situations through the application of first-aid and emergency  
28 procedures and techniques for nonlife-threatening or life-threatening  
29 athletic injuries;

30 (iv) Treatment, rehabilitation, and reconditioning of athletic  
31 injuries through the application of physical agents and modalities,  
32 therapeutic activities and exercise, standard reassessment techniques  
33 and procedures, commercial products, and educational programs, in  
34 accordance with guidelines established with a licensed health care  
35 provider as provided in RCW 18.250.070;

36 (v) Treatment, rehabilitation, and reconditioning of work-related  
37 injuries through the application of physical agents and modalities,  
38 therapeutic activities and exercise, standard reassessment techniques  
39 and procedures, commercial products, and educational programs, under  
40 the direct supervision of and in accordance with a plan of care for

1 an individual worker established by a provider authorized to provide  
2 physical medicine and rehabilitation services for injured workers;  
3 and

4 (vi) Referral of an athlete to an appropriately licensed health  
5 care provider if the athletic injury requires further definitive care  
6 or the injury or condition is outside an athletic trainer's scope of  
7 practice, in accordance with RCW 18.250.070.

8 (b) "Athletic training" does not include:

9 (i) The use of spinal adjustment or manipulative mobilization of  
10 the spine and its immediate articulations;

11 (ii) Orthotic or prosthetic services with the exception of  
12 evaluation, measurement, fitting, and adjustment of temporary,  
13 prefabricated or direct-formed orthosis as defined in chapter 18.200  
14 RCW;

15 (iii) The practice of occupational therapy as defined in chapter  
16 18.59 RCW;

17 (iv) The practice of East Asian medicine as defined in chapter  
18 18.06 RCW;

19 (v) Any medical diagnosis; and

20 (vi) Prescribing legend drugs or controlled substances, or  
21 surgery.

22 (5) "Committee" means the athletic training advisory committee.

23 (6) "Department" means the department of health.

24 (7) "Licensed health care provider" means a physician, physician  
25 assistant, osteopathic physician, osteopathic physician assistant,  
26 advanced registered nurse practitioner, naturopath, physical  
27 therapist, chiropractor, dentist, massage (~~(practitioner))~~ therapist,  
28 acupuncturist, occupational therapist, or podiatric physician and  
29 surgeon.

30 (8) "Secretary" means the secretary of health or the secretary's  
31 designee.

32 **Sec. 23.** RCW 35.21.692 and 1991 c 182 s 1 are each amended to  
33 read as follows:

34 (1) A state licensed massage (~~(practitioner))~~ therapist seeking a  
35 city or town license to operate a massage business must provide  
36 verification of his or her state massage license as provided for in  
37 RCW 18.108.030.

38 (2) The city or town may charge a licensing or operating fee, but  
39 the fee charged a state licensed massage (~~(practitioner))~~ therapist

1 shall not exceed the licensing or operating fee imposed on similar  
2 health care providers, such as physical therapists or occupational  
3 therapists, operating within the same city or town.

4 (3) A state licensed massage (~~(practitioner)~~) therapist is not  
5 subject to additional licensing requirements not currently imposed on  
6 similar health care providers, such as physical therapists or  
7 occupational therapists.

8 **Sec. 24.** RCW 35A.82.025 and 1991 c 182 s 2 are each amended to  
9 read as follows:

10 (1) A state licensed massage (~~(practitioner)~~) therapist seeking a  
11 city license to operate a massage business must provide verification  
12 of his or her state massage license as provided for in RCW  
13 18.108.030.

14 (2) The city may charge a licensing or operating fee, but the fee  
15 charged a state licensed massage (~~(practitioner)~~) therapist shall not  
16 exceed the licensing or operating fee imposed on similar health care  
17 providers, such as physical therapists or occupational therapists,  
18 operating within the same city.

19 (3) A state licensed massage (~~(practitioner)~~) therapist is not  
20 subject to additional licensing requirements not currently imposed on  
21 similar health care providers, such as physical therapists or  
22 occupational therapists.

23 **Sec. 25.** RCW 36.32.122 and 1991 c 182 s 3 are each amended to  
24 read as follows:

25 (1) A state licensed massage (~~(practitioner)~~) therapist seeking a  
26 county license to operate a massage business must provide  
27 verification of his or her state massage license as provided for in  
28 RCW 18.108.030.

29 (2) The county may charge a licensing or operating fee, but the  
30 fee charged a state licensed massage (~~(practitioner)~~) therapist shall  
31 not exceed the licensing or operating fee imposed on similar health  
32 care providers, such as physical therapists or occupational  
33 therapists, operating within the same county.

34 (3) A state licensed massage (~~(practitioner)~~) therapist is not  
35 subject to additional licensing requirements not currently imposed on  
36 similar health care providers, such as physical therapists or  
37 occupational therapists.

1       **Sec. 26.** RCW 50.04.223 and 1994 c 3 s 2 are each amended to read  
2 as follows:

3       The term "employment" does not include services performed by a  
4 massage (~~(practitioner)~~) therapist licensed under chapter 18.108 RCW  
5 in a massage business if the use of the business facilities is  
6 contingent upon compensation to the owner of the business facilities  
7 and the person receives no compensation from the owner for the  
8 services performed.

9       This exemption does not include services performed by a massage  
10 (~~(practitioner)~~) therapist for an employer under chapter 50.44 RCW.

11       NEW SECTION. **Sec. 27.** Beginning July 1, 2017, the department of  
12 health shall issue all new licenses and renewals as they become due  
13 on the birthdate of the licensee using the term "massage therapist."  
14 Active licenses using the term "massage practitioner" remains valid  
15 until required to be renewed on the licensee's next birthdate after  
16 July 1, 2017.

17       NEW SECTION. **Sec. 28.** This act takes effect July 1, 2017.

--- END ---