

REFERENCE TITLE: **massage therapy; communication proficiency; repeal**

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2172

Introduced by
Representatives Longdon: Dunn, Pawlik, Wilmeth, Senators Alston, Kaiser

AN ACT

**AMENDING SECTION 32-4222, ARIZONA REVISED STATUTES; RELATING TO MASSAGE
THERAPY LICENSURE.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-4222, Arizona Revised Statutes, is amended to
3 read:
4 32-4222. Qualifications for licensure
5 A. An applicant for a license as a massage therapist shall:
6 1. Be at least eighteen years of age.
7 2. Be a citizen or legal resident of the United States.
8 3. Satisfy the requirements of section 32-4224.
9 4. Receive either a high school diploma or general equivalency
10 diploma or a similar document or certificate or submit proof that the
11 applicant has passed an ability to benefit examination recognized by the
12 United States department of education.
13 5. Pay the fees established pursuant to section 32-4227.
14 6. Within five years preceding the date of the application for
15 initial licensure, not have been convicted of a misdemeanor involving
16 prostitution or solicitation or another similar offense involving moral
17 turpitude that has a reasonable relationship to the practice of massage
18 therapy.
19 7. Within the preceding five years, not have voluntarily
20 surrendered a license under section 32-4254 or not have had a license to
21 practice massage therapy or another similar license revoked by a political
22 subdivision of this state or a regulatory agency in another jurisdiction
23 in the United States for an act that occurred in that jurisdiction and
24 that would be subject to discipline pursuant to this chapter.
25 8. Not be currently under investigation, suspension or restriction
26 by a political subdivision of this state or a regulatory agency in another
27 jurisdiction in the United States for an act that occurred in that
28 jurisdiction and that would be subject to discipline pursuant to this
29 chapter. If the applicant is under investigation by a regulatory agency
30 in another jurisdiction, the board shall suspend the application process
31 and may not issue or deny a license to the applicant until the
32 investigation is resolved.
33 9. For initial licensure, submit a full set of fingerprints to the
34 board for the purpose of obtaining a state and federal criminal records
35 check pursuant to section 41-1750 and Public Law 92-544. The department
36 of public safety may exchange this fingerprint data with the federal
37 bureau of investigation. The board may charge the cost of each criminal
38 background check to the applicant.
39 10. Beginning January 1, 2023, possess a valid fingerprint
40 clearance card issued pursuant to title 41, chapter 12, article 3.1 for
41 initial licensure, license renewal, a temporary license or license
42 reinstatement pursuant to this chapter.
43 B. In addition to the requirements of subsection A of this section,
44 an applicant for licensure as a massage therapist shall either:

1 1. Have successfully completed a course of study of massage therapy
2 or bodywork therapy consisting of a minimum of five hundred classroom and
3 clinical hours of supervised instruction at a board recognized school in
4 this state that is accredited by an agency recognized by the secretary of
5 the United States department of education.

6 2. Have done both of the following:

7 (a) Successfully completed a course of study in massage therapy or
8 bodywork therapy consisting of a minimum of five hundred classroom and
9 clinical hours of supervised instruction at a school in this state that is
10 licensed by the state board for private postsecondary education or at a
11 school outside of this state that is recognized by the board pursuant to
12 section 32-4228.

13 (b) Successfully passed an examination administered by a national
14 board accredited by the certifying agency that has been approved by the
15 national commission on competency assurance and that is in good standing
16 with that agency or have successfully passed an examination that is
17 administered or approved by the board.

18 C. The board may adopt rules to allow it to consider the education
19 and experience of an applicant who came from a foreign country. The board
20 by rule may increase the minimum number of classroom hours of supervised
21 instruction at a board recognized school that an applicant for licensure
22 must successfully have completed.

23 D. If the board is satisfied that an applicant meets the
24 requirements of this section, the board shall issue a license to the
25 applicant.

26 ~~E. The board, by rule, shall establish communication proficiency~~
27 ~~requirements related to an applicant's ability to protect health and~~
28 ~~safety in connection with the practice of massage therapy.~~

29 ~~F.~~ E. Subject to the board's approval, the executive director may
30 issue licenses to applicants who meet the requirements of this chapter.

31 ~~G.~~ F. The board may deny an application for a license if the
32 applicant committed an act that would subject a person licensed under this
33 chapter to disciplinary action.