HLS 17RS-1137 ORIGINAL

2017 Regular Session

HOUSE BILL NO. 498

1

BY REPRESENTATIVE PEARSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MASSAGE THERAPISTS: Provides for an exemption to massage therapy licensure requirements

AN ACT

2	To amend and reenact R.S. 37:3564(A) and to enact R.S. 37:3553(B)(2)(d), relative to
3	massage therapy licensure exemptions; to exempt registered nurses from the massage
4	therapy licensure requirement; to authorize registered nurses to use certain words in
5	advertising; to provide for an effective date; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 37:3564(A) is hereby amended and reenacted and R.S.
8	37:3553(B)(2)(d) is hereby enacted to read as follows:
9	§3553. Application of Chapter; exceptions and exemptions
10	* * *
11	B.
12	* * *
13	(2) This Chapter shall also not apply to any of the following:
14	* * *
15	(d) A registered nurse licensed pursuant to R.S. 37:911 et seq. if both of the
16	following conditions are met:
17	(i) The massage services provided to a patient are incidental to the nursing
18	services provided to the patient.

1 (ii) The licensed registered nurse providing the massage services does not 2 advertise as a massage therapist otherwise required to be licensed pursuant to this 3 Chapter. 4 5 §3564. Regulation of advertising 6 A. A person or an entity that does not hold a license as a massage therapist, 7 physical therapist, registered nurse, or chiropractor, a certificate to practice athletic 8 training, or a license as a massage establishment shall not use the words "massage", 9 "body work", or any derivative or variation of the word "massage", including 10 specific bodywork or massage modalities, on any sign or other form of advertising. 11 Any advertisement by a massage therapist or a massage establishment shall contain 12 the license number of such the therapist or establishment. Building signs with 13 promotional material shall also include the professional or establishment number. 14 15 Section 2. This Act shall become effective upon signature by the governor or, if not 16 signed by the governor, upon expiration of the time for bills to become law without signature 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become 19 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 498 Original

2017 Regular Session

Pearson

Abstract: Exempts certain registered nurses from the massage therapy licensure requirement.

<u>Present law</u> prohibits any person from engaging in the practice of massage therapy without a current license issued by the La. Board of Massage Therapy.

<u>Proposed law</u> retains <u>present law</u> but provides an exception for a licensed registered nurse if both of the following conditions are met:

(1) The massage services provided to a patient are incidental to the nursing services provided to the patient.

Page 2 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

(2) The licensed registered nurse providing the massage services does not advertise as a massage therapist otherwise required to be licensed as such.

<u>Present law</u> prohibits a person not holding a license as a massage therapist, physical therapist, or chiropractor, a certificate to practice athletic training, or a license as a massage establishment from using the words "massage", "body work", or any derivative or variation of the word "massage", including specific bodywork or massage modalities, on any sign or other form of advertising.

<u>Proposed law</u> retains <u>present law</u> but adds registered nurses to the list of exempted occupations.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:3564(A); Adds R.S. 37:3553(B)(2)(d))