



Massage Therapy Licensure FAQ's:

1. Why is the state regulating massage therapists?

A coalition of massage therapists formed in 2013 to assess whether Alaska should license massage therapists. This coalition included the American Massage Therapy Association – Alaska Chapter (AMTA-AK) and the Associated Bodywork and Massage Professionals (ABMP), as well as chiropractors, Rolfers, reflexologists, physical therapists and many others. This coalition lobbied the Alaska State Legislature for licensure, and state licensing legislation was passed by the legislature in 2014. For more information about AMTA-AK or ABMP and why licensing has been a priority for these massage industry associations, please visit their respective websites: www.akamta.com and www.abmp.com.

2. Who must become licensed—and when?

When the Alaska State Legislature passed HB328 in the fall of 2014, it adopted requirements for licensing both new and practicing massage therapists in Alaska, including education and exam requirements. The new law went into effect on July 1, 2015.

IF YOU ARE WORKING AS A MASSAGE THERAPIST IN ALASKA, YOU MUST APPLY TO BE LICENSED, EFFECTIVE JULY 1, 2015.

3. How do I get a license?

An Initial Application – New Massage Therapist is posted on the board webpage that allows applicants to apply by education/examination OR credentials. Please visit the Board website at the following link:

<https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofMassageTherapists/ApplicationsForms.aspx>

If applying by examination:

- Completion of a course of study of at least 500 hours of in-class supervised instruction and clinical work from a board-approved massage school.

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- Completion of a board approved apprenticeship program (*the Board has not yet*

approved apprenticeship program details; applicants should submit program information for approval on a case by case basis)

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- Verification of having passed the national exam administered
- Have been fingerprinted and passed a national criminal history record check
- Have a current CPR certification
- Completion of at least 4 hours of safety education in blood borne pathogens and universal precautions in the 2 years preceding July 1, 2015.
- Has not been convicted of, or pled guilty or no contest to, a crime involving moral turpitude, or who has been convicted of, or pled guilty or not contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the applicant's ability to practice competently and safely.

If applying by credentials:

- Verification of license in good standing to practice massage therapy in another state or country that has licensing requirements that are substantially equal to or greater than Alaska's (as outlined above)

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- Verification of certification by a Board approved credentialing entity

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- Have been fingerprinted and passed a national criminal history record check
- Have a current CPR certification
- Must not be the subject of an unresolved complaint or disciplinary action before a regulatory authority in this state or another jurisdiction
- Must not have had a certificate or license to practice massage therapy revoked, suspended or voluntarily surrendered in this state or another jurisdiction
- Has not been convicted of, or pled guilty to or not contest to, a crime involving moral turpitude, or been convicted of, or pled guilty or no contest to, a crime involving moral turpitude if the board finds that the conviction does not affect the person's ability to practice competently and safely

4. What are the board-approved schools or credentialing organizations? The Board of Massage Therapists has not approved specific schools; however, on June 15, 2015, it approved that the following accrediting/credentialing agencies be included in proposed regulations, being put out for public comment.

- American Massage Therapy Association
- Associated Bodywork and Massage Professionals
- National Certification Board for Therapeutic Massage and Bodywork
- Commission on Massage Therapy Accreditation

5. What are the board-approved exams? On June 15, 2015, The Board of Massage Therapists approved that the following accrediting/credentialing agencies be included in proposed regulations, being put out for public comment:

- Federation of State Massage Therapy Boards (MBLEX)
- National Certification Examination for Therapeutic Massage and Bodywork (NCETMB/NCETM)

6. What is the definition of moral turpitude? As of July 2017 the Board of Massage Therapists approved that the following definition of moral turpitude be included in proposed regulations being put out for public comment:

- (1) homicide;
- (2) manslaughter;
- (3) assault
- (4) stalking;
- (5) kidnapping;
- (6) sexual assault;
- (7) sexual abuse of a minor;
- (8) unlawful exploitation of a minor, including possession or distribution of child pornography;
- (9) indecent exposure;
- (10) unlawful distribution or possession for distribution of a controlled substance;
- (11) prostitution;
- (12) sex trafficking
- (13) murder;
- (14) human trafficking;
- (15) criminal sexual conduct;
- (16) incest;
- (17) robbery;
- (18) extortion;
- (19) forgery;
- (20) theft;
- (21) endangering the welfare of a child;
- (22) endangering the welfare of a vulnerable adult;
- (23) reckless endangerment.

7. What do licensing fee's pay for?

\$200 application fee & \$290 Licensing fee:

- The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.
- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit, if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or individual practices athletic training without a

license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.

- AS 08.61 defers to the board to adopt necessary regulations for management of the licensing program. This requires board and investigator travel, legal support, and other resources the board and division need to comply with the expectations of law. The Alaska Administrative Code prescribes the requirements for public notice and adoption of agency regulations—the cost of which is borne by the licensing program.

\$60 fingerprint processing fee:

The law required fingerprinting upon initial licensure, as well as upon renewal of licensure every two years. The Department of Public Safety sets fees and processes fingerprints to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400. This process is more comprehensive than a state background check, so it requires additional cost and time. **The FBI does not permit reuse of fingerprints or the resulting background checks.**

For more information about the Massage Therapists Board financial breakdown, please review the Legislative report at the following link:

<https://www.commerce.alaska.gov/web/cbpl/AnnualPerformanceReports.aspx>

8. What will I need to do to renew my license?

All Massage Therapy licenses expire on September 30 of **ODD** number years.

To renew your license:

- Fill out the on-line renewal application
- Send in a new set of fingerprints (DPS is not allowed to keep your fingerprints on file, therefore a new set is required at each renewal)
- A current CPR certification
- For the 9/30/17 renewal you need to have completed 6 continuing education credits. For the 9/30/2019 renewal you will need to have completed 16 continuing education credits.
- Fee's: at this time the renewal if your license was issued on or before September 30th you will pay \$295. If your license was issued on or after October 1, then your fee is \$145.

9. My license application is in process, may I still work?

No, no one may practice as a Massage Therapist in the State of Alaska without a current/unrestricted license.

10. If a Massage Therapist is denied a license and appeals the decision, can they practice in the meantime?

No, no one may practice as a Massage Therapist in the State of Alaska without a current/unrestricted license.

11. What do I do if I know that someone is practicing without a license?

If you see or hear about someone practicing without a license or practicing outside of their scope of practice, please contact the Boards investigator in Anchorage:
907-269-8437

12. What about Native healers, Rolfers, and others who may be performing massage-related techniques?

AS 08.61.080 provides several exemptions from licensure. Please read this list to see whether your practice fully falls under one or more of these exemptions. If you provide massage therapy as defined by law—or use one of many terms to advertise that you do so—then you must become licensed. Illegal activity in conjunction with the delivery of massage services remains a crime under Alaska law and will continue to be prosecuted.

13. Must I also hold a business license in order to practice massage in Alaska?

The current business licensing laws have not changed. If you are a business owner or independent contractor-operating in Alaska, you must still hold an active state business license. You may apply for an Alaska business license at www.businesslicense.alaska.gov. If you are an employee of a massage therapy business owned by someone else, a doctor's office, a chiropractic office, or similar, an Alaska business license is not necessary. Check with your municipality to see if a municipal business license is required in your area.

14. What are the conflict of interest rules for state board members?

Ethical considerations and requirements for appointed board members are governed by the Alaska Executive Ethics Act. A wealth of information can be found on the Department of Law website, and this information (among other key responsibilities) are included in the board member orientation manual:

Main Ethics Act Page: <http://www.law.alaska.gov/doclibrary/ethics.html>

Board Info: <http://www.law.alaska.gov/doclibrary/ethics/EthicsInfoBC.html>

Procedures: <http://www.law.alaska.gov/doclibrary/ethics/EthicsBC.html>

15. Why can I NOT contact the Board directly?

Because the Board is appointed by the Governor, they fall under the Open Meeting Act. What this means to the public is that the Board cannot have contact, discuss Board business and/or correspond with the public in any way. If you need to get information to the Board or have questions that you would like to have the Board address, you can do one of 2 things:

1. Write an email to the Licensing Examiner and request that it be presented to the Board at its next regularly scheduled Board meeting
2. Speak at a Board meeting during the public comment period. You can call in or be present physically. The Board's meeting agendas are always posted on their home page with the call-in phone number and the time for public comments.

Do you have a question that is not answered? Please email:
dawn.hannasch@alaska.gov

**Would you like to be notified about / provide
comments to proposed regulations?**

Provide your name and email address to:

Jun Maiquis
Regulations Specialist
Jun.maiquis@alaska.gov