

Legislative Analysis



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Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5749

Sponsor: Rep. Vincent Gregory

Committee: Health Policy

Complete to 1-25-10

A SUMMARY OF HOUSE BILL 5749 AS INTRODUCED 1-19-10

Public Act 471 of 2008 added Part 179A (Massage Therapy) to the Public Health Code to prohibit a person from engaging in the practice of massage therapy or from using certain titles without being licensed under the health code, to create the Michigan Board of Massage Therapy, establish minimum educational and experience standards for licensure, and require continuing education courses as a condition for license renewal. Public Act 471 also prohibited, beginning on its effective date, a local unit of government from establishing or maintaining licensing requirements for a massage therapist licensed under Part 179A.

House Bill 5749 would amend the Public Health Code (MCL 333.17967) so that the restriction on local governments would not be triggered until one year after the certification of administrative rules to implement and administer Part 179A.

BACKGROUND INFORMATION:

A new health profession board cannot issue licenses or registrations until the rules creating the regulatory framework are completed. The rule-making process can be lengthy, taking up to several years to complete. However, before Public Act 471 was enacted, many municipalities required massage therapists to be licensed under local ordinances. Presumably, the bill intends to allow local authorities to continue to regulate the practice of massage therapy in their jurisdictions until the state licensure process is up and running.

FISCAL IMPACT:

There are no state costs related to House Bill 5749 as introduced. Local entities that maintain a licensing requirement for the extended period allowed by the bill will continue to bear any related costs.

Legislative Analyst: Susan Stutzky

Fiscal Analyst: Susan Frey

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