

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control Department or Agency Alabama Board of Massage Therapy
Rule No. 532-X-2-.02
Rule Title: Board Duties
 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? No

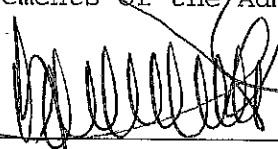
Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date: July 19, 2019

Alabama Board of Massage Therapy

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Massage Therapy

RULE NO. & TITLE: 532-X-2-.02 Board Duties

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to change the application approval for the Executive Director from specifically Alabama Schools to all approved schools.

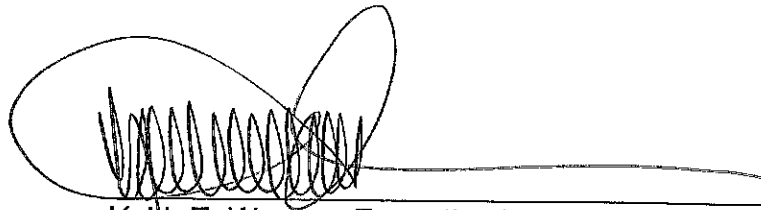
TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Tuesday, August 27, 2019. Comments should be directed to Keith E. Warren, *Executive Director*, 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@alstateboard.com or via telephone at 334-420-7235.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday September 4, 2019

CONTACT PERSON AT AGENCY:

Keith E. Warren
Executive Director
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7233



Keith E. Warren, *Executive Director*
Alabama Board of Massage Therapy

532-X-2-.02 Board Duties.

(1) The Board shall consider and act upon proposals by continuing education providers; review of the rules and regulations; proposed budget; applications for employment; public information requests or offerings.

(2) The Board as a whole shall hold hearings on written allegations of misconduct or violation of the Act; and sit to consider applications for licensure and approval. The Board may delegate application approval authority to the Executive Director when all 3 of the following requirements have been met:

- (a) Graduation from an Alabama approved Massage Therapy School with a minimum of 650 hours; and
- (b) Successful completion of a Board approved examination; and
- (c) Evidence of possession of a liability insurance policy of no less than \$1 million.

Applications not meeting the above specifications or that contain "yes" answers to any of the questions on page 2 of the application must be presented to the Board for Review at the next regularly scheduled Board meeting.

(3) The Board shall cause a complete record of all licensed massage therapists in the State of Alabama to be maintained in its office. A roster of massage therapists licensed by the Board shall be compiled annually, containing the names and address of the licensees. The annual roster shall be made available to person requesting a copy, upon payment of a reasonable fee set by the Board after assessment of the costs of publication, distribution and handling costs. Payment of the fee must be tendered at the time of the request, and shall be by money order, certified check, or cashier's check.

(4) The Board shall supply a copy of the statutes governing the practice of massage therapy in Alabama which are in force at the time to each applicant for licensure and to each person licensed under said statutes and these rules and regulations.

Author: Keith E. Warren

Statutory Authority: Code of Ala. 1975, §34-43-7.

History: **New Rule:** Filed January 29, 2001; effective March 5, 2001. **Amended:** Filed February 20, 2009; effective May 25, 2009. **Amended:** Filed February 10, 2012; Effective March 16, 2012. **Amended:** Filed December 17, 2012; Effective January 21, 2012. **Amended:** Filed July 22, 2019;