Rules and Regulations of the State of Georgia

Department 345 RULES OF GEORGIA BOARD OF MASSAGE THERAPY

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapters 345-2 entitled "Organization" and 345-7 entitled "Fees" have been adopted. Filed December 13, 2006; effective January 2, 2007.

Chapter 345-8 entitled "Requirements - Board Recognized Massage Therapy Education Program" has been adopted. Filed January 10, 2007; effective January 30, 2007.

Chapter 345-3 entitled "Applications" has been adopted. Filed February 6, 2007; effective February 26, 2007.

Chapters 345-1 entitled "Definitions", 345-4 entitled "License Renewal, Continuing Education, Inactive Status and Reinstatement of License", 345-5 entitled "Licensure by Endorsement", 345-6 entitled "Licensure by Reciprocity", 345-9 entitled "Exemptions from Licensure", and 345-10 entitled "Discipline" have been adopted. Rule 345-3-.02 has been adopted. Filed July 5, 2007; effective July 25, 2007.

Rules 345-4-.04 and .05 have been repealed and new Rules adopted. Filed February 25, 2008; effective March 16, 2008.

Rules 345-4-.03 and 345-5-.01 have been repealed and new Rules adopted. Chapter 345-6 has been repealed. Filed September 9, 2008; effective September 29, 2008.

Rules 345-1-.01, 345-3-.02, and 345-4-.02 have been repealed and new Rules adopted. Filed March 9, 2009; effective March 29, 2009.

Rules 345-4-.01, .04, .05, 345-5-.01, 345-8-.02, .03, and 345-10-.03 have been repealed and new Rules adopted. Filed July 2, 2009; effective July 22, 2009.

Rule 345-10-.04 has been repealed and a new Rule adopted. Filed April 28, 2010; effective May 18, 2010.

Rules 345-3-.02, 345-4-.02, .04, 345-5-.01, 345-10-.01, and .03 have been repealed and new Rules adopted. Chapter 345-6 entitled "Professional and Unprofessional Conduct" has been adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010. Rule 345-4-.05 repealed and readopted. F. Aug. 31, 2011; eff. Sep. 20, 2011.

Chapter 480-37 adopted. F. Feb. 24, 2012; eff. Mar. 15, 2012.

Rules 345-4-.02, 345-8-.01, 345-8-.02, 345-8-.03 amended. Chapter 480-37 adopted. F. Feb. 27, 2012; eff. Mar. 18, 2012.

Rule 345-3-.01 repealed and readopted with new title. F. Feb. 5, 2013; eff. Feb. 25, 2013.

Rules 345-3-.01 and 345-5-.01 repealed and new Rules adopted, Rules 345-3-.02 and 345-8-.03 repealed and readopted with new title, Rule 345-8-.01 amended. F. Oct. 30, 2013; eff. Nov. 19, 2013.

Rules 345-4-.03 and .05 amended. F. Mar. 10, 2015; eff. Mar. 30, 2015.

Rule 345-4-.02 amended. F. Sep. 2, 2015; eff. Sep. 22, 2015.

Rule 345-6-.02 adopted. F. May 16, 2016; eff. June 5, 2016.

Rule 345-6-.01,**c**orrection of non-substantive typographical error in sub-paragraph (2)(c),"message" corrected to "massage", as requested by the Agency. Effective August 5, 2016.

Rules 345-8-.01, .02 amended. F. Apr. 13, 2017; eff. May 3, 2017.

Rule 345-4-.04 amended. F. May 22, 2017; eff. June 11, 2017.

Rule 345-4-.05 amended. F. May 23, 2017; eff. June 12, 2017.

Rule 345-5-.02 adopted. F. Oct. 13, 2017; eff. Nov. 2, 2017.

Rule 345-4-.03 amended. F. May 10, 2018; eff. May 30, 2018.

Cite as Ga. Comp. R. & Regs. R. dept. 345, ADMINISTRATIVE HISTORY

Chapter 345-1. DEFINITIONS.

Rule 345-1-.01. Definitions.

(1) "Advertise" shall mean, but is not limited to, the issuance or distribution of any card, sign or other device, or causing, allowing or permitting the issuance or distribution of any card, sign or other device through or by means of any form of media, electronic or telephonic medium, printed material, public distribution, announcement or placement in any physical building or structure.

(2) "Applicant" means any person seeking licensure under this chapter.

(3) "Approved Provider" (of Continuing Education hours) means a provider that has been designated as an "Approved Provider for Continuing Education" by the NCBTMB, or another continuing education ("CE") provider approved by the Board.

(4) "Board" means the Georgia Board of Massage Therapy.

(5) "Clock Hour" means one "clock hour" of continuing education that is no less than fifty (50) minutes of any one clock hour during which a student participates in a learning activity in the physical presence of an instructor or in a distance learning activity as designed by an approved provider.

(6) "FSMTB" means the Federation of State Massage Therapy Boards.

(7) "License" means a valid and current certificate of registration issued by the Board.

(8) "Licensee" means any person holding a license.

(9) "Massage Therapist" means any person who administers massage or massage therapy for compensation.

(10) "Massage Therapy" has the same meaning as found in O.C.G.A. § 43-24A-3(8).

(11) "MBLEx Examination" means Massage & Bodywork Licensing Examination that is offered by the FSMTB.

(12) "NCBTMB" means National Certification Board for Therapeutic Massage & Bodywork.

(13) "NCETM Examination" means National Certification Examination for Therapeutic Massage.

(14) "NCETMB Examination" means National Certification Exam for Therapeutic Massage & Bodywork.

(15) Sexually Oriented Business - For the purposes of these rules, sexually oriented business shall mean, by not be limited to, a sex parlor, massage parlor, adult bookstore, adult movie theater, adult video store, adult motel, spa alluding to sexual content or services, or other commercial business which offer items or services to provide sexual stimulation or gratification.

(16) "Supervision" means a qualified massage therapist supervisor is physically on-site and immediately available.

Cite as Ga. Comp. R. & Regs. R. 345-1-.01
Authority: Authority O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-11, 43-24A-13, 43-24A-14, 50-13-3.
History. Original Rule entitled "Definitions" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Mar. 9, 2009; eff. Mar. 29, 2009.

Chapter 345-2. ORGANIZATION.

Rule 345-2-.01. Organization of the Board.

(1) The Georgia Board of Massage Therapy shall consist of five (5) members to be appointed by the Governor with the approval of the Senate. Each member of the Board shall be a resident of this State. Four members shall be professional members and one shall be a consumer member of the Board.

(2) The public may obtain information and submit requests at the Office of the Division Director, Professional Licensing Boards Division.

Cite as Ga. Comp. R. & Regs. R. 345-2-.01
Authority: Authority O.C.G.A. Secs. 43-1-3, 43-1-25, 43-24A-4, 43-24A-5, 50-13-3.
History. Original Rule entitled "Organization of the Board" adopted. F. Dec. 13, 2006; eff. Jan. 2, 2007.

Rule 345-2-.02. Officers.

The Board shall elect annually from its members a chairperson, vice chairperson, and any other officers as deemed necessary, who shall have the privilege of re-election. The Chair shall preside at meetings of the Board. The Vice-Chair shall preside at meetings in the absence of the Chair.

Cite as Ga. Comp. R. & Regs. R. 345-2-.02
Authority: Authority O.C.G.A. Secs. 43-1-25, 43-24A-6, 50-13-3.
History. Original Rule entitled "Officers" adopted. F. Dec. 13, 2006; eff. Jan. 2, 2007.

Rule 345-2-.03. Meetings of the Board.

(1) The Board shall meet at least once each year at a time fixed by the Board. In addition, the Board may hold additional meetings at the call of the Chair, or, at the request of any two (2) members of the Board or as approved by the Division Director.

(2) Minutes shall be kept of all Board meetings and shall become the official minutes only upon approval by the Board.

(3) All meetings of the Board shall be open to the public; provided, however, that the Board may hold Executive Sessions as authorized by law.

(4) The Board shall have the authority to:

(a) Examine and determine the qualifications for licensure to practice massage therapy in this state;

(b) Issue, renew, refuse to renew, deny, suspend or revoke licenses to practice massage therapy, or otherwise discipline licensed massage therapists;

(c) Conduct investigations for the purpose of discovering violations to the Act, or grounds for disciplining persons licensed under this chapter;

(d) Hold hearings;

(e) Adopt, revise and enforce rules concerning advertising;

(f) Adopt an official seal;

(g) Bring proceedings to the courts for the enforcement of this chapter or any rules and regulations promulgated pursuant to this chapter.

(5) In addition to the enumerated powers in subsection (4)(a)-(g) of this rule, the Board has the authority to conduct its business pursuant to the provisions of O.C.G.A. Title 43, Chapter 1.

Cite as Ga. Comp. R. & Regs. R. 345-2-.03
Authority: Authority O.C.G.A. Secs. 43-1-19, 43-1-25, 43-24A-4, 43-24A-7, 50-13-3.
History. Original Rule entitled "Meetings of the Board" adopted. F. Dec. 13, 2006; eff. Jan. 2, 2007.

Rule 345-2-.04. Rules and Regulations.

The Board may promulgate rules and regulations for the conduct of its affairs and for the administration of this Act. Further regulations or amendments will be adopted or amended in accordance with the provisions of the Georgia Administrative Procedures Act.

Cite as Ga. Comp. R. & Regs. R. 345-2-.04
Authority: Authority O.C.G.A. Secs. 43-1-25, 43-24A-4, 43-24A-18, 50-13-3.
History. Original Rule entitled "Rules and Regulations" adopted. F. Dec. 13, 2006; eff. Jan. 2, 2007.

Chapter 345-3. APPLICATIONS.

Rule 345-3-.01. Provisional Permits.

(1) The applicant for issuance of a provisional permit as a massage therapist to practice in Georgia under direct supervision shall submit an application on a form approved by the Georgia Board of Massage Therapy (hereinafter, the "Board"), the required fee, and evidence satisfactory to the Board that the applicant:

(a) holds a current active, unencumbered license to practice as a massage therapist in another state:

1. applicants for a provisional permit must request their licensing state provide **directly** to the Georgia Board a verification of licensure. If applicant holds, or has ever held, licenses in more than one state, each state of licensure must also provide verification of licensure, current or not, directly to the Board.

2. the verification of current licensure in another state must include the expiration date of the license and if there are currently, or have ever been, any public disciplinary actions taken against the license and/or licensee. This requirement applies to all license verifications submitted (see number 1 above);

3. applicants for a provisional permit in Georgia shall not have ever had a license or permit to practice as a massage therapist voided, revoked, suspended, or annulled by another state;

4. applicants for a provisional permit in Georgia shall not ever have been convicted of a felony in the courts of the licensing state, any other state, territory, or country, or in the courts of the United States, including, but not limited to, a plea of nolo contendere entered to such charge or the affording of first offender treatment to any such charge.

(b) the applicant has satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the board. The applicant shall be responsible for all fees associated with the performance of such background check;

(c) is **NOT** a resident of the state of Georgia as confirmed in a secure and verifiable document, as defined in Code Section 50-36-2.

(2) All provisional permit holders shall work under the direct supervision of a licensed Georgia Massage Therapist. The proposed supervisor must hold a current, unencumbered license to practice in the state of Georgia issued by the Board, with no disciplinary actions having ever been taken by the Board against the proposed supervising licensee; In addition,

(a) the supervising Georgia licensee shall report within ten (10) days to the Board any disciplinary action(s) taken in any other state against a GA provisional permit holder occurring during supervision period(s), or, against the supervisor themselves should any other state license held by the supervisor be sanctioned or disciplined.

(3) A Provisional Permit will expire six months from issuance date, or, when/if the provisional permit holder receives a Georgia Massage Therapy license, upon meeting the qualifications of O.C.G.A. § 43-24A-8. If a provisional permit holder applies for and is issued a Georgia Massage Therapy license before the six (6) month expiration date of the

provisional permit, the provisional permit shall expire on the date of issuance of the Georgia Massage Therapy license.

(4) Provisional Permits are non-renewable. Individuals may apply for a new provisional permit to be issued by following the above stated guidelines.

(5) A provisional permit may be voided if the Board determines that the person holding such permit no longer meets one or more of the criteria set forth in subsection (a) of § O.C.G.A. 43-24A-9 Provisional Permits or is found to have violated any of the Board's laws or rules.

(6) A provisional permit issued pursuant to subsection (a) of § O.C.G.A. 43-24A-9 Provisional Permits shall expire on the same date as a license issued under this chapter to a holder of a provisional permit who has passed the examination pursuant to Code Section 43-24A-8.

Cite as Ga. Comp. R. & Regs. R. 345-3-.01
Authority: O.C.G.A. §§ 43-1-19, 43-1-19.2, 43-1-24, 43-1-25, 43-1-27, 43-24A-7 and 43-24A-9.
History. Original Rule entitled "Application for Licensure Prior to July 1, 2007" adopted. F. Feb. 6, 2007; eff. Feb. 26, 2007.
Repealed: New Rule entitled "Provisional Permits" adopted. F. Feb. 5, 2012; eff. Feb. 25, 2013.
Repealed: New Rule of same title adopted. F. Oct. 30, 2013; eff. Nov. 19, 2013.

Rule 345-3-.02. Application for Licensure.

(1) The applicant for licensure as a massage therapist shall submit an application and the required non-refundable fee on a form approved by the Board, and evidence satisfactory to the Board that the applicant:

(a) is at least 18 years of age; and

(b) has a high school diploma, GED, or recognized equivalent; and

(c) is a citizen of the United States or a permanent resident of the United States.

(2) In addition to the information called for on the form, the applicant must also provide or complete the following:

(a) satisfactory results from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the Board. The applicant shall be responsible for all fees associated with the performance of such background check (see instructions on how to register and complete the fingerprint check posted @ www.sos.ga.gov/plb/massage, Application Downloads link); and

(b) official verification from NCBTMB (National Certification Board for Therapeutic Massage and Bodywork) or FSMTB (Federation of State Massage Therapy Boards) showing applicant has passed the NCBTMB National Certification Exam for Therapeutic Massage (NCETM) or National Certification Exam for Therapeutic Massage & Bodywork (NCETMB), or the FSMTB Massage & Bodywork Licensing Exam (MBLEx), or an exam deemed equivalent or equal to the NCE or FSMTB exam by the Board; and,

(c) applicants educated within the United States: submit an official, certified school transcript in an original sealed envelope, by the applicant's school or program, of successful completion (graduation) of a board-recognized massage therapy education program consisting of a minimum of five-hundred (500) hours of course and clinical work in accordance with Board rule 345-8; or,

(d) applicants educated outside the United States:

1. provide a credential evaluation report, in English, completed by a verifiable credential evaluation entity subject to the Board's approval to include a certified copy of the school transcript translated into English that includes, but is not limited to, the following:

   i. all documentation must be certified translations including the name and contact number of the person completing and approving the credential evaluation report; and,

   ii. the credential evaluation report shall include verification that the massage therapy educational entity providing the transcript to the applicant of the education was licensed, recognized or approved by a government, country, province or territory's educational commission, regulatory body or other verifiable official.

2. official verification of passage of one of the following national exams: MBLEx, NCBTMB, or NCBTM.

3. the Board reserves the right to recognize and consider mitigating circumstances with regard to the provision of educational information within compliance with this rule.

Cite as Ga. Comp. R. & Regs. R. 345-3-.02
Authority: O.C.G.A. §§ 43-1-3, 43-1-7, 43-1-19, 43-1-24, 43-1-25, 43-24A-7, 43-24A-8 and 43-24A-11.
History. Original Rule entitled "Application for Licensure Post July 1, 2007" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Mar. 9, 2009; eff. Mar. 29, 2009.
Repealed: New Rule of same title adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.
Repealed: New Rule entitled "Application for Licensure" adopted. F. Oct. 30, 2013; eff. Nov. 19, 2013.

Chapter 345-4. LICENSE RENEWAL, CONTINUING EDUCATION, INACTIVE STATUS AND REINSTATEMENT OF LICENSE.

Rule 345-4-.01. License Renewal.

(1) Licenses issued by the Board shall expire on October 31st of every even numbered year.

(2) Each person holding a valid license to practice massage therapy who does not renew said license by October 31st of every even numbered year shall be afforded a late renewal for a period of thirty (30) days. Late renewals shall be processed after filing the renewal form, payment of the renewal fee and late renewal penalty fee, and, providing proof of the required twenty-four (24) hours of continuing education. Individuals **must not practice** as a massage therapist during this late renewal period until the board grants the renewal. Practice without a current, active license in Georgia is prohibited.

(3) Any service member as defined in O.C.G.A. § 43-1-31 whose license to practice Massage Therapy expired while serving on active duty outside the state shall be permitted to practice massage therapy, shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of his or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of his/her discharge from active duty or reassignment to a location within the state. The service member must present to the board a copy of the official military orders or a written verification signed by the service member's commanding officer to waive any charges.

(4) Following the late renewal time period, all non-renewed licenses will be revoked by operation of law for non-renewal, and will require reinstatement at the discretion of the Board.

Cite as Ga. Comp. R. & Regs. R. 345-4-.01
Authority: Authority O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-1-31, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14, 43-24A-20, 50-13-3.
History. Original Rule entitled "License Renewal" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. July 2, 2009; eff. July 22, 2009.

Rule 345-4-.02. Continuing Education Hours.

(1) As a condition for renewing his or her license for each biennium, every massage therapist licensed pursuant to this chapter shall be required to complete a minimum of twenty-four (24) continuing education (CE) hours related to the practice of massage therapy through an approved provider; except as otherwise provided for in this chapter.

(a) Twelve (12) of the total twenty-four (24) CE Hours must include direct hands-on supervised instruction; and

(b) The remaining twelve (12) CE Hours may include direct hands-on supervised instruction or other massage therapy related CE hours.

(c) CE Hours for renewal must be obtained during the two year renewal cycle beginning November 1st through October 31st of the two year licensure period.

(d) For the purposes of this rule the course must include seventy percent (70 %) of hands-on experience/demonstration in order to qualify as direct hands-on supervised instruction.

(2) Approved providers for Continuing Education must have a current NCBTMB Continuing Education Provider Number and shall provide information on course attendance to CE Broker. Licensees may locate an approved provider on the National Certification Board for Therapeutic Massage and Bodywork website at www.ncbtmb.org. Licensees do not have to be board certified by NCBTMB to access the NCBTMB continuing education providers. The Board only accepts those Continuing Education Providers assigned a provider code number by NCBTMB.

(3) Beginning the November 1, 2014 through October 31, 2016 biennium and thereafter, persons licensed to practice as a massage therapist or who shall file an application to practice as such in this state are to maintain a record of completed continuing education courses and experiences by registering with an online recording and reporting system approved by the Board.

(A) For the purposes of this requirement, the Georgia Board of Massage Therapy adopts the utilization of CE Broker, Inc.

(B) Licensees and applicants shall incur no additional costs from CE Broker, Inc. for this service.

(C) Every licensee or applicant subject to the rules of the Georgia Board of Massage Therapy shall be deemed to have given such person's consent to the Board and its representatives to access their continuing competence record retained within the online database for the purposes of auditing and verifying completion of the Board's continuing competency requirements.

(4) The Board may consider a waiver or variance of the requirement of CE hours for licensees who can provide acceptable proof of a verifiable illness, disability or hardship that substantially affected their ability to obtain the required CE hours during the prior biennium renewal period through submission to the board of a completed, signed waiver/variance request form ***prior*** to the biennium renewal expiration date of October 31st of every even numbered year.

(5) An applicant who is licensed **during the second year** of the biennium renewal period shall only be required to provide 12 hours of continuing education (CE) hours through an approved provider for that renewal period.

(a) 6 of the total 12 CE Hours must include direct hands-on supervised instruction; and,

(b) The remaining 6 CE Hours may include direct hands on supervised instruction or other massage therapy related CE hours.

(6) An applicant having graduated from a Board recognized approved massage therapy education program within one year of their application date shall be exempt from continuing education requirements for their initial biennium renewal period only.

(7) An applicant for reinstatement of a lapsed or revoked license must show along with their completed application and fee payment that they have taken the required twenty-four (24) hours of continuing education, in accordance with this rule, within one (1) year of the date of their reinstatement application to the board.

(8) The continuing education hours used for the reinstatement of a license cannot be used to meet the continuing education hours required for the biennium during which the license was reinstated.

Cite as Ga. Comp. R. & Regs. R. 345-4-.02
Authority: O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14, 43-24A-17, 43-24A-20, 50-13-343-24A-14, 43-34A-20, 50-13-3.
History. Original Rule entitled "Continuing Education Hours" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Mar. 9, 2009; eff. Mar. 29, 2009.
Repealed: New Rule of same title adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.
Amended: F. Feb. 27, 2012; eff. Mar. 18, 2012.
Amended: F. Sep. 2, 2015; eff. Sept. 22, 2015.

Rule 345-4-.03. Continuing Education Providers.

(1) The Georgia Board of Massage Therapy does not pre-approve continuing education courses or programs at this time. The Board will accept continuing education hours from any entity who is recognized/approved as a "Continuing Education Provider" by the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) provided that the hours are related to the scope of practice of massage therapy as defined in O.C.G.A. §43-24A. Continuing Education Providers recognized by the NCBTMB may be located by contacting the NCBTMB directly or by searching their website, www.ncbtmb.org.

(2) In order for the Board to accept documentation of continuing education from a NCBTMB Approved Continuing Education Provider, the following requirements must be met:

(a) The provider must have had a current, unencumbered, NCBTMB approved provider number at the time the continuing education course was administered;

(b) The name/title of the course listed on the certificate of completion must be present on the list of courses that NCBTMB has authorized that CE Provider to teach under the associated approved provider number;

(c) On the date of completion for each course, the provider must provide a certificate of completion to each student/attendee who successfully completed all of the course requirements; and,

(d) The provider must record course credit information of CE Broker within seven (7) days of completion of the course for all class attendees which hold a license and have provided consent to release such information to CE Broker.

(e) The provider must have entered information relevant to the program or course to include but not limited to a description, program objective/learning outcomes, content description, and agenda or schedule into CE Broker.

(3) In addition to the above requirements, all CE certificates of completion must include the following information:

(a) The name of the attendee and their license number;

(b) The complete name/title of the course;

(c) The date(s) the attendee took and completed the course;

(d) The number of continuing education hours awarded for the course;

(e) The printed name and signature of the instructor for the course;

(f) The NCBTMB Approved Provider Name, Provider Number and expiration date;

(g) The location or site of the course, i.e. Home Study, Self-Study, Internet, Webinar, WebEx, or physical address where the course was taught; and,

(h) If the course is being submitted to meet the direct hands-on supervised instruction requirement, the certificate must denote that it is a hands-on course. In order for the course to receive hands-on credit, 70% of the course must include direct application of touch, pressure, movement, and holding to the soft tissue of the body.

(4) Providers who fail to report the CEs in accordance with this policy will be removed from the list of approved NCBTMB providers for this state and reported to NCBTMB for noncompliance.

(5) A licensee may not claim any CE hours which do not match corresponding course credit information recorded in CE Broker.

Cite as Ga. Comp. R. & Regs. R. 345-4-.03
Authority: O.C.G.A. § 43-24A-20.
History. Original Rule entitled "Continuing Education Providers Seeking Board Approval" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule entitled "Continuing Education Providers" adopted. F. Sept. 9, 2008; eff. Sept. 29, 2008.
Amended: F. Mar. 10, 2015; eff. Mar. 30, 2015.
Amended: F. May 10, 2018; eff. May 30, 2018.

Rule 345-4-.04. Inactive Status.

(1) Licensees may request by application only to the Board that their active license to practice as a massage therapist in Georgia be placed on inactive status prior to the license expiration date. Applications for Inactive Status request will not be considered if postmarked on or after November 1st of every even numbered year. There is no fee to apply for inactive status.

(2) An individual whose license status is inactive shall not practice as a massage therapist within the state of Georgia.

(3) An individual whose license is under any investigation, is the subject of active disciplinary proceedings or has a sanction in effect may not transfer the license to an inactive status.

(4) Licensees shall request in writing to the Board for the reactivation of their massage therapy license. Reactivation of an inactive status license is within the discretion of the Board. The following requirements must be met:

(a) If a licensee has been on inactive status for two (2) years or less, the applicant must meet the requirements for renewal of licensure pursuant to Rule 345-4-.01, excluding late renewal penalty fee, and all required CE hours must be obtained within one year prior to the date of receipt of the Reactivation Application.

(b) If a licensee has been on inactive status for a period greater than two (2) years, the applicant must meet the requirements for reinstatement pursuant to Rule 345-4-.05.

Cite as Ga. Comp. R. & Regs. R. 345-4-.04
Authority: O.C.G.A. §§ 43-1-25, 43-24A-14(e).
History. Original Rule entitled "Inactive Status" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Feb. 25, 2008; eff. Mar. 16, 2008.
Repealed: New Rule of same title adopted. F. July 2, 2009; eff. July 22, 2009.
Repealed: New Rule of same title adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.
Amended: Subparagraphs 345-4-.04(4)(b) was deleted in error when F. Nov. 3, 2010; eff. Nov. 23, 2010 was published. Error was discovered and corrected October 25, 2011.

Amended: F. May 22, 2017; eff. June 11, 2017.

Rule 345-4-.05. Reinstatement of a License.

(1) Reinstatement of a revoked or lapsed license is within the discretion of the Board.

(2) An applicant for reinstatement of a revoked or lapsed license must submit a completed application provided by the board, payment of the required fee and evidence satisfactory to the Board that the applicant:

(a) is a citizen of the United States or a permanent resident of the United States; and,

(b) has a satisfactory result from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the Board. The applicant shall be responsible for all fees associated with the performance of such background check (see the Fingerprint COGENT-GAPS Instructions on the Board website under the Application Downloads link).

(c) if the license has been revoked or lapsed for:

(i) two (2) years or less, the applicant must submit evidence of completion of twenty-four (24) hours of Board approved continuing education, in accordance with Board Rule 345-4-.02, obtained within one (1) year of the date of the reinstatement application;

or,

(ii) more than two (2) years, the applicant must submit evidence of completion of twenty-four (24) hours of Board approved continuing education, in accordance with Board Rule 345-4-.02, which was obtained within one (1) year of the date of the reinstatement application, AND, verification of having passed the MBLEx, within six (6) months of the date of the reinstatement application.

(3) The continuing education hours used for the reinstatement of a license cannot be used to meet the continuing education hours required for the biennium during which the license was reinstated.

(4) The Board may impose any limits, sanctions, restrictions or other disciplinary actions as a condition of reinstatement it deems necessary.

(5) The Board may require additional verification of any requirements or credentialsas the Board may deem necessary.

Cite as Ga. Comp. R. & Regs. R. 345-4-.05
Authority: O.C.G.A. §§ 43-1-25, 43-24A-14(b).

History. Original Rule entitled "Reinstatement of a License" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Feb. 25, 2008; eff. Mar. 16, 2008.
Repealed: New Rule of same title adopted. F. July 2, 2009; eff. July 22, 2009.
Repealed: New Rule of same title adopted. F. Aug. 31, 2011; eff. Sept. 20, 2011.
Amended: F. Mar. 10, 2015; eff. Mar. 30, 2015.
Amended: F. May 23, 2017; eff. June 12, 2017.

Chapter 345-5. LICENSURE BY ENDORSEMENT.

Rule 345-5-.01. Licensure by Endorsement.

Any applicant holding a current license, in good standing, as a massage therapist issued by another jurisdiction, state, or territory of the US or foreign country whose licensure requirements are substantially equal to or exceeds the Georgia licensure requirements, shall apply for licensure by endorsement by submitting an application on a form provided by the Board, accompanied by the appropriate fee (see fee schedule) and provide the following:

(a) all supporting documents must be provided to the Board in the English language.

Documents must be translated by a reputable source subject to the discretion of the Board; and,

(b) verification that an applicant is at least 18 years of age; and,

(c) has a high school diploma, GED, or recognized equivalent; and,

(d) is a citizen of the United States or a permanent resident of the United States, and,

(e) has a satisfactory result from a fingerprint record check report conducted by the Georgia Crime Information Center and the Federal Bureau of Investigation, as determined by the Board. The applicant shall be responsible for all fees associated with the performance of such background check (see instructions on how to register and complete the fingerprint check posted at www.sos.ga.gov/plb/massage, Application Downloads link); and,

(f) official verification of current licensure as a massage therapist, in good standing, from another jurisdiction, state, or territory of the United States or foreign country, including a copy of its licensing laws for massage therapist, whose standards for licensure meet or exceed those required by Georgia.

(g) The Board may request additional verification of any requirements or credentials as it may deem necessary.

Cite as Ga. Comp. R. & Regs. R. 345-5-.01
Authority: O.C.G.A.§§ 43-1-3, 43-1-7, 43-1-19, 43-1-24, 43-1-25, 43-24A-7 and 43-24A-13.
History. Original Rule entitled "Licensure by Endorsement" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Sept. 9, 2008; eff. Sept. 29, 2008.

Repealed: New Rule of same title adopted. F. July 2, 2009; eff. July 22, 2009.
Repealed: New Rule of same title adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.
Repealed: New Rule of same title adopted. F. Oct. 30, 2013; eff. Nov. 19, 2013.

Rule 345-5-.02. Endorsement for Military Spouses, Service Members and Transitioning Service Members.

(1) As used in this rule, the following terms shall mean:

(a) "Board" means the Georgia Board of Massage Therapy.

(b) "License" means any license issued by the Georgia Board of Massage Therapy.

(c) "Military" means the United States armed forces, including the National Guard.

(d) "Military spouse" means a spouse of a service member or transitioning service member.

(e) "Service member" means an active or reserve member of the armed forces, including the National Guard.

(f) "Transitioning service member" means a member of the military on active duty status or on separation leave who is within 24 months of retirement or 12 months of separation.

(2) Effective July 1, 2017, military spouses, services members and transitioning service members may qualify for expedited processing of the license application by showing that the applicant is a military spouse or transitioning service member and that the applicant has paid the fee and meets the requirements for a license under the law and rules for the type of license for which the applicant has applied.

Cite as Ga. Comp. R. & Regs. R. 345-5-.02
Authority: O.C.G.A. §§ 43-1-19, 43-1-25, 43-1-34, 43-1-8, 43-24A-2, 43-24A-7, 43-24A-8, 43-24A-9, 43-24A-13, 43-24A-19.
History. Original Rule entitled "Endorsement for Military Spouses, Service Members and Transitioning Service Members" adopted. F. Oct. 13, 2017; eff. Nov. 2, 2017.

Chapter 345-6. PROFESSIONAL AND UNPROFESSIONAL CONDUCT.

Rule 345-6-.01. Professional and Unprofessional Conduct.

(1) Georgia Licensed Massage Therapists shall:

(a) Comply with recognized professional standards for the practice of massage therapy and client quality of care.

(b) Represent professional qualifications truthfully and accurately, including education and professional affiliations, and provide only those services that the practitioner is qualified by education, experience, and skill to perform within recognized professional standards for the practice of massage therapy.

(c) Accurately inform clients, other health care practitioners, and the public about the scope and limitations of the practice of massage therapy, including the limitations of and contraindications for massage therapy.

(d) Refer clients to appropriate health professionals when treatment needed by the client is beyond the scope of massage therapy practice according to recognized professional standards.

(e) Perform massage therapy only after the client has given written informed and voluntary consent that is signed by the client or, if the client is a minor, signed by the client's guardian, parent, or authorized third party.

(f) Immediately comply with the client's expressed request to refuse, modify, or terminate the performance of massage therapy, regardless of any prior consent.

(g) Provide draping and treatment consistent with client safety, comfort, and privacy in compliance with recognized professional standards of massage therapy practice.

(h) Refuse to treat any person or part of the body if such treatment is not lawful, does not comply with recognized professional standards of massage therapy practice, or is not in the best interest of the client.

(i) Not violate client boundaries regarding privacy, disclosure of personal information, physical exposure, nudity, or sexual activity.

(j) Not accept any gifts, compensation, or benefits that are intended to influence a referral, decision, or treatment that is not within recognized professional standards of massage therapy practice, including treatment that is not in the best interest of the client.

(2) Unprofessional conduct shall also include, but not be limited to, the following:

(a) Practicing massage therapy without a valid license or with an expired license;

(b) Failing to comply with requirements for professional continuing education;

(c) Performing any act which knowingly aids, assists, procures, advises or encourages an unlicensed person to practice massage therapy.

(d) Failing to display a massage therapist's license certificate issued by the Board, or a photocopy thereof, in an appropriate and public manner easily and readily available for public view at each location the licensee practices;

(e) Violation of, or noncompliance with, any of the following:

1. The Georgia Massage Therapy Practice Act;

2. Any statutes, ordinances, or rules pertaining to the practice of massage therapy;

3. Rules promulgated by the Georgia Board of Massage Therapy;

4. Any Consent Agreement entered into with the Georgia Board of Massage Therapy or other licensing board or agency; and

5. Any Order issued by the Georgia Board of Massage Therapy or other licensing board or agency.

(f) Failing to maintain appropriate records and to safeguard the confidentiality of records regarding clients, their treatment, their personal information, and client referral to other medical or health professionals, unless disclosure or release of such confidential information is requested by the client in writing or is required by law.

(g) Falsifying, altering, destroying, or changing records in contemplation of an investigation by the board, a governmental office, regulating agency, or lawsuit filed by a patient.

(h) Using improper or unfair measures or false information to draw patronage from the practice of another massage therapy licensee.

(i) Initiating or engaging or in any sexual conduct, sexual activities, or sexualizing behavior involving a client or pertaining to the practice of massage therapy.

(j) Knowingly making misleading, deceptive, untrue or fraudulent representations in an application for licensure, reinstatement, or licensure renewal filed with the board, in a document pertaining to the practice of massage therapy, the filing of any insurance claim, or in any document in connection therewith.

(k) Discriminating against clients on the basis of gender, age, race, national origin, religion, disability, or sexual preference.

Cite as Ga. Comp. R. & Regs. R. 345-6-.01
Authority: O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-24A-2, 43-24A-3, 43-24A-7, 43-24A-8, 43-24-A-10, 43-24A-13, 43-24A-14, 43-24A-15, 43-24A-17, 43-24A-20, 43-24A-22, 50-13-3.
History. Original Rule entitled "Licensure by Reciprocity" adopted. F. July 5, 2007; eff. July 25, 2007.

Repealed: F. Sept. 9, 2008; eff. Sept. 29, 2008.
Amended: New Rule entitled "Professional and Unprofessional Conduct" adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.
Note: Correction of non-substantive typographical error in sub-paragraph (2)(c),"message" corrected to "massage", as requested by the Agency. Effective August 5, 2016.

Rule 345-6-.02. Scope of Practice of Massage Therapy Students.

(1) A person pursuing a course of study leading to a degree or certificate as a massage therapist in an educational program recognized by the board may engage in the practice, services, or activities of massage or massage therapy when such person is:

(a) Actively enrolled in a massage therapy program or school approved by the Board;

(b) Designated by title indicating student status and shall not represent themselves as a massage therapist or massage practitioner;

(c) Fulfilling uncompensated work experiences required for the attainment of the degree or certificate. For the purpose of this rule "uncompensated" means a person in student status may not intentionally or knowingly agree to accept any compensation, directly or indirectly, overtly or covertly, in cash or in kind, in the form of payments, gifts, tips, remuneration, recompense, or rewards to or from any person or entity for services rendered while in student status;

(2) The primary responsibility for the services provided for clients by the designated student rests with the licensed massage therapist supervisor or other authorized instructor.

(3) Documentation of all services for clients and treatment plans must be reviewed and approved by the licensed massage therapist supervisor.

Cite as Ga. Comp. R. & Regs. R. 345-6-.02
Authority: O.G.G.A. §§ 43-1-25, 43-24A-19(2), 43-24A-3(4).
History. Original Rule entitled "Scope of Practice of Massage Therapy Students" adopted. F. May 16, 2016; eff. June 5, 2016.

Chapter 345-7. FEES.

Rule 345-7-.01. Approved Fees.

(1) Refer to fee schedule for appropriate fees payable to the Board.

(a) An indebtedness to the Board caused by a returned check will be dealt with in accordance with Code Section 16-9-20 of the Criminal Code of Georgia;

(b) Fees may be reviewed and changed at the discretion of the Board;

(c) Application fees are non-refundable.

(2) Fees may be charged for the following:

(a) Applications for Licensure;

(b) Renewal;

(c) Late/Lapsed Renewal;

(d) Reinstatement;

(e) Duplicate license and/or identification card. If a name change occurs, and the licensee wishes to submit a request for a duplicate card, licensee must submit the request in writing to the Board, and include a copy of either a marriage certificate or court order and the required fee. Name changes occurring during the renewal period may be processed without additional fee if a copy of the marriage certificate or court order is attached to the paper application for license renewal (name change can not be done via on-line renewal process);

(f) License verification;

(g) Wall Certificate; Duplicate Wall Certificate;

(h) Any additional fee the Board deems appropriate.

Cite as Ga. Comp. R. & Regs. R. 345-7-.01
Authority: O.C.G.A. Secs. 43-1-7, 43-24A-8, 43-24A-14.
History. Original Rule entitled "Approved Fees" adopted. F. Dec. 13, 2006; eff. Jan. 2, 2007.

Chapter 345-8. REQUIREMENTS - BOARD RECOGNIZED MASSAGE THERAPY EDUCATION PROGRAM.

Rule 345-8-.01. Curriculum Requirements. Amended.

In order to be a Georgia Board recognized massage therapy education program, the program must have a minimum curriculum of five-hundred (500) total clock hours of supervised classroom and supervised hands-on instruction. For purposes of this rule,"supervised" means the supervisor is physically on-site, qualified and immediately available. The minimum required subject matter and activities and the minimum required hours are as follows:

(a) A minimum of one hundred twenty-five (125) hours of in-class supervised instruction in human anatomy, physiology and kinesiology;

(b) A minimum of forty (40) hours of in-class supervised instruction in pathology;

(c) A minimum of two-hundred hours (200) in massage therapy theory, technique and practice, which must include in-class supervised instruction of clinical techniques and hands-on clinical practice and must include, at a minimum, the following subject matters: effleurage/gliding; petrissage/kneading; compression; friction, tapotement/percussion; vibration; direct pressure; superficial warming techniques; pumping; stretching; jostling; shaking; rocking;

(d) A minimum of one hundred twenty-five (125) hours of in-class supervised instruction in contraindications, benefits, universal precautions, body mechanics, massage history, client data collection, documentation, and legalities of massage, professional standards including draping and modesty, therapeutic relationships and communications;

(e) A minimum of ten (10) hours of in-class supervised instruction in ethics and business (to include a minimum of six (6) hours in ethics); and,

(f) Of the five hundred (500) total clock hours, the curriculum must include a minimum of fifty (50) hours in supervised student clinical practice, but no more than sixty (60) hours in supervised student clinical practice. Nothing in this rule shall be construed to prohibit a massage therapy school that has a curriculum greater than five hundred (500) hours from having more supervised student clinical practice so long as it has at least four hundred and forty (440) hours of in-class supervised instruction.

(g) If an applicant transfers from another massage therapy education program into a massage therapy education program recognized by this Board and any of the clock hours from the original program(s) are accepted as a part of the program to which the applicant transferred, the name of the original program and the clock hours accepted from that program must be identified on the transcript provided to the Board. If the transferred hours are not from a board recognized massage therapy education program, the hours may not be used to satisfy the curriculum requirements of this rule.

Cite as Ga. Comp. R. & Regs. R. 345-8-.01
Authority: O.C.G.A. §§ 43-1-25, 43-24A-3(4), 43-24A-8(6).
History. Original Rule entitled "Curriculum Requirements" adopted. F. Jan. 10, 2007; eff. Jan. 30, 2007.
Amended: F. Feb. 27, 2012; eff. Mar. 18, 2012.
Amended: F. Oct. 30, 2013; eff. Nov. 19, 2013.
Amended: New title "Curriculum Requirements. Amended." F. Apr. 13, 2017; eff. May 3, 2017.

Rule 345-8-.02. Faculty Requirements. Amended.

(1) In order to be a Georgia Board recognized massage therapy education program, the program must have a faculty that consists of a sufficient number of full and part-time instructors to ensure that the educational obligations to the student are fulfilled. Lab, clinical and community course core (lead) faculty must demonstrate competence in their respective areas of teaching as evidenced by a minimum of 2 years or 2000 hours of experience in their field. Faculty instructor(s) shall hold a current state license, if a state license is required to practice massage therapy in that state. Human sciences course core (lead) faculty (anatomy, pathology, physiology) is not required to hold a massage therapy license; however, the faculty member must demonstrate competence in their respective areas of teaching as evidenced by a minimum of 2 years or 2000 hours experience in their field and/or by appropriate degrees/certificates from approved colleges/schools/institutions.

(2) All program faculty members must teach at the physical address which has been provided to the Board on the program's application to become a board recognized massage therapy education program.

(3) The Board must be notified of any program faculty changes within ten (10) days of the date the change becomes effective.

(4) If a school utilizes faculty assistants, in order to be a Board recognized massage therapy education program, it shall establish and maintain policies that set forth qualifications, duties and procedures for use of these personnel. Faculty assistants shall not be used as substitutes or replacements for regular faculty; shall not be responsible for the overall evaluation of any student; and shall work under the direct supervision of approved faculty. Faculty assistants shall hold a current license, if a license is required to practice massage therapy in that state.

(5) In order to be a Georgia Board recognized massage therapy education program, the ratio of students to faculty in the lab/clinical/community area shall not exceed 20 students to 1 instructor with no more than 10 student therapists and 10 students serving as clients. Lecture classes are not subject to this ratio.

(6) When student clinical practice is being performed on the general public, the supervising clinical faculty instructor(s) shall hold a current Georgia massage license.

Cite as Ga. Comp. R. & Regs. R. 345-8-.02
Authority: O.C.G.A. §§ 43-1-25, 43-24A-3(4).
History. Original Rule entitled "Faculty Requirements" adopted. F. Jan. 10, 2007; eff. Jan. 30, 2007.
Repealed: New Rule of same title adopted. F. July 2, 2009; eff. July 22, 2009.
Amended: F. Feb. 27, 2012; eff. Mar. 18, 2012.
Amended: New title "Faculty Requirements. Amended." F. Apr. 13, 2017; eff. May 3, 2017.

Rule 345-8-.03. Board Recognition Status.

(1) In order for a Georgia (physically) based massage therapy education program location(s) to obtain the Georgia Massage Therapy Board "Recognized" massage therapy education program status, the program must meet the requirements set forth in rules 345-8-.01 and 345-8-.02, and the additional requirements below:

(a) the program must require that each student have a minimum grade of 70% and the student have a minimum attendance of 70% in order to receive credit/hours in massage therapy related course and clinical work, and;

(b) the program must maintain a written program, philosophy and objectives, and the program must maintain course outlines or syllabi for all massage therapy courses, and;

(c) the program must provide a student handbook, and;

(d) the program must maintain permanent student records that summarize the credentials for admission, attendance, grades and other records of performance, and;

(e) the program must possess a current, unencumbered National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) School Provider Code.

(f) the program must possess a current, unencumbered Nonpublic Postsecondary Education Commission (NPEC) Authorization number.

(2) If a board recognized program does not meet or fails to comply with the curriculum, faculty, and additional requirements noted in these rules, the Board may withdraw the "recognized" status of the program.

(a) the Board shall promptly notify the program, in writing, of the withdrawn recognition status.

(b) the program must notify, in writing, current and potential new students of their withdrawn recognition status within ten (10) business days from receipt of the Board's notice. Simultaneously, a copy of such notification must be submitted to the Board within the ten (10) business days.

(3) No other transcripts will be accepted from a program whose recognition status has been withdrawn effective on or after a date established by the Board.

(4) Programs losing Board recognition must reapply for recognition by the Board

(5) A Georgia (physically) based recognized program that is sold, physically moves or changes the recognized program's name must file a new school recognition application with the Board within ten (10) business days from the date of the action:

(a) if sold to a new owner, the new owner must provide, within ten (10) days, a new application and all supporting documents (including NCBTMB and NPEC current code/number - see e & f above);

(b) if moving location, report within ten (10) days the new physical and mailing address, in addition to any other changes (faculty, curriculum, etc.);

(c) if changing the programs name, but not physical location, report the name change to the Board within ten (10) business days.

(6) Massage Therapy educational programs located **outside the state of Georgia** may be recognized by meeting the following criteria:

(a) hold, and maintain, a current, unencumbered NCBTMB school code number; and,

(b) be approved or recognized by the state the program is located in as meeting the requirements for massage therapy education (pursuant to the Georgia Board rules 345-8-.01 and 345-8-.02) for licensure in the state the program is located and operating in; and,

(c) recognition by the Board of any massage therapy educational program is at the sole discretion of the Georgia Board of Massage Therapy.

(7) Recognition of massage therapy educational programs located **outside of the United States** is at the sole discretion of the Board:

(a) transcripts will only be accepted if translated by a reputable and verifiable credential evaluation service. The Board has sole discretion on the acceptance/approval of a credential evaluations service utilized by an applicant; and,

(b) the foreign massage therapy education program must at a minimum be determined to be substantially equal to or exceed the curriculum requirements set forth in Board rule 345-8-.01; and,

(c) recognition by the Board of any foreign massage therapy educational program is at the sole discretion of the Georgia Board of Massage Therapy.

Cite as Ga. Comp. R. & Regs. R. 345-8-.03
Authority: O.C.G.A. §§ 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10 and 43-24A-13.
History. Original Rule entitled "Additional Requirements" adopted. F. Jan. 10, 2007; eff. Jan. 30, 2007.
Repealed: New Rule entitled "Maintaining Board Recognition Status" adopted. F. July 2, 2009; eff. July 22, 2009.
Amended: F. Feb. 27, 2012; eff. Mar. 18, 2012.
Repealed: New Rule entitled "Board Recognition Status. Amended" adopted.F. Oct. 30, 2013; eff. Nov. 19, 2013.

Chapter 345-9. EXEMPTIONS FROM LICENSURE.

Rule 345-9-.01. Exemptions from Licensure.

(1) "Massage Therapy" means the act or practice of employing structured touch, pressure, movement and holding to the soft tissue of the body of a natural person for the particular purpose of enhancing or helping to restore a natural persons health and well being. Please refer to O.C.G.A. § 43-24A-3(8) for the Georgia law defining massage therapy.

(2) The Massage Therapy Practice Act (O.C.G.A. §43-24A) does not restrict or prevent the practice, services or activities of any natural person legally operating under the authority of other licensing laws in Georgia, provided that, the individual does not use the title of "Massage Therapist" unless such individual holds a massage therapy license issued by the Georgia Board of Massage Therapy.

(3) Only duly licensed massage therapists practicing in accordance with the Board rules and Georgia law may practice massage therapy in Georgia, or, use in connection with their own name or that of their business or employer, the terms massage, massage therapy, massage therapist, massage practitioner, or the letters M.T. or L.M.T. or any other representation either direct or indirect, indicating to the general public that massage therapy is provided or available. Such activities are prohibited unless the provider is an actively licensed massage therapist by the Georgia Board of Massage Therapy.

(4) A nonresident person rendering massage therapy up to 60 days during a 12 month period for treatment of a temporary sojourner only provided such individual is properly and currently licensed or certified to practice massage therapy.

(5) A nonresident person who is properly and currently licensed or certified to practice massage therapy when in this state to provide service as part of an emergency response team working in conjunction with disaster relief officials or as part of a charity event.

Cite as Ga. Comp. R. & Regs. R. 345-9-.01
Authority: Authority O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14, 50-13-3.
History. Original Rule entitled "Exemptions from Licensure" adopted. F. July 5, 2007; eff. July 25, 2007.

Chapter 345-10. DISCIPLINE.

Rule 345-10-.01. General Provisions.

(1) Upon finding that a violation has occurred, in accordance with O.C.G.A. § 43-1-19 and 43-24A-7, the Board has the authority to refuse to grant a license to a person, revoke the

license of a person licensed by the Board, discipline or sanction a person licensed by the Board, or, refuse to renew a license.

(2) In addition, the Board may impose any or all, but not limited to, the following:

(a) Public or Private Reprimand;

(b) Letter of Concern;

(c) Imposition of Fine(s);

(d) Period of Probation;

(e) Cease and Desist Order;

(f) Any other action the Board may deem appropriate, up to and including possible suspension and/or revocation of the professional license.

(3) The Board may consider each violation as a separate violation and impose a fine of not more than $500 for each convicted offense, $1000 per subsequent conviction and/or possible imprisonment, in accordance with O.C.G.A. § 43-1-20 and 43-24A-24.

(4) Mitigating circumstances may be taken into account in varying the sanctions subject to the Board's discretion. Mitigating circumstances shall not include failure to notify the Board of an address change or failure to receive a renewal application or reminder notice.

Cite as Ga. Comp. R. & Regs. R. 345-10-.01
Authority: Authority O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-20, 43-1-24, 43-1 25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14, 43-24A-15, 43-24A-17, 43-24A-18, 50-13-3.
History. Original Rule entitled "General Provisions" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.

Rule 345-10-.02. Display of LIcense.

All licensees shall display their license certificate, easily and readily available for anyone to observe, in ***all*** locations of the licensees practice as a massage therapist.

Cite as Ga. Comp. R. & Regs. R. 345-10-.02
Authority: Authority O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-14, 50-13-3.
History. Original Rule entitled "Display of License" adopted. F. July 5, 2007; eff. July 25, 2007.

Rule 345-10-.03. Advertising.

(1) It shall be considered a violation of the massage therapy practice act to:

(a) publicly misrepresent oneself to be a massage therapist in any form of advertisement unless the individual has an active, valid license issued by the Board to practice massage therapy in Georgia;

(b) advertise massage therapy services ***in conjunction*** with adult entertainment, escort or dating services.

(2) Only duly licensed massage therapists practicing in accordance with the Board rules and Georgia law may practice massage therapy in Georgia, or, use in connection with their own name or that of their business or employer, the terms massage, massage therapy, massage therapist, massage practitioner, or the letters M.T. or L.M.T. or any other representation either direct or indirect, indicating to the general public that massage therapy is provided or available. Such activities are prohibited unless the provider is an actively licensed massage therapist by the Georgia Board of Massage Therapy.

(3) Actively licensed massage therapist shall include their Georgia massage therapy license number on all forms of advertisement no later than October 31, 2010.

(4) Establishments providing massage therapy services by more than one licensed massage therapist shall include on all forms of advertisement no later than October 31, 2010 the following statement: "Georgia Licensed Massage Therapists".

Cite as Ga. Comp. R. & Regs. R. 345-10-.03
Authority: Authority O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-24, 43-1-24 a-3, 43-1-25, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-13, 43-24A-14, 43-24A-15, 43-24A-17, 43-24A-21, 43-24A-24, 50-13-3.
History. Original Rule entitled "Advertising" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. July 2, 2009; eff. July 22, 2009.
Repealed: New Rule of same title adopted. F. Nov. 3, 2010; eff. Nov. 23, 2010.

Rule 345-10-.04. Unlicensed Practice.

(1) Individuals who have engaged in the practice of massage therapy without a valid and active Georgia license shall be subject to a Cease and Desist Order, public reprimand, fine, and/or other sanction imposed by the board, as authorized by law.

(2) Fines for unlicensed practice, in addition to or in conjunction with any other board sanction, may be imposed according to the following guidelines:

(a) Unlicensed practice determined by the board to be:

1. Practice for one (1) month or less: Letter of Concern from the board;

2. Practice over one (1) month but not exceeding three (3) months: fine of $100 per month;

3. Practice over three (3) months but not exceeding one (1) year: fine of $500;

4. Practice over one (1) year but not exceeding two (2) years: fine of $750;

5. Practice over two (2) years but not exceeding three (3) years: fine of $1,000;

6. Practice over three (3) years: fine of $1000 plus an additional fine of $100 for each month or portion thereof over three (3) years, not to exceed a total fine of $5,000.

(b) Mitigating circumstances may be taken into account in varying the amount of assessed fines, subject to the board's discretion.

(c) Licensees who fail to renew their licenses by the license expiration date, and who continue to practice as massage therapists after the license expiration date, have engaged in unlicensed practice and are subject to disciplinary action and fines imposed by the board.

(3) It is the responsibility of the licensee to inform the board in writing of a change in any of the following information within thirty (30) days of such change:

(a) physical address;

(b) mailing address;

(c) email address;

(d) telephone number(s); and

(e) change of name (must provide legal documentation reflecting name change).

(4) It is the responsibility of each licensee to renew his or her license prior to the license expiration date regardless of whether the licensee receives a renewal notice from the board.

Cite as Ga. Comp. R. & Regs. R. 345-10-.04
Authority: O.C.G.A. Secs. 43-1-10, 43-1-19, 43-1-20.1, 43-1-24, 43-1-25, 43-24A-3, 43-24A-7, 43-24A-8, 43-24A-10, 43-24A-13 to 43-24A-15, 43-24A-17, 43-24A-20, 50-13-3.
History. Original Rule entitled "Unlicensed Practice" adopted. F. July 5, 2007; eff. July 25, 2007.
Repealed: New Rule of same title adopted. F. Apr. 28, 2010; eff. May 18, 2010.