

SECRETARY OF STATE
FILING DATA

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**Form For Filing
Administrative Regulations**

Agency: Nevada State Board of
Massage Therapy

FOR EMERGENCY
REGULATIONS ONLY

Effective date 07-09-2024

Expiration date 11-06-2024


Governor's signature

Classification: • PROPOSED ADOPTED BY AGENCY EMERGENCY

Brief description of action:

The Nevada State Board of Massage Therapy determined an emergency existed and submitted a written statement of the emergency to the Governor for endorsement. The Board enacted an emergency regulation to allow certain eligible students of programs of massage therapy to continue to enroll in, pay for, or sit for the ITEC Examination on or before June 30, 2024, to be eligible for a license as a massage therapist.

Authority citation other than 233B: NRS 640C.580, 640C.320

Notice date: June 29, 2024

Date of Adoption by Agency: July 5, 2024

Hearing date: July 5, 2024

Governor
Joe Lombardo

Executive Director
Elisabeth Barnard



Board Members
Chair – Rebecca Dorangricchia
Vice Chair – Deirdre Strunk
Secretary/Treasurer – vacant
Lorna Benedict
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Rosemarie Mueller
John Teng
Stephanie Tsanas
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Nevada State Board of Massage Therapy

July 5, 2024

Governor Joe Lombardo

Dear Governor Lombardo,

This letter shall serve as the written statement of an emergency by the Nevada State Board of Massage Therapy (“Board”) required pursuant to NRS 233B.0613. The Board has determined that an emergency exists regarding the ability of certain students enrolled in programs of massage therapy to enroll in and sit for the ITEC Examination administered by the International Therapy Examination Council. The Board adopted LCB File R017-24 which made a number of revisions to the Board’s regulations, one of which was to remove the ITEC Examination as an examination recognized by the Board for licensure as a massage therapist. The Board did not include in the regulation a section to allow students who are currently enrolled in programs of massage therapy who have enrolled to take the ITEC Examination; who have paid to sit for the ITEC Examination; or who have passed the ITEC Examination but have not submitted an application to the Board to use the ITEC Examination to satisfy the examination requirement for licensure as a massage therapist. This has resulted in a number of students and individuals who have already enrolled for, paid for, or passed the ITEC Examination being ineligible for licensure as a massage therapist and as such, would be required to enroll, pay for, and pass a different examination that is recognized by the Board.

As such, the Board has determined an emergency exists and is hereby requesting your endorsement of this statement to allow the Board to adopt the attached emergency regulation to allow these students and individuals the ability to sit for the ITEC Examination and be eligible for a license as a massage therapist if they pass the examination.

Sincerely,

A handwritten signature in black ink, appearing to read "Elisabeth Barnard", is written over a faint, larger version of the same signature.

Elisabeth Barnard

Section 1. Section 12 of LCB File R017-24 is hereby amended to read as follows:


Sec. 12. This regulation is hereby amended by adding thereto the following transitory language which has the force and effect of law but which will not be codified in the Nevada Administrative Code:

1. Notwithstanding the amendatory provisions of section 3 of this regulation, the Board will, until June 30, 2024, continue to recognize a program of massage therapy pursuant to paragraph (b) of subsection 3 of NRS 640C.580 if the program meets the requirements of NAC 640C.052, as it existed before the effective date of this regulation.

2. Notwithstanding the amendatory provisions of section 2 of this regulation, the Board will continue to recognize the ITEC Examination administered by the International Therapy Examination Council for applicants for a license as a massage therapist who enrolled to take the ITEC Examination, paid to take the ITEC Examination, or who passed the ITEC Examination on or before June 30, 2024.

I, Governor Joe Lombardo, endorse the State of Emergency presented by Executive Director of the Nevada Board of Massage Therapy, Elisabeth Barnard.

Dated this 9th day of July 2024.



JOE LOMBARDO
Governor