

SUMMARY

BILL DRAFT PROPOSAL

REQUESTED BY THE NEVADA STATE BOARD OF MASSAGE THERAPY

FOR 2021 LEGISLATIVE SESSION

- **Section 1**
 - *PROPOSAL amends Chapter 640C of NRS by adding thereto the provisions set forth as sections 2 and 3 below*
- **Section 2**
 - *PROPOSAL provides for public safety by requiring establishments to report consumer complaints to the Board for investigation and possible disciplinary action.*
- **Section 3**
 - *PROPOSAL provides for applications for licensure to expire when the applicant has not completed the process within one year from the date of applying. This reduces the number of applications that are pending for individuals that do not complete the background investigation, pass the examination, or do not provide proof of education.*
- **Section 4 (640C.080 “Reflexology”)**
 - *PROPOSAL modifies the definition of reflexology to align with the definition used by the American Reflexology Certification Board.*

- *Section 5*

- *PROPOSAL corrects the number of members to constitute a quorum.*

- ~~Four~~ *Five* members of the Board constitute a quorum

- *Section 6*

- *(Current Language) NRS 640C.520 1. The Board shall establish a schedule of fees and charges. The fees for the following items must not exceed the following amounts:*

- *PROPOSAL provides for the Board to charge up to \$200 for an ethics course offered by the Board to ensure a comprehensive understanding of the statutes and regulations. Additionally, it allows for a jurisprudence exam to test the knowledge of the applicant and/or licensee. The Board plans to work with the Federation of State Massage Therapy Boards to administer the exam. The Board provides inspections on at least an annual basis for establishments to ensure compliance with sanitation regulations. When locations do not comply with the regulations and require multiple inspections within one year the Board would like to charge for the 3rd and all subsequent inspections resulting from noncompliance with NAC 640C.*

- *An ethics course offered by the Board \$200*
 - *A jurisprudence examination established by the Board \$500*
 - *A third inspection of a massage establishment, reflexology establishment or structural integration establishment \$150*

- *Sections 7 and 8*
 - *Section 7 – (Current language)* NRS 640C.700 The Board may refuse to issue a license to an applicant, or may initiate disciplinary action against a holder of a license, if the applicant or holder of the license:
 - *PROPOSAL allows for the Board to address the increase in human trafficking and sexual misconduct in the practice of massage by addressing the persons arrested for prostitution by law enforcement. Frequently these cases are not prosecuted. Additionally, by retaining their licenses the individuals are then moved from location-to-location and state-to-state by traffickers.*
 - *Has been arrested for a crime involving prostitution or any other sexual offense;*
 - *Section 7 – (Change to current language in blue)* NRS 640C.745 1. When conducting an investigation of a massage therapist, reflexologist or structural integration practitioner pursuant to this chapter, the Board or the Executive Director may request from the appropriate governmental agency or court of competent jurisdiction records relating to any conviction *or arrest* of the massage therapist, reflexologist or structural integration practitioner for a crime involving violence, prostitution or any other sexual offense.