

Section 1. NAC 640C is hereby amended by adding thereto the provisions set forth as sections 2 through 4, inclusive, of this regulation.

Sec. 2. *During the duration of a state of emergency as declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic, a massage establishment, reflexology establishment, or structural integration establishment that provides vapor baths, saunas, steam rooms, spas, and portable saunas shall not use these facilities or have them open.*

Sec. 3. 1. *The Board hereby adopts by reference the Guidance on Preparing the Workplaces for COVID-19. A copy of the publication may be obtained for free at the Internet address <https://www.osha.gov/Publications/OSHA3990.pdf>.*

2. Each massage establishment, reflexology establishment and structural integration establishment shall adhere to the Guidance on Preparing the Workplaces for COVID-19.

Sec. 4. *The Board may waive or reduce any fee set forth in NAC 640C.095 if a state of emergency is declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic.*

Sec. 5. *A massage therapist, reflexologist, or structural integration practitioner that performs outcall services, may continue to provide outcall services during the duration of a state of emergency as declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic, if the massage therapist, reflexologist, or structural integration practitioner:*

- 1. Sanitizes his or her table and any equipment, if applicable, before and after each client; and*
- 2. Places linens used during the service in a receptacle that is sealed.*

Sec. 6. NAC 640C.200 is hereby amended to read as follows:

NAC 640C. 200 1. A massage establishment, reflexology establishment or structural integration establishment that provides vapor baths, steam baths, saunas, steam rooms, spas or portable saunas must be equipped with adequate shower facilities.

2. A massage establishment, reflexology establishment or structural integration establishment shall ensure that:

(a) All portable saunas, showers, tubs, basins, massage or steam tables, combs, brushes, shower caps and any other equipment used in the massage establishment, reflexology establishment or structural integration establishment is cleaned and rendered free from harmful organisms;

(b) Any equipment that comes in contact with a client of the massage therapist, reflexologist or structural integration practitioner is disinfected and sanitized before the equipment is used on another client;

(c) All equipment, furniture and fixtures, including, without limitation, tables used for massage, reflexology or structural integration, are ~~{clean}~~ *sanitized between each client* and well maintained;

(d) All electrical equipment used for the care of a client is ~~{clean}~~ *sanitized between each client* and well maintained and is listed to applicable standards and requirements by UL LLC, or approved by another nationally recognized testing laboratory; and

(e) All hydrotherapy equipment is ~~{cleaned}~~ *sanitized between each client* after each use, is well maintained and is only used in the manner prescribed by the manufacturer of the equipment.

3. A massage therapist, reflexologist or structural integration practitioner shall ensure that:

(a) All portable saunas, showers, tubs, basins, massage or steam tables, combs, brushes, shower caps and any other equipment used in the massage establishment, reflexology establishment or structural integration establishment is cleaned and rendered free from harmful organisms;

(b) Any equipment that comes in contact with a client of the massage therapist, reflexologist or structural integration practitioner is disinfected and sanitized before the equipment is used on another client;

(c) All equipment, furniture and fixtures, including, without limitation, tables used for massage, reflexology or structural integration, are ~~{clean}~~ *sanitized between each client* and well-maintained;

(d) All electrical equipment used for the care of a client is ~~{clean}~~ *sanitized between each client* and well-maintained and is consistent with applicable standards and requirements of UL LLC, or approved by another nationally recognized testing laboratory; and

(e) All hydrotherapy equipment is cleaned *and sanitized* after each use, is well-maintained and is only used in the manner prescribed by the manufacturer of the equipment.

4. *All sanitation practices set forth in this section must be performed using a product that has been approved by the United States Environmental Protection Agency and all manufacturer's instructions regarding contact time must be observed.*

5. *In addition to the sanitation and cleaning practices set forth in this section, during a state of emergency as declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic during an epidemic or pandemic, a massage establishment, reflexology establishment, or structural integration establishment shall sanitize all surfaces touched by a client, including, without limitation, doorknobs, light switches, chairs, clothing racks, lockers, and other fixtures between each client.*

6. As used in this section, "spa" means a pool primarily designed for therapeutic use which is not drained, cleaned or refilled for each user. The term includes units which employ hydrojet circulation, hot water, cold water, mineral water or air induction bubbles or any combination thereof.

Sec. 7. NAC 640C.210 is hereby amended to read as follows:

NAC 640C.210 1. A lubricant used in the practice of massage therapy, reflexology or structural integration, including, without limitation, oil, soap, alcohol, powder, lotion, shampoo and salts, must be:

(a) Dispensed from a suitable container that prevents contamination; ~~and~~

(b) *If a state of emergency as declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic, the container must be cleaned after each client using a product that has been approved by the United States Environmental Protection Agency as effective against the pathogen and manufacturer's contact times followed; and*

(c) Stored:

(1) Separately from cleaning supplies; and

(2) In a manner that prevents contamination and preserves the integrity of the lubricant.

2. A massage therapist, reflexologist or structural integration practitioner shall sanitize a container used to dispense a lubricant:

(a) Between each client; and

(b) Each time before the massage therapist, reflexologist or structural integration practitioner refills the container.

3. A massage therapist or structural integration practitioner may use spa treatments, muds and body wraps while practicing massage therapy if the massage therapist or structural integration practitioner considers and follows sanitary procedures in his or her use of those materials.

Sec. 8. NAC 640C.230 is hereby amended to read as follows:

NAC 640C.230 1. A room in which massage therapy, reflexology or structural integration is practiced must:

(a) Be designed to provide privacy for the client;

(b) Have the capability of maintaining the air temperature in the room at 75 degrees Fahrenheit at a point 24 inches above the floor;

(c) Have sufficient ventilation and circulation to prevent objectionable odors; and

(d) Have lighting fixtures which are capable of providing a minimum of 5 foot-candles of light at the floor level. Such lighting fixtures must be used when any cleaning operations are conducted in the room.

2. A room in which massage therapy, reflexology or structural integration is practiced must not be used simultaneously for massage therapy, reflexology or structural integration and any domestic purposes.

3. During a state of emergency as declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic, a room used to practice massage therapy, reflexology, or structural integration must be sanitized between each client using a product identified by the United States Environmental Protection Agency as effective against the pathogen and manufacturer's contact times followed.

Sec. 9. NAC 640C.240 is hereby amended to read as follows:

NAC 640C.240 1. After a towel, linen or gown has been used once in a massage establishment, reflexology establishment or structural integration establishment, it must be deposited in a receptacle provided for soiled towels, linens and gowns and must not be used again until properly laundered and sanitized.

2. After being laundered and sanitized, all towels, linens and gowns in a massage establishment, reflexology establishment or structural integration establishment must be stored on shelves or in compartments, cabinets or sealed plastic containers that are used only for that purpose.

3. Any items designed for a single service and all towels, linens and gowns furnished for the use of a client must be ~~clean.~~ *sanitized between each use.*

Sec. 10. NAC 640C.250 is hereby amended to read as follows:

NAC 640C.250 1. A massage therapist, reflexologist or structural integration practitioner shall:

(a) Wear clean opaque clothing and practice strict standards of personal hygiene while practicing massage therapy, reflexology or structural integration;

(b) Thoroughly wash his or her hands with soap and water or an alcohol liquid:

(1) Before and after providing massage therapy, reflexology or structural integration to each client; ~~and~~

(2) *After handling cash or credit cards; and*

(3) *After using the restroom; and*

(c) Sanitize his or her hands in the room or area, as applicable, in which massage therapy, reflexology or structural integration is practiced before and after each client.

2. A massage establishment, reflexology establishment or structural integration establishment which provides its massage therapists, reflexologists or structural integration practitioners with a uniform, must provide a clean opaque uniform.

3. If, during a state of emergency as declared by the Governor pursuant to his or her authority pursuant to NRS Chapter 414 which is the result of an epidemic or pandemic, additional guidelines are published by the United States Centers for Disease Control and Prevention, the Occupational Health and

Safety Administration, or any other federal, state or local agency charged with providing for the health, safety, and welfare of the public, the massage therapist, reflexologist, structural integration practitioner, massage establishment, reflexology establishment, or structural integration establishment shall comply with those guidelines and use additional personal protective equipment and sanitation protocols as recommended.

Sec. 11. NAC 640C.360 is hereby amended to read as follows:

NAC 640C.360 1. A massage therapist , *reflexologist, and structural integration practitioner* shall have sufficient knowledge of communicable diseases to protect the clients of the massage therapist , *reflexologist, and structural integration practitioner* and the massage therapist , *reflexologist, and structural integration practitioner* from the transmission of such a disease while engaging in massage therapy.

2. If a massage therapist , *reflexologist, and structural integration practitioner* has reason to suspect that an employee who assists the massage therapist , *reflexologist, and structural integration practitioner* with massage therapy , *reflexology, or structural integration*, or a client of the massage therapist , *reflexologist, and structural integration practitioner* may have a communicable disease, the massage therapist , *reflexologist, and structural integration practitioner* shall:

(a) Recommend to the client that the client be examined by a licensed health care provider.

(b) Request that the employee be examined by a licensed health care provider.

3. An employee who has been requested to be examined by a health care provider pursuant to subsection 2 must present a written statement from a licensed health care provider verifying that the employee is in compliance with the guidelines for prevention, suppression and control of communicable diseases set forth in chapter 441A of NAC before the employee may resume employment with the massage therapist , *reflexologist, and structural integration practitioner*.

4. A massage therapist , *reflexologist, and structural integration practitioner* and any person who works in a massage establishment , *reflexology establishment, or structural integration establishment* and who is exposed as part of his or her employment to any bloodborne pathogens or bodily fluids shall practice universal precautions as described in 29 C.F.R. § 1910.1030(d).