

**Section 1.** Chapter 640C of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

**Sec. 2.** *The Board shall prescribe curricula and standards for schools and courses of massage therapy. The Board shall provide for surveys of such schools and courses at such times as it may deem necessary. It shall approve such schools and courses as meet the requirements of this chapter and of the Board. It shall evaluate and approve courses for affiliation with approved schools of massage therapy in this State or with schools of massage therapy which have applied for such approval.*

**Sec. 3. 1.** *The Board shall not approve a school of massage therapy until the Board has caused a thorough survey of the facilities of the school to be made. No such survey shall be deemed complete for the purposes of this section until a written report of the survey is made to the Board and the report has received the full consideration of the whole Board.*

*2. If any school of massage therapy making application for approval indicates that any course required by the prescribed curriculum is to be offered by an institution affiliated with the school, the Board shall cause a survey of the facilities of the affiliated institution to be made, and the written report concerning that institution must receive the full consideration of the Board before the Board approves the school of professional nursing.*

**Sec. 4. 1.** *Except as otherwise provided in this subsection, the Board shall periodically cause to be surveyed all approved schools of massage therapy in this State. Written reports of those surveys must be submitted to and considered by the full Board. In lieu of causing the approved schools of massage therapy to be surveyed, the Board may accept a survey and recommendation completed by a nationally recognized association that accredits schools of massage therapy, if the association has been approved by the Board.*

*2. If, after consideration of the reports, the Board determines that a school of massage therapy is not maintaining the standards required by this chapter and by the Board, notice thereof in writing specifying the deficiencies must forthwith be given to the school. The Board shall provide a copy of the notice to the Commission on Postsecondary Education.*

*3. The Board shall revoke the approval of a school of massage therapy which fails to remedy such deficiencies within a reasonable time after receiving written notice thereof.*

**Sec. 5. 1.** *The Board may grant a license to applicants who otherwise do not satisfy the criteria set forth in NRS 64C.580, after conducting a review of the applicant's credentials.*

*2. An applicant for a license to practice massage therapy pursuant to this section must have legally practiced massage for a minimum of 3 years and submit to the Board:*

*(a) A completed application on a form prescribed by the Board;*

*(b) The fees prescribed by the Board pursuant to NRS 640C.520;*

*(c) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy verifying that:*

*(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice massage therapy; and*

*(II) Disciplinary proceedings relating to his or her license to practice massage therapy are not pending;*

*(d) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and*

*(e) A statement authorizing the Board or its designee to conduct an investigation to determine the accuracy of any statements set forth in the application; and*

*(f) Official transcripts from a program of massage therapy which must demonstrate that the applicant completed not less than 500 hours as follows:*

*(I) 200 hours of anatomy and physiology, with at least 120 hours from certified classroom instruction and 80 hours of supervised instruction.*

*(II) 300 hours of massage theory and practical application, with at least 140 hours from certified classroom instruction and 40 hours of practical work experience.*

*3. In addition to any examination required pursuant to NRS 640C.320 and except as otherwise provided in NRS 640C.426, an applicant for a license pursuant to this section must pass a nationally recognized examination for testing the education and professional competency of massage therapists that is approved by the Board.*

**Sec. 6.** NRS 640C.060 is hereby amended to read as follows:

640C.060 1. "Massage therapy" means the application of a system of pressure to the muscular structure and soft tissues of the human body for therapeutic purposes, including, without limitation:

- (a) Effleurage;
- (b) Petrissage;
- (c) Tapotement;
- (d) Compressions;
- (e) Vibration;
- (f) Friction; and

(g) Movements applied manually with or without superficial heat, cold, water or lubricants for the purpose of maintaining good health and establishing and maintaining good physical condition.

2. The term does not include:

(a) Diagnosis, adjustment, mobilization or manipulation of any articulations of the body or spine; or

(b) The demonstration of a product on a person that applies a system of pressure to the muscular structure and soft tissues of the human body, provided that the demonstration is not longer than 2 minutes.

**Sec. 7.** NRS 640C.080 is hereby amended to read as follows:

640C.080 Reflexology” means the application of a system of pressure to the feet, ears , *face* and hands of the human body.

**Sec. 8.** NRS 640C.100 is hereby amended to read as follows:

NRS 64C.100 1. The provisions of this chapter do not apply to:

(a) A person licensed pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 640, 640A or 640B of NRS, or sections 1.03 to 1.8, inclusive, of Assembly Bill 153 of the 2023 Legislative Session, if the massage therapy, reflexology or structural integration is performed in the course of the practice for which the person is licensed.

(b) A person licensed as a barber or apprentice pursuant to chapter 643 of NRS if the person is massaging, cleansing or stimulating the scalp, face, neck or skin within the permissible scope of practice for a barber or apprentice pursuant to that chapter.

(c) A person licensed or registered as an advanced esthetician, esthetician, esthetician's apprentice, hair designer, hair designer's apprentice, hair braider, shampoo technologist,

cosmetologist or cosmetologist's apprentice pursuant to chapter 644A of NRS if the person is massaging, cleansing or stimulating the scalp, face, neck or skin within the permissible scope of practice for an advanced esthetician, esthetician, esthetician's apprentice, hair designer, hair designer's apprentice, hair braider, shampoo technologist, cosmetologist or cosmetologist's apprentice pursuant to that chapter.

(d) A person licensed or registered as a nail technologist or nail technologist's apprentice pursuant to chapter 644A of NRS if the person is massaging, cleansing or stimulating the hands, forearms, feet or lower legs within the permissible scope of practice for a nail technologist or nail technologist's apprentice.

(e) A person who is an employee of an athletic department of any high school, college or university in this State and who, within the scope of that employment, practices massage therapy, reflexology or structural integration on athletes.

(f) Students enrolled in a school of massage therapy, reflexology or structural integration recognized by the Board *who is engaged in the practice of massage therapy, reflexology, or structural integration under the direct supervision of an instructor of the school.*

(g) A person who practices massage therapy, reflexology or structural integration solely on members of his or her immediate family.

(h) A person who performs any activity in a licensed brothel.

2. Except as otherwise provided in subsection 3 and NRS 640C.330, the provisions of this chapter preempt the licensure and regulation of a massage therapist, reflexologist or structural integration practitioner by a county, city or town, including, without limitation, conducting a criminal background investigation and examination of a massage therapist,

reflexologist or structural integration practitioner or applicant for a license to practice massage therapy, reflexology or structural integration.

3. The provisions of this chapter do not prohibit a county, city or town from requiring a massage therapist, reflexologist or structural integration practitioner to obtain a license or permit to transact business within the jurisdiction of the county, city or town, if the license or permit is required of other persons, regardless of occupation or profession, who transact business within the jurisdiction of the county, city or town.

4. As used in this section, “immediate family” means persons who are related by blood, adoption or marriage, within the second degree of consanguinity or affinity.

**Sec. 9.** NRS 640C.180 is hereby amended to read as follows:

640C.180 1. At the first meeting of each fiscal year, the members of the Board shall elect a Chair, Vice Chair and Secretary-Treasurer from among the members.

2. The Board shall meet at least quarterly and may meet at other times at the call of the Chair or upon the written request of a majority of the members of the Board.

3. ~~[The Board shall alternate the location of its meetings between the southern district of Nevada and the northern district of Nevada. For the purposes of this subsection:~~

~~———(a) The southern district of Nevada consists of all that portion of the State lying within the boundaries of the counties of Clark, Esmeralda, Lincoln and Nye.~~

~~———(b) The northern district of Nevada consists of all that portion of the State lying within the boundaries of Carson City and the counties of Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe and White Pine.~~

~~4.]~~ A meeting of the Board may be conducted telephonically or by videoconferencing. A meeting conducted telephonically or by videoconferencing must meet the requirements of chapter 241 of NRS and any other applicable provisions of law.

~~5.]~~ 4. Five members of the Board constitute a quorum for the purposes of transacting the business of the Board, including, without limitation, issuing, renewing, suspending, revoking or reinstating a license issued pursuant to this chapter.

**Sec. 10.** NRS 640C.330 is hereby amended to read as follows:

640C.330 1. The Board shall adopt regulations that prescribe the requirements for the certification and operation of a massage, reflexology and structural integration establishment, including, without limitation, the:

(a) Requirements for a massage, reflexology and structural integration establishment to obtain a certificate;

(b) *Grounds for which the Board may institute disciplinary actions against a holder of a certificate and the disciplinary actions the Board may impose upon the holder of a certificate, including, without limitation, the imposition of any fines or fees.*

(c) Standards with which a massage, reflexology and structural integration establishment must comply; and

~~(e)]~~ (d) Establishment of fees pursuant to NRS 640C.520 for the issuance and renewal of a certification of a massage, reflexology and structural integration establishment.

2. The provisions of this section and any regulations adopted pursuant thereto do not prohibit a local government from licensing and regulating a massage, reflexology and structural integration establishment, including, without limitation, in a manner that is more stringent than the regulations adopted by the Board pursuant to this section.

3. Local governments have concurrent jurisdiction with the Board over the licensure and regulation of massage, reflexology and structural integration establishments.

4. If there is a conflict between a provision of the regulations adopted by the Board pursuant to this section and a requirement of a local government, the requirement of a local government prevails to the extent that the requirement provides a more stringent or specific requirement regarding the regulation of a massage, reflexology and structural integration establishment.

5. As used in this section, “massage, reflexology and structural integration establishment” means any premises, mobile unit, building or part of a building where massage therapy, reflexology or structural integration is practiced by a person or persons licensed pursuant to this chapter.

**Sec. 11.** NRS 640C.580 is amended to read as follows:

NRS 640C.580 1. The Board may issue a license to practice massage therapy.

2. ~~{An}~~ *Except as otherwise provided in Section 5 of this act, an* applicant for a license must:

(a) Be at least 18 years of age;

(b) Except as otherwise provided in NRS 640C.426, submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) Proof that the applicant has successfully completed a program of massage therapy recognized by the Board;



(4) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice massage therapy; and

(II) Disciplinary proceedings relating to his or her license to practice massage therapy are not pending;

(5) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(6) A statement authorizing the Board or its designee to conduct an investigation to determine the accuracy of any statements set forth in the application; and

(c) In addition to any examination required pursuant to NRS 640C.320 and except as otherwise provided in NRS 640C.426, pass a nationally recognized examination for testing the education and professional competency of massage therapists that is approved by the Board.

3. The Board:

(a) Shall recognize a program of massage therapy that is:

(1) Approved by the Commission on Postsecondary Education; or

(2) Offered by a public college in this State or any other state; and

(b) May recognize other programs of massage therapy.

4. Except as otherwise provided in NRS 640C.426, the Board or its designee shall:

(a) Conduct an investigation to determine:

(1) The reputation and character of the applicant;

(2) The existence and contents of any record of arrests or convictions of the applicant;

(3) The existence and nature of any pending litigation involving the applicant that would affect his or her suitability for licensure; and

(4) The accuracy and completeness of any information submitted to the Board by the applicant.

(b) Report the results of the investigation of the applicant within the period the Board establishes by regulation pursuant to NRS 640C.320.

(c) Except as otherwise provided in NRS 239.0115, maintain the results of the investigation in a confidential manner for use by the Board and its members and employees in carrying out their duties pursuant to this chapter. The provisions of this paragraph do not prohibit the Board or its members or employees from communicating or cooperating with or providing any documents or other information to any other licensing board or any other federal, state or local agency that is investigating a person, including, without limitation, a law enforcement agency.

**Sec. 12.** NRS 640C.590 is hereby amended to read as follows:

NRS 640C.590 1. The Board may issue a temporary license to practice massage therapy , *reflexology, or structural integration to a licensed massage therapist, reflexologist or structural integration practitioner of another state to practice massage therapy in this State.*

2. An applicant for a temporary license issued pursuant to this section ~~must:~~

~~(a) Be at least 18 years of age;]~~ :

*(a) Must be in good standing in that state;* and

(b) ~~Submit to the Board:~~

- ~~\_\_\_\_\_ (1) A completed application on a form prescribed by the Board;~~
- ~~\_\_\_\_\_ (2) The fees prescribed by the Board pursuant to NRS 640C.520;~~
- ~~\_\_\_\_\_ (3) Proof that the applicant has successfully completed a program of massage therapy recognized by the Board pursuant to NRS 640C.580;~~
- ~~\_\_\_\_\_ (4) Proof that the applicant:~~
- ~~\_\_\_\_\_ (I) Has taken the] *Is not required to take or pass a written* examination [required pursuant to NRS 640C.580; or~~
- ~~\_\_\_\_\_ (II) Is scheduled to take such an examination within 90 days after the date of application;~~
- ~~\_\_\_\_\_ (5) An affidavit indicating that the applicant has not committed any of the offenses for which the Board may refuse to issue a license pursuant to NRS 640C.700;~~
- ~~\_\_\_\_\_ (6) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy verifying that:~~
- ~~\_\_\_\_\_ (I) The applicant has not been involved in any disciplinary action relating to his or her license to practice massage therapy; and~~
- ~~\_\_\_\_\_ (II) Disciplinary proceedings relating to his or her license to practice massage therapy are not pending; and~~
- ~~\_\_\_\_\_ (7) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.] *concerning his or her qualifications to practice massage therapy, reflexology, or structural integration, as*~~

*applicable, but must satisfy the requirements for a temporary license set forth in regulations adopted by the Board pursuant to subsection 5.*

3. A temporary license issued pursuant to this section expires 90 days after the date the Board issues the temporary license. The Board shall not renew the temporary license. *A person who has been issued a temporary license pursuant to this section may apply for a new temporary license not less than 3 months after a previously issued temporary license has expired.*

4. A person who holds a temporary license:

(a) May practice massage therapy , *reflexology, or structural integration, as applicable,* only under the supervision of a fully licensed massage therapist , *reflexologist, or structural integration practitioner, as applicable,* and only in accordance with the provisions of this chapter and the regulations of the Board;

(b) Must comply with any other conditions, limitations and requirements imposed on the temporary license by the Board;

(c) Is subject to the regulatory and disciplinary authority of the Board to the same extent as a fully licensed massage therapist , *reflexologist, or structural integration practitioner;* and

(d) Remains subject to the regulatory and disciplinary authority of the Board after the expiration of the temporary license for all acts relating to the practice of massage therapy , *reflexology, or structural integration, as applicable,* which occurred during the period of temporary licensure.

5. *The Board shall adopt regulations to carry out the provisions of this section.*

6. As used in this section, “fully licensed massage therapist , *reflexologist, or structural integration practitioner*” means a person who holds a license to practice massage therapy ,

*reflexology, or structural integration* issued pursuant to NRS 640C.420 ~~for~~, 640C.580 ,  
*640C.600, 640C.620.*

**Sec. 13.** NRS 640C.750 is hereby amended to read as follows:

640C.750 1. The Board may conduct investigations and hold hearings to carry out its duties pursuant to this chapter.

2. In such a hearing:

(a) Any member of the Board may administer oaths and examine witnesses; and

(b) The Board , *the Executive Director of the Board*, or any member thereof may issue subpoenas to compel the attendance of witnesses and the production of books and papers.

3. Each witness who is subpoenaed to appear before the Board is entitled to receive for his or her attendance the same fees and mileage allowed by law for a witness in a civil case. The amount must be paid by the party who requested the subpoena. If any witness who has not been required to attend at the request of any party is subpoenaed by the Board, his or her fees and mileage must be paid by the Board from money available for that purpose.

4. If any person fails to comply with the subpoena within 10 days after it is issued, the Chair of the Board may petition a court of competent jurisdiction for an order of the court compelling compliance with the subpoena.

5. Upon the filing of such a petition, the court shall enter an order directing the person subpoenaed to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why the person has not complied with the subpoena. A certified copy of the order must be served upon the person subpoenaed.

6. If it appears to the court that the subpoena was regularly issued by the Board, the court shall enter an order compelling compliance with the subpoena. The failure of the person to comply with the order is a contempt of the court that issued the order.

**Sec. 14.** NRS 640C.930 is hereby amended to read as follows:

640C.930 1. A person shall not advertise as a massage therapist, reflexologist or structural integration practitioner *or as a massage, reflexology and structural integration establishment* in this State unless the person is licensed to practice massage therapy, reflexology or structural integration *or certified as a massage, reflexology and structural integration establishment, as applicable*, pursuant to this chapter.

2. A person licensed to practice massage therapy, reflexology or structural integration *or certified as a massage, reflexology and structural integration establishment, as applicable*, pursuant to this chapter shall not disseminate, as part of any advertising by the massage therapist, reflexologist or structural integration practitioner, *or massage, reflexology and structural integration establishment, as applicable*, any false or misleading statement or representation of material fact that is intended, directly or indirectly, to induce another person to use the services of the massage therapist, reflexologist or structural integration practitioner *or massage, reflexology and structural integration establishment, as applicable*.

3. All advertising by a licensed massage therapist, reflexologist or structural integration practitioner *or certified massage, reflexology and structural integration establishment, as applicable*, must include his or her name and the name of his or her company, if applicable. All advertising in a telephone directory or a newspaper must also include the number of the license *or certificate, as applicable*.

4. A person who violates any provision of subsection 1 or 2 is guilty of a misdemeanor.

5. If, after notice and a hearing as required by law, the Board determines that a person has willfully engaged in advertising in a manner that violates the provisions of this section or NRS 640C.910, the Board may, in addition to any penalty, punishment or disciplinary action authorized by the provisions of this chapter, order the person to cease and desist the unlawful advertising. The provisions of this subsection do not apply to any person whose license has been expired for less than 90 days or is temporarily suspended.

6. The Board may order any person convicted of a crime involving violence, prostitution or any other sexual offense to cause any telephone number included in the advertising to be disconnected from service. If the Board orders the person to cause any telephone number to be disconnected from service and the person fails to comply within 5 days after the date on which the person is served with the order, the Board may:

(a) If the provider is regulated by the Public Utilities Commission of Nevada, request the Commission to order the provider to disconnect the telephone number from service pursuant to NRS 703.175 and 707.355; or

(b) If the provider is not regulated by the Public Utilities Commission of Nevada, request the provider to disconnect the telephone number from service and inform the provider that the request is made pursuant to this section. Upon receiving such a request, the provider shall take such action as is necessary to disconnect the telephone number from service.

7. A provider shall not:

(a) Forward or offer to forward the telephone calls of a telephone number disconnected from service pursuant to this section; or

(b) Provide or offer to provide a message that includes a new telephone number for the person whose telephone number was disconnected from service pursuant to this section.

8. If a provider complies in good faith with a request to disconnect a telephone number from service pursuant to this section, such good-faith compliance shall constitute a complete defense to any civil or criminal action brought against the provider arising from the disconnection or termination of service.

9. As used in this section:

(a) “Advertising” means the intentional placement or issuance of any sign, card or device, or the permitting or allowing of any sign or marking on a motor vehicle, in any building, structure, newspaper, magazine or airway transmission, on the Internet or in any directory under the listing of “massage therapist,” “massage,” “reflexologist,” “reflexology,” “structural integration practitioner” ~~or~~, “structural integration ~~or~~” *or “massage establishment,” “reflexology establishment,” or “structural integration establishment.”*

(b) “Provider” means a provider of any type of telephone, messaging or paging service.

(c) “Provider of messaging or paging service” means an entity that provides any type of messaging or paging service to any type of communication device.

(d) “Provider of telephone service” has the meaning ascribed to it in NRS 707.355.

(e) “Telephone number” means any sequence of numbers or characters, or both, used by a provider to provide any type of telephone, messaging or paging service.

**Sec. 15.** NRS 640C.610 and 640C.630 are hereby repealed.

**Sec. 16.** This act becomes effective:

1. Upon passage and approval for purposes of adopting regulations and performing any preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2017, for all other purposes.