

Act No. 371
Public Acts of 2016
Approved by the Governor
December 21, 2016
Filed with the Secretary of State
December 22, 2016
EFFECTIVE DATE: December 22, 2016

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

**Introduced by Reps. Lauwers, Leutheuser, Glenn, Chatfield, Johnson, Callton, Bumstead, Cole, Santana,
LaVoy and Kosowski**

ENROLLED HOUSE BILL No. 5001

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17959 (MCL 333.17959), as amended by 2010 PA 304.

The People of the State of Michigan enact:

Sec. 17959. (1) If it receives a completed application and payment of the appropriate application processing and license fee, the department shall issue a license under this part to an individual who fulfills all of the following requirements:

- (a) Is of good moral character as defined in section 1 of 1974 PA 381, MCL 338.41.
- (b) Is at least 18 years of age.
- (c) Has successfully passed an examination that meets the requirements of section 17961.

(d) Has successfully completed 1 of the following, and provides an academic transcript that is satisfactory to the board as evidence of successful completion:

- (i) A massage education program that meets all of the following:

(A) Includes at least 500 hours of classroom instruction to complete the program if the applicant is or was enrolled in the school before August 1, 2017, or at least 625 hours of classroom instruction if the applicant enrolls in the school on or after August 1, 2017.

(B) Uses only classroom instruction described in subsection (3)(a)(i) to provide program components that contain psychomotor domain learning, including palpation, hands-on techniques, and clinical or lab experiences, or to provide other program components that the board determines require classroom instruction described in subsection (3)(a)(i).

(C) All classroom instruction in the program is facilitated by a qualified instructor who is trained in the subject matter he or she is teaching, and, if the classroom instruction is provided by distance education, is trained in distance education teaching methods.

(ii) The following number of hours of course and clinical massage education in a substantially equivalent program in another state, country, jurisdiction, territory, or province that, on a case-by-case review, is found by the board to be sufficient:

(A) If the applicant is or was enrolled in the school before August 1, 2017, at least 500 hours.

(B) If the applicant enrolls in the school on or after August 1, 2017, at least 625 hours.

(2) The department shall issue a license to an applicant who meets the requirements of subsection (1)(a) and (b) and who is currently licensed as a massage therapist in another state, country, jurisdiction, territory, or province that requires standards for licensure that are substantially equivalent to the requirements for licensure under this part, as determined by the board.

(3) As used in this section:

(a) "Classroom instruction" means educational instruction that meets either of the following:

(i) Is provided at a physical location where the students and an instructor are present.

(ii) Is provided by distance education.

(b) "Distance education" means instruction that meets all of the following:

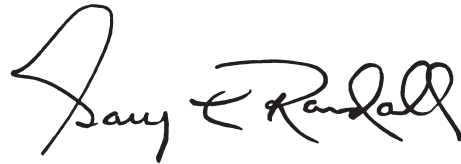
(i) Is provided electronically or online.

(ii) Does not require that the students and the instructor are physically present at the same place.

(iii) Allows for regular interaction between the students and instructor through a learning management system, online discussion board, live chat, or virtual classroom.

(iv) Provides a method for unique sign-in for student identification, provides for timely communication between instructors and students, and allows students to monitor their grades and progress.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor