

201 KAR 42:080. Programs of massage therapy instruction.

RELATES TO: KRS 309.352(2), 309.355(1), (3), 309.358(4), 309.363(1), 309.3631

STATUTORY AUTHORITY: KRS 309.355(1), (3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.352(2) requires the board to define licensed health-care professionals for the supervision of massage therapy students in clinical settings. KRS 309.355(1) requires the board to administer and enforce the provisions of KRS 309.350 to 309.364. KRS 309.355(3) requires the board to promulgate administrative regulations on standards of massage therapy educational program curriculum and instructor qualifications. KRS 309.358(4) requires the board to approve massage therapy training programs. KRS 309.363 requires board approval of massage therapy programs of instruction and establishes instructor qualifications. This administrative regulation establishes the definitions of supervision and qualifying supervisors and establishes the process for issuing and renewing the Certificate of Good Standing to a program of massage therapy education.

Section 1. Definitions. (1) "Adjunctive course" means a course in a program of education that enhances the career of a massage therapist but is not massage theory, technique, or practice.

(2) "Clinic" or "clinical" means a setting in which students are provided with on-site supervision and training in the practice of massage therapy.

(3) "Clinical coordinator" means the instructor of a massage therapy course in which students are assigned to perform massage therapy sessions on non-students, on or off-campus, and who is responsible for assigning the student to a clinical setting, supervising student performance through regular consultation with the student, and evaluating student achievement of clinical course objectives.

(4) "Externship" means a course offered by an approved program that:

(a) Has a syllabus that describes objectives and evaluations; and

(b) Is over and above the 600 supervised curriculum hours required for licensure.

(5) "Other licensed healthcare professional" means a practitioner as established in KRS 309.352(9)(a) through (c), (e), and (f) who may supervise a massage therapy student in a business.

(6) "Supervision" means the process of verifying attendance, assigning work, consulting with the student, evaluating student performance, and being available for emergency assistance.

Section 2. (1) A program shall file a completed, signed, and dated Certificate of Good Standing for a Massage Therapy Training Program Initial Application Form and required documentation with the board, meeting the requirements established in KRS 309.363(1), (a), (b), and (c). Documentation shall include:

(a) A copy of the current license to operate issued by the Kentucky Commission for Proprietary Education, the Council on Postsecondary Education, or their equivalent in the state in which the school is conducting classes;

(b) A curriculum statement as described in KRS 309.363(1)(b)1, 2, 3, 4, and 5 showing clock hours for each of the required subjects;

(c) A listing of instructional staff and their qualifications, as described in KRS 309.363(1)(c)1., 2., and 3. including:

1. Documentation of current Kentucky licensure of massage instructors; and

2. A resume, curriculum vitae, or PE-11 form, which is incorporated by reference in 791 KAR 1:010, for all instructors showing the specific qualifications for teaching an adjunctive or science course;

(d) A description of the policies and procedures in place for collecting and analyzing data about the quality and effectiveness of educational programs including student progress, completion, and licensure;

(e) A copy of the program or school catalogue;

(f) Documentation of accreditations held by the program or school offering the program; and

(g) A copy of a student contract agreeing not to accept compensation for massage therapy services provided prior to licensure by the board.

(2) After a preliminary determination is made by the board after an initial review, an applicant that has been preliminarily denied shall be entitled to a hearing on the denial in accordance with KRS Chapter 13B if the applicant notifies the board in writing by certified mail within thirty (30) days that it elects to take advantage of that opportunity for a hearing.

Section 3. (1)(a) A Certificate of Good Standing may be renewed upon submission of the Application for a Certificate of Good Standing of a Massage Therapy Training Program Renewal Short Form or the Certificate of Good Standing for a Massage Therapy Training Program Renewal Application Long Form with the information required by this administrative regulation to the board on or before the anniversary date of issue of the certificate.

(b) Submission of the Certificate of Good Standing for a Massage Therapy Training Program Renewal Application Long Form shall include:

1. The current complete name, address, email address, Web site, and telephone number of each location in which the massage therapy training program is provided;

2. The name and contact information of the owner;

3. Documentation of the items required in Section 2 of this administrative regulation if these have changed since the program's initial application or last renewal;

4. A statement with supporting statistics to show student completion, examination pass rates, licensure rates, and placement rates; and

5. A statement with supporting documentation showing proof that at least seventy (70) percent of the graduates of the program who have taken the MBLEX or other board approved examinations over the twelve (12) months prior to application have received a passing score. Failure to supply proof of meeting this standard shall be grounds for denial of a program's request for certification of good standing.

(c) Submission of the Application for a Certificate of Good Standing of a Massage Therapy Training Program Renewal Short Form shall include documentation of changes to any of the following items if these have changed since the program's initial application or last renewal:

1. The contact information for the school;

2. The instructional staff;

3. The qualifications of an instructor;

4. The curriculum;

5. The massage therapy programs offered; or

6. The program's accreditation.

(d) Each Short Form shall include updated information on student completion, examination pass rates, licensure rates, and placement rates.

(e) Submission of documentation with the Short Form may include:

1. The current complete name, address, email address, Web site, and telephone number of each location in which the massage therapy training program is provided;

2. The current listing of instructional staff and their qualifications as described in KRS 309.363(1)(c)1., 2., and 3., with attached documentation of qualifications and Kentucky licensure of new instructors;

3. A current curriculum statement as described in KRS 309.363(1)(b)1, 2, 3, 4, and 5;

4. A curriculum statement for new programs of massage therapy added to the school's original offering, such as an associate's degree program, if the new program may be used to meet initial qualifications for licensure;

5. A statement with supporting statistics to show student completion, examination pass rates, licensure rates, and placement rates;

6. Documentation of accreditation reviews and renewals, if held; and

7. A statement with supporting documentation showing proof that at least seventy (70) percent of the graduates of the program who have taken the MBLEx or other board approved examinations over the twelve (12) months prior to application have received a passing score. Failure to supply proof of meeting this standard shall be grounds for denial of a program's request for certification of good standing.

(2) After a preliminary determination is made by the board after an initial review, an applicant seeking renewal that has been preliminarily denied shall be entitled to a hearing on the denial in accordance with KRS Chapter 13B if the applicant notifies the board in writing by certified mail within thirty (30) days that it elects to take advantage of that opportunity for a hearing.

Section 4. Externships and Clinicals. (1) A student completing an externship or clinical experience shall not receive compensation.

(2) Massage schools or businesses that provide any type of student massage shall conspicuously include the respective words "student massage" in all promotional materials, and shall conspicuously display a written notice in the waiting room or treatment area that services are being provided by a student.

(3) Clinical courses awarding credit hours toward the 600 hours required for licensure shall be supervised by a licensed massage therapist with at least three (3) years of experience in the practice of massage therapy and who is available for on-site consultation.

(a) Massage sessions offered as part of a student clinic shall be evaluated by the instructor, and applicable goals for improvement in areas such as customer service, technique, body mechanics, and draping shall be established according to the needs of the student.

(b) Student massage clinics shall be supervised by a massage therapy instructor in the clinic.

(c) Student clinic client records shall be maintained at the school and shall meet the record keeping requirement established in 201 KAR 42:060, Section 2(1)(d) and the Standards for Documentation established in 201 KAR 42:060, Section 3. Record of payment shall be made available to the client upon request.

(4) The instructor of the externship course shall provide:

(a) Clear, written learning objectives to students and their site supervisors;

(b) Planned opportunities to discuss the externship experience at regular intervals with the student, and with the site supervisor; and

(c) A mechanism for evaluating student performance in the externship experience, presented to the student and the site supervisor at the beginning of the course.

(5) A program offering an externship course shall have a written agreement signed by the institution's representative or program director and the externship site personnel that clearly defines the responsibilities of the onsite supervisor, the clinical coordinator, and the student. An externship course shall be limited to no more than twenty (20) percent of the total program hours. The externship course, if offered, shall be completed after the primary 600 supervised curriculum hours required by KRS 309.358(4).

(6) A program offering an externship course shall have liability insurance to cover student activities within the course.

(7) Externship sites shall have a licensed massage therapist or other licensed healthcare professional onsite to be available for emergencies or consultation.

(a) Externs may accrue hours for reception, documentation, or business-related activities other than hands-on massage services while the site supervisor is off-premises.

(b) A student session at an externship site may occur with the site supervisor available by phone if the client of the session is on the staff of the externship site or is another extern, and a member of the professional staff is on premises for emergency assistance.

(8) Externship client records shall be maintained at the externship site and shall meet the record keeping requirement established in 201 KAR 42:060, Section 2(1)(d) and the Standards for Documentation established in 201 KAR 42:060, Section 3. Record of payment shall be available to the client upon request.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Certificate of Good Standing for a Massage Therapy Training Program Initial Application Form", September 2015;

(b) "Application for a Certificate of Good Standing of a Massage Therapy Training Program Renewal Short Form", September 2015; and

(c) "Certificate of Good Standing for a Massage Therapy Training Program Renewal Application Long Form", September 2015.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky 40601,, Monday through Friday, 8:00 a.m. to 4:30 p.m. (37 Ky.R. 1113; 1705; 1994; eff. 3-4-2011; 39 Ky.R. 1941; 2165; eff. 5-31-2013; 40 Ky.R. 2207; 41 Ky.R. 444; eff. 10-3-2014; 42 Ky.R. 1596; 2056; eff. 2-5-2016.)