

## INDIANA MASSAGE LICENSING UPDATES AND FAQ

Indiana law created several new requirements for massage therapists, some of which have already taken effect and others that will take effect fall 2022. Please read this important update and FAQ to understand what you can expect over the next year.

#### **Licensure Update**

**Certified Massage Therapists.** Massage therapists are currently certified by the state which has been voluntary. Indiana passed a law in 2017 that requires massage therapists to become licensed (IC 25-21.8-4-1). The law was written so that the licensure requirement becomes effective **only** when the Indiana Board of Massage Therapy adopts the massage therapy licensure rules. Currently, the rules adoption process is actively moving in the right direction. (LSA 21-507)

We estimate that the licensure rule adoption will be finalized sometime in August 2022. We will continue to monitor rules movement and request updates on the status of the licensure rule adoption. We will send communications to our members regarding the transition from certification to licensure as we learn more.

**Non-certified Massage Practitioner.** The Indiana law has a different timeline for non-certified massage practitioners. Specifically, non-certified massage practitioners must also obtain licensure within 183 days from when the licensure rule takes effect (IC 25-21.8-4-6). There is no provision that allows non-certified massage practitioners to continue practicing without a license. We estimate that the deadline for non-certified massage practitioners to become licensed may occur sometime early 2023. If you are not currently certified, please continue to look for updates from the Board regarding your licensure requirements so that you do not miss any important deadlines.

Take a moment to read through the following FAQs regarding the new massage therapy licensure requirements. If you have questions about this FAQ, you may send them directly to <a href="mailto:gr@amtaindiana.org">gr@amtaindiana.org</a> or <a href="mailto:cogr@amtaindiana.org">cogr@amtaindiana.org</a>. You may also contact the Indiana Board of Massage Therapy at <a href="mailto:pla14@pla.in.gov">pla14@pla.in.gov</a>. We have included citations to the Indiana law for your reference.



#### **Frequently Asked Questions**

#### Q. Do I have to apply to become licensed if I am currently certified?

**A.** Under Indiana law, if you are currently certified, you will automatically be considered licensed under the new law once the licensure rule becomes effective. You will not need to submit a licensure application or pay any fees. IC 25-21.8-4-6(a).

#### Q. If I have been doing massage without a certification what will I need to do?

**A.** If you are not currently certified, you will need to apply for a massage therapy license within 183 days of the licensure rule's effective date. You may continue practicing massage therapy without a license within this 183-day period. IC 25-21.8-4-6(b).

#### Q: I was never certified, my school is closed. What can I do?

**A:** One of two entities may have your transcripts depending on the year the school closed. Office for Careeer and Technical

Schools <a href="https://www.in.gov/bpe/closed-institutions-and-student-records/a/">https://www.in.gov/bpe/closed-institutions-and-student-records/a/</a>

The Board of Proprietary Education <a href="https://www.in.gov/dwd/files/Defunct-Institution-List.pdf">https://www.in.gov/dwd/files/Defunct-Institution-List.pdf</a>

#### To request your transcripts:

Indiana State Archives, 6440 E. 30th St., Indianapolis, IN. 46219 Feel Free to call 317-591-5222 or 317-232-3380

For more information go to the https://www.in.gov/iara/transcripts/ website.

#### Q. What is the licensing rule's effective date?

**A.** This is currently unknown. Under Indiana law, administrative rules take effect within 30 days of the final rule being published with the Indiana Register. The final rule is not published with the Indiana Register until after the Governor has approved it. We will know the licensure rule's effective date once it is filed with the Indiana Register. You can view the status of the rule on the Indiana Register. Document number 21-507

#### Q. When does my new license expire?

**A:** Indiana law states that your new license will have the same expiration date as your existing certification. <a href="IC 25-21.8-4-6(a)">IC 25-21.8-4-6(a)</a>. The license will continue to be renewed every four years. <a href="IC 25-21.8-6-1">IC 25-21.8-6-1</a>. The next renewal date for massage therapists is May 2025.

#### Q. Will we have to pay more to apply for a massage therapy license?

**A:** Currently, no. The fees for licensure are provided in existing massage therapy rules 847 IAC 2-1-1 and the licensure rule did not change those fees.

Those fees are: (1) \$100 for new applications; (2) \$150 for renewals; and (3) \$10 verification.



#### Q. Will I need to start enrolling in Continuing Education courses?

**A:** Yes. The Indiana law requires massage therapists to demonstrate that they have completed 24 hours of continuing education (2 of which must be ethics/boundaries/safety) <a href="IC 25-21.8-6-2(2">IC 25-21.8-6-2(2)</a>.

These hours of continuing education are <u>not</u> retroactive and must be obtained within the quadrennial renewal period. They may not be carried over to a future renewal.

Note that AMTA membership requires 48 continuing education hours every 4 years.

#### Q. How many hours will I need to submit for 2025 license renewal?

**A.** The massage therapy licensure rule requires different continuing education hours depending on the amount of time your <u>license</u> was active <u>847 IAC 1-5-1(c)</u>. If a license is valid for:

- 12 months or less, no continuing education activity is required;
- 13 to 24 months, 12 hours are required;
- 25 months to 36 months, 18 hours are required \*
- 37 months to 48 months, 24 hours are required;

#### Q. What courses satisfy the Continuing Education requirement?

**A.** The licensure rule defines the types of continuing education subjects that may satisfy the continuing education requirement <u>847 IAC 1-5-2</u>.

#### Q. Why do we need to be licensed?

**1) Indiana** law now requires massage therapists to be licensed. Unlicensed massage therapists cannot practice massage therapy in Indiana once the licensure rules take effect, and those who violate this law may commit a Class C misdemeanor and be subject to discipline. IC 25-21.8-7.

Maintaining licensure is necessary to: (1) meet insurance company credentialing requirements; (2) protect the industry from non-licensed massage practitioners; and (3) give the state jurisdiction to discipline non-licensed massage practitioners..

### Q. Why was a provision made for non-certified therapists to become licensed with less massage school training?

**A.** Certification in Indiana has been voluntary and the requirement for minimum hours of education included 500 hours of education. The new law requires licensure to practice and increased the minimum education hours to 625 hours.

As a courtesy to uncertified therapists, a clause was placed in the law allowing those practitioners to become licensed. IC 25-21.8-4-6(b) and IC 25-21.8-4-2(c)

#### Q. What should I do if I am graduating?

**A.** Your school will walk you through the steps to apply for licensure. You do not need to wait to apply.



#### Q. If I am a non-certified massage practitioner, what do I need to do?

**A.** Once the Governor has approved the licensure rule and the license becomes effective, non-certified massage practitioners will have <u>183 days</u> to meet the new licensure requirements.

Within this 183-day period, you must do the following per Indiana law IC 25-21.8-4-6:

- (1) Apply for licensure; or
- (2) Provide the Board with either: (a) documentation that you have passed a nationally recognized competency exam approved by the Professional Licensing Agency (PLA) Massage Therapy Board and an affidavit that you have at least 5 years work experience in the state; or (b) a certificate of completion from a massage therapy program or school with at least 500 hours of education.
- (3) You must also submit to a criminal history background check.
- (4) Meet other requirements for licensure as stated in the law, including proof of insurance and application fees.

#### Q. Does the licensure law affect massage therapy businesses?

**A.** No. Indiana's massage therapy licensure law governs massage therapists only. Cities, counties and Health Departments oversee and regulate massage therapy businesses. If a county or city has laws affecting massage therapy businesses that need to be addressed, you can contact <a href="mailto:qr@amtaindiana.org">qr@amtaindiana.org</a> for guidance on how to approach your government officials.

# Q: I was told that since I concentrate on an advanced massage technique in my practice, nor do I call myself a massage therapist, I do not need to be licensed as a massage therapist, is this true?

**A:** The definition of a massage therapist defines what massage therapy is. Under the new law, you must have a massage therapy license if you profess to be a massage therapist, use any title that implies massage, or offer to provide massage therapy for compensation. The term "massage therapy" means any of the following:

External manipulation or pressure of soft tissue for the purposes of enhancing health, providing muscle relaxation, increasing range of motion, reducing stress, relieving pain, or improving circulation of the human body;

Including: the use of touch, external pressure, friction, stroking, rocking, gliding, vibration, percussion, kneading, movement, positioning, nonspecific stretching, stretching within the normal anatomical range of movement, and holding, with or without the use of massage devices that mimic or enhance manual measures IC 25-21.8-1-4

It is important that you understand your obligation to obtain a license if you provide these services. If you do provide massage type services, and do not seek licensure, you may be disciplined by the Board of Massage Therapy and be charged with a Class C misdemeanor IC 25-21.8-7

Consult legal counsel if you are unsure about whether you require a massage therapy license.