

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Massage Licensing Act is amended by changing
5 Sections 15 and 20 as follows:

6 (225 ILCS 57/15)

7 (Section scheduled to be repealed on January 1, 2012)

8 Sec. 15. Licensure requirements.

9 (a) Beginning January 1, 2005, persons engaged in massage
10 for compensation must be licensed by the Department. The
11 Department shall issue a license to an individual who meets all
12 of the following requirements:

13 (1) The applicant has applied in writing on the
14 prescribed forms and has paid the required fees.

15 (2) The applicant is at least 18 years of age and of
16 good moral character. In determining good moral character,
17 the Department may take into consideration conviction of
18 any crime under the laws of the United States or any state
19 or territory thereof that is a felony or a misdemeanor or
20 any crime that is directly related to the practice of the
21 profession. Such a conviction shall not operate
22 automatically as a complete bar to a license, except in the
23 case of any conviction for prostitution, rape, or sexual
24 misconduct, or where the applicant is a registered sex
25 offender.

26 (3) The applicant has met one of the following
27 requirements:

28 (A) has successfully completed the curriculum or
29 curriculums of one or more massage therapy schools
30 approved by the Department that require a minimum of
31 500 hours and has passed a competency examination
32 approved by the Department;

1 (B) holds a current license from another
2 jurisdiction having licensure requirements that meet
3 or exceed those defined within this Act; or

4 (C) has moved to Illinois from a jurisdiction with
5 no licensure requirement and has provided
6 documentation that he or she has successfully passed
7 the National Certification Board of Therapeutic
8 Massage and Bodywork's examination or another massage
9 therapist certifying examination approved by the
10 Department and maintains current certification.

11 (b) Each applicant for licensure as a massage therapist
12 shall have his or her fingerprints submitted to the Department
13 of State Police in an electronic format that complies with the
14 form and manner for requesting and furnishing criminal history
15 record information as prescribed by the Department of State
16 Police. These fingerprints shall be checked against the
17 Department of State Police and Federal Bureau of Investigation
18 criminal history record databases now and hereafter filed. The
19 Department of State Police shall charge applicants a fee for
20 conducting the criminal history records check, which shall be
21 deposited into the State Police Services Fund and shall not
22 exceed the actual cost of the records check. The Department of
23 State Police shall furnish, pursuant to positive
24 identification, records of Illinois convictions to the
25 Department. The Department may require applicants to pay a
26 separate fingerprinting fee, either to the Department or to a
27 vendor. The Department, in its discretion, may allow an
28 applicant who does not have reasonable access to a designated
29 vendor to provide his or her fingerprints in an alternative
30 manner. The Department may adopt any rules necessary to
31 implement this Section.

32 (Source: P.A. 92-860, eff. 6-1-03; 93-524, eff. 8-12-03.)

33 (225 ILCS 57/20)

34 (Section scheduled to be repealed on January 1, 2012)

35 Sec. 20. Grandfathering provision.

1 (a) For a period of one year after the effective date of
2 the rules adopted under this Act, the Department may issue a
3 license to an individual who, in addition to meeting the
4 requirements set forth in paragraphs (1) and (2) of subsection
5 (a) and subsection (b) of Section 15, produces proof that he or
6 she has met at least one of the following requirements before
7 the effective date of this Act:

8 (1) has been an active member, for a period of at least
9 one year prior to the application for licensure, of a
10 national professional massage therapy organization
11 established prior to the year 2000, which offers
12 professional liability insurance and a code of ethics;

13 (2) has passed the National Certification Exam of
14 Therapeutic Massage and Bodywork and has kept his or her
15 certification current;

16 (3) has practiced massage therapy an average of at
17 least 10 hours per week for at least 10 years; or

18 (4) has practiced massage therapy an average of at
19 least 10 hours per week for at least one year prior to the
20 effective date of this Act and has completed at least 100
21 hours of formal training in massage therapy.

22 (b) An applicant who can show proof of having engaged in
23 the practice of massage therapy for at least 10 hours per week
24 for a minimum of one year prior to the effective date of this
25 Act and has less than 100 hours of formal training or has been
26 practicing for less than one year with 100 hours of formal
27 training must complete at least 100 additional hours of formal
28 training consisting of at least 25 hours in anatomy and
29 physiology by January 1, 2005.

30 (c) An applicant who has training from another state or
31 country may qualify for a license under subsection (a) by
32 showing proof of meeting the requirements of that state or
33 country and demonstrating that those requirements are
34 substantially the same as the requirements in this Section.

35 (d) For purposes of this Section, "formal training" means a
36 massage therapy curriculum approved by the Illinois State Board

1 of Education or the Illinois Board of Higher Education or
2 course work provided by continuing education sponsors approved
3 by the Department.

4 (Source: P.A. 92-860, eff. 6-1-03; 93-524, eff. 8-12-03.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.