



This report is a publication of the Nevada Chapter of the American Massage Therapy Association - the AMTA-NV Chapter is solely responsible for its content. It is intended for member notification of the official proceedings of the Nevada State Board of Massage Therapy and is available to the general public when posted on the chapter's website at [amta-nv.org](http://amta-nv.org) and is not intended to take the place of the official Minutes of the NSBMT. The official NSBMT Minutes are [available on their website](#) approximately 30 days after the date of the corresponding Meeting. Requests for NSBMT Meeting Minutes and audio recordings can be made to [nvmessagebd@state.nv.us](mailto:nvmessagebd@state.nv.us).

This is a brief overview of public proceedings during a scheduled Meeting of the Nevada State Board of Massage Therapy (NSBMT) regarding the NSBMT's actions that affect its licensees and the profession of massage therapy, reflexology, and structural integration in Nevada. Disciplinary hearings and/or Items and Public Comment are not a part of this report.

>> *begin report*

Locations of Meeting: see attached NSBMT Agenda

Date of NSBMT Meeting: 6/18/2018

Meeting Start Time: 9:00am

Item #1: Roll Call - April, Diane, Teresa, Elisabeth, Bob, Lorna, Nancy present.

Item #3: Counsel presents 3 minor edits to the proposed regulation LCB File No. R040-18: Amendment of NAC 640C (see attached): Section 13.1.c "...maximum of 16 hours of credit per ~~year~~ **renewal period**"; Section 15.3 "...after a licensee changes"; Section 22.1.c "...maximum of ~~8~~ **16** hours of credit per ~~year~~ **renewal period**".

Item #4: Called for Public Comment - none. No Board Comments/Questions. April called for a Motion - Teresa Motioned to enact with noted changes, Bob seconded. No Board Discussion - Board members present Passed Motion unanimously.

Item #6: Meeting Adjourned 9:12am

Respectfully submitted,  
David Otto, Chair - Government Relations Committee

>> *end report*



## Nevada State Board of Massage Therapy

### \*\*\*NOTICE OF PUBLIC MEETING\*\*\*

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<b>LOCATIONS:</b>	<b>Nevada Legislative Building – Carson City</b> 401 South Carson Street, Suite 2134 Carson City, NV 89701
	<b>Videoconference To:</b> <b>Grant Sawyer Building – Las Vegas</b> 555 East Washington Avenue, Suite 4412 Las Vegas, NV 89101
<b>DATE:</b>	<b>June 18, 2018</b>
<b>TIME:</b>	<b>9:00 a.m. PDST</b>

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### AGENDA

**Please Note:** The Nevada State Board of Massage Therapy may 1) take agenda items out of order; 2) combine two or more items for consideration; or 3) remove an item from the agenda or delay discussion related to an item at any time. Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to attend the meeting. Please contact Sandy Anderson at 775.687.9951 ([sjanderson@lmt.nv.gov](mailto:sjanderson@lmt.nv.gov)), in advance, so that arrangements may be made. Public comment will be taken at the beginning and the end of the meeting. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person (NRS 241.030).

1. Call to order and roll call of Board Members.
2. Public comment. (Discussion Only) Action may not be taken on any matter brought up under public comment until scheduled on an agenda for action at a later meeting.
3. Public Hearing for LCB File No. R040-18 (For Discussion)

4. Deliberation of public comment, discussion and Possible Adoption of LCB File No. R040-18 (For Possible Action)
5. Public Comment
6. Adjournment no later than 4:30 PM (For Possible Action)

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Public Comment Agenda Item: There is a time designated at the beginning of the meeting and the end of the meeting for Public Comment. Members of the general public may bring matters not appearing on this Agenda to the attention of the Board or make comment on specific Agenda Items. The Board may discuss the matters not on the Agenda, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future Agenda for action. In consideration of others who may also wish to provide Public Comment, please avoid repetition and limit your comments to no more than three (3) minutes.

Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the Board may refuse to consider Public Comment.

Supporting material for this meeting may be requested from Sandy Anderson at 775.687.9955 ([sjanderson@lmt.nv.gov](mailto:sjanderson@lmt.nv.gov)) and is available at the Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, Nevada 89502.

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In accordance with NRS 241.020, this public notice and agenda was posted on or before June 12, 2018, on the Nevada State Board of Massage Therapists website, <http://massagetherapy.nv.gov>, the State of Nevada's Public Notice Website, <https://notice.nv.gov>, and at the following locations:

Nevada State Board of Massage Therapists  
1755 E. Plumb Lane, Suite 252  
Reno, NV 89502

Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, NV 89101

Nevada State Library  
100 South Stewart Street  
Carson City, NV 89701

Nevada Attorney General's Office  
100 N. Carson Street  
Carson City, NV 89701

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**STATE OF NEVADA  
BOARD OF MASSAGE THERAPY**

**NOTICE OF INTENT TO ACT UPON A REGULATION  
LCB File No. R040-18**

**Notice of Hearing for the Adoption of Regulations of the  
State of Nevada Board of Massage Therapy**

The State of Nevada Board of Massage Therapy will hold a public hearing at 9:00 a.m., on June 18, 2018, at the Grant Sawyer Building, 555 East Washington Avenue, Suite 4412, Las Vegas, Nevada 89101 with videoconferencing to the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapter 640C of the Nevada Administrative Code (LCB File No. R040-18).

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. This regulation is needed to implement statutory changes made by Assembly Bill 179 of the 2017 Legislative Session.
2. This regulation is not a temporary regulation.
3. This is a permanent regulation and a copy of the regulation may be obtained by contacting Sandra Anderson, Executive Director of the Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502, 775-687-9955, sjanderson@lmt.nv.gov.
4. Estimated economic effects on businesses:

Adverse effects: There are no adverse effects of this regulation on the businesses it regulates nor on the public. While businesses will have to pay a fee for a certificate, those certificates are on a one-year licensure period and the fees associated with those certificates are not overly burdensome for the establishment. In an effort to control prostitution/inappropriate touching in massage/reflexology/structural integration establishments, the Board is requiring establishments to report such incidents and other types of employment actions to the Board. This will result in reporting requirements establishments did not have before.

Beneficial effects: Reflexology and structural integration will be regulated by the Board. Massage/Reflexology/Structural Integration establishments will be regulated by the Board under concurrent jurisdiction with the local governments. This will ensure the public is protected not only by regulating licensees, but also the establishments where the public receives the services. Through the required reporting described above, the public will be better protected because the Board will be able to

address situations they may not be aware of and assist those individuals should they require it.

Immediate effects: The Board has begun implementing similar changes enacted by LCB File R108-17 and has been implementing the statutory changes enacted by the passage of AB179 of the 2017 Legislative Session. Through AB179 and LCB File108-17 and now, LCB File R040-18, the public will be better protected through the regulation of the practice of reflexology and structural integration.

Long-term effects: The public will be protected through the regulation of the practice of reflexology and structural integration as well as massage/reflexology/structural integration establishments. Standards are being established so that licensees are aware of the standards to which they must hold themselves.

5. The Board staff reviewed the regulation with its legal counsel to determine the economic impact to small businesses. The Board's Executive Director also had meetings with the small businesses that would be impacted by this regulation. There is an impact to small business. Reflexologists, structural integration practitioners and massage/reflexology/structural integration establishments will now be certified by the Board. Certificates for establishments are on a one-year licensure period and the fees associated with those certificates are not overly burdensome for the establishment. The Board did reach out to the reflexology and structural integration communities and has received positive feedback with regard to the fees.
6. There is no additional cost to the Board for enforcement of this regulation.
7. The Board and local governments have concurrent jurisdiction over the regulation of massage/reflexology/structural integration establishments. The establishments pursuant to local ordinances do have to obtain a business license. AB179 requires establishments to be certified by the Board in addition to any licenses required by a local government.
8. This regulation is not required pursuant to a federal law.
9. This regulation does not contain any provisions which are more stringent than a federal regulation that regulates the same activity.
10. This regulation establishes a new fee for the certification of massage/reflexology and structural integration establishments.
11. Interested persons may provide their views regarding the regulation at the following locations or by submitted written comments to the Board:

Location: Grant Sawyer Building  
555 East Washington Avenue, Suite 4412  
Las Vegas, Nevada 89101

Location: Legislative Building  
401 South Carson Street, Suite 2134  
Carson City, Nevada 89701

This regulation imposes a new fee on reflexologists and massage/reflexology/structural integration establishments. Persons wishing to comment upon the proposed action of the Nevada State Board of Massage Therapy may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Sandra Anderson, Executive Director of the Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502, 775-687-9955, sjanderson@lmt.nv.gov. Written submissions must be received by the Nevada State Board of Massage Therapy on or before June 13, 2018. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Massage Therapy may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation (LCB File No R040-18) to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation (LCB File No. R040-18) to be adopted will be available at Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502, and the Board's website at <http://massagetherapy.nv.gov/> and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation (LCB File No. R040-18) are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.us/>. Copies of this notice and the proposed regulation also will be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

State Library and Archives, 100 Stewart Street, Carson City, Nevada 89701  
Carson City Library 900 North Roop Street, Carson City, Nevada 89701-3101  
Lincoln County Library 63 Main Street, Pioche, Nevada 89043  
Churchill County Library, 553 South Main Street, Fallon, Nevada 89406-3306  
Lyon County Library System 20 Nevin Way, Yerington, Nevada 89447-2399  
Las Vegas-Clark County Library District Headquarters, Las Vegas Boulevard North, Las Vegas, Nevada 89101-2062  
Mineral County Public Library, P.O. Box 1390 833, Hawthorne, Nevada 89415  
Douglas County Public Library, 1625 Library Lane, Minden, Nevada 89423-0337  
Pershing County Library, 1125 Central Avenue, Lovelock, Nevada 89419  
Elko County Library, 720 Court Street, Elko, Nevada 89801-3397

Storey County Public Library (CLOSED, instead, send to the Storey County Clerk's Office, see below)

Esmeralda County Library Corner of Crook & 4th Street, P.O. Box 430, Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office, Drawer D, Virginia City, Nevada 89440

Eureka County Library, 10190 Monroe Street, Eureka, Nevada 89316

Tonopah Public Library (Nye County), P.O. Box 449, Tonopah, Nevada 89049

Humboldt County Library, 85 East 5th Street, Winnemucca, Nevada 89445-3095

Washoe County Library System, 301 South Center Street Reno, Nevada 89501-2102

Battle Mountain Branch Library (Lander County ), 625 South Broad Street, Battle Mountain, Nevada 89820

White Pine County Library, 950 Campton Street, Ely, Nevada 89301

The Department of Administration's website at [www.notice.nv.gov](http://www.notice.nv.gov)

The Legislative Counsel Bureau's website at <https://leg.state.nv.us/App/Notice/A/>

The Board's website at <http://massagetherapy.nv.gov/>

**PROPOSED REGULATION OF THE  
BOARD OF MASSAGE THERAPY**

**LCB File No. R040-18**

May 11, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-4, 8-13 and 22, NRS 640C.320; §5, NRS 640C.320 and 640C.450; §6 NRS 640C.320 and section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 (NRS 640C.600); §7, NRS 640C.320 and section 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1450 (NRS 640C.620); §14, NRS 640C.320 and 640C.712; §§15, 16 and 26, NRS 640C.320 and section 11 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1452 (NRS 640C.330); §17, NRS 640C.320 and 640C.710; §§18 and 19, section 11 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1452 (NRS 640C.330); §20, NRS 640C.320, NRS 640C.400, section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 (NRS 640C.600), and section 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1450 (NRS 640C.620); §21, NRS 640C.320, 640C.500, section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 (NRS 640C.600), and section 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1450 (NRS 640C.620); §23, NRS 640C.320 and 640C.755; §24, NRS 640C.320 and 640C.400; §25, NRS 640C.320, 640C.520 and section 11 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1452 (NRS 640C.330).

A REGULATION relating to massage therapy; establishing additional standards relating to the practice of massage therapy, reflexology and structural integration; establishing requirements for certain programs of reflexology and structural integration; establishment continuing education requirements for reflexologists and structural integration practitioners; establishing aggravating and mitigating factors for determining the amount of certain administrative fines imposed upon a licensee; adopting provisions for the immediate placement of a licensee on probation upon issuance of his or her license; establishing administrative fines for certain violations; establishing certain fees for the issuance or renewal of a certificate to operate a massage therapy, reflexology or structural integration establishment; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes the Board of Massage Therapy and authorizes the Board to adopt regulations relating to the practice of massage therapy, the practice of reflexology and the practice of structural integration. (NRS 640C.150, 640C.320)

**Section** Error! Reference source not found. of this regulation specifies the manner in which a person licensed as a massage therapist, a reflexologist or a structural integration practitioner is required to display his or her original license in order to comply with existing law requiring such a licensee to display his or her original license in a conspicuous manner at each location where the licensee practices. (NRS 640C.450)

Existing law: (1) requires the Board to recognize certain programs of massage therapy, reflexology or structural integration; and (2) authorizes the Board recognize other programs of massage therapy, reflexology or structural integration that satisfy certain requirements. (NRS 640C. 400; sections 7 and 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 (NRS 640C.600)) **Sections 6 and 7** of this regulation, respectively, set forth the number of hours of instruction and the curriculum required for a program of reflexology and a program of structural integration to be recognized by the Board. **Section 20** of this regulation makes a technical correction to the existing regulation requiring an applicant for recognition of a program to submit certain information to the Board. **Section 24** of this regulation makes conforming changes to the existing regulation governing the recognition of a program of massage therapy and revises the number of hours of instruction in business and ethics required for the recognition of such a program.

Existing law requires the Board to establish requirements relating to sanitation, hygiene and safety in the practice of massage therapy, reflexology and structural integration. (NRS 640C.320) **Section 8** of this regulation requires a massage therapist to drape a client so that the client's genitals and gluteal cleft and, if client is a female, the client's breasts are not exposed during the massage. **Section 9** of this regulation prohibits a reflexologist from performing reflexology on a client unless the client is fully clothed, except for the client's lower legs and feet. **Section 10** of this regulation: (1) establishes that the performance of structural integration on certain parts of the body does not constitute engaging in prohibited sexual activity for the purposes of existing law governing structural integration practitioners; and (2) prohibits a structural integration from touching certain parts of a client's body.

Existing law requires the Board to establish requirements for continuing education for the renewal of a license to practice massage therapy, a license to practice reflexology and a license to practice structural integration. (NRS 640C.320) **Sections 11 and 21** of this regulation, respectively, establish the continuing education requirements for the renewal of a license to practice reflexology and a license to practice structural integration.. **Sections 12 and 13** of this regulation, respectively, establishes the education and activities that the Board will approve for

continuing education credit. **Section 4** of this regulation establishes that a licensee will earn credit for an hour of continuing education if the education consists of at least 50 minutes, but not more than 60 minutes, of instruction. **Section 22** of this regulation makes a conforming change to existing regulations governing the continuing education required for a license to practice massage therapy.

Existing law authorizes the Board to impose an administrative fine if a licensee has engaged in or solicited sexual activity during the course of practicing massage therapy, reflexology or structural integration, and also requires the Board to establish standards for use by the Board in determining the amount of such a fine. (NRS 640C.712) **Section 14** of this regulation establishes factors that the Board will consider in determining the amount of the fine.

**Section 15** of this regulation requires a licensee to submit to the Board, and notify the Board of any changes to, his or her residential address using the Board's Internet website. **Section 15** also requires the holder of a certificate to operate a massage establishment, reflexology establishment or structural integration establishment to submit to the Board, and notify the Board of any changes to, the address or name of the establishment using the Board's Internet website. Finally, **section 15** establishes that the Board has sent or delivered any required notice to a licensee or holder of a certificate if the Board mails the notice to the most recent address of the licensee or certificate holder on file with the Board.

**Sections 16 and 19** of this regulation require a licensee or holder of a certificate to operate a massage establishment, reflexology establishment or structural integration establishment to notify the Board of certain client complaints, certain adverse employment actions against massage therapists, reflexologists or structural integration practitioners, and certain law enforcement, judicial or administrative actions taken against the licensee or the holder of a certificate or his or her establishment.

Existing law authorizes the Board to place an applicant for a license or a licensee on probation if the Board finds grounds for taking disciplinary action. (NRS 640C.710) **Section 17** of this regulation authorizes the Board to issue a license and immediately place the licensee on probation subject to certain terms if the Board finds grounds for taking disciplinary action.

Existing law requires the Board to adopt regulations that prescribe the requirements for the certification and operation of massage establishments, reflexology establishments and structural integration establishments. (Section 11 of Assembly Bill No. 179, Chapter 275, Statutes of Nevada 2017, at page 1452) **Section 18** of this regulation requires a holder of a certificate to operate a massage therapy, reflexology or structural integration establishment to prominently display the certificate in the establishment.

Existing regulations: (1) require a massage establishment or a structural integration establishment to be certified by the Board; and (2) prescribe the fee for the issuance or renewal of a certificate to operate a massage establishment or a structural integration establishments. The

amount of the fee for such a certificate is based on the number of rooms for massage therapy or structural integration in the establishment. (Sections 6 and 7 of LCB File No. 108-17) **Section 26** of this regulation establishes similar requirements for the certification of a reflexology establishment. **Section 26** also establishes an annual renewal period for a certificate to operate a massage establishment, a certificate to operate a reflexology establishment or a certificate to operate a structural integration establishment. **Section 25** of this regulation prescribes the fee for the issuance or renewal of a certificate to operate a reflexology establishment and bases the amount of the fee on the number of chairs or tables for reflexology in the establishment. **Section 25** further prescribes the fee for the issuance or renewal of a certificate to operate a massage establishment which has no rooms for massage therapy and bases the amount of the fee on the number of chairs or tables for massage therapy in the establishment.

Existing law authorizes the Board or its designee to issue a written administrative citation if the Board or its designee has reason to believe that a person has violated certain provisions of existing law governing massage therapists, reflexologists and structural integration practitioners. (NRS 640C.755) Existing regulation sets forth the schedule of administrative fines that the Board may impose for certain violations. (Section 4 of LCB File No. 108-17) **Section 23** of this regulation establishes a schedule of administrative fines for: (1) a licensee who receives an administrative citation for failing to drape a massage client as required by **section 8**; (2) a licensee who performs reflexology on a client who is not fully clothed in violation of **section 9**; and (3) a licensee or a holder of certificate to operate a massage establishment, reflexology establishment or structural integration establishment who fails to notify the Board of a change of the name of an establishment or a change of address in violation of **section 15**.

**Section 1.** Chapter 640C of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 19, inclusive, of this regulation.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 640C.010, sections 3 and 4 of this regulation and sections 2 and 3 of LCB File No. R108-17 have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Certificate” means a certificate to operate a massage establishment, a certificate to operate a reflexology establishment or a certificate to operate a structural integration establishment, which is issued by the Board.*

*Sec. 4. “Hour of instruction” means not less than 50 minutes nor more than 60 minutes of instruction.*

*Sec. 5. For the purposes of NRS 640C.450, a licensee displays his or her original license in a conspicuous manner if the licensee displays his or her original license on:*

*1. A wall, countertop or table that is within the treatment room used by the licensee at a massage establishment, reflexology establishment or structural integration establishment, as applicable, or in the reception area of the massage establishment, reflexology establishment or structural integration establishment at which the licensee engages in the practice of massage therapy, reflexology or structural integration, as applicable; or*

*2. His or her person in such a manner that the original license is visible to a client of the licensee.*

*Sec. 6. The Board will recognize a program of reflexology pursuant to paragraph (b) of subsection 3 of section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 (NRS 640C.600), if the program requires its pupils to complete a minimum of 200 hours of instruction in the following courses before receiving a certificate evidencing successful completion of the program:*

*1. At least 25 hours of instruction in reflexology theory, history, zones, meridians and relaxation response;*

*2. At least 40 hours of instruction in body systems relating to reflexology, including, without limitation, a study of the leg and foot as a structure, hands-on palpation of landmarks with sensory identification of palpated areas, and a map of reflexes;*

*3. At least 30 hours of instruction in anatomy and physiology;*

*4. At least 15 hours of instruction in business or ethics or a combined total of at least 15 hours of instruction in business and ethics; and*

*5. At least 90 hours of instruction in supervised practicum or clinical work.*

*Sec. 7. The Board will recognize a program of structural integration pursuant to paragraph (b) of subsection 3 of section 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1450 (NRS 640C.620), if the program requires its pupils to complete a minimum of 730 hours of instruction in the following courses before receiving a certificate evidencing successful completion of the program:*

*1. At least 230 hours of instruction in anatomy, physiology and kinesiology; and*

*2. At least 500 hours of instruction which is taken in a classroom setting with hands-on instruction in assessment, theory and application instruction, which must include:*

*(a) At least 100 hours in clinical instruction;*

*(b) At least 40 hours of instruction in pathology;*

*(c) At least 20 hours of instruction in business; and*

*(d) At least 20 hours of instruction in ethics.*

*Sec. 8. A massage therapist shall drape a client by covering the client with a towel, sheet, blanket, linen or other covering in such a manner that:*

*1. The client's genitals and gluteal cleft and, if the client is a female, the client's breasts are not exposed; and*

*2. Neither the massage nor the movement of the body expose the client's genitals or gluteal cleft or, if the client is a female, the client's breasts.*

**Sec. 9.** *A reflexologist shall not perform reflexology on a client unless the client is fully clothed, except that the client's legs from the knees to the feet may be exposed.*

**Sec. 10. 1.** *The performance of structural integration by a structural integration practitioner along the borders of the superior and inferior pubic ramus, the borders of the coccyx, ischial tuberosity and ramus of the ischium does not constitute engaging in sexual activity in violation of subsection 4 of NRS 640C.700.*

*2. A structural integration practitioner shall not touch inside the bony landmarks or intracavity of the perineal diaphragm of a client.*

**Sec. 11. 1.** *To maintain his or her license to practice reflexology, a reflexologist must complete, to the satisfaction of the Board, at least 12 hours of instruction in continuing education as specified in section 12 of this regulation within the licensing period immediately preceding the request for renewal of his or her license. Except as otherwise provided in subsection 2, proof of the completion of the requirement for continuing education must be submitted with an application for renewal of a license.*

*2. If a reflexologist obtains more than 12 hours of instruction in continuing education in a licensing period, the reflexologist may request that the Board carry over the excess hours of credit, not to exceed 36 hours of instruction, to apply towards completion of the requirement for continuing education set forth in subsection 1 for succeeding years, up to a maximum of 3 succeeding years.*

*3. If a reflexologist fails to complete the requirements for continuing education set forth in subsection 1 before the date on which his or her license expires, the Board will send a*

*notice to the reflexologist indicating that the reflexologist is not in compliance with the requirements for continuing education.*

**Sec. 12. 1.** *The Board will approve credit for continuing education for a license to practice reflexology as follows:*

*(a) One hour of credit will be approved for each hour of instruction that a reflexologist attends a workshop, course, conference or seminar relating to the practice of reflexology which is provided by a person or entity that is:*

*(1) Accredited by the National Commission for Certifying Agencies, or an equivalent accrediting body approved or recognized by the Board;*

*(2) Approved by the American Reflexology Certification Board;*

*(3) A reflexology school, massage therapy school, bodywork therapy school, public college, postsecondary institution or other entity which offers a program of reflexology that is recognized by the Board pursuant to section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 (NRS 640C.600), and NAC 640C.060, as amended by section 13 of LCB File No. R108-17; or*

*(4) A reflexologist with at least 2 years of experience in the practice of reflexology who is certified by the American Reflexology Certification Board, International Institute of Reflexology or National Certification Board for Therapeutic Massage and Bodywork or who has experience in a related field and has previously received approval from the Board for the workshop, course, conference or seminar.*

*(b) The amount of credit for authoring a publication relating to the practice of reflexology will be determined upon receipt and evaluation by the Board of the information required to be submitted pursuant to NAC 640C.130, as amended by section 17 of LCB File No. R108-17.*

*(c) One hour of credit, up to a maximum of 8 hours of credit per year for each activity listed in subparagraphs (1), (2) and (3), will be approved for each hour of instruction spent:*

*(1) Giving a presentation at a workshop, course, conference or seminar relating to the practice of reflexology.*

*(2) Preparing a presentation described in paragraph (1).*

*(3) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board.*

*2. A reflexologist may receive credit only once for giving or preparing a presentation described in subparagraph (1) of paragraph (c) of subsection 1.*

*3. The Board will consider the written request of a reflexologist for approval of credit for any continuing education that is not specified in subsection 1, including credit for any continuing education that is not specifically related to reflexology, if the request is submitted to the Board at least 90 days before the date on which the license of the reflexologist expires.*

**Sec. 13. 1.** *The Board will approve credit for continuing education for a license to practice structural integration as follows:*

*(a) One hour of credit will be approved for each hour of instruction that a structural integration practitioner attends a workshop, course, conference or seminar relating to the practice of structural integration which is provided by a person or entity that is:*

*(1) Accredited by the National Commission for Certifying Agencies, or an equivalent accrediting body approved or recognized by the Board;*

*(2) Approved by the International Association of Structural Integrators;*

*(3) A structural integration school, bodywork therapy school, public college, postsecondary institution or other entity which offers a program of structural integration that is recognized by the Board pursuant to section 9 of Assembly Bill No. 179, Statutes of Nevada 2017, at page 1450 (NRS 640C.620), and NAC 640C.060, as amended by section 13 of LCB File No. R108-17; or*

*(4) A structural integration practitioner with at least 2 years of experience in the practice of structural integration or a related field who has previously received approval from the Board for the workshop, course, conference or seminar.*

*(b) The amount of credit for authoring a publication relating to the practice of structural integration will be determined upon receipt and evaluation by the Board of the information required to be submitted pursuant to NAC 640C.130, as amended by section 17 of LCB File No. R108-17.*

*(c) One hour of credit, up to a maximum of 16 hours of credit per year for each activity listed in subparagraphs (1) to (4), inclusive, will be approved for each hour of instruction spent:*

*(1) Giving a presentation at a workshop, course, conference or seminar relating to the practice of structural integration.*

*(2) Preparing a presentation described in subparagraph (1).*

*(3) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board.*

*(4) Serving as a member of a board or committee relating to the practice of structural integration.*

*2. A structural integration practitioner may receive credit only once for giving or preparing a presentation described in subparagraph (1) of paragraph (c) of subsection 1.*

*3. The Board will consider the written request of a structural integration practitioner for approval of credit for any continuing education that is not specified in subsection 1, including credit for any continuing education that is not specifically related to structural integration, if the request is submitted to the Board at least 90 days before the date on which the license of the structural integration practitioner expires.*

**Sec. 14.** *In addition to the factors described in NRS 640C.712, in determining the amount of an administrative fine imposed pursuant to NRS 640C.712, the Board will consider:*

*1. The number of times the licensee has been arrested for prostitution or any other sexual offense;*

*2. The number of times the licensee has been convicted of prostitution or any other sexual offense;*

*3. Whether there were any aggravating factors involved in the sexual activity, including, without limitation, the use of firearms;*

*4. The good faith of the licensee; and*

*5. Any other aggravating or mitigating factor found by the Board.*

**Sec. 15. 1. Each licensee shall file with the Board, using the Internet website of the Board, his or her current residential address.**

**2. Each holder of a certificate shall file with the Board, using the Internet website of the Board:**

**(a) The current address of each massage establishment, reflexology establishment or structural integration establishment operated by the holder; and**

**(b) A change in the name of any massage establishment, reflexology establishment or structural integration establishment operated by the holder.**

**3. Not later than 10 calendar days after a licensee change his or her residential address or a holder of a certificate changes the address of the massage establishment, reflexology establishment or structural integration establishment, as applicable, the licensee or holder of the certificate shall notify the Board of the change using the Internet website of the Board.**

**4. If the Board is required to send or deliver any notice by mail to a licensee or a holder of a certificate, the notice shall be deemed to be sent or delivered if it is mailed to the most recent address on file with the Board by the licensee or holder of the certificate.**

**Sec. 16. A licensee or a holder of a certificate shall notify the Board in writing within 10 business days after:**

**1. An action is taken against any license, certification, registration or other credential relating to the practice of massage therapy, reflexology or structural integration that is held by the licensee or holder of a certificate and was issued by another jurisdiction;**

**2. A criminal charge is filed in any jurisdiction against the licensee or holder of the certificate;**

*3. The licensee or holder of a certificate is convicted of a criminal offense in any jurisdiction, other than a traffic offense which is a misdemeanor;*

*4. A civil action for malpractice is filed in any jurisdiction against the licensee or holder of a certificate; or*

*5. A settlement or judgment is entered in any civil action for malpractice, in any case filed in any jurisdiction against the licensee or holder of a certificate for any act relating to the practice of massage therapy, reflexology or structural integration, as applicable.*

**Sec. 17. 1.** *The Board may issue a license to an applicant and immediately place the licensee on probation pursuant to NRS 640C.710 if the application or background of the applicant demonstrates that the applicant has committed one or more of the acts described in NRS 640C.700.*

*2. The terms of probation imposed pursuant to subsection 1 may require the licensee to:*

*(a) Report to the Board all contact with law enforcement personnel within 48 hours after such contact occurs;*

*(b) Refrain from providing outcall services;*

*(c) Submit employment offers to the staff of the Board for review and approval;*

*(d) Notify the Board of any changes in his or her employment;*

*(e) Complete an ethics course within 90 calendar days after the issuance of the license;*

*(f) Submit to the Board 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 upon renewal of his or her license;*

*(g) Attend a probation orientation;*

*(h) Take any other action that the Board deems appropriate; or*

*(i) Take any combination of the actions set forth in paragraphs (a) to (h), inclusive.*

**Sec. 18.** *Each holder of a certificate shall prominently display the certificate issued by the Board to the holder in the massage establishment, reflexology establishment or structural integration establishment named in the certificate at all times.*

**Sec. 19.** *The holder of a certificate shall report to the Board:*

*1. Any arrest or other action taken by a law enforcement agency on the premises of the massage establishment, reflexology establishment or structural integration establishment operated by the holder, within 10 business days after the arrest or other law enforcement action. The report must include, without limitation:*

*(a) The name of the person or persons arrested or otherwise involved in the law enforcement action;*

*(b) The date of the arrest or other law enforcement action;*

*(c) The rationale for the arrest or other law enforcement action; and*

*(d) Any other information required by the Board relating to the arrest or other law enforcement action.*

*2. Any statement made by a client to a massage establishment, reflexology establishment or structural integration establishment operated by the holder that the client was touched inappropriately by a massage therapist, reflexologist or structural integration practitioner.*

*3. The termination by a massage establishment, reflexology establishment or structural integration establishment operated by the holder of the employment of a massage therapist, reflexologist or structural integration practitioner for touching a client inappropriately.*

*4. Any adverse employment action taken by a massage establishment, reflexology establishment or structural integration establishment operated by the holder against a massage therapist, reflexologist or structural integration practitioner for unprofessional conduct.*

**Sec. 20.** NAC 640C.060, as amended by section 13 of LCB File No. R108-17, is hereby amended to read as follows:

640C.060 1. If an applicant for a license to practice massage therapy, reflexology or structural integration who otherwise satisfies the requirements of NRS 640C.400, as amended by section 20 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1456, NRS 640C.420, as amended by section 21 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1458, section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1448 ~~§ 8~~ *(NRS 640C.600), section 8 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1449 (NRS 640C.610), section 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1450 ~~§ 9~~ (NRS 640C.620), or section 10 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1451 (NRS 640C.630),* wishes the Board to recognize a program of massage therapy, reflexology or structural integration other than a program listed in paragraph (a) ~~for (b)~~ of subsection 3 of NRS 640C.400, as amended by section 20 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1456, *paragraph (a) of subsection 3 of section 7 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at*

*page 1448 (NRS 640C.600), or paragraph (a) of subsection 3 of section 9 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1450 (NRS 640C.620), as applicable,* the applicant must submit to the Board a detailed outline of the training of the applicant that includes, without limitation:

- (a) A list of the instructors of the training;
- (b) Any texts used as study guides for the training; and
- (c) Certificates of completion for the training which evidence that the applicant has satisfied the number of training hours required by the Commission on Postsecondary Education for a program of massage therapy, reflexology or structural integration.

2. Where practicable, a request for recognition of a program of massage therapy, reflexology or structural integration made pursuant to this section will be considered by the Board at the next regularly scheduled meeting of the Board immediately following the receipt of the request.

**Sec. 21.** NAC 640C.100, as amended by section 15 of LCB File No. R108-17, is hereby amended to read as follows:

640C.100 1. To maintain his or her licensure, a massage therapist *or structural integration practitioner* must complete, to the satisfaction of the Board, at least 24 hours of *instruction in* continuing education as specified in NAC 640C.110 *or section 13 of this regulation, as applicable,* within the licensing period immediately preceding the request for renewal of his or her license. Except as otherwise provided in subsection 2, proof of the completion of the requirement for continuing education must be submitted with an application for renewal of a license.

2. If a massage therapist *or structural integration practitioner* obtains more than 24 hours of *instruction in* continuing education in a licensing period, the massage therapist *or structural integration practitioner* may request that the Board carry over the excess hours of credit, not to exceed 72 hours ~~of~~ *of instruction*, to apply towards completion of the requirement for continuing education set forth in subsection 1 for succeeding years, up to a maximum of 3 succeeding years.

3. If a massage therapist *or structural integration practitioner* fails to complete the requirements for continuing education set forth in subsection 1 before the date on which his or her license expires, the Board will send a notice to the massage therapist *or structural integration practitioner* indicating that the massage therapist *or structural integration practitioner* is not in compliance with the requirements for continuing education.

**Sec. 22.** NAC 640C.110 is hereby amended to read as follows:

640C.110 1. The Board will approve credit for continuing education *for a license to practice massage therapy* as follows:

(a) One hour of credit will be approved for each ~~60 minutes~~ *hour of instruction* that a massage therapist attends a workshop, course, conference or seminar relating to the practice of massage therapy which is provided by a person or entity that is:

(1) Accredited by the National Commission for Certifying Agencies, or an equivalent accrediting body approved or recognized by the Board;

(2) Approved by the National Certification Board for Therapeutic Massage and Bodywork;

(3) A massage therapy school, bodywork therapy school, public college, postsecondary institution or other entity which offers a program of massage therapy that is recognized by the Board pursuant to NRS 640C.400 and NAC 640C.060; or

(4) A massage therapist with at least 2 years of experience in the practice of massage therapy or a related field who has previously received approval from the Board for the workshop, course, conference or seminar.

(b) The amount of credit for authoring a publication relating to the practice of massage therapy will be determined upon receipt and evaluation by the Board of the information required to be submitted pursuant to NAC 640C.130.

(c) One hour of credit, up to a maximum of 8 hours of credit per year for each activity listed in subparagraphs (1), (2) and (3), will be approved for each hour *of instruction* spent:

(1) Giving a presentation at a workshop, course, conference or seminar relating to the practice of massage therapy.

(2) Preparing a presentation described in subparagraph (1).

(3) Serving as a member of the Board or a member of a committee appointed by the Board or attending a meeting of the Board.

2. A massage therapist may receive credit only once for giving or preparing a presentation described in subparagraph (1) of paragraph (c) of subsection 1.

3. The Board will consider the written request of a massage therapist for approval of credit for any continuing education that is not specified in subsection 1, including credit for any continuing education that is not specifically related to massage therapy, if the request is

submitted to the Board at least 90 days before the date on which the license of the massage therapist expires.

**Sec. 23.** Section 4 of LCB File No. R108-17 is hereby amended to read as follows:

Sec. 4. 1. The Board adopts the following schedule of administrative fines for any administrative citation issued pursuant to NRS 640C.755:

Violation	First Violation	Second Violation	Third or Subsequent Violation
<p>MESSAGE THERAPIST, REFLEXOLOGIST OR STRUCTURAL INTEGRATION PRACTITIONER</p>			
Practicing with an expired license <del>for</del> <del>registration</del> .....	\$200	\$500	\$1,000
Failure to display license <del>for registration at a</del> <del>work station</del> <i>in a conspicuous manner as</i> <i>required by NRS 640C.450</i> .....	200	500	1,000
Using advertisements which contain knowingly false or deceptive statements .....	500	1,500	2,500
Altering a license.....	1,000	3,000	5,000

Violation	First Violation	Second Violation	Third or Subsequent Violation
Advertising without a license number on advertisement.....	\$100	\$250	\$500
Failing to comply with NAC 640C.200 to 640C.310, inclusive .....	200	500	1,000
<i>Failing to notify the Board of a change of his or her address as required by section 15 of LCB File No. R040-18.....</i>	<i>100</i>	<i>200</i>	<i>500</i>
<i>Failing to drape a client as required by section 8 of LCB File No. R040-18.....</i>	<i>200</i>	<i>500</i>	<i>1,000</i>
<i>Performing reflexology on a client in violation of section 9 of LCB File No. R040-18.....</i>	<i>200</i>	<i>500</i>	<i>1,000</i>
Offering to perform sexual activities during the practice of massage therapy, reflexology or structural integration .....	1,000	2,000	5,000

Violation	First Violation	Second Violation	Third or Subsequent Violation
<p>MESSAGE ESTABLISHMENTS,  REFLEXOLOGY ESTABLISHMENTS  OR STRUCTURAL INTEGRATION  ESTABLISHMENTS</p> <p><i>Failing to notify the Board of a change of the name or address of an establishment as required by section 15 of LCB File No.</i></p> <p><b>R040-18</b></p>	<b>100</b>	<b>200</b>	<b>500</b>
Failing to comply with NAC 640C.200 to 640C.310, inclusive .....	200	500	1,000
Operating a massage establishment, a reflexology establishment or a structural integration establishment without <del>the</del> <i>the applicable</i> certificate .....	1,000	2,500	5,000
Failure to display certificate .....	200	500	1,000
Offering to perform sexual activities .....	\$1,000	\$2,000	\$5,000

Violation	First Violation	Second Violation	Third or Subsequent Violation
<b>ANY PERSON</b>			
Practicing massage therapy, reflexology or structural integration without a license or certificate .....	1,000	2,500	5,000
Copying or altering a license or certificate for the purposes of fraud, deception, misrepresentation or other illegal purpose ...	1,000	3,000	5,000
Using a copied or altered license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose ...	1,000	2,000	5,000
Offering to perform massage therapy, reflexology or structural integration without a license .....	1,000	2,000	5,000
Offering to perform sexual activities during the course of practicing massage therapy, reflexology or structural integration.....	1,000	2,000	5,000

	First Violation	Second Violation	Third or Subsequent Violation
Advertising <i>to perform massage therapy, reflexology or structural integration</i> without <del>the applicable</del> license <del>number on the advertisement</del> .....	\$1,000	\$2,500	\$5,000

2. A person who violates a provision of this chapter or chapter 640C of NRS for which this section does not provide a specific fine, including, without limitation, a second or subsequent violation, may be:

- (a) Ordered to appear at a disciplinary hearing before the Board; and
- (b) Punished by the Board as set forth in NRS 640C.700, as amended by section 29 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1462.

**Sec. 24.** Section 5 of LCB File No. R108-17 is hereby amended to read as follows:

Sec. 5. The Board will recognize a program of massage therapy ~~which~~ *pursuant to paragraph (b) of subsection 3 of NRS 640C.400, as amended by section 20 of Assembly Bill No. 179, chapter 275, Statutes of Nevada 2017, at page 1456, if the program* requires its pupils to complete a minimum of 550 hours of instruction in the following courses before receiving a certificate ~~+~~ *evidencing successful completion of the program:*

- 1. ~~One hundred twenty-five~~ *At least 125* hours of instruction in the body’s systems, including, without limitation, anatomy, physiology and kinesiology;

2. ~~{Two hundred twenty}~~ *At least 220* hours of instruction which is taken in a classroom setting with hands-on instruction in assessment, theory and application instruction, which must include ~~{not less than}~~ *at least* 80 hours in clinical instruction;

3. ~~{Forty}~~ *At least 40* hours of instruction in pathology;

4. ~~{Twenty}~~ *At least 40* hours of instruction in business ~~;~~

~~—5.— Twenty hours of instruction in} or ethics {;} or a combined total of at least 40 hours of instruction in business and ethics; and~~

~~{6.— One hundred twenty five}~~

5. *At least 125* hours of instruction in other courses of massage therapy in a classroom setting with hands-on instruction.

**Sec. 25.** Section 6 of LCB File No. R108-17 is hereby amended to read as follows:

Sec. 6. The Board will charge and collect the following *nonrefundable* fees:

1. For an application for a license as a massage therapist, a reflexologist or a structural integration practitioner.....\$100
2. For issuing a license as a massage therapist, a reflexologist or a structural integration practitioner.....\$295
3. For issuing a temporary license.....\$250
4. For conducting a background check.....\$85
5. For renewing a license as a massage therapist, a reflexologist or a structural integration practitioner.....\$295

- 6. For restoring an expired license ..... \$25 per each  
expired month, not  
to exceed \$500
- 7. For reinstatement of a suspended or revoked license ..... \$500
- 8. For issuing a replacement license ..... \$50
- 9. For restoring an inactive license ..... \$295
- 10. For issuing a certificate for a massage establishment or a  
structural integration establishment:
  - (a) For an establishment with a single room for massage *therapy*  
or structural integration ..... no fee
  - (b) For an establishment with at least 2 but not more than 7  
rooms for massage *therapy* or structural integration ..... \$15
  - (c) For an establishment with at least 8 but not more than 20  
rooms for massage *therapy* or structural integration ..... \$25
  - (d) For an establishment with at least 21 but not more than 40  
rooms for massage *therapy* or structural integration ..... \$35
  - (e) For an establishment with more than 40 rooms for massage  
*therapy* or structural integration ..... \$50
- 11. For the renewal of a certificate for a massage establishment  
or a structural integration establishment:

- (a) For an establishment with a single room for massage *therapy* or structural integration ..... no fee
- (b) For an establishment with at least 2 but not more than 7 rooms for massage *therapy* or structural integration ..... \$15
- (c) For an establishment with at least 8 but not more than 20 rooms for massage *therapy* or structural integration ..... \$25
- (d) For an establishment with at least 21 but not more than 40 rooms for massage *therapy* or structural integration ..... \$35
- (e) For an establishment with more than 40 rooms for massage *therapy* or structural integration..... \$50

**12. For issuing a certificate for a massage establishment that does not have rooms for massage therapy:**

- (a) For an establishment with not more than 10 chairs or tables for massage therapy..... \$20
- (b) For an establishment with more than 10 chairs or tables for massage therapy..... \$40

**13. For the renewal of a certificate for a massage establishment that does not have rooms for massage therapy:**

- (a) For an establishment with not more than 10 chairs or tables for massage therapy..... \$20

*(b) For an establishment with more than 10 chairs or tables for massage therapy..... \$40*

*14. For issuing a certificate for a reflexology establishment:*

*(a) For an establishment with not more than 10 chairs or tables for reflexology..... \$20*

*(b) For an establishment with more than 10 chairs or tables for reflexology..... \$40*

*15. For renewal of a certificate for a reflexology establishment:*

*(a) For an establishment with not more than 10 chairs or tables for reflexology..... \$20*

*(b) For an establishment with more than 10 chairs or tables for reflexology..... \$40*

**Sec. 26.** Section 7 of LCB File No. R108-17 is hereby amended to read as follows:

Sec. 7. 1. A *person shall not operate a* massage establishment ~~and~~, *a reflexology establishment or* a structural integration establishment ~~must be certified~~ *unless the person holds a valid certificate to operate a massage establishment, a reflexology establishment or a structural integration establishment, as applicable, which has been issued* by the Board.

2. ~~A massage establishment, or a structural integration establishment~~ *To obtain a certificate, an applicant for a certificate* must submit ~~an~~ *a completed* application for ~~a~~ *the applicable* certificate on a form prescribed by the Board and ~~include~~ the fee set forth in section 6 of ~~this regulation.~~ *LCB File No. R108-17, as amended by section 25 of LCB*

*File No. R040-18. The Board will issue a certificate to an applicant who complies with the requirements of this chapter and chapter 640C of NRS.*

*3. A certificate is valid for 1 year after the first day of the first calendar month immediately following the date of issuance or renewal and may be renewed if, before the certificate expires, the holder of the certificate submits to the Board a completed application for renewal on a form prescribed by the Board and the fee set forth in section 6 of LCB File No. R108-17, as amended by section 25 of LCB File No. 040-18.*