



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 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.

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, the profession of massage therapy, reflexology, and structural integration, and the Public in Nevada. Disciplinary hearings are not a part of this report, however, parts of public comments are.

>> begin report

NOTE: As a Workshop, Public Comments are reported for context and discussion purposes only.

Locations of Meeting: see attached NSBMT Agenda

Date of NSBMT Meeting: **7/3/2019**

Meeting Start Time: **9:03am**

Item #1: Called to order, all Board Members accounted for.

Item #2: Sally Hacking, Read by Sandy Anderson; David Otto, Read by Sandy Anderson

Item #3: Prov. 1: Adding requirements to licensure; including "practitioner" in wording clarification to structural integration.

Prov. 2: Substantial Equivalent: **Public comment** by David, Read by Sandy Anderson; 1000 hours mark, Board would accept as "Substantial Equivalent"; Apprentice piece: 1000 hours of any program deemed certification opposed to a 600 hour apprenticeship.
Public Comment by Laura Embleton, "1,150 Structural Integrationist in Nevada" Adding X amount of time to add to certification: ie: 500 hours experience = 50 credits, etc.

Public Comment by Teresa Vanhorn: 1-2 per month for portfolio reviews; 640c421; still need National Certification & background check

Public Comment by Laura Hilton; Portability as bigger issue, other states looking into subject

640c.400/420: Approving school with less education; 300 hours school with 10 years experience?...need NRS

Prov. 3: Comes from Florida

Public Comment by David Otto, read by Sandy Anderson

Jurisprudence exam = ce credit; does not exist yet, but build ethics limit to taking the test? Possible 1x every other year. Board has authority to take tests, not offer classes. Require every 2 years? New applicants?



2/24 hours on human trafficking

Public Comment by Bianca Smith - “Jurisprudence: Encourage to practice laws & ethics, add links to references for Jurisprudence exams and ethics, Human trafficking test may introduce human trafficking to the industry.”

Requirement in person may be impossible to rural areas, consider online as well; **Teresa Lopez** suggested to omit “in person”; Nevada is 1 of 5 States for human trafficking

Public Comment by Ryan Black, Senior License Officer/City - to increase awareness and support, “see something, say something” training from Metro, funded by local organizations.

Compliance Coordinator at Wynn - “Stay safe program” - 45-minute training/awareness, contact Metro to come up with a program for massage industry.

Summary: 1st renewal period after licensure, 2 of the 24 hours on human trafficking, all other Licensing 2 hours and pick any ethics subject, all licenses require 2 hours Jurisprudence

- Prov. 4: Defining clinical instruction - Instructor has to be present; to include student to student; Massage Therapist to massage therapist; intake form, evaluate, protocol, perform massage, then receiver produces feedback in return (soap notes). For general public to include Board Members, Licensed Massage Therapist & include feedback
- Prov. 5: Provisions on Jurisprudence Exam (NV State Law): \$295 to \$275 to promote online renewal, License fee is not negotiable. The Board rejected a \$275 Fee option - Renewal Fee will remain \$295.
- Prov. 6: \$50-\$70 exam fee at source/provider location; FSTMB may create exam but NSBMT can create exam faster. 4-5 people who do paper renewal as in mid licensure, (at height of licensure, 100-150 people/300-600 per month); new bill includes online and paper application; \$275 online, \$295 paper (-\$20 discount = \$100k not coming into the Board); new applicants on web \$480 & Paper \$510,
Summary \$295 online & \$325 paper renewal
Public Comment by Meaghan Maillet comment of theory of why Jurisprudence has to be in person
- Prov. 7: When sexual assault happens, to add name of client, for repeat offenders; Regulation of establishment only but willing to open and include outcall; Client policy to take action of signing to protect client
Public Comment by Marissa Hawking, Massage Envy owner, 15 years: name(s) protected, but take precautionary action; hired third party source to gather info of client/therapist, third party source is a



paid service. Maybe adding verbiage or a sign for establishments about client policy and reporting behavior.

- Prov. 8: **Public Comment** by David Otto, read by Sandy Anderson, Info clarification on #6; maintain in compliance; clarification on “minor traffic offense.” First DUI is a misdemeanor, which the State Board still needs to know.
- Prov. 9: Protection to minors in treatment rooms.
Public Comment by David Otto, read by Sandy Anderson; creating a form from the State Board as a waiver from legal guardian - Board says it is doable. Board Inspectors are able to view files under HIPAA laws - only under a complaint from a client or minor child.
Public Comment by Meaghan Maillet, “Is it up to the Board to parent?”
- Prov. 10: Surveillance in establishments - Privacy Issue, mostly used for safety
Public Comment by David Otto, read by Sandy Anderson
- Prov. 11: Porous fabrics must be disinfected barrier
Public Comment by David Otto, read by Sandy Anderson: clarifying barrier, changeable sheet per client
- Prov. 12: Inactive license to become active license to meet CE ongoingly; moving forward with David’s suggestion; Inactive for just 2 years, just 24 hours CE, then new application process after the 2 years.
- Prov. 13: Alias, preferred names, etc. Adding alias names
- Prov. 14: No changes
- Prov. 15: Disruption from meetings may be escorted out.
- Prov. 16: To consider notices from other organizations, other organizations notices from other states/orgs? Change to all states. In for considerations
- Prov. 17-20: Processes
- Prov. 21: Required to challenge on a regulation. Board to notify in 30 days and have a process for additions/deletion. In administrative process: 30 days from the Board to answer, if proceeding, the Board may start the process (deny in writing with an explanation).
- Prov. 22: Prehearing motions; motion for continuance, extensions 10 days prior to hearing



- Prov. 23: Board to consider motions up to 25 days to decide, 7 days from the State
640c200 not all establishments with dry saunas require showers
NAC640c230: "Domestic purposes" open definition from City Representative.
Public Comment by Laura Embleton - Clarification on domestic purposes would apply to non establishments, ie: outcall massages
Public Comment by Ryan Black - Massage room in the therapists home, city is not legal to generate any business out of the home.
NAC640c250 To define opaque clothing
Public Comment by David Otto, read by Sandy Anderson - omission "at poolside at a resort"
Advertisement: uniform requirements for specific massage portraying a massage therapist; citation for advertising.
NAC640c260: Water supply and distribution: 98 degrees for health and human services, but no more than 120 degrees Fahrenheit.
Cosmetology Board requires 100 feet from services to the nearest bathroom.
NAC640c270: Adding table shower/Vichy to bathing facility; "without limitation"
NAC640c310: Neat & orderly? Definition, affecting #2, 4 for August

Item #4: Not available.

Item #5: Ryan Black: Collaboration with Provision #16 with local authorities, citations & criminal activities
Laura Embleton: Agrees with Ryan

Respectfully submitted,
Mavies Gascon, Member - Government Relations Committee

>>end report

Nevada State Board of Massage Therapy

AMENDED NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS AND AGENDA

Notice of a Public Workshop and Request for Comments for possible changes to Nevada Administrative Code, Chapter 640C related to the practice of massage therapy, reflexology, and structural integration; and/or amendments pertaining to revisions to NAC 640C.

The Nevada State Board of Massage Therapy will hold a **workshop and request for comments** on **July 3, 2019, at 9:00 a.m.** The workshop will be held at the following locations:

Nevada Legislative Building – Carson City

401 South Carson Street, Suite 2134
Carson City, NV 89701

Videoconference To:

Grant Sawyer Building – Las Vegas

555 East Washington Avenue, Suite 4412
Las Vegas, NV 89101

The purpose of the workshop is to receive comments from all interested persons and to consider the review of the Nevada Administrative Code, Chapter 640C. Persons wishing to comment and participate in the workshop of the Nevada State Board of Massage Therapy may appear at the scheduled workshop or may address their comments, data, views, or arguments, in written form to: The Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502 Attn: Sandy Anderson, or via email at sjanderson@lmt.nv.gov. In order for written submissions to be made available to members and the public, the written submissions must be received before Thursday, June 27, 2019.

A copy of this Notice will be on file at the State Library, 100 N. Stewart Street, Carson City, Nevada. Additional copies of the notice will be available at the offices of the Board, Nevada State Board of Massage Therapy, 1755 East Plumb Lane, Suite 252, Reno, Nevada 89502, Nevada State Board of Massage Therapy, 1621 East Flamingo Road, Suite 16A, Las Vegas, Nevada 89121, on Board's website massagetherapy.nv.gov, at notices.nv.gov, and on the State Legislatures website at <https://www.leg.state.nv.us/App/Notice/A/>.

AGENDA

1. Call to order and roll call of Board Members
2. Public comment
3. Workshop discussion to review, update, and make changes to NAC 640C as needed including licensing, continuing education, massage establishments, standards of practice, and unprofessional conduct. (For Discussion and Possible Action)

4. Strategic Plan and SWOT results including guidance from the Board to staff regarding primary focus and three (3) to five (5) action items for completion during Fiscal Year 2020. (For Discussion and Possible Action)
5. Public Comment
6. Adjournment by 4:30 p.m.

Notice:

Items may be combined for consideration by the board. Items may be pulled or removed from the agenda at any time. Public comment will be taken at the beginning and at the end of the meeting. Regarding public comment no vote may be taken upon a matter raised under this agenda item until the matter itself has been specifically included on a future agenda as an item upon which action may be taken. (NRS 241.020). The Chair may allow comment on individual agenda items at her discretion. Please limit public comments to 3 minutes.

The Nevada State Board of Massage Therapy may address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting. Interested persons may present oral and/or written comments at the time and place of the meeting, or written comments may be sent no later than **Thursday, June 27, 2019** to the following address: **Nevada State Board of Massage Therapy, 1755 E. Plumb Lane, Suite 252, Reno, NV 89502. To request supporting materials, please contact: Sandy Anderson, Executive Director at 775.687.9951 or via email: sjanderson@lmt.nv.gov supporting materials are also available at the Board's office and on the Board's website http://massagetherapy.nv.gov/About/Board_Meetings/Meetings/**

Persons/facilities who want to be on the mailing list must submit a written request every six months to the Board. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Sandy Anderson at 775.687.9951 or sjanderson@lmt.nv.gov no later than 48 hours prior to the meeting.

This notice has been posted at the following locations:

http://massagetherapy.nv.gov/About/Board_Meetings/Meetings/

<https://notice.nv.gov>

<https://www.leg.state.nv.us/App/Notice/A/>

Nevada Attorney General – Carson City Office, 100 N. Carson St. Carson City, NV 89701

Nevada Attorney General – Las Vegas Office, 555 E. Washington Ave., Las Vegas, NV 89101

Nevada Legislature Building, 401 S. Carson Street, Carson City, NV 89701

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

Nevada State Board of Massage Therapy, 1621 E. Flamingo Road, Suite 16A, Las Vegas NV 89121

Nevada State Library and Archives, 100 N. Stewart St., Carson City, NV 89701

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Licensing

New Provision 1: Adds to LCB File No. R040-18 Sec. 26 (NRS 640C.320; NRS 640C.330)

- 1. To receive and maintain certification by the Board, massage establishments, reflexology establishments and structural integration establishments:*
 - a. Must comply with all requirements in NAC 640C.200 to 640C.310, inclusive, and those requirements in LCB File No. R040-18 section 15 through 19.*
 - b. May not be convicted for a violation of NRS Chapter 201 as amended by AB166 from the 80th Legislative Session.*
 - c. The owner of the establishment may not be arrested or indicted for acts of prostitution, acts of pandering, labor trafficking, or sex trafficking.*
 - d. The owner of the establishment may not be arrested, indicted, or convicted for acts of drug distribution or any illegal activity occurring in the establishment.*
- 2. After notice and hearing, failure to comply with the requirements in subsection 1 may result in disciplinary action against the certificate pursuant to NRS 640C.700, NRS 640C.710, and NRS 640C.712.*
- 3. All massage establishments, reflexology establishments and structural integration establishments must maintain a current certificate issued by the Board pursuant to NRS 640C.330.*

New Provision 2: (NRS 640C.320; NRS 640C.420)

For applications submitted pursuant to NRS 640C.420, the Board deems jurisdictions requiring the following as “substantially equivalent”:

- 1. For massage therapist, the jurisdiction must require a minimum of 550 hours of training in a massage therapy program.*
- 2. For reflexologist, the jurisdiction must require a minimum of 200 hours of training in a reflexology program.*
- 3. For structural integration, the jurisdiction must require a minimum of 730 hours of training in a structural integration program.*

For applicants who were issued licenses under grandfather clauses, an applicant must have five years’ of verifiable experience practicing massage therapy, reflexology, or structural integration, as applicable.

For massage therapist applicants applying based on apprenticeships, the applicant must have 1000 hours of verifiable training prior to licensure in

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that jurisdiction and five years' of verifiable experience practicing massage therapy.

For reflexologist applicants applying based on apprenticeships, the applicant must have 400 hours of verifiable training prior to licensure in that jurisdiction and five years' of verifiable experience practicing reflexology.

The Executive Director or his or her designee shall maintain a list of jurisdictions with substantially equivalent licensing requirements.

New Provision 3: Adds to NAC 640C.100 as amended by LCB File No. R040-18 Sec. 21 (NRS 640C.320)

(a) At least 2 of the 24 hours must be in-person on the subject of human trafficking.

(b) At least 2 of the 24 hours must be on the subject of ethics.

(c) All current licensees are eligible to complete the Board's jurisprudence examination and will to receive 2 continuing education hours for successful completion of the examination.

New Provision 4: (NRS 640C.320; NRS 640C.420)

"Clinical instruction" is defined as practicing massage therapy, reflexology, or structural integration on members of the public in a clinical setting.

New Provision 5: (NRS 640C.320) **Add to NAC 640C.050**

Effective July 1, 2020, all applicants for a license to practice massage therapy, reflexology or structural integration must pass a jurisprudence examination on Nevada law administered by the Board.

New Provision 6: **Adds to LCB File No. R108-17 Sec. 6 and R040-18 Sec. 25** (NRS 640C.320; NRS 640C.520)

For the jurisprudence examination...\$50.

For renewing a license as a massage therapist, a reflexologist or a structural integration practitioner using the Internet website of the Board...\$275.

Continued Compliance with License Requirements

New Provision 7: Adds to LCB File No. R040-18 Subsection 2 of Sec. 19 (NRS 640C.320; NRS 640C.330)

Any statement made by a client to a massage establishment, reflexology establishment or structural integration establishment operated by the holder that

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the client was touched inappropriately by a massage therapist, reflexologist or structural integration practitioner. *The report must include the name of the client.*

New Provision 8: Adds to LCB File No. R040-18 Sec. 16 (NRS 640C.300; NRS 640C.320; NRS 640C.750)

A licensee or a holder of a certificate shall ~~notify~~ *report to* 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 *or arrest* 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 *minor* 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.
6. *The issuance of any extended order of protection for domestic violence, stalking, or harassment entered against the licensee initiated in this State or any other state or territory or by the Federal Government, or a branch of the Armed Forces of the United States or any local or federal jurisdiction of a foreign country.*

All licensees must remain in compliance with the licensing requirements for the duration of their licensing period.

1. *To ensure compliance with these requirements, the Board may conduct annual inspections or other inspections as needed of the massage establishment in which they practice.*

The Executive Director or his or her designee will review all reports made pursuant to this section and initiate an investigation as he or she deems necessary. The licensee may be asked for additional information about an event, and making a report as required by this section does not automatically mean the Board will take disciplinary action against the licensee. Failure to report a qualifying event as required by this provision or failure to participate in the Board's investigation of a report made pursuant to this section is grounds for disciplinary action.

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Standards of Practice

New Provision 9: (NRS 640C.320)

A parent or guardian has the right to be present with his or her minor child in a room in which his or her minor child is receiving massage therapy, reflexology, or structural integration treatment. If the parent or guardian of a minor child, waives his or her right to be present, the massage therapist, reflexologist, or structural integration practitioner shall ensure that a written, signed waiver is obtained from the parent or guardian prior to providing treatment to the minor child. The massage therapy establishment, reflexology establishment, or structural integration establishment shall ensure that all massage therapists, reflexologists, or structural integration practitioners in the establishment obtain this waiver and ensure that the written, signed waiver be maintained in the client's file for a minimum of two years.

New Provision 10: (NRS 640C.320)

Amend NAC 640C.230 Requirements for room in which massage therapy is practiced. (NRS 640C.320)

1. A room in which massage therapy is practiced must:
 - (a) Be designed to provide privacy for the client;
 - (b) Have the capability of maintaining the air temperature in the room at 75 degrees Fahrenheit at a point 24 inches above the floor;
 - (c) Have sufficient ventilation and circulation to prevent objectionable odors; and
 - (d) Have lighting fixtures which are capable of providing a minimum of 5 foot-candles of light at the floor level. Such lighting fixtures must be used when any cleaning operations are conducted in the room.
2. A room in which massage therapy is practiced must not be used simultaneously for massage therapy and any domestic purposes.
3. *A room in which massage therapy is practiced must not contain surveillance equipment. If a computer is present in the massage therapy treatment room, any camera in the computer must be covered whenever a client is present.*
4. *A room in which massage therapy is practiced must not be video- or audio-recorded.*
5. *A client may sign a written waiver allowing photographs of him or her to be taken during the massage therapy treatment. In such situations, the massage therapist shall ensure that a written, signed waiver is obtained from the client prior to taking the photographs. The massage therapy establishment shall ensure that all massage therapists obtain this waiver and ensure that the written, signed waiver be maintained in the client's file for a minimum of two years.*

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New Provision 11: Adds to NAC 640C.200 as amended by LCB File No. R108-17 Sec. 18(2)(b) (NRS 640C.320)

Where disinfection and sanitization are impracticable, a barrier must be placed between the client and the surface.

New Provision 12:

When a licensee requests that his or inactive license be renewed pursuant to NRS 640C.510, the licensee must submit proof of completion of continuing education requirements for an active licensee as proof that the licensee is qualified and competent to practice.

New Provision 13:

All massage therapy establishments, reflexology establishments, and structural integration establishments must maintain a list of all licensees practicing at the establishment and any aliases used by those licensees. The establishment must provide information from this list to the Executive Director or his or her designee upon request. This list must also be made available to a Board inspector during an inspection of the establishment. Any licensees practicing outcall massage must provide their aliases to the Board prior to use on the form provided by the Board.

New Provision 14:

1. Except as otherwise provided in subsection 3 and NRS 640C.757, every notice, decision, advisory opinion, declaratory order or other document to be served by the Board will be served by mail or delivery in person at the last known address of the person on record with the Board. Service thereof by mail shall be deemed complete when a true copy of the document, properly addressed and stamped, is deposited in the United States mail.

2. Every document required to be served by a party must be served by mail or delivery in person. Service thereof by mail shall be deemed complete when a true copy of the document, properly addressed and stamped, is deposited in the United States mail.

3. Following the entry of an appearance by an attorney for a party, all notices, pleadings and orders to be served thereafter upon the party must be served upon his or her attorney and such service is, for all purposes, valid service upon the party represented.

New Provision 15:

All parties to hearings or other Board proceedings, their counsel and spectators shall conduct themselves in a respectful manner.

New Provision 16:

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In addition to the facts mentioned in subsection 5 of NRS 233B.123, the Board may take official notice of regulations, official reports, decisions, orders, standards or records of the Board, of any other regulatory agency of the State of Nevada or of any court of record.

New Provision 17: (NRS 233B.120)

1. The Board will consider petitions for declaratory orders or advisory opinions as to the applicability of any statutory provision or any regulation or decision of the Board.

2. A petition for a declaratory order or an advisory opinion must be in writing on a form prescribed by the Board.

New Provision 18: (NRS 233B.120)

1. Except as otherwise provided in subsection 2, upon receiving a petition for a declaratory order or an advisory opinion, the Board will place the matter on the agenda for discussion at the next regularly scheduled meeting of the Board.

2. If the petition is received within 30 days before the next regularly scheduled meeting, the petition may be placed on the agenda for discussion at the next meeting after that meeting.

3. At a meeting at which a petition has been placed on the agenda for discussion, the Board will consider any information relevant to the petition, including, without limitation:

(a) Oral or written testimony; and

(b) Any other evidence.

4. After consideration of the information relevant to the petition, the Board will grant or deny the petition.

5. If the Board denies the petition, no further action will be taken.

New Provision 19: (NRS 233B.120)

1. If the Board grants a petition pursuant to subsection 4 of New Provision 18, the Board will issue a declaratory order or advisory opinion. The President or other presiding officer shall assign one member of the Board to write the declaratory order or advisory opinion. The member so assigned has 30 days within which to submit to the Board the final draft, after reviewing comments by all members of the Board on the issue, researching the issue and seeking the assistance of the Attorney General, if necessary. Upon completing his or her draft of the declaratory order or advisory opinion, the assigned member shall submit it to the Board for final approval at the next regularly scheduled meeting of the Board. The declaratory order or advisory opinion must be approved by a majority of the members of the Board who are present at the meeting.

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2. After the Board renders its declaratory order or advisory opinion, the Board will give notice of it to the petitioner.

New Provision 20:

A petitioner shall comply with the provisions of a declaratory order or advisory opinion issued by the Board.

New Provision 21: (NRS 233B.100)

1. Pursuant to NRS 233B.100, any interested person may petition the Board for the adoption, filing, amendment or repeal of any regulation.

2. A petition for the adoption, filing, amendment or repeal of a regulation must be in writing on a form prescribed by the Board and must include:

(a) The name and address of the petitioner;

(b) The reason for petitioning for the adoption, filing, amendment or repeal of the regulation;

(c) The proposed language of the regulation to be adopted, filed, amended or repealed;

(d) The statutory authority for the adoption, filing, amendment or repeal of the regulation; and

(e) Any relevant data, views and arguments that support the petition for the adoption, filing, amendment or repeal of the regulation.

3. The Board may refuse to act upon a petition for the adoption, filing, amendment or repeal of a regulation if the petition does not include the information required by subsection 2.

4. The Board will notify the petitioner in writing of the Board's decision regarding the petition within 30 days after the date on which the petitioner filed the petition. If the Board approves the petition for the adoption, filing, amendment or repeal of a regulation, the Board will initiate regulation-making proceedings concerning that regulation within 30 days after the date on which the petitioner filed the petition.

New Provision 22:

Pursuant to NRS 622A.360(4), the Board authorizes its Chair to decide prehearing motions listed in NRS 622A.360(2). If the Chair is unavailable, this authority is delegated to the Board's Vice Chair. If the Chair, or Vice Chair, as applicable, believes that the motion should be decided by the full Board, the Chair, or Vice Chair, may decline to exercise this authority and a Board meeting shall be scheduled to decide the motion at issue within the required timeframe.

New Provision 23:

Pursuant to NRS 622A.390(4), the Board authorizes its Chair to decide post hearing motions listed in NRS 622A.360(1). If the Chair is unavailable, this

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authority is delegated to the Board's Vice Chair. If the Chair, or Vice Chair, as applicable, believes that the motion should be decided by the full Board, the Chair, or Vice Chair, may decline to exercise this authority and a Board meeting shall be scheduled to decide the motion at issue within the required timeframe.

NAC 640C.200 Required facilities; sanitary and safety requirements. (NRS 640C.320)

1. A massage establishment that provides vapor baths, steam baths or portable saunas must be equipped with adequate shower facilities. *A massage establishment that provides dry saunas is not required to have shower facilities.*

2. A massage therapist shall ensure that:

(a) All portable saunas, showers, tubs, basins, massage or steam tables, combs, brushes, shower caps and any other equipment used in the massage establishment is cleaned and rendered free from harmful organisms by the application of a bactericidal agent;

(b) Any equipment that comes in contact with a client of the massage therapist is cleaned with soap or detergent and hot water and is sanitized before the equipment is used on another client;

(c) All equipment, furniture and fixtures, including, without limitation, tables used for massage, are clean and well maintained;

(d) All electrical equipment used for the care of a client is clean and well maintained and is listed to applicable standards and requirements by Underwriters Laboratories Inc., or approved by another nationally recognized testing laboratory; and

(e) All hydrotherapy equipment is cleaned after each use, is well maintained and is only used in the manner prescribed by the manufacturer of the equipment.

NAC 640C.230 Requirements for room in which massage therapy is practiced. (NRS 640C.320)

1. A room in which massage therapy is practiced must:

(a) Be designed to provide privacy for the client;

(b) Have the capability of maintaining the air temperature in the room at 75 degrees Fahrenheit at a point 24 inches above the floor;

(c) Have sufficient ventilation and circulation to prevent objectionable odors; and

(d) Have lighting fixtures which are capable of providing a minimum of 5 foot-candles of light at the floor level. Such lighting fixtures must be used when any cleaning operations are conducted in the room.

2. ~~A room in which massage therapy is practiced~~ *A massage therapy establishment, reflexology establishment, and structural integration establishment must may* not be used simultaneously for massage therapy, *reflexology, or structural integration* and any domestic purposes.

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NAC 640C.250

1. A massage therapist, reflexologist or structural integration practitioner shall:
 - (a) Wear clean opaque clothing and practice strict standards of personal hygiene while practicing massage therapy, reflexology or structural integration;
 - (b) Thoroughly wash his or her hands with soap and water or an alcohol liquid:
 - (1) Before and after providing massage therapy, reflexology or structural integration to each client;
 - (2) After using the restroom; and
 - (3) Sanitize his or her hands in the room or area, as applicable, in which massage therapy, reflexology or structural integration is practiced before and after each client.
2. A massage establishment, reflexology establishment or structural integration establishment which provides its massage therapists, reflexologists or structural integration practitioners with a uniform, must provide a clean opaque uniform.
3. *For purposes of this section, clean opaque clothing does not include, without limitation, wearing a sports bra, bra, underwear, negligee, swimsuit, swim trunks, or bikini, without an opaque shirt and bottom garment covering those items. The Board may grant exceptions to this regulation upon a showing that the massage therapist, reflexologist, or structural integration practitioner will be poolside at a resort.*

NAC 640C.260 Water supply and water distribution system piping. (NRS 640C.320)

1. A massage establishment must have an adequate supply of hot and cold running water that is safe and sanitary. *Hot water must be at least 98 degrees.*
2. The interior piping in a water distribution system in a massage establishment must be installed and maintained in compliance with any applicable local building codes or ordinances prescribing standards for plumbing.

NAC 640C.270 Bathing facilities. (NRS 640C.320)

1. If a bathing facility other than a shower is used in a massage establishment, the bathing facility must:
 - (a) Have floors that are slip-resistant, easily cleaned and coved to a height of 4 inches;
 - (b) If an artificial surface made from resilient materials is used for the floor, be vacuumed with a wet vacuum frequently, to keep the floor clean and free from accumulated moisture;
 - (c) Have interior walls and ceiling finishes which are easily cleaned and are impervious to water; and
 - (d) If there is more than one bathing facility, be separated by a nonporous, nonabsorbent floor.

NAC Chapter 640C Draft Regulations

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2. A massage therapist shall ensure that:
 - (a) An effective watertight joint between the wall and the floor is maintained in a bathing facility that is used in a massage establishment; and
 - (b) Any rubber or impervious mats that are used in the bathing facility are cleaned, sanitized and dried between uses.
3. If a shower is provided in a massage establishment, the shower must:
 - (a) Have compartments which are impervious to water to a height of 6 feet above the floor;
 - (b) Have a floor that is furnished with a nonslip impervious surface; and
 - (c) Have tempered glass or acrylic glass doors if the doors are made of glass or a substitute for glass.
4. A massage therapist shall ensure that all bathing facilities provided for use in a massage establishment satisfy the requirements of [chapters 444](#) of NRS and NAC.
5. As used in this section:
 - (a) “Bathing facility” includes, without limitation, a spa, *table shower*, shower, *vichy shower, balneotherapy tub*, bathtub, sauna and steam bath.
 - (b) “Spa” means a pool primarily designed for therapeutic use which is not drained, cleaned or refilled for each user. The term includes units which employ hydrojet circulation, hot water, cold water, mineral water or air induction bubbles, or any combination thereof.

Neat and Orderly? Define? (see NAC 640C.310)