

(S. B. 1322)

**(No. 267)**

(Approved December 14, 2006)

### **AN ACT**

To amend Sections 15 and 16 of Act No. 254 of September 3, 2003, as amended, known as the “Act to Regulate the Practice of Massage Therapy in Puerto Rico,” in order to clarify matters related to the Grandfather Clause and the temporary license.

### **STATEMENT OF MOTIVES**

The increasing supply of massage services in Puerto Rico has made necessary the approval of the “Act to Regulate the Practice of Massage Therapy in Puerto Rico.” The objective of this measure is to regulate this profession so that only those persons who are duly trained may be authorized to practice the same. On this occasion, amendments to Act No. 254 of September 3, 2003, are introduced to clarify its scope and to specify the requirements relative to the studies pursued by those who are interested in practicing this profession. In this manner, certain complementary aspects are provided to the “Act to Regulate the Practice of Massage Therapy in Puerto Rico” for its effective execution.

The amendments made to Act No. 254 of September 3, 2003, through Act No. 552 of October 13, 2004, caused contradictions in the Act that need to be corrected. Furthermore, owing to the fact that the Board that was created through this Act has not begun the work that was entrusted to the

same, it is necessary to correct the language relative to the effectiveness of the Grandfather Clause of said Act.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1.- Section 15 of Act No. 254 of September 3, 2003, as amended, is hereby amended to read as follows:

“Section 15.- The Grandfather Clause term shall take effect from the date of the approval of the General Regulations of the Puerto Rico Board of Examiners of Massage Therapists until one (1) year after said date when it shall automatically expire. Any person who applies for a Massage Therapist license shall receive it once the Board approves the application, if the following requirements are met:

- (a) ...
- (b) ...
- (c) Have concluded, approved and graduated from a Massage Therapist course with at least five hundred (500) hours of instruction, offered by any educational institution authorized or accredited by the official bodies of the Commonwealth of Puerto Rico. The applicant must have completed his/her studies on or before the date in which the Grandfather Clause effectiveness term expires and shall submit the original Diploma or evidence of graduation.
- (d) Every Massage Therapist who has been practicing massaging for five (5) consecutive years prior to the approval of this amendment, and has taken and approved the examination administered by the National Certification Board for Therapeutic Massage and Body Work and/or who takes and approves said examination while this Clause is still in effect.

- (e) As provided by Act No. 254 of September 3, 2003, every Therapist who, before this amendment, has been practicing massaging for ten (10) or more consecutive years, and who has been taking massage courses and/or has taken the examination administered by the National Certification Board for Therapeutic Massage and Body Work, or shall take said examination while this Clause stills in effect, shall be exempted from taking the Revalidation Examination to be offered by the Puerto Rico Board of Examiners of Massage Therapists.
- (f) ...
- (g) ...
- (h) ...
- (i) ...
- (j) Show evidence of being domiciled in Puerto Rico for a term of at least six (6) months before submitting his/her application.”

Section 2.- Section 16 of Act No. 254 of September 3, 2003, as amended, is hereby amended to read as follows:

“Section 16.- Temporary License

Any person who does not meet the education requirements provided by the Board, but who meets all other requirements, may obtain a non-renewable temporary two (2) year license that allows him/her to continue practicing the Massage Therapist profession during this period of time, while he/she completes studies of not less than one thousand (1,000) contact hours, in a massage school duly accredited by the General Education Council. This shall apply to every therapist graduated from a Massage Therapy School who is in the professional practice, or who was enrolled in a course of four

hundred ninety nine (499) hours or less during the effective term of the Grandfather Clause of this Act.

Section 3.- The Board shall have ninety (90) days as of the approval of this Act to approve the General Regulations and the Code of Ethics.

Section 4.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 267 (S.B. 1322) of the 4<sup>th</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend Sections 15 and 16 of Act No. 254 of September 3, 2003, as amended, known as the “Act to Regulate the Practice of Massage Therapy in Puerto Rico,” in order to clarify matters related to the Grandfather Clause and the temporary license,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 13<sup>th</sup> of July of 2007.

Francisco J. Domenech  
Director