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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Memorandum

VIA E-MAIL

DATE: January 22, 2021

TO: Representative Luke Meerman, Chairperson, JCAR
Senator Jon Bumstead, Alternate Chairperson, JCAR
Evan Keimach, Senate Majority Policy Office
Jimmy Biehl, House Republican Policy Office
Tim Reeves, Counsel, JCAR
Elizabeth Edberg, Counsel, JCAR

FROM: Marlon I. Brown, Director of Policy and Legislative Affairs *MB*

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2020-05 LR (Massage Therapy – General Rules)

Rules Primer

The Massage Therapy General Rules provide for the licensure, licensure by endorsement, and relicensure of massage therapists. The rules outline the requirements for accumulating continuing education credits for license renewal and identify approved continuing education providers and activities. As required by MCL 333.17963, the rules also contain a code of professional ethics.

Summary of the Final Proposed Rule

The proposed rules add a telehealth provision, as required by MCL 333.16287. The proposed rules also clarify the requirements for the supervised curriculum and supervised student clinic to assist an applicant and a massage therapy school in determining each student's curriculum and clinical requirements based on the student's date of enrollment. The provisions pertaining to the requirements for licensure by endorsement and ethics standards are revised. Finally, the provision regarding medical records is rescinded as the licensee's duties related to medical records are provided by statute, MCL 333.16213.

Stakeholder Engagement

When drafting these rules, the Michigan Massage Therapy Board's rules subcommittee met in open workgroup meetings on April 6, 2020, June 2, 2020, and July 7, 2020. Public notice of the workgroup meetings was provided, and all meetings were attended by members of the public, representatives of the American Massage Therapy Association of Michigan, or both. Suggestions and comments were offered by the public and association attendees. The subcommittee members asked questions regarding the proffered comments and suggestions. The subcommittee also responded to the questions presented.

Public Engagement and Public Hearing/Comment/Information

The public comment period for this rule set began on September 3, 2020 and ended on September 17, 2020, at 5:00 p.m. The notice of public comment period, in addition to being posted in various newspapers as required, was posted on the LARA website, and distributed via email listserv to all interested parties. The public hearing was held at 9:00 a.m. on September 17, 2020, and occurred virtually via Zoom, as permitted under Executive Order 2020-154. The Bureau did not receive any comments by mail or email during the public comment period. There were no comments made during the public hearing.

Significant Issues Not Incorporated in the Final Proposed Rules

There were no significant issues raised during the workgroup meetings that were not addressed in the final proposed rules.

cc/att: Orlene Hawks, Director, LARA
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