



Adopted in House Comm. on Mar 04, 2004

09300HB5891ham001

LRB093 17943 AMC 48177 a

1 AMENDMENT TO HOUSE BILL 5891

2 AMENDMENT NO. _____. Amend House Bill 5891 by replacing
3 everything after the enacting clause with the following:

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

6 (225 ILCS 57/15)

7 (Section scheduled to be repealed on January 1, 2012)

8 Sec. 15. Licensure requirements.

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

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

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

1 offender.

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

4 (A) has successfully completed the curriculum or
5 curriculums of one or more massage therapy schools
6 approved by the Department that require a minimum of
7 500 hours and has passed a competency examination
8 approved by the Department;

9 (B) holds a current license from another
10 jurisdiction having licensure requirements that meet
11 or exceed those defined within this Act; or

12 (C) has moved to Illinois from a jurisdiction with
13 no licensure requirement and has provided
14 documentation that he or she has successfully passed
15 the National Certification Board of Therapeutic
16 Massage and Bodywork's examination or another massage
17 therapist certifying examination approved by the
18 Department and maintains current certification.

19 (b) Each applicant for licensure as a massage therapist
20 shall have his or her fingerprints submitted to the Department
21 of State Police in an electronic format that complies with the
22 form and manner for requesting and furnishing criminal history
23 record information as prescribed by the Department of State
24 Police. These fingerprints shall be checked against the
25 Department of State Police and Federal Bureau of Investigation
26 criminal history record databases now and hereafter filed. The
27 Department of State Police shall charge applicants a fee for
28 conducting the criminal history records check, which shall be
29 deposited into the State Police Services Fund and shall not
30 exceed the actual cost of the records check. The Department of
31 State Police shall furnish, pursuant to positive
32 identification, records of Illinois convictions to the
33 Department. The Department may require applicants to pay a
34 separate fingerprinting fee, either to the Department or to a

1 vendor. The Department, in its discretion, may allow an
2 applicant who does not have reasonable access to a designated
3 vendor to provide his or her fingerprints in an alternative
4 manner. The Department may adopt any rules necessary to
5 implement this Section.

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

7 (225 ILCS 57/20)

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

9 Sec. 20. Grandfathering provision.

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

17 (1) has been an active member, for a period of at least
18 one year prior to the application for licensure, of a
19 national professional massage therapy organization
20 established prior to the year 2000, which offers
21 professional liability insurance and a code of ethics;

22 (2) has passed the National Certification Exam of
23 Therapeutic Massage and Bodywork and has kept his or her
24 certification current;

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

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

31 (b) An applicant who can show proof of having engaged in
32 the practice of massage therapy for at least 10 hours per week
33 for a minimum of one year prior to the effective date of this

1 Act and has less than 100 hours of formal training or has been
2 practicing for less than one year with 100 hours of formal
3 training must complete at least 100 additional hours of formal
4 training consisting of at least 25 hours in anatomy and
5 physiology by January 1, 2005.

6 (c) An applicant who has training from another state or
7 country may qualify for a license under subsection (a) by
8 showing proof of meeting the requirements of that state or
9 country and demonstrating that those requirements are
10 substantially the same as the requirements in this Section.

11 (d) For purposes of this Section, "formal training" means a
12 massage therapy curriculum approved by the Illinois State Board
13 of Education or the Illinois Board of Higher Education or
14 course work provided by continuing education sponsors approved
15 by the Department.

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