



1 techniques such as effleurage or stroking and gliding,  
2 petrissage or kneading, tapotement or percussion, friction,  
3 vibration, compression, and stretching activities as they  
4 pertain to massage therapy. These techniques may be applied  
5 by a licensed massage therapist with or without the aid of  
6 lubricants, salt or herbal preparations, hydromassage,  
7 thermal massage, or a massage device that mimics or enhances  
8 the actions possible by human hands. The purpose of the  
9 practice of massage, as licensed under this Act, is to  
10 enhance the general health and well-being of the mind and  
11 body of the recipient. "Massage" does not include the  
12 diagnosis of a specific pathology. "Massage" does not include  
13 those acts of physical therapy or therapeutic or corrective  
14 measures that are outside the scope of massage therapy  
15 practice as defined in this Section.

16 "Massage therapist" means a person who is licensed by the  
17 Department and administers massage for compensation.

18 "Professional massage or bodywork therapy association"  
19 means a state or nationally chartered organization that is  
20 devoted to the massage specialty and therapeutic approach and  
21 meets the following requirements:

22 (1) The organization requires that its members meet  
23 minimum educational requirements. The educational  
24 requirements must include anatomy, physiology, hygiene,  
25 sanitation, ethics, technical theory, and application of  
26 techniques.

27 (2) The organization has an established code of  
28 ethics and has procedures for the suspension and  
29 revocation of membership of persons violating the code of  
30 ethics.

31 (Source: P.A. 92-860, eff. 6-1-03.)

32 (225 ILCS 57/15)

33 (Section scheduled to be repealed on January 1, 2012)

1           Sec. 15.   Licensure requirements. Beginning January 1,  
2   2005 ~~2004~~, persons engaged in massage for compensation must  
3   be licensed by the Department. The Department shall issue a  
4   license to an individual who meets all of the following  
5   requirements:

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

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

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

21           (A) has successfully completed the curriculum  
22   or curriculums of one or more massage therapy  
23   schools approved by the Department that require a  
24   minimum of 500 hours and has passed a competency  
25   examination approved by the Department;

26           (B) holds a current license from another  
27   jurisdiction having licensure requirements that meet  
28   or exceed those defined within this Act; or

29           (C) has moved to Illinois from a jurisdiction  
30   with no licensure requirement and has provided  
31   documentation that he or she has successfully passed  
32   the National Certification Board of Therapeutic  
33   Massage and Bodywork's examination or another  
34   massage therapist certifying examination approved by

1 the Department and maintains current certification.  
2 (Source: P.A. 92-860, eff. 6-1-03.)

3 (225 ILCS 57/20)

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

5 Sec. 20. Grandfathering provision.

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

12 (1) has been an active member, for a period of at  
13 least one year prior to the application for licensure, of  
14 a national professional massage therapy organization  
15 established prior to the year 2000, which offers  
16 professional liability insurance and a code of ethics;

17 (2) has passed the National Certification Exam of  
18 Therapeutic Massage and Bodywork and has kept his or her  
19 certification current;

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

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

26 (b) An applicant who can show proof of having engaged in  
27 the practice of massage therapy for at least 10 hours per  
28 week for a minimum of one year prior to the effective date of  
29 this Act and has less than 100 hours of formal training or  
30 has been practicing for less than one year with 100 hours of  
31 formal training must complete at least 100 additional hours  
32 of formal training consisting of at least 25 hours in anatomy  
33 and physiology by January 1, 2005 2004.

1 (c) An applicant who has training from another state or  
2 country may qualify for a license under subsection (a) by  
3 showing proof of meeting the requirements of that state or  
4 country and demonstrating that those requirements are  
5 substantially the same as the requirements in this Section.

6 (d) For purposes of this Section, "formal training" means  
7 a massage therapy curriculum approved by the Illinois State  
8 Board of Education or the Illinois Board of Higher Education  
9 or course work provided by continuing education sponsors  
10 approved by the Department.

11 (Source: P.A. 92-860, eff. 6-1-03.)

12 (225 ILCS 57/35)

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

14 Sec. 35. Massage Licensing Board.

15 (a) The Director shall appoint a Massage Licensing  
16 Board, which shall serve in an advisory capacity to the  
17 Director. The Board shall consist of 7 members, of whom 6  
18 shall be massage therapists with at least 3 years of  
19 experience in massage. One of the massage therapist members  
20 shall represent a massage therapy school from the private  
21 sector and one of the massage therapist members shall  
22 represent a massage therapy school from the public sector.  
23 One member of the Board shall be a member of the public who  
24 is not licensed under this Act or a similar Act in Illinois  
25 or another jurisdiction. Membership on the Board shall  
26 reasonably reflect the various massage therapy and non-exempt  
27 bodywork organizations. Membership on the Board shall  
28 reasonably reflect the geographic areas of the State.

29 (b) Members shall be appointed to a 3-year term, except  
30 that initial appointees shall serve the following terms: 2  
31 members ~~including--the-non-voting-member~~ shall serve for one  
32 year, 2 members shall serve for 2 years, and 3 members shall  
33 serve for 3 years. A member whose term has expired shall

1 continue to serve until his or her successor is appointed.  
2 No member shall be reappointed to the Board for a term that  
3 would cause his or her continuous service on the Board to  
4 exceed 9 years. Appointments to fill vacancies shall be made  
5 in the same manner as the original appointments for the  
6 unexpired portion of the vacated term.

7 (c) The members of the Board are entitled to receive  
8 compensation for all legitimate and necessary expenses  
9 incurred while attending Board and Department meetings.

10 (d) Members of the Board shall be immune from suit in  
11 any action based upon any disciplinary proceedings or other  
12 activities performed in good faith as members of the Board.

13 (e) The Director shall consider the recommendations of  
14 the Board on questions involving the standards of  
15 professional conduct, discipline, and qualifications of  
16 candidates and licensees under this Act. Nothing shall limit  
17 the ability of the Board to provide recommendations to the  
18 Director in regard to any matter affecting the administration  
19 of this Act. The Director shall give due consideration to  
20 all recommendations of the Board. If the Director takes  
21 action contrary to a recommendation of the Board, the  
22 Director shall provide a written explanation of that action.

23 (f) The Director may terminate the appointment of any  
24 member for cause which, in the opinion of the Director  
25 reasonably justifies termination, which may include, but is  
26 not limited to, a Board member who does not attend 2

27 (Source: P.A. 92-860, eff. 6-1-03.)

28 (225 ILCS 57/55)

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

30 Sec. 55. Exclusive jurisdiction. Beginning January 1,  
31 2005 ~~2004~~, the regulation and licensing of massage therapy is  
32 an exclusive power and function of the State. Beginning  
33 January 1, 2005 ~~2004~~, a home rule unit may not regulate or

1 license massage therapists. This Section is a denial and  
2 limitation of home rule powers and functions under subsection  
3 (h) of Section 6 of Article VII of the Illinois Constitution.  
4 (Source: P.A. 92-860, eff. 6-1-03.)

5 (225 ILCS 57/90)

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

7 Sec. 90. Violations; injunction; cease and desist  
8 order.

9 (a) If any person violates a provision of this Act, the  
10 Director may, in the name of the People of the State of  
11 Illinois, through the Attorney General of the State of  
12 Illinois or the State's Attorney in the county in which the  
13 offense occurs, petition for an order enjoining the violation  
14 or for an order enforcing compliance with this Act. Upon the  
15 filing of a verified petition in court, the court may issue a  
16 temporary restraining order, without notice or bond, and may  
17 preliminarily and permanently enjoin the violation. If it is  
18 established that the person has violated or is violating the  
19 injunction, the court may punish the offender for contempt of  
20 court. Proceedings under this Section shall be in addition  
21 to, and not in lieu of, all other remedies and penalties  
22 provided by this Act.

23 (b) If, after January 1, 2005 ~~2004~~, any person practices  
24 as a massage therapist or holds himself or herself out as a  
25 massage therapist without being licensed under the provisions  
26 of this Act, then the Director, any licensed massage  
27 therapist, any interested party, or any person injured  
28 thereby may petition for relief as provided in subsection  
29 (a) of this Section or may apply to the circuit court of the  
30 county in which the violation or some part thereof occurred,  
31 or in which the person complained of has his or her principal  
32 place of business or resides, to prevent the violation. The  
33 court has jurisdiction to enforce obedience by injunction or

1 by other process restricting the person complained of from  
2 further violation and enjoining upon him or her obedience.

3 (c) Whenever, in the opinion of the Department, a person  
4 violates any provision of this Act, the Department may issue  
5 a rule to show cause why an order to cease and desist should  
6 not be entered against him. The rule shall clearly set forth  
7 the grounds relied upon by the Department and shall provide a  
8 period of 7 days from the date of the rule to file an answer  
9 to the satisfaction of the Department. Failure to answer to  
10 the satisfaction of the Department shall cause an order to  
11 cease and desist to be issued immediately.

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

13 (225 ILCS 57/160)

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

15 Sec. 160. Returned checks; fines. Any person who  
16 delivers a check or other payment to the Department that is  
17 returned to the Department unpaid by the financial  
18 institution upon which it is drawn shall pay to the  
19 Department, in addition to the amount already owed to the  
20 Department, a fine of \$50. ~~If the check or other payment was~~  
21 ~~for a renewal or issuance fee and that person practices~~  
22 ~~without paying the renewal fee or issuance fee and the fine~~  
23 ~~due, an additional fine of \$100 shall be imposed.~~ The fines  
24 imposed by this Section are in addition to any other  
25 discipline provided under this Act for unlicensed practice or  
26 practice on a nonrenewed license. The Department shall notify  
27 the person that payment of fees and fines shall be paid to  
28 the Department by certified check or money order within 30  
29 calendar days of the notification. If, after the expiration  
30 of 30 days from the date of the notification, the person has  
31 failed to submit the necessary remittance, the Department  
32 shall automatically terminate the license or deny the  
33 application, without hearing. If, after termination or

1 denial, the person seeks a license, he or she shall apply to  
2 the Department for restoration or issuance of the license and  
3 pay all fees and fines due to the Department. The Department  
4 may establish a fee for the processing of an application for  
5 restoration of a license to pay all expenses of processing  
6 this application. The Director may waive the fines due under  
7 this Section in individual cases where the Director finds  
8 that the fines would be unreasonable or unnecessarily  
9 burdensome.

10 (Source: P.A. 92-860, eff. 6-1-03.)

11 Section 99. Effective date. This Act takes effect on  
12 June 1, 2003."