

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 7 MESSAGE THERAPISTS
PART 5 REQUIREMENTS FOR SCHOOLS

16.7.5.1 ISSUING AGENCY: Regulation and Licensing Department, Massage Therapy Board.
[16.7.5.1 NMAC - Rp 16.7.5.1 NMAC, 11/15/2019]

16.7.5.2 SCOPE: This part applies to applicants for a massage therapy school registration, and to registered massage therapy schools.
[16.7.5.2 NMAC - Rp 16.7.5.2 NMAC, 11/15/2019]

16.7.5.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Massage Therapy Practice Act, Subsections B and F of Section 61-12C-8 NMSA 1978, and Section 61-12C-10 NMSA 1978.
[16.7.5.3 NMAC - Rp 16.7.5.3 NMAC, 11/15/2019]

16.7.5.4 DURATION: Permanent.
[16.7.5.4 NMAC - Rp 16.7.5.4 NMAC, 11/15/2019]

16.7.5.5 EFFECTIVE DATE: November 15, 2019 unless a later date is cited at the end of section.
[16.7.5.5 NMAC - Rp 16.7.5.5 NMAC, 11/15/2019]

16.7.5.6 OBJECTIVE: This part is to establish the minimum application requirements for massage therapy schools, and to establish the standards for registered massage therapy schools.
[16.7.5.6 NMAC - Rp 16.7.5.6 NMAC, 11/15/2019]

16.7.5.7 DEFINITIONS: (Refer to 16.7.1.7 NMAC).
[16.7.5.7 NMAC - Rp 16.7.5.7 NMAC, 11/15/2019]

16.7.5.8 REQUIREMENTS FOR REGISTRATION: At the time of application the applicant will provide the following information to the board.

A. A completed, legible application for licensure, which must either be typed or printed in black ink. Incomplete applications will not be accepted and will be returned to the applicant for completion.

B. A 650 hour curriculum that must meet the following minimum curricula requirements:

- (1) 165 hours minimum of anatomy and physiology**, to include:
 - (a)** physiology;
 - (b)** anatomy;
 - (c)** kinesiology; and
 - (d)** 40 hours minimum of pathology.
- (2) 150 hours minimum of massage therapy** as defined in 16.7.1.7 NMAC.
 - (a)** Shall include contraindications of massage therapy.
 - (b)** A minimum of 100 hours of hands on training must be completed before a student may begin clinical practicum, as defined in Subsection G of 16.7.1.7 NMAC.
- (3) 75 hours minimum of general instruction**, to include:
 - (a)** business; effective October 31, 2021, minimum of 20 hours;
 - (b)** hydrotherapy; effective October 31, 2021, minimum of eight hours;
 - (c)** first aid – four hours;
 - (d)** cardiopulmonary resuscitation and automatic external defibrillator (CPR/AED) four hours;
 - (e)** 30 hours minimum of professional ethics.
- (4) Electives** may include:
 - (a)** additional massage therapy;
 - (b)** related hands-on modalities;
 - (c)** additional anatomy and physiology;
 - (d)** clinical practicum (not to exceed 150 hours);
 - (e)** counseling;
 - (f)** herbology;

- (g) homeopathy;
- (h) nutrition;
- (i) breathing and stretching techniques;
- (j) theory;
- (k) other, with prior board approval.

C. Policies and procedures for board review, including but not limited to:

- (1) enrollment and financial;
- (2) cancellation/withdrawal and refund;
- (3) grading method;
- (4) attendance and make up;
- (5) students conduct and discipline;
- (6) dress code;
- (7) hygiene protocol;
- (8) draping procedures;
- (9) evaluation forms;
- (10) curriculum;
- (11) advertising catalog;
- (12) list of text books for all courses; and
- (13) qualifications of instructors as provided in 16.7.5.12 NMAC.

D. Massage therapy school registration fee in accordance with Subsection C of 16.7.3.8 NMAC.
[16.7.5.8 NMAC - Rp 16.7.5.8 NMAC, 11/15/2019]

16.7.5.9 INSPECTIONS OF SCHOOLS: The massage therapy school will be inspected by a board appointed inspector upon registration and thereafter as needed. Findings of the inspector will be reported to the board as part of the approval process. If an inspection reveals that a school is not in compliance with the board's laws or rules, the school will have 30 days to become compliant; at which time, the school will be re-inspected. If the school fails a second inspection, the board may take action against the school for non-compliance.

A. Provisional registration: A provisional registration will be given to a new school until the school is operating and available for inspection.

B. Term of provisional registration: The provisional registration will be valid no longer than one year from the date of issuance.

C. Inspection criteria: The inspector will observe and report on the following:

- (1) cleanliness of premises;
- (2) New Mexico state school registration and instructor's qualifications;
- (3) local business license posted;
- (4) posted complaint policy with board address and phone number available;
- (5) student clinic log;
- (6) student attendance log;
- (7) student files; and
- (8) equipment and teaching aids.

[16.7.5.9 NMAC - Rp 16.7.5.9 NMAC, 11/15/2019]

16.7.5.10 STANDARDS FOR REGISTERED MASSAGE THERAPY SCHOOLS:

A. Qualifications of all instructors must be documented and maintained on the premises of the registered massage therapy school.

B. Massage therapy school registrations will be renewed yearly.

C. Registered massage therapy schools will comply with 16.7.2 NMAC, Professional Conduct.

D. Registered massage therapy schools may charge the public a fee for the room usage during the time a student is performing massage therapy for clinical practicum training as defined in 16.7.5.7 NMAC.

[16.7.5.10 NMAC - Rp 16.7.5.10 NMAC, 11/15/2019]

16.7.5.11 CHANGES AFFECTING REGISTRATION: Massage therapy school registrations issued by the board are not transferable. Any change in the business designation of a massage therapy school may have the legal effect of attempting to transfer the registration and of operating without a legal registration.

A. Any of the following changes will require a new registration, and hence, a new application for registration with the board;

- (1) any change to the name of the school from that under which it was originally registered;
 - (a) The name of the massage therapy school must not tend to mislead the public, and shall not significantly resemble the business name of another registered massage therapy school.
 - (b) The name of the massage therapy school shall not be announced, used, or in any way be conveyed to the public until the new registration has been issued by the board.
 - (2) Any change of fifty percent or more of ownership of the stock in the corporation or of the shares in a partnership;
 - (3) Any change in the sole proprietorship.
- B.** A registered massage therapy school shall notify the board in writing within 30 days of any changes in instructional staff, curriculum, or other changes that may affect the programs offered, provided that the school shall not modify its curriculum to fall below the minimum requirements outlined in 16.7.5 NMAC. [16.7.5.11 NMAC - Rp 16.7.5.11 NMAC, 11/15/2019]

16.7.5.12 QUALIFICATIONS FOR INSTRUCTORS WITHIN THE MINIMUM CURRICULA: All instructors providing hands-on massage therapy instruction within a registered massage therapy school's minimum curricula shall

- A.** hold a valid massage therapist license in New Mexico;
 - B.** have completed at least 50 contact hours of instructional experience of professional teaching or workshop instruction; and
 - C.** have practiced massage therapy for a minimum of two years within the past three years.
- [16.7.5.12 NMAC - N, 11/15/2019]

16.7.5.13 SCHOOL DOCUMENTATION REQUIREMENTS FOR INSTRUCTORS WITHIN THE MINIMUM CURRICULA:

A. All massage therapy schools shall provide to the board, both in initial applications for registration and as part of each renewal thereafter, a list of all instructors providing hands-on massage therapy instruction within their minimum curricula.

B. As part of an initial application for registration and as necessary in each renewal thereafter, a massage therapy school shall submit the following documentation pertaining to all instructors within its minimum curricula:

- (1) Documentation verifying two years of professional massage therapy experience during the past three years, including a minimum of three of the following documents:
 - (a) income tax forms documenting massage therapy practice;
 - (b) verifiable letters from clients confirming receipt of massage therapy services from the applicant;
 - (c) proof of rent or lease of practice location or office space;
 - (d) proof of current association membership;
 - (e) proof of current professional insurance;
 - (f) copies of dated receipts for massage therapy practice-related supplies or furnishings that total a minimum of \$500;
 - (g) verifiable letters from employers; and
 - (h) work log consisting of appointment dates and time periods worked on clients.
- (2) Documentation of completion of 50 contact hours of instructional experience of professional teaching or workshop instruction.

C. As part of any application for a renewal of a massage therapy school registration, the applicant shall submit a list of all instructors providing hands-on massage therapy instruction within their minimum curricula. A school shall only submit supporting documentation as to an instructor's qualifications if it has not previously provided such documentation to the board.

D. First Renewal Following Adoption of these Rules: All currently-registered massage therapy schools shall provide documentation to the board as to the qualifications of all instructors providing hands-on massage therapy instruction within their minimum curricula in their next renewal applications. A school does not need to submit supporting documentation as to an instructor's qualifications if that instructor was a registered massage therapy instructor, independent or school-based, as of February 4, 2019.

E. The board shall not grant an initial registration or a renewal application for any massage therapy school who fails to submit the necessary documentation related to its instructors within the minimum curricula. [16.7.5.13 NMAC - N, 11/15/2019]

16.7.5.14 REQUIREMENTS FOR TEACHING ASSISTANTS WITHIN THE MINIMUM

CURRICULA: Registered massage therapy schools may utilize persons to assist massage therapy instructors within the minimum curricula in providing instruction to massage therapy students working toward obtaining their massage therapy license. Such persons shall be considered teaching assistants.

A. The teaching assistant must be a licensed massage therapist.

B. The teaching assistant must be supervised by a massage therapy instructor who is physically present in the room.

C. Experience as a teaching assistant shall apply to the 50-hour requirement outlined in Paragraph (3) of Subsection B of 16.7.6 NMAC.

D. It is the responsibility of the registered massage therapy school to ensure that the teaching assistant complies with the board's regulations.

[16.7.5.14 NMAC - N, 11/15/2019]

HISTORY OF 16.7.5 NMAC:

Pre-NMAC History: The material in this part is derived from that previously filed with the State Records Center and Archives under: Rule 92-7, Approval of Massage Therapy Schools/Instructors, 3/26/1992;
Rule 92-7, Massage Therapy Schools/Instructors, 9/9/1992;
Regulation 7, Massage Therapy Schools/Instructors, 1/5/1994.

History of Repealed Material:

16 NMAC 7.5, Requirements for Schools and Mentorship Training Programs - Repealed 12/24/1999.

16.7.5 NMAC, Requirements for Schools filed 5/29/2001 - Repealed 11/15/2019.

Other History:

16.7.5 NMAC, Requirements for Schools filed 5/29/2001 was replaced by 16.7.5 NMAC, Requirements for Schools effective 11/15/2019.