

This is an amendment to Sections 1, 5, 6, 7, 8, 9, and 10 of 16.7.11 NMAC, effective June 24, 2005.

16.7.11.1 ISSUING AGENCY: Regulation and Licensing Department, Massage Therapy Board [~~P.O. Box 25101, Santa Fe, New Mexico 87504, (505) 476-7090.~~]

16.7.11.5 EFFECTIVE DATE: May 30, 1996, unless a later date is cited at the end of a section.

16.7.11.6 OBJECTIVE: This part is to establish the continuing education requirements and procedures, to ensure that licensed massage therapists and massage therapy instructors provide the highest quality professional service. Therefore, licensees should engage in education activities that foster this objective.

16.7.11.7 DEFINITIONS: [~~Refer to Part 1.~~]

A. "Class hour" or "contact hour" means no less than fifty (50) minutes of any one-clock hour during which the student/massage therapist participates in a learning activity in the physical presence and under the tutelage of an instructor.

B. "Semester hour" or "academic hour" means one (1) semester credit hour that is equivalent to fifteen (15) class or contact hours.

16.7.11.8 GENERAL PROVISIONS: The board does not maintain a list of continuing education providers. It is the responsibility of the licensee/registrant to determine where to obtain the required continuing education. Local massage therapy schools and local or national massage therapy associations might be able to provide information regarding availability of continuing education offerings.

A. [~~Every massage therapist licensed pursuant to the Massage Therapy Practice Act will be required for renewal starting May 31, 1996~~] **Massage therapy licensees:** Every massage therapist licensed pursuant to the Massage Therapy Practice Act will be required to complete 16 contact hours of continuing education as a condition for license renewal. Such continuing education [~~will have been~~] must be completed within the [24] twenty-four (24) months preceding the renewal date, October 31st. Excess hours of the total number required [~~will not be allowed to~~] may not be carried over to future renewals.

(1) Continuing education taken prior to the twenty-four month period will not be accepted.

(2) An automatic late renewal penalty fee will be incurred if the continuing education submitted was taken after the twenty-four month period.

B. [~~Every registered massage therapy instructor will be required for renewal starting October 31, 2002~~] **Instructor registrants:** Registered massage therapy instructors will be required to complete an *additional* 16 contact hours of continuing education over and above the 16 hours required to maintain their massage therapy license as a condition of renewing their instructor registration. Such continuing education [~~will have been~~] must be completed within the [24] twenty-four (24) months preceding the renewal date, October 31st. [~~Up to eight (8) excess hours beyond the additional 16 hours may be carried over up to one (1) year beyond the renewal deadline.~~]

(1) Continuing education taken prior to the twenty-four month period will not be accepted.

(2) An automatic late renewal penalty fee will be incurred if the continuing education submitted was taken after the twenty-four month period.

[~~C. If the initial license/registration was issued less than twelve (12) months prior to the renewal date, no continuing education will be required for the first renewal.~~]

[D.] C. Audit authority: The board may randomly select license renewal applications for an audit of continuing education. Each licensee/registrant will maintain, in his/her personal files, documentation of all continuing education completed with the names, addresses and phone number of the continuing education provider(s).

[E.] D. Audit process: The board will send a notice of audit to each licensee/registrant selected for an audit [~~a notice of an audit~~]. The licensee/registrant must provide the board with documentation of the continuing education completed within the [24] twenty-four (24) months preceding the renewal date, October 31st.

(1) If, after audit, it is determined that a licensee failed to meet the continuing education requirement for renewal, he/she will be sent a letter by certified mail return /receipt requested requiring the following:

(a) that the licensee obtain and submit the required continuing education to the board within thirty-days of the receipt of the board's letter;

(b) that the licensee pay a penalty fee of \$150 within thirty-days of the receipt of the board's letter.

(2) Failure to comply with these requirements will result in the licensee being automatically referred to the attorney general's office for issuance of a notice of contemplated action signaling the beginning of formal disciplinary action.

E. Academic hours: One (1) hour of continuing education taken in an academic setting converts to fifteen (15) clock hours.

16.7.11.9 CONTINUING EDUCATION PROGRAMS FOR MASSAGE THERAPISTS: ~~[The board will accept for compliance any of the following, but not limited to, subjects which contribute directly to the enhancement of massage therapy education of the licensee.]~~ As an example, the board will accept the following types of continuing education offerings as long as they contribute directly to the enhancement of the licensees' massage therapy practice and education:

A. Courses, seminars, workshops and classes in areas related to the practice of massage therapy such as: massage, bodywork, allied health care, psychology, anatomy and physiology, business, insurance, movement therapy, stress management, yoga, CPR, and advanced first aid.

B. Courses of study offered by registered massage therapy schools or massage therapy instructors or by any ~~[national organization in the massage therapy/bodywork field (such as AMTA or ABMP); and]~~ NCBTMB category A or B provider.

C. The following methods for accruing continuing education may also be applied.

(1) Teaching a non-massage therapy qualifying class, course, seminar or workshop.

(2) Publishing an article in the field relating to massage therapy. No more than ~~[four (4)]~~ twelve (12) hours shall be granted for publishing a professional article in a local or regional publication, and no more than ~~[eight (8)]~~ twelve (12) hours shall be granted for publishing a professional article in a national journal.

(3) Massage therapist in-service programs related to the practice of massage therapy.

(a) No more than four (4) hours shall be granted ~~[; and]~~.

(b) A brief written presentation must be provided which demonstrates the relationship to massage therapy.

D. Ethics requirement: All massage therapists shall be required to complete a minimum of four (4) hours of ethics training as part of the 16-hour requirement for each renewal period. In addition to the other methods of accruing continuing education listed in Subsections A and B of this section (16.7.11.9 NMAC), the ethics course may also be obtained through one of the following methods:

(1) correspondence courses, or

(2) attending an ethics course from any other health related field.

16.7.11.10 CONTINUING EDUCATION PROGRAMS FOR MASSAGE THERAPY INSTRUCTORS:

~~[A. All massage therapy instructors shall be required to complete a minimum of four (4) hours of ethics training for each renewal period.~~

~~(1) The ethics course may be obtained through correspondence courses; or~~

~~(2) attending an ethics course from any other health related field.~~

~~B.]~~ The board will accept for compliance any of the following, but not limited to, subjects ~~[which]~~ that contribute directly to the enhancement of massage therapy instruction of the registrant.

~~[(4)]~~ **A.** Courses, seminars, workshops and classes in areas related to pedagogy such as: class presentation techniques, class materials preparations, communications skills, research, cultural diversity, and counseling~~;~~.

~~[(2)]~~ **B.** ~~[courses of study offered by registered massage therapy instructors or by any national organization in the massage therapy/bodywork field (such as AMTA or ABMP);]~~ Courses of study offered by registered massage therapy schools or massage therapy instructors or by any NCBTMB category A or B provider.

~~[(3)]~~ **C.** Publishing an article in the field relating to massage therapy. No more than ~~[four (4)]~~ twelve (12) hours may be granted for publishing a professional article in a local or regional publication and no more than ~~[eight (8)]~~ twelve (12) hours in a national journal.