## Rules of
### Department of Insurance, Financial Institutions and Professional Registration
#### Division 2197—Board of Therapeutic Massage
##### Chapter 5—Massage Therapy Business Requirements

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Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION
Division 2197—Board of Therapeutic Massage
Chapter 5—Massage Therapy Business Requirements

20 CSR 2197-5.010 Massage Therapy Business—Survey Inspections

PURPOSE: This rule specifies the requirements to operate a massage therapy business.

(1) A massage therapy business shall:
   (A) Employ or permit to practice on the premises only licensed or provisionally licensed massage therapists (herein referred to as licensee or licensees) to perform massage therapy as defined in section 324.240(7), RSMo;
   (B) Ensure that no massage therapist practices beyond their scope and expertise nor shall a massage therapy business, direct or require a licensee to practice beyond their scope and expertise;
   (C) Maintain a copy of the professional liability insurance as required in 20 CSR 2197-3.020(4)(A);
   (D) Ensure that each massage therapist wears appropriate clothing and practices high standards of personal hygiene;
   (E) Display in a conspicuous place the massage therapy business license and massage therapist license with a photograph of the massage therapist taken within the last two (2) years;
   (F) Maintain policies and procedures that address but are not limited to the nature and scope of services provided and orient employees or those practicing on their premises to the practice standards as it relates to public standards and client records and maintain proof of this orientation;
   (G) Be responsible for maintaining client records for at least three (3) years. This includes safeguarding verbal and written confidential information of the client, unless disclosure is required by law, court order, or authorized by the client. Client records for massage therapy services not provided at a massage therapy business location or premises shall be equipped with and maintain fire extinguishers and smoke alarms that are in good working condition;
   (J) Maintain all equipment used to perform massage therapy services on the premises in a safe and sanitary condition;
   (K) Provide for safe and unobstructed human passage in the public areas of the premises;
   (L) Ensure compliance with the regulations of other entities which include but are not limited to the Americans with Disabilities Act (ADA), Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA);
   (M) Provide for the removal of garbage and refuse in a sanitary manner; and
   (N) Provide for safe storage or removal of flammable materials.

(2) All furniture in a massage therapy business must be kept clean and well maintained.

(3) Massage therapy shall be conducted in areas that are adequately lighted and ventilated and constructed so that they can be kept clean. Floors, walls, ceilings and windows must remain free of dust and other unclean substances and be in good repair at all times.

(4) The area(s) used for massage shall be used exclusively for massage and other clinical or healthcare related purposes.

(5) Each massage therapy business shall contain rest room facilities, including at least one water-flushed toilet, equipped with toilet tissue, from which the wastewater shall be discharged into a sewage system acceptable to the Environmental Protection Agency (EPA). Such facilities and all of the foregoing fixtures and components shall be kept clean, in good working condition, well lighted, and have adequate ventilation. Massage therapy businesses located in buildings housing multiple businesses under one roof such as arcades, shopping malls, terminals, and hotels may substitute centralized toilet facilities. Such central facilities shall be within three hundred feet (300') of the massage therapy business.

(6) Businesses shall be equipped with and maintain a sink for hand washing within a reasonable distance of the treatment room. Such sink must be kept clean and in good working condition. Massage therapists must utilize universal precautions at all times, however, a massage therapist may utilize an antibacterial waterless hand cleanser while in the confines of the massage therapy area and if leaving the area must use universal precautions before performing massage therapy on the next client.

(7) Massage therapy businesses shall be free of alive or dead flies, insects, and other vermin.

(8) No animals shall be permitted in a massage therapy treatment area at any time except service animals whose whole purpose is to provide assistance to a client.


20 CSR 2197-5.020 Issuance of an Original Business License

PURPOSE: This rule outlines the requirements for this issuance of an original business license.

(1) A massage therapy business shall be defined as an address or establishment where massage is practiced unless otherwise exempted by section 324.240(7), RSMo.

(2) A massage therapist may not practice massage therapy at a site, location, or place which is not duly licensed as a massage therapy business, except at the residence or location provided by the client, at a health fair, sports event, trade show or healthcare facility.

(3) The license is valid only for the premises located at the address provided in the initial application for the massage therapy business.

(4) Massage practiced in the home shall be in an area used only for massage therapy or for clinical or other health related purposes and shall have lavatory facilities.

(5) A person applying for a business license shall be at least eighteen (18) years of age and shall submit:
20 CSR 2197-5.030 Massage Therapy Business—Change of Name, Ownership or Location

PURPOSE: This rule outlines the procedures for a change of name, ownership, or location for a business license.

1. At least fifteen (15) days prior to a proposed name change, the massage therapy business owner shall notify the board of the proposed name change in writing prior to changing the business name or before revising any printing materials or advertisements. (A) The license reflecting the name change shall replace the original license and be displayed in a conspicuous place on the premises of the licensed massage therapy business.

2. When a massage therapy business changes location, an application for a location change must be submitted to the board along with the required fee. The business shall submit to a survey inspection by the board at the new location.

3. When a massage therapy business is sold, or ownership or management is transferred, or the corporate legal organization status is substantially changed, the massage therapy business shall apply for a license by submitting an application, paying the required application fee, and submitting to an inspection.

4. Pursuant to section 324.252, RSMo a business must post a temporary operation permit in a conspicuous place on the premises of the massage therapy business.

5. Refusal to permit a survey inspection shall constitute valid grounds for discipline or denial.

6. A licensee shall not practice massage therapy at a site, location, or place that is not licensed as a massage therapy business, except at the residence, or location provided by the client, health fair, sports event, trade show or healthcare facility. For the purpose of this rule a healthcare facility shall be defined pursuant to section 197.366, RSMo.

20 CSR 2197-5.040 Massage Therapy Business License Renewal

PURPOSE: This rule outlines procedures for the renewal of a business license.

1. A business license issued pursuant to section 324.250, RSMo shall be renewed on or before the expiration of the license by submitting the signed renewal application, renewal fee, and a statement of any changes in the information previously filed with the board in the original business license application.

2. The massage therapy business shall be in compliance with the requirements outlined in the massage therapy business rules as evidenced by a survey inspection by the board within ninety (90) days prior to the renewal of the business license.

3. Failure of a licensee to receive the notice and application to renew his/her license shall not excuse him/her from the requirements of section 324.250, RSMo to renew that license.

4. The license of a massage therapy business that is not renewed by the expiration date shall lapse and become not current. A massage therapy business license that has lapsed may be renewed by completing the renewal form and paying the required renewal and late fees as defined in 20 CSR 2197-1.040(3)(B)1. within thirty (30) days of the expiration date. A massage therapy business shall not offer massage therapy until filing the renewal form and paying the required fees.

5. If a license is not renewed within thirty (30) days of the expiration date, the lapsed licensee shall submit an application, required...
fee, and submit to an inspection before a license will be reinstated.

(6) A massage therapy business with a lapsed license, as provided in this rule, may be reinstated at the sole discretion of the board upon payment of the required fee and submitting the required application.
