

**CERTIFICATION OF EMERGENCY RULES
FILED WITH THE
LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

Pursuant to Code of Alabama 1975, §§41 22 5(b) and 41 22 6(c) (2)a. and b.

I certify that the attached emergency repeal and replace is a correct copy as promulgated and adopted on Friday, June 21, 2024.

AGENCY NAME: Alabama Board of Massag Therapy

RULE NO. AND TITLE: Chapter 532-X-6 Continuing Education

EXPIRATION DATE OF RULE: Saturday, October 19, 2024

NATURE OF EMERGENCY: Alabama Act No. 2024-361, which took effect on June 1, 2024, requires the Board of Nursing to immediately assume management of the Alabama Massage Therapy Licensing Board (AMTLB). The Act further requires extensive revision of the AMTLB Administrative Code to implement.

STATUTORY AUTHORITY: §34-43A-6

SUBJECT OF RULE TO BE ADOPTED ON A PERMANENT BASIS: Yes

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Signature of officer authorized
to promulgate and adopt rules and
regulations or his or her deputy

REC'D & FILED
JUN 21, 2024
LEGISLATIVE SVC AGENCY

~~ALABAMA BOARD OF MASSAGE THERAPY
ADMINISTRATIVE CODE~~

~~CHAPTER 532-X-6
CONTINUING EDUCATION~~

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~~532-X-6-.01 Continuing Education Requirements.~~

~~(1) Every massage therapist licensed by the Board must complete 16 hours of continuing education within the 24 months preceding the date of renewal of licensure, from providers of courses approved by the Board, as a condition for renewing the license to practice massage therapy.~~

~~(2) The licensee is required to maintain in the licensee's files, for at least four years, the certificates or other documents evidencing completion of the approved continuing education courses.~~

~~(3) The licensee must inform the Board, on the application for license renewal, of the licensee's compliance with the continuing education requirement. Failure to do so will result in denial of renewal of licensure.~~

~~(5) Upon notification of the licensee that his or her continuing education credits are being audited, the licensee shall send by registered mail to the Board the documents or certificates evidencing his or her completion of the approved continuing education courses. In the event the documentation is not then available to the licensee (as a result of storage in moving, fire, or other catastrophic or like circumstance), without fault on his or her part, the licensee shall so notify the Board by sworn affidavit under notary seal, and shall give the Board a list of the dates, topics, locations, and providers of the approved continuing education courses.~~

~~(6) Massage therapists cannot repeat continuing education courses within four (4) years.~~

~~(7) Each licensed massage therapist will have their certification attached to their name/license number that can be viewed by the public (clients).~~

~~(8) Audit of continuing education. The Board will conduct a mandatory random audit of, at least, ten (10) percent of renewal applications for the most recent renewal period. The audit is to ensure that the continuing education requirement is being met.~~

~~(a) A massage therapist whose renewal is selected for audit is required to send verification of his/her continuing education to the Board office within thirty (30) days of the date of the audit notice. The Board will review the records and respond to the individuals with a statement of compliance or non-compliance.~~

~~(b) Non-compliance. In the case of non-compliance with continuing education requirements, the audited licensed massage therapist will have a one (1) month compliance period to meet continuing education requirements. During the one (1) month compliance period, the Board may initiate a complaint citing the licensee with failure to meet continuing education requirements in question. Failure to meet continuing education requirements within the one (1) month compliance period may result in formal disciplinary action by the board.~~

~~(c) Licensed massage therapists audited for licensure renewal will be subject to random audit selections in subsequent renewal periods. Successful selection for audit review will not remove a licensed massage therapist from audit review in any subsequent renewal period.~~

~~**Author:** Keith E. Warren~~

~~**Statutory Authority:** Code of Ala. 1975, §34-43-21.~~

~~**History: New Rule:** Filed January 29, 2001; effective March 5, 2001. **Amended:** Published September 29, 2023; effective November 13, 2023.~~

~~532-X-6-.02 Provider Requirements.~~

~~All continuing education providers must be approved by one of the following:~~

~~(1) The National Certification Board for Therapeutic Massage & Bodywork (NCBTMB)~~

~~(2) American Massage Therapy Association (AMTA)~~

~~(3) Associated Bodywork & Massage Professionals (ABMP)~~

~~(4) Federation of State Massage Therapy Boards (FSMTB)~~

~~(5) Any other state national or international professional organization approved by the board.~~

~~**Author:** Keith E. Warren~~

~~**Statutory Authority:** Code of Ala. 1975, §34-43-21.~~

~~**History: New Rule:** Filed January 29, 2001; effective March 5, 2001.~~

~~**Amended:** Published September 29, 2023; effective November 13, 2023.~~

ALABAMA MESSAGE THERAPY LICENSING BOARD
ADMINISTRATIVE CODE

CHAPTER 532-X-6
CONTINUING EDUCATION

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(1) The board shall adopt a program of continuing education for licenses which shall be a requisite for the renewal of licenses issued pursuant to Chapter 43A of Title 34 of the Code of Alabama. The program of continuing education shall not exceed the requirements of a board-approved nationally recognized board certification organization such as the National Certification Board for Therapeutic Massage and Bodywork.

(2) Continuing education means participation in an approved program or learning experience that is designed to facilitate continued competency, including ethical and legal practice in the therapeutic massage and bodywork profession, through participation in a learning process than enhances the licensee's current knowledge, skills, and abilities through programs, seminars, workshops, and classes in areas related to the practice of massage.

(3) One hour of continuing education is defined as no less than 50 uninterrupted minutes of learning.

(4) Every massage therapist licensed by the board must complete sixteen (16) contact hours of continuing education within the 24 months preceding the date of renewal of licensure, from approved providers of continuing education, as a condition for renewing the license to practice massage therapy.

(5) The licensee is required to maintain documentation of continuing education in the licensee's files for at least four (4) years.

(6) Effective January 1, 2025, the licensee shall submit copies of certificates of completion of sixteen (16) contact hours of continuing education from approved providers of continuing education to the board in a form specified by the board concurrent with the application for renewal of the license.

Author: Alabama Massage Therapy Licensing Board

Statutory Authority: Code of Ala. 1975, §34-43A-6.

History: New Rule: Filed January 29, 2001; effective March 5, 2001. **Amended:** Published September 29, 2023; effective November 13, 2023. **Repealed and New Rule (ER):** Filed June 21, 2024; effective June 21, 2024; expires 120 days, October 19, 2024.

532-X-6-.02 Continuing Education Provider Qualifications.

(1) To qualify as a board Approved Continuing Education Provider, a continuing education provider shall provide evidence that the provider is approved by one of the following organizations:

(a) The National Certification Board for Therapeutic Massage & Bodywork (NCBTMB)

(b) American Massage Therapy Association (AMTA).

(c) Associated Bodywork & Massage Professionals (ABMP).

(d) Federation of State Massage Therapy Boards (FSMTB).

(e) Any other state national or international professional organization approved by the board.

(2) Notwithstanding the requirements in paragraph one above, the AMTLB is a board-approved continuing education provider.

(3) A board-approved continuing education provider may be an individual, partnership, association, organization, educational institution, governmental agency, or licensed health care facility offering continuing education for massage therapists that meet board criteria for approval.

(4) A board-approved continuing education provider provides programs which meet the following criteria:

(a) A continuing education program may be a program of multiple sessions or a single session lasting at least fifty (50) minutes (1.0 contact hour).

(b) The program shall be a planned, organized learning experience designed to augment the knowledge, skills, and attitudes for the enhancement of the practice of massage therapy.

(c) Licensees may submit no more than six (6) contact hours of self-directed learning experiences for any renewal period. Self-directed learning experiences are those programs carried out by the participant in an unstructured or structured setting including but not limited to, self-study, video, computer, or on-line continuing education programs. Self-directed learning experiences must be provided by a board-approved continuing education provider.

(5) A board approved continuing education provider shall comply with the board-approved continuing education provider standards.

(6) The CE provider provides certificates of attendance or other documents evidencing completion by the licensee of the approved continuing education programs with the licensee's name, title of the program, hours awarded, date of completion of the program, and provider number clearly visible.

Author: Alabama Massage Therapy Licensing Board

Statutory Authority: Code of Ala. 1975, §34-43-6.

History: New Rule: Filed January 29, 2001; effective March 5, 2001. **Amended:** Published September 29, 2023; effective November 13, 2023. **Repealed and New Rule (ER):** Filed June 21, 2024; effective June 21, 2024; expires 120 days, October 19, 2024.

532-X-6-.03

Application as a Board-Approved Continuing Education Provider.

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(1) Applicants shall submit an application which demonstrates that the applicant meets the qualifications for a board-approved continuing education provider and evidences the provider's agreement to comply with the board-approved continuing education provider standards.

(2) A board-approved continuing education provider shall be issued a permanent, nontransferable number assigned by the board to designate its approval.

(3) The board shall rescind approval of any provider who has violated the board's rules or federal or state laws or who no longer meets the qualifications for a board-approved continuing education provider.

(4) Provider numbers must be renewed biennially. If the renewal form is not received by the board on or before the anniversary date of the biennial year, the provider must submit a new application and, if approved, receive a new provider number.

(5) Providers are approved for not more than two (2) years. When the provider agreement expires, it is the responsibility of the provider to obtain another application in a timely manner.

Author: Alabama Massage Therapy Licensing Board

Statutory Authority: §34-43A-6

History: New Rule (ER): Filed June 21, 2024; effective June 21, 2024; expires 120 days, October 19, 2024.

532-X-6-.04

Board-Approved Continuing Education Provider Standards.

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(1) The provider shall be accountable for:

(a) Demonstrating capability to meet and adhere to board established standards to assure the provision of quality continuing education activities for massage therapists.

(b) The veracity and accuracy of continuing education provided.

(c) Compliance with the standards set forth in the applicable statutes and rules.

(2) The mission and objectives for the continuing education provider unit shall be written and available for review.

(a) The mission is written and demonstrates commitment to continuing education, principles of adult learning, and enhancement of the practice of massage therapy.

(b) The objectives emanate from the mission and are written in terms from which administrative and course outcomes can be measured.

(3) Policies and procedures of the provider shall:

(a) Be written, current, and structured to facilitate the implementation of planned continuing education activities.

(b) Include:

1. Assessment of need for continuing education activities.

2. Fee assessments.

3. Advertisements or announcements of activities.

4. Instructor qualifications.

5. Records maintenance.

6. Program approval.

7. Processes for awarding contact hours.

(3) Reports and records of the provider shall include:

(a) Records regarding the approval status of the provider, while the program is provided and for four (4) years thereafter.

(b) Records for all programs, program outlines, instructor qualifications, all program numbers assigned by the provider, and contact hours awarded while the program is provided and for four (4) years thereafter.

(c) Records of attendance of participants, programs attended, and corresponding evaluations, maintained at least four (4) years with certificates awarded to the attendees.

(d) Information provided on continuing education records of participants shall include:

1. Name and address of the provider.

2. Name and license number of the individual participant.

3. Title of the program or activity.

4. Completion date of the program or activity.

5. Number of contact hours awarded.

6. Signature (or designated signature) of the contact person responsible for the program.

7. Statement of provider status and/or board assigned provider number and board assigned or provider assigned program number.

(e) Records are made available to participants upon written request.

(4) The provider shall have accessible and available educational facilities, instructional aids, and equipment for the planners, instructor(s), and learners consistent with the educational content, format, and teaching methodology of each program.

(a) The facility is appropriate in size for the number of attendees.

(b) Physical facilities are selected with consideration of factors that are known to assist in achieving desirable learning outcomes, such as seating arrangements, appropriate lighting, sound control, safety, and visual aids.

(c) Sufficient reference materials and other needed resources are available to enhance learning.

(d) Program outlines are maintained on file for at least four (4) years and shall evidence the following:

1. Program title, sponsoring agency, and date of presentation.

2. Outline of content and time frame.

3. Instructor qualifications.

4. Number of contact hours.

5. Requirements for satisfactory program completion.

(5) The instructor(s) shall possess qualifications appropriate to the content of the activity.

(a) Educational credentials of the instructor are appropriate to the target audience and the content.

(b) Experience correlates with the discipline being taught.

(c) Opportunity is given for participants in the program to evaluate instructor performance and knowledge.

(d) Instructor credentials are maintained on file while the program is provided and for four (4) years thereafter.

Author: Alabama Massage Therapy Licensing Board

Statutory Authority: §34-43A-6

History: **New Rule (ER):** Filed June 21, 2024; effective June 21, 2024; expires 120 days, October 19, 2024.