

Impact™ Proposed Revisions Analysis and Recommendations

Model Legislation Section	Current Language	Proposed Changes	RATIONALE FOR REJECTING REOPENING THE IMPact FOR EDITS TO STATUTORY LANGUAGE	Conclusions and Recommendations
ARTICLE 2 - DEFINITIONS	U. “National Licensing Examination” - A national examination developed by a national association of Massage Therapy regulatory boards, as defined by Commission Rule, that is derived from a practice analysis and is consistent with generally accepted psychometric principles of fairness, validity and reliability, and is administered under secure and confidential examination protocols.	DELETED	<p>The regulatory bodies need to be overseeing the licensing examination, not a professional or trade association, which may lead to antitrust concerns.</p> <p>The licensing requirements can address the substantially equivalent examination(s), not the definitions.</p>	<p>Not necessary to delete.</p> <p>Name the organizations/exams, including substantial equivalence, in Rule.</p> <p>Statutory change/opening compact NOT needed.</p>
ARTICLE 3 – MEMBER STATE REQUIREMENTS (These are the requirements the State must meet)	<p>3. Accept passage of a National Licensing Examination as a criterion for Massage Therapy licensure in that State;</p> <p><i>(National Licensing Examination is defined in Article 2 – Definitions)</i></p>	<p>3. Accept passage of a psychometrically valid national examination as a criterion for Massage Therapy licensure in that State; For purposes of this compact, such examination shall not include a State-administered examination but shall be inclusive of the following:</p> <ul style="list-style-type: none"> a. The Massage and Bodywork Licensure Examination; or b. The National Certification Board for Therapeutic Massage & Bodywork prior to January 1, 2015; or c. the substantial equivalent of the foregoing which the Commission may approve by Rule. 	<p>This is a requirement for STATE participation - not the requirement for massage therapists.</p> <p>States can still accept other examinations or the substantial equivalent for their own state license.</p>	<p>Solve through Commission Rule.</p> <p>Statutory change/opening compact NOT needed.</p>

<p>ARTICLE 4 – MULTISTATE LICENSE REQUIREMENTS (These are the requirements the applying massage therapist must meet)</p>	<p>2. Have completed at least six hundred and twenty-five (625) clock hours of Massage Therapy education or the substantial equivalent which the Commission may approve by Rule.</p>	<p>2. Satisfy one of the following: a. Completion of at least six hundred and twenty-five (625) clock hours of Massage Therapy education; or b. Graduation from an educational program that meets the minimum qualifications for licensure in the home state and two (2) years of continuous licensure with a Single-State License in good standing in the Home State (except as provided in Article 7); or c. Satisfaction of the substantial equivalent of the foregoing which the Commission may approve by Rule.</p>	<p>Replaces a single, uniform education standard with multiple alternate pathways, weakening consistency and constraining the Commission's authority to determine substantial equivalence by rule.</p> <p>The ELAP (and COMTA) empirically based standard was selected to promote uniformity and to ensure competence. It was a compromise position to NOT require graduation or completion of an education program of at least 625 hours and allow the statutory language to be broad to allow the Commission, by Rule, to utilize continuing education, work experience, years of licensure, etc., to be equivalent to the 625 hours. This unduly restricts the Commission's authority via rulemaking.</p> <p>And "years of holding a continuous license" is a horrible metric. Over 13,000 illicit massage businesses that fabricate education and provide "massage" for two years would now qualify. This is a gift to the organized crime community that hijacks the profession, to support their business model. It is the reason this pathway was rejected.</p>	<p>Solve through Commission Rule.</p> <p>Statutory change/opening compact NOT needed.</p>
--	--	--	--	--

			<p>“Educational program that meets the minimum qualifications for licensure” would open this up to those who attend questionable schools/diploma mills. Not all massage boards have authority over the approval/recognition of massage schools. The proposed amendment forces the Commission to accept the fraud.</p> <p>As originally drafted, the Commission has authority to set the acceptable educational requirements and not defer to the state (sub)standards (if any) that exist.</p>	
<p>ARTICLE 4 – MULTISTATE LICENSE REQUIREMENTS (These are the requirements the applying massage therapist must meet)</p>	<p>3. Have passed a National Licensing Examination or the substantial equivalent which the Commission may approve by Rule.</p>	<p>3. Successfully pass a psychometrically valid national examination. For purposes of this compact, such examination shall not include a State-administered examination but shall be inclusive of the following: a. The Massage and Bodywork Licensure Examination; or b. The National Certification Board for Therapeutic Massage & Bodywork prior to January 1, 2015; or c. the substantial equivalent of the foregoing which the Commission may approve by Rule.</p>	<p>The existing language already authorizes the Commission to designate, by Rule, the exam or substantial equivalent.</p> <p>It’s not good practice to name an exam in statute - exam names change, organizational names change, exams may become multi-part, etc.</p> <p>The number of therapists these changes would apply to is small and getting smaller, and can be accommodated in Rule. Over 350,000 have taken the MBLEx and are compact exam-eligible.</p>	<p>Solve through Commission Rule.</p> <p>Statutory change/opening compact NOT needed.</p>

Article 7 – ACTIVE MILITARY MEMBER AND THEIR SPOUSES	Active Military Member, or their spouses, shall designate a Home State where the individual has a current license to practice Massage Therapy in good standing. The individual may retain their Home State designation during any period of service when that individual or their spouse is on active duty assignment.	Active Military Member, or their spouses, shall designate a Home State where the individual has a current license to practice Massage Therapy in good standing. The individual may retain their Home State designation during any period of service when that individual or their spouse is on active duty assignment. Further, Active Military Members or their spouses shall satisfy the requirements of Article 4.A.2. by successful graduation from an educational program that meets the minimum qualifications for licensure in the designated Home State.	Adds a new requirement that active military members and spouses must meet Article 4(A)(2) through graduation from a home-state program, narrowing flexibility and potentially conflicting with existing eligibility pathways. This section is about military members/spouses and home state designation, not licensing requirements.	Statutory change/opening compact NOT needed.
ARTICLE 8 – ESTABLISHMENT AND OPERATION OF INTERSTATE MESSAGE COMPACT COMMISSION	B.2. The delegate shall be the primary administrative officer of the State Licensing Authority or their designee.	B.2. The delegate shall be either: a. A member of the State Licensing Authority; or b. the primary administrative officer of the State Licensing Authority or their designee.	The “or their designee” language allows for such an appointment. An administrator could designate a volunteer member of their board so the proposed addition is not needed.	Current language already solves this. Statutory change/opening compact NOT needed.
ARTICLE 8 – ESTABLISHMENT AND OPERATION OF INTERSTATE MESSAGE COMPACT COMMISSION	C.19 <i>(Proposed change is an addition to the section)</i> D.2. The Executive Committee shall be composed of seven voting members and up to two ex-officio members as follows: a. The chair and vice chair of the Commission and any other members of the Commission who serve on the Executive Committee shall be voting	C.19. The Commission may elect up to two ex-officio, nonvoting members of the Commission as specified in the Commission’s bylaws; D.2. The Executive Committee shall be composed of only seven voting members as follows: a. The chair and vice chair of the Commission and any other members of the Commission who serve on the Executive Committee shall be voting	Creates internal inconsistency: one amendment expands Commission authority to appoint ex-officio, non-voting members while another removes that authority from the Executive Committee, resulting in conflicting governance direction and unnecessary duplication of existing powers.	Solve in bylaws. Statutory change/opening compact NOT needed.

	<p>members of the Executive Committee; and</p> <p>b. Other than the chair, vice-chair, secretary and treasurer, the Commission shall elect three voting members from the current membership of the Commission.</p> <p>c. The Commission may elect ex-officio, nonvoting members as necessary as follows:</p> <p>i. One ex-officio member who is a representative of the national association of State Massage Therapy regulatory boards</p> <p>ii. One ex-officio member as specified in the Commission's bylaws.</p>	<p>members of the Executive Committee; and</p> <p>b. Other than the chair, vice-chair, secretary and treasurer, the Commission shall elect three voting members from the current membership of the Commission.</p>		
--	---	--	--	--