

# THE FLORIDA BOARD OF MASSAGE THERAPY

## ANNUAL REGULATORY PLAN 2020-2021.

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2018). The Plan covers the period beginning October 1, 2020 and ending September 30, 2021.

### PART ONE

### LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2020 Legislative Session which creates or modifies the duties or authority of the Board of Massage Therapy. §120.74(1)(a), Fla. Stat. (2018).

| Law Enacted or Modified on or after Oct. 1, 2019 | Florida Statute (modified or created)  | Rule (impacted)   | Must Agency Adopt Rules? | If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register? | Expected Publication Date for Notice of Proposed Rulemaking | If Rulemaking Not Necessary, Explain |
|--|--|---|--------------------------|--|---|--------------------------------------|
| HB 115 Keep our Graduates Working                | 456.072 Grounds for discipline; penalties; enforcement                                     | 64B7-25.001 Examination Requirements                    | Yes                      | Yes  | 8.20.20   |                                      |
| HB 713 Department of Health                      | 480.033 Definitions.<br>480.041 Massage therapist: qualifications; licensure; endorsement. | 64B7-29.001 Definitions;<br>64B7-29.002 Qualifications; | Yes                      | Yes  | 8.20.20   |                                      |

|  |  |   |  |  |  |  |
|--|--|---|--|--|--|--|
|  |  | 64B7-29.003 Massage Apprenticeship Training Program;<br>64B7-29.004 Termination;<br>64B7-29.006 Change of Sponsoring massage Therapist;<br>64B7-29.007 Apprenticeship Program<br><br>64B7-32.005 Minimum Standards for Colonics Irrigation Training |  |  |  |  |
|--|--|---|--|--|--|--|

**PART TWO**

**LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING**

Part Two of this plan addresses those laws which the Board of Massage Therapy intends to implement through rulemaking by July 1, 2021 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2021. §120.74(1)(b), Fla. Stat. (2018).

| Rule Number<br>And Title | Law Expected to Be Implemented<br>Through Rulemaking | Intent of Rulemaking |
|--------------------------|--|----------------------|
|--------------------------|--|----------------------|

|   |   |   |
|---|---|---|
| <p>64B7-28.002 Biennial Renewal of Massage Establishment License;<br/> 64B7-28.0043 Biennial Renewal of Massage Therapist License;<br/> 64B7-28.009 Required Continuing Education for Massage Therapists;<br/> 64B7-28.0096 Minimum Standards for Continuing Education;<br/> 64B7-28.010 Requirements for Board Approval of continuing Education Programs</p> | <p>§480.043(8), F.S., (Massage establishments; requisites; licensure; inspection, human trafficking awareness training and policies)<br/> §480.044(1)(e), F.S., (Fees; disposition)<br/> §456.036, F.S. (Licenses; active and inactive status; delinquency.)<br/> §480.0415, F.S., (License renewal)<br/> §456.013, F.S., (Department; general licensing provisions)<br/> §456.025 F.S., (Fees; receipts; disposition.)</p> | <p>Re-organize chapter for clarity.</p>             |
| <p>64B7-30.002, F.A.C. (Disciplinary Guidelines)</p>  | <p>§456.072, F.S. (Grounds for discipline; penalties; enforcement)<br/> §456.079, F.S. (Disciplinary guidelines)<br/> §480.041, F.S. (Massage therapists; qualifications; licensure; endorsement)<br/> §480.043, F.S. (Massage establishments; requisites; licensure; inspection)<br/> §480.046, F.S. (grounds for disciplinary action by the board.)<br/> §480.047, F.S. (Penalties)</p>                                   | <p>Rewording rule for updates and clarification</p> |

|   |  |  |
|---|--|--|
| 64B7-32.001 Definitions;<br>64B7-32.003 Minimum<br>Requirements for Board<br>Approved Massage Schools | §480.033, F.S. (Definitions)<br>§480.041, F.S. (Massage therapists;<br>qualifications; licensure; endorsement) |  |
|---|--|--|

**PART THREE**  
**UPDATES TO PRIOR YEAR'S PLAN**

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat. (2018).

| Law Enacted or Modified on or after Oct. 1, 2018 | Florida Statute (modified or created)   | Rule (impacted)   | Must Agency Adopt Rules? | If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register? | Expected Publication Date for Notice of Proposed Rulemaking | If Rulemaking Not Necessary, Explain |
|--|---|---|--------------------------|--|---|--------------------------------------|
| HB 851- Human Trafficking                        | 480.033 (Definitions)<br><br>480.043 (Massage establishments; requisites; licensure; inspection; human trafficking awareness training and policies) | 64B7-26.006 Change of Corporate Officers, Interested Parties, Designated Establishment Managers;<br><br>New rule 64B7-26.0035 Designated Establishment Managers | Yes<br><br>Yes           | 06/19/20<br><br>05/20/20   | 8/20/20<br><br>06/19/20                                     |                                      |

**PART FOUR**

**CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2018)**

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Massage Therapy regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 31 day of August, 2020.

/s/ Christopher Brooks

Electronic Signature  
Christopher Brooks, LMT, Chair  
of the Board of Massage Therapy

August, 07, 2020  
Date Signed

/s/ Diane L. Guillemette

Electronic Signature  
Diane L. Guillemette  
Assistant Attorney General  
Counsel to the Board of Massage Therapy

August 4, 2020  
Date Signed