

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 315

Introduced by Christensen, 44.

Read first time January 17, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to massage therapy; to amend sections 38-1706 and
2 38-1709, Reissue Revised Statutes of Nebraska; to
3 redefine massage therapy; to change licensure
4 requirements; and to repeal the original sections.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-1706, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 38-1706 Massage therapy means the physical, mechanical,
4 or electrical manipulation of soft tissue for ~~the therapeutic~~
5 ~~purposes of~~ enhancing muscle relaxation, reducing stress, improving
6 circulation, or instilling a greater sense of well-being and may
7 include the use of oil, salt glows, heat lamps, and hydrotherapy.
8 Massage therapy does not include diagnosis or treatment or use of
9 procedures for which a license to practice medicine or surgery,
10 chiropractic, or podiatry is required nor the use of microwave
11 diathermy, shortwave diathermy, ultrasound, transcutaneous electrical
12 nerve stimulation, electrical stimulation of over thirty-five volts,
13 neurological hyperstimulation, or spinal and joint adjustments.

14 Sec. 2. Section 38-1709, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 38-1709 (1) No person shall engage in the practice of
17 massage therapy, advertise massage therapy services, hold oneself out
18 as a massage therapist, or engage in ~~or~~ the operation of a massage
19 therapy school or establishment unless he or she obtains a license
20 from the department for that purpose.

21 (2) All forms and purposes of massage are considered
22 massage therapy unless excluded under section 38-1706 or 38-1708. Any
23 person engaging in the physical, mechanical, or electrical
24 manipulation of soft tissue for compensation in the State of Nebraska
25 is practicing massage therapy, whether or not such service is

1 described as massage, massage therapy, nontherapeutic massage, or any
2 other variant or any substitute for the term massage, and is required
3 to be licensed as a massage therapist pursuant to the Massage Therapy
4 Practice Act unless excluded under section 38-1706 or 38-1708.

5 Sec. 3. Original sections 38-1706 and 38-1709, Reissue
6 Revised Statutes of Nebraska, are repealed.