

**ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021**  
**COMMITTEE STATEMENT**  
**LB211**

---

**Hearing Date:** Wednesday January 27, 2021  
**Committee On:** Health and Human Services  
**Introducer:** Murman  
**One Liner:** Adopt the Reflexologist Registration Act

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

---

**Vote Results:**  
**Aye:** 7 Senators Arch, Cavanaugh, M., Day, Hansen, B., Murman, Walz, Williams  
**Nay:**  
**Absent:**  
**Present Not Voting:**

---

**Oral Testimony:**

**Proponents:**  
Dave Murman  
Nicole Fox

**Representing:**  
Introducer  
Platte Institute

**Opponents:**  
Becky Ohlson  
  
Steve Carper

**Representing:**  
American Massage Therapy Association - Nebraska  
Chapter  
Nebraska State Board of Massage Therapy

**Neutral:**

**Representing:**

---

**Summary of purpose and/or changes:**

LB 211 would amend the Uniform Credentialing Act and the Massage Therapy Practice Act.

LB 211 would include the Reflexologist Registration Act within the Uniform Credentialing Act and protect the job title of registered reflexologist. [Sections 1, 2, pp. 3, 5].

The Massage Therapy Practice Act would not be construed to include those practicing reflexology, who would be defined as those providing services limited to the application of specific pressure, by the use of the practitioners hands, thumbs, and fingers to the soft tissue of the hands, feet, and outer ears, and which is not designated or implied to be massage or massage therapy. [Section 4, 7, pp. 6-7].

LB 211 would create a reflexologist registry, which the Department of Health and Human Services [DHHS] would ensure is operational by September 16, 2021, and which would be supervised and overseen by the Board of Massage Therapy. [Section 9, p. 7].

To register as a reflexologist, an individual would file an application with DHHS and pay the applicable fee. The application would include the name, address, and telephone number of the reflexologist, documentation of certification based upon completion of examination, and the expiration date of such certification. To maintain registration, the reflexologist must maintain certification with the applicable national board and provide evidence of good standing annually to DHHS. [Section 10, pp. 7-8].

---

**Explanation of amendments:**

AM 584 would strike the original sections 7 and 10 of LB 211 and replace those sections with new language.

Practice of reflexology would be defined as services which are limited to the application of specific pressure, by the use of the practitioners hands, thumbs, and fingers, to the soft tissue of the hands, feet, and outer ears and which are not designated or implied to be massage or massage therapy.

To register as a reflexologist, an individual must file an application with the department and pay a fee which does not exceed the departments cost for maintaining the registry. The application includes:

- The reflexologists name, address, and telephone number;
- The reflexologists business name, address, and telephone number if applicable;
- The social security number or resident identification number of the applicant;
- Whether the applicant has been convicted of a crime other than speeding, and the date, location, and type of conviction; and
- Documentation of certification based on successful passage of examination;

The reflexologist must maintain certification in good standing with the applicable board and annually provide evidence of such to remain on the registry.

A massage therapist may make a written request to the department to be included on the reflexologist registry, with no application, fee, or additional documentation required [other than holding current licensure in good standing under the Massage Therapy Practice Act].

An individual may be declined or removed from the registry based on misrepresentation of material facts in registering, or based on conviction of a misdemeanor or felony under Nebraska law or federal law if the crime has a rational connection with the fitness or capacity to practice reflexology. The individual may also be declined or removed from the registry if the applicant has been convicted of a crime in any jurisdiction which would constitute a misdemeanor or felony and which has a rational connection with the fitness or capacity to practice reflexology.

If the individual is denied or removed, the department must send the applicant a notice, which contains the determination, reasons for the determination, description of the nature of violation including statute, rule, or regulation violated, and nature of the action being taken. The denial or removal is effective 30 days after mailing the notice, unless the applicant requests a hearing.

The bill will not become effective until January 1, 2022.

---

John Arch, Chairperson