

FLORIDA | Board *of* Massage Therapy

AGENDA OUTLINE
September 30, 2016
3:15 pm, EST

Meet Me #: (888) 670-3525

Participation Code: 2597709961



Kama Monroe
Executive Director

FRIDAY, September 30, 2016

Meeting will be called to order at 3:15 p.m., or soon thereafter, on Friday, September 30, 2016.

RULES DISCUSSION

Rule Title 64B7-28.010, FAC, Requirements for Board Approval of Continuing Education Programs.

- Proposed Language Changes, dated September 2016, Sharon Phillips
- Proposed Language Changes, dated February 2016, Sharon Phillips
- Current Rule Language
- Comments from Alex Spasoff, FSMTA Legislative Committee Chair

ADJOURN

64B7-28.010 Requirements for Board Approval of Continuing Education Programs and Continuing Education Providers

Paragraphs 1-3: Applicant Requirements

- (1) In order to receive Board approval for one or more continuing education programs, an applicant shall:
 - (a) Submit a completed Massage Continuing Education Programs Provider Registration Application, Distance Learning Class : Form B: Course Offering Data Form, Form #DH-MQA 1258 (rev. 7/13/13) or
 - (b) Live Hands-on or demonstration class: Form B2: Course Offering Data Form, Form xxxxxx.
(Form B2 is yet to be developed)
- (2) In order to receive Board approval as a continuing education provider / instructor an applicant shall:
 - (a) Submit, for Board approval, three discrete courses per 64B7-28.010 (1) (a).
 - (b) Submit a completed Massage Continuing Education Provider Application – Form C: Instructor Qualifications Form, Form #DH-MQA 1259 (rev. 7/13/13)
 - (c) Submit a non-refundable application fee of \$100.00.
 - (d) Copies of the forms B and C may be obtained at the following websites:
https://www.cebroker.com/public/bp_educational_providers.aspx
<https://www.flrules.org/Gateway/reference.sap?No=Ref-03643>.
- (3) Form B, Form B2 and Form C shall solely be considered by the Board for approval of continuing education programs and instructor providers. Each course shall conform to the form instructions.

Paragraphs 4-6: Provider Requirements

- (4) Continuing education instructor provider category criteria by education, credential, or experience.
 - (a) Hold a Bachelor Degree or higher or
 - (b) Holds a current license to practice massage therapy or
 - (c) Teaches or has taught at a massage therapy school, massage therapy convention, professional massage therapy group or
 - (d) Has specialized training in the subject matter being presented

- (5) The requirements for continuing education instructor provider by education credential or experience are:
- (a) The Bachelor degree or higher must have major course work in the subject matter being presented and be granted from an accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign nation
or
 - (b) Licensed Massage Therapist who must have practiced for a minimum of five (5) years; graduated from a school of massage or apprentice program that has equivalent or more stringent requirements than Florida's, and must be in good standing, with no discipline pending in any massage licensing jurisdiction
or
 - (c) Teaches or has taught the same course's subject matter a minimum of four (4) times in the past two(2) years at a massage therapy school, professional massage therapy convention or at a professional massage therapy group
or
 - (d) Completed specialized training in the subject matter being presented and five (5) years of practical experience in the subject.
- (6) An applicant who wishes to become a Board approved continuing education provider of Board approved continuing education programs must sign a written agreement to abide by all provisions of 64B7-28.010.

Paragraph 7: Course Requirements

- (7) The requirements for each approved continuing education course are:
- (a) Presenters/ moderators/ instructors of approved continuing education courses shall not receive credit for the courses they present.
 - (b) The provider/instructor must identify the person to be responsible for ensuring that the course presented under the provider registration number, which is listed in the CEBroker data base, meets all Board of Massage Therapy approval requirements.
 - (c) Each continuing education course must have stated learning objectives.
 - (d) **Each live hands-on or demonstration class must provide suitable accommodations for disabled students.**

- (e) Each continuing education course taught via live hands-on or live demonstration instruction or taught by correspondence, home study, video or digital media, or distance learning shall conform to the definition of “classroom hour” stated in 64B7-32.001.
- (f) Each continuing education course taught via live hands-on course instruction or demonstration shall be completed at the rate of no more than ~~12~~ 8 classroom hours per day and no more than ~~60~~ 56 classroom hours per calendar week.
For the purpose of this rule, computer or teleconference does not meet the requirement of this rule.
- (g) Each course must have a sign-in-sheet containing the printed name of each registrant, their adjacent signature, and an exit knowledge base evaluation per the stated requirements of the most current edition of [Distance Learning Form B: Course Offering Data Form, Form #DH-MQA 1258](#).
- (h) 3. Provide each participant with a certificate of attendance verifying the program has been completed. The certificate shall not be issued until completion of the program and shall contain the provider’s name and registration number, title of program and program number, instructor, date, number of contact hours of credit, the licensee’s name and license number.
- (i) All sign-in sheets, evaluations/ tests and copies of any promotional materials must be kept for at least four (4) years following delivery of the course.

Paragraph 8: Provider Responsibilities

- (8) A provider of a Board approved continuing education program must revise and update all course materials during the biennial renewal period reflecting changes in **the content.** ~~or changes in Rule 64B-7 or the Massage Practice Act F.S.480, if applicable, that have occurred during that period. Notify the Board of any significant changes relative to the maintenance of standards as set for in these rules.~~
- a. A continuing education provider of Florida laws F.S. 456 and 480 and rule 64B-7 must revise and update all course materials during the biennial renewal period.**
- b. Revised course materials from all continuing education providers must be submitted with the biennial renewal form and renewal fee.**

Paragraphs 9 – 11: Broad Responsibilities

- (9) The Board retains the right and authority to audit and / or monitor programs given by any provider. The Board will reject individual programs given by a provider, if the provider has given any false or misleading information in connection with the continuing education program, or if the program provider has failed to conform to and abide by the written agreement and rules of the Board.
- (10) The Board will rescind approval of any program that is found to be obsolete, erroneous, and / or outside the scope of practice as defined in the Massage Practice Act F.S. 480 .
- (11) The Board will rescind approval of any program if the Board determines the program provider has violated the Board's rules, 64B-7 or F.S. Chapters 480 and /or 456 or any other applicable Florida statute.

Paragraphs 12 and 13: CE Renewal

- (12) Board approved continuing education provider's registration number must be renewed on or before August 31 of the biennial renewal year. A provider renewal form provided by the Department together with a renewal fee of \$50 must be received by August 31st of the biennial renewal year.
- (13) The continuing education provider who has not submitted the required renewal documents, along with the required fee by August 31st of the biennial renewal year must submit a new application for approval for any continuing education programs offered for license renewal or initial licensure requirements. If the programs are approved, the provider will receive a new provider registration number.

Paragraph 14: Board Approved CE provider entities

- (14) The following massage professional organizations or legislative body are approved to offer accepted courses of study, that meet the criteria for approval under this section and conform to the Massage Practice Act F.S. 480 and 456:
- (a) American Massage Therapy Association or the American Massage Therapy Association Florida Chapter (AMTA) and (AMTA Florida Chapter)
 - (b) Approved Florida Board of Massage Therapy School
 - (c) Associated Bodywork and Massage Professionals (ABMP)
 - (d) Florida Board of Massage Therapy
 - (e) Florida State Massage Therapy Association (FSMTA)
 - (f) National Certification Board for Therapeutic Massage and Bodywork (NCBTMB)

RATIONALE: Since the same credit is awarded for continuing education courses, no matter the format, then the requirements for instructors and programs should be the same no matter the program delivery format.

The massage continuing education application is Form B. No other paper work such as copies of curricula from text books, power point presentations, lesson plans or other documents should be considered, because they are not part of the application document. By only reviewing Form B or Form B2, all applicants will have a level playing field for their submissions. Thus each applicant will be treated fairly based on the merits of their application.

It didn't make sense to me to grant someone the ability to present a continuing education course having taught 1 ½ times a year for 2 years and also grant CE provider status to a person who has 5 years of practical experience and 2 full years of teaching experience. I tried to make each combination of education, licensure status and experience in the field equitable.

If a therapist is licensed in another state or country and the requirement for that licensure is the same or more stringent than Florida's requirement, why would you require them to have more practical experience, 10 years in this case, than Florida licensees?

7d. It occurred to me that most structured courses given in institutions are required to accommodate students with disabilities.

7 f. Currently the instructions on Form B read "Learner Objectives: Describe in detail, the information the student should be familiar with after this course. List all learner outcomes individually. List how this knowledge base will be measured and evaluated, (i.e. tests). Detail how each objective is relevant to the practice of massage as defined in Chapter 480, Florida Statutes." Currently the law says that live or demonstration classes do not have to have an evaluation. Should the Board want to continue this policy I recommend a separate Form B2 application for live hands-on or demonstration courses?

Finally it seemed that course requirements and provider requirements were mixed together. I tried to organize the information in related groups i.e. Application requirements, Provider requirements, Course requirements, Provider responsibilities, Board responsibilities and Board approved CE provider entities.

As the legislature is meeting soon could we lobby for increasing the application and renewal fees for continuing education applicants? I believe Dr. Davis was correct in saying this fee structure is a “cash cow” for the large national CE providers. Increasing the CE provider application fee to \$200 and the renewal fee to \$100 I don’t think is unreasonable.

64B7-28.010 Requirements for Board Approval of Continuing Education Programs and Continuing Education Providers

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the program provider has failed to conform to and abide by the written agreement and rules of the Board.

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64B7-28.010 Requirements for Board Approval of Continuing Education Programs.

(1) In order to receive Board approval as a provider to provide one or more programs, an applicant shall:

(a) Submit a completed Massage Continuing Education Programs Provider Registration Application, Form B: Course Offering Data Form, Form # DH-MQA 1258 (rev. 7/13/13), and Massage Continuing Education Provider Application – Form C: Instructor Qualifications Form, Form # DH-MQA 1259 (rev. 7/13/13), incorporated herein by reference, and a non-refundable application fee of \$100.00. Copies of the forms may be obtained at the following website https://www.cebroker.com/public/pb_educational_providers.aspx or <http://www.flrules.org/Gateway/reference.asp?No=Ref-03640> and <http://www.flrules.org/Gateway/reference.asp?No=Ref-03641>.

(b) Sign and abide by written agreement to:

1. Provide an identifiable person to be responsible for ensuring that each program presented under their Board of Massage Therapy provider registration number meets program requirements set forth in subsection (2) or (3) below.

2. Retain a “sign-in-sheet” with the signature of participants and copies of any promotional materials for at least 4 years following the course.

3. Provide each participant with a certificate of attendance verifying the program has been completed. The certificate shall not be issued until completion of the program and shall contain the provider’s name and registration number, title of program and program number, instructor, date, number of contact hours of credit, the licensee’s name and license number.

4. Notify the Board of any significant changes relative to the maintenance of standards as set forth in these rules.

(2) Each continuing education program presented to meet the requirements of paragraph 64B7-28.009(2)(a), F.A.C., shall:

(a) Be taught via live classroom instruction including hands-on instruction and/or demonstration;

(b) Have stated learning objectives;

(c) Be instructed by a person who meets at least one of the following criteria:

1. Holds a minimum of a bachelor’s degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered, or

2. Has graduated from a school of massage or an apprenticeship program which has a curriculum equivalent to requirements in this state and was approved by a state licensing authority, a nationally recognized massage therapy association, or a substantially equivalent accrediting body, or the Board, and has completed three years of professional experience in the practice of massage, and

a. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

b. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group or at a massage therapy school, or

c. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject, or

3. Is licensed as a massage therapist in another state or foreign sovereign state having standards of education or apprenticeship training substantially similar to or more stringent than those required for licensure in Florida and has practiced massage therapy for a minimum of 10 years, and

a. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

b. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group or at a massage therapy school, or

c. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject, or

4. Has taught at a school of massage which has a curriculum equivalent to requirements in this state and was approved by a state licensing authority, a nationally recognized massage therapy association, or a substantially equivalent accrediting body, or the Board for a minimum of two years, and

a. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

b. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group or at a massage therapy school, or

c. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject.

(3) Each continuing education program presented to meet the requirements of paragraphs 64B7-28.009(2)(b), (c), (d) or subsection (3), F.A.C., shall:

(a) Be taught via live classroom instruction or by correspondence, home study, video or digital media, or distance learning;

(b) Have stated learning objectives;

(c) Include a test graded by the provider if the course is not taught via live classroom instruction;

(d) Be instructed by a person who meets at least one of the following criteria:

1. Holds a minimum of a bachelor's degree from a college or university which is accredited by a regional accrediting body recognized by the U.S. Department of Education or a substantially equivalent accrediting body of a foreign sovereign state, with a major in a subject directly related to the content of the program to be offered, or

2. Has, within the last five years of practical experience, had a minimum of two years teaching experience in the subject matter to be offered, or

3. Has taught the same courses on this approved subject a minimum of 3 times in the past 2 years before a professional convention, professional group, or at a massage therapy school, or

4. Has completed specialized training in the subject matter and has a minimum of two years of practical experience in the subject.

(4) The Board retains the right and authority to audit and/or monitor programs given by any provider. The Board will reject individual programs given by a provider if the provider has disseminated any false or misleading information in connection with the continuing education program, or if the program provider has failed to conform to and abide by the written agreement and rules of the Board.

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

(6) Presenters/moderators/instructors of courses shall not receive credit for courses they present.

(7) A provider of Board approved programs must revise and update all course materials that are affected by changes occurring during the biennial renewal period. The Board will rescind approval of any program that is found to be obsolete, erroneous, and/or outside the scope of practice, or if the Board determines the program provider has violated the Board's rules or Chapter 456 or 480, F.S. The revised course materials must be submitted with the biennial renewal form and renewal fee.

(8) Provider registration numbers must be renewed biennially on or before August 31 of the biennial renewal year. The provider must return the renewal form provided by the department together with a renewal fee of \$50.00. If the renewal form and renewal fee are not received by the department on or before August 31 of the biennial year, the provider must submit a new application for approval of any continuing education programs offered for license renewal or initial licensure requirements, and, if any programs are approved, receive a new provider registration number.

(9) The following courses, that meet the criteria for approval under this section, are approved by the Board:

(a) Organized and accepted courses of study offered by providers approved by the National Certification Board for Therapeutic Massage and Bodywork;

(b) Organized courses offered by a Board Approved Massage School;

(c) Continuing education courses offered by or sponsored by the Florida Board of Massage Therapy;

(d) Continuing education courses sponsored by the Florida State Massage Therapy Association; and

(e) Continuing education courses sponsored by the American Massage Therapy Association or the American Massage Therapy Association Florida Chapter.

Rulemaking Authority 456.013(8), (9), 456.025(7), 456.036, 480.035(7), 480.0415 FS. Law Implemented 456.013(8), (9), 456.025(7), 456.036, 480.0415 FS. History—New 4-21-86, Amended 9-14-87, 8-29-88, 2-8-89, 3-12-90, 1-3-91, Formerly 21L-28.010, Amended 9-30-93, 8-16-94, 6-12-95, 2-12-97, Formerly 61G11-28.010, Amended 2-18-98, 10-26-98, 9-20-99, 11-4-99, 11-21-02, 10-12-03, 12-13-05, 7-5-06, 2-25-07, 5-8-07, 1-26-14.

Alday, Alexandra H

From: Alex Spassoff <legislativechair@fsmta.org>
Sent: Wednesday, September 28, 2016 10:29 AM
To: Alday, Alexandra H
Cc: executiveboard@fsmta.org; Jeff Brown; Sandra Atkinson; Vivian Madison Mahoney; Judith Delany; Michael McGillicuddy; Pete Whitridge; Virginia Stephens
Subject: Rules discussion
Attachments: 09302016-public_book.pdf

Alex,

Good morning and I hope you're having a nice day.

In looking over the proposed rule changes, it is very confusing because some of the information is in red, some bold print and some is underlined. Usually proposed changes are underscored and deleted items have strikethrough.

I may not be able to be on the call for the duration as I have previous appointments, and I am requesting that my comments be read to the board members in attendance.

The most onerous is the "requirement " by rule for disabled students. This can place an undue hardship on providers with smaller classes. What exactly does it mean to provide suitable accommodations? How will this be monitored? What determines a "disabled student"?

In red print in the rationale section there is a comment to double the application fee to \$200, but I don't see it listed as a change. Here again, doubling the fee would be an extraordinary additional cost to especially small providers.

The continuing education rule as originally written was to approve providers and the providers were to make certain that the courses would comply with the scope of practice. Now it appears the board is wanting to approve instructors and courses. Does the board really need to be micromanaging the entire process rather than monitoring programs.

In 64.B7.28.010(7)(g) requiring an "exit knowledge evaluation " would result in less time learning in shorter introductory courses offered at association meetings and conventions or conferences. What form will these evaluations take? How will they be monitored? What if someone "fails" the evaluation would they not receive credit? I understand the need for evaluations for distance learning but fail to see the rationale when the student is present with the teacher. Evaluations should be reserved for courses that the provider offers more than a certificate of attendance.

In 64B7.28.010(8) requiring providers to submit updated materials is not possible since there is no mechanism to do so with CEBroker. Other than laws and rules changes who will determine what is current and what is outdated?

http://floridasmassagetherapy.gov/meetings/public-books/2016/09-september/09302016-public_book.pdf

Sent from my iPad

Sincerely,

Alex R. Spassoff, BA, LMT
Legislative Committee Chair FSMTA

[307 N Howard Ave](#)
[Tampa, FL 33606-1508](#)
[\(m\) 813-843-4904](#)
legislativechair@fsmta.org

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