Massage Therapy License Exemption Worksheet
For Related Touch Therapies

The legislature has determined that massage therapy includes any practice (not already licensed by the state) that performs “structured touch, pressure, positioning or holding to soft tissues of the body” -MCA 37-33-403(4). This means that while practitioners may not consider their work to be massage therapy, the law is broad enough to define those practices as massage therapy and requires the Board of Massage Therapy to regulate these practices through licensure. However, the legislature has also determined that in certain cases these individuals can qualify for an exemption and do not require the Board’s oversight.

This worksheet is intended to determine whether the individual qualifies for an exemption under MCA 37-33-404(5).

Begin with the questions below to determine if you may use this worksheet.

1. Do you perform touch, words, and directed movement to deepen awareness of existing patterns of movement in the body, as well as to suggest new possibilities of movement?
   Examples include but are not limited to the Feldenkrais method of somatic education, the Trager approach to movement education, and body-mind centering.
   Yes / No

2. Do you perform touch to affect the human energy systems, energy meridians, or energy fields?
   Examples include but are not limited to polarity bodywork therapy, Asian bodywork therapy, acupressure, jin shin do, qigong, reiki, shiatsu, tui na, and craniosacral therapy.
   Yes / No

3. Do you perform touch to effect change on the integration of the structure of the physical body?
   Examples include but are not limited to the Rolf method of structural integration, Rolfing, and Hellerwork.
   Yes / No

4. Do you perform touch to affect the reflex areas located in the hands, feet, and outer ears?
   Examples include but are not limited to reflexology.
   Yes / No

If you answered NO to ALL of the above, STOP! You do not qualify for an exemption under MCA 37-33-404(5), and you must obtain a massage therapy license to practice.

If you answered Yes to AT LEAST ONE of the above, please read the information below before continuing to the flowchart:

If you perform more than one touch therapy that might qualify for an exemption, you are strongly encouraged to fill out a worksheet for each one. Qualifying for an exemption for one touch therapy only allows practice of that therapy. You may not practice other therapies without first obtaining a license or showing that they are also exempt.

If you do not qualify for an exemption for any one of your touch therapies, you must obtain a massage therapy license to perform that therapy.

Directions to fill out the flowchart on the following pages:
1. Put the name of the touch therapy at the top of the page
2. Circle each answer to show which branch of the flowchart is followed.
Touch Therapy Name: ___________________________________________________

Not counting the touch therapies in questions 1-4 on page 1, do you perform any other touch therapies that fall within the definition of massage therapy (examples might include massage, myofascial release, neuromuscular therapy)?

Yes \[\rightarrow\] STOP! You do not qualify for an exemption under MCA 37-33-404 (5), because you are also practicing massage therapy. To practice massage therapy, you must obtain a massage therapy license to practice.

No \[\rightarrow\] Does the touch therapy (from page 1 and named in the blank above) have a professional organization or credentialing agency that represents or certifies the practice?

Yes \[\rightarrow\] STOP! The practice does not meet the requirements of MCA 37-33-404(5)(b)(i), and you must obtain a massage therapy license to practice.

No \[\rightarrow\] Does the professional organization or credentialing agency have a code of ethics or otherwise adheres to a standard of ethical practice?

Yes \[\rightarrow\] Does the professional organization or credentialing agency require a minimum level of training in order to be certified or gain the credential?

Yes \[\rightarrow\] Does the professional organization or credentialing agency require a demonstration of competency (written, practical or other tests) in order to be certified or gain the credential?

Yes \[\rightarrow\] Do you belong to or hold a credential from the professional organization or credentialing agency?

Yes \[\rightarrow\] Have you ever belonged to or have you ever been credentialed by the professional organization or credentialing agency?

Yes \[\rightarrow\] STOP! You do not qualify for an exemption under MCA 37-33-404(5), and you must obtain a massage therapy license to practice.

No \[\rightarrow\] Do you imply or designate your services to be massage therapy?

Yes \[\rightarrow\] STOP! You do not qualify for an exemption under MCA 37-33-404(5). and you must obtain a massage therapy license to practice.

No \[\rightarrow\] Go to page 3 to complete the flowchart

Congratulations! You qualify for an exemption under MCA 37-33-404(5) and do not need to be licensed in massage therapy to perform your respective practice provided that you perform no other practice that requires a massage therapy license.

In order to maintain that exemption, you may not imply or designate your services to be massage therapy at any time. For example:

- If you advertise under any heading that includes "massage" in the title, you are in violation and could lose your exemption. Therefore, if you want to advertise in the yellow pages under massage, massage therapeutic or massage therapy, or any other derivation, you must have a massage therapy license to do so.
- If you use the NCBTMB or NCTMB in any advertising, you are in violation, as it could imply that you are certified in therapeutic massage. However, if you state that you are "nationally certified" or otherwise make it clear that the certification is not for therapeutic massage, that is not in violation.
- Using the term massage or any of its derivations is also in violation.

It is recommended that if you qualify for an exemption and plan not to obtain a massage therapy license, that you make a copy of this worksheet and store it in your files. It is also recommended that you include copies of any materials that support your responses. Therefore, in the event a complaint for unlicensed practice is filed against you, your records can readily show how you qualify for the exemption.
This page is only for those who answered “No” to the question:

Have you ever belonged to or have you ever been credentialed by the professional organization or credentialing agency?
- No

Do you meet the minimum training standards that are needed to be certified, belong to, or be credentialed by the professional organization or credentialing agency?
- No
- Yes

Have you passed the competency tests required to be certified, belong to, or be credentialed by the professional organization or credentialing agency?
- No
- Yes

Do you imply or designate your services to be massage therapy?
- No

STOP! You do not qualify for an exemption under MCA 37-33-404(5), and you must obtain a massage therapy license to practice.

Congratulations! You qualify for an exemption under MCA 37-33-404(5) and do not need to be licensed in massage therapy to perform your respective practice provided that you perform no other practice that requires a massage therapy license.

In order to maintain that exemption, you may not imply or designate your services to be massage therapy at any time.

For example:
- If you advertise under any heading that includes “massage” in the title, you are in violation and could lose your exemption. Therefore, if you want to advertise in the yellow pages under massage, massage therapeutic or massage therapy, or any other derivation, you must have a massage therapy license to do so.
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