



# TOWN OF HALIFAX COMMONWEALTH OF MASSACHUSETTS

## Board of Health

499 Plymouth St., Halifax, MA 02338  
Telephone (781) 293 6768 \* Fax (781) 293 1738

## Regulations for the Practice of Massage/Bodywork

Effective August 25, 2003

Massage/Bodywork Regulations for the Town of Halifax

Section:	Page:
1. Purpose .....	1.
2. Scope .....	1.
3. Definitions.....	1.-2.
4. Exceptions and Exclusions .....	2.
5. Requirements for Individual Licensing .....	2.-3.
6. Requirements for Licensing of an Establishment .....	3-4.
7. Record Keeping .....	5.
8. Denial of Application for License or Renewal Thereof .....	5.
9. Suspension or Revocation of License .....	5.
10. Penalties: .....	6.
11. Severability': .....	6.
Effective Date: .....	6.
Appendices	
a. Informed Consent .....	7.
b. Application Form .....	8.



# **TOWN OF HALIFAX**

## **COMMONWEALTH OF MASSACHUSETTS**

### **Board of Health**

499 Plymouth St., Halifax, MA

02338

Telephone (781) 293 6768 \* Fax (781)

293 1738

## **Massage Therapy Regulations**

### **Section 1. Purpose of Regulation**

Whereas the practice of massage is becoming prevalent and popular throughout the Commonwealth; and whereas there are many types of massage and whereas knowledge of anatomy and practice of universal precautions, sanitation, personal hygiene, among other requirements, should be demonstrated to prevent the transmission of disease or injury to the client, the Board of Health of the Town of Halifax adopts the following regulation for the practice of massage in the Town of Halifax as part of our mission to protect the health, safety and welfare of the public under its authority as specified in Section 2.

### **Section 2. Scope of Authority**

The Halifax Board of Health hereby adopts the following Regulation under authority of sections 122 and 31 of Chapter III and sections 51 and 53 of Chapter 140 of the General Laws of the Commonwealth of Massachusetts, amending Regulations adopted on January 9, 1995. The regulation shall apply, as specified herein, to all applicable facilities, existing and new, and all massage therapists within the Town of Halifax.

### **Section 3. Definitions**

For the purpose of these regulations:

- A.** AMP shall mean Associated Bodywork & Massage Professionals
- B.** AMTA shall mean the American Massage Therapy Association
- C.** Approved shall mean approved by the Town of Halifax Board of Health.
- D.** Approved course of massage shall mean a course on the art and science of massage including both theory and practice. This course of study shall include a minimum of a 500-hour course of study meeting the standards of the Associated Bodywork & Massage Professionals (AMP) or the American Massage Therapy Association (AMT A) or other association deemed acceptable to the Halifax Board of Health.
- E.** Chair Therapy shall mean massage therapy performed upon fully clothed individuals in a chair. Chair therapy may be conducted in a private or commercial establishment by a massage therapist licensed in the Town of Halifax to practice massage therapy.
- F.** Establishment shall mean the room or group of rooms, office, building, place of business, or premises where massage is practiced.
- G.** Home Therapy shall mean massage therapy practiced in the home by a massage therapist

licensed in the Town of Halifax to practice massage therapy.

- H.** Informed Consent Form shall mean the form attached to this regulation as Appendix #1, or one similar to it and approved by the Halifax Board of Health.
- I.** Massage/Bodywork shall be defined as the application of various techniques to the muscular structure and soft tissues of the human body. Application of massage and bodywork techniques may include, but is not limited to, stroking, kneading, tapping, compression, friction, pressure, and those techniques based on manipulation or the application of pressure to the muscular structure and/or soft tissues of the human body.
- J.** Massage therapist shall mean a person who provides massage/bodywork or therapy for compensation.

#### **Section 4. Exceptions And Exclusions**

**A.** Individual: These regulations shall not apply to the following individuals while engaged in the regular performance of the duties of their respective professions:

- (1) Physicians, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts.
- (2) School athletic trainers.
- (3) Nurses who are registered or licensed under the laws of the Commonwealth of Massachusetts.
- (4) Barber and beauticians who are duly registered under the laws of the Commonwealth of Massachusetts except that this exemption shall apply solely to the massage of the neck, face, scalp, and hair of the customer or client for cosmetic or beautifying purpose.
- (5) Any person licensed to practice massage by any city or town in the Commonwealth may, at the written request of a physician, attend to patients in the Town of Halifax without taking out an additional license.

**B.** Establishments: These regulations shall not apply to hospitals, nursing homes, convalescent homes, home health agencies or other similarly licensed institutions.

#### **Section 5. Requirements For Individual Licensing**

No person shall be licensed to practice massage or advertise or hold him/herself out as being engaged in the business of massage in the Town of Halifax without first obtaining a license from the Board of Health. Applicants for a license to practice massage/bodywork shall meet the following requirements:

- A.** The applicant submits to the Town of Halifax Board of Health a completed application form adopted by the Board of Health, as in appendix # 2, containing all information therein

requested. False statements in said application shall be grounds for denial, suspension or revocation of a license request.

- B.** If the applicant's business address is in the Town of Halifax, the applicant must apply to the Town of Halifax Clerk's office for a business certificate.
- C.** The applicant has written proof of having satisfactorily completed a minimum of a *SOO-hour* course of study at an institution approved by the AMP or the AMT A or other association deemed acceptable to the Halifax Board of Health.
- D.** The applicant provides written evidence, such as a birth certificate, that he/she is at least eighteen (18) years of age.
- E.** The applicant provides one front-face photograph at least two inches by two inches taken within one year prior to the submission of the application.
- F.** The applicant provides written evidence of professional liability insurance.
- G.** Mobile massage therapists providing massage therapy in various locations and home in the Town of Halifax shall provide a list of clients' names and addresses. This list will be kept confidential by the Halifax Board of Health and said list shall be updated as the list changes or at least quarterly each year.
- H.** A nonrefundable annual license shall be submitted at the time of application. See the Board of Health for its current fee schedule. License shall expire on December 31 of each year and be renewed annually.

### **Section 5. Requirements For Licensing Of An Establishment**

Every Establishment for the practice of massage shall meet the following requirements:

- A.** Applicant must submit to the Town of Halifax Board of Health a completed application form containing all information therein requested. False statements in said application shall be grounds for denial of a license request.
- B.** In addition to applying for the Board of Health's license, the applicant must apply to the Town of Halifax Clerk's office for a business certificate.
- C.** If the establishment is to be in a residential area, the applicant will complete the home business questionnaire at the Halifax Clerk's office, which will be reviewed by the Building Department.
- D.** Every licensee shall notify the Town of Halifax Board of Health prior to any change of name, address or ownership.
- E.** No licensed establishment shall operate under any name or designation not specified on the license.
- F.** Every licensee shall permit the Town of Halifax Board of Health to inspect his/her place of business within 30 days of licensure, every six months thereafter, and upon receipt of any complaint.
- G.** No establishment shall employ or shall cause to be employed as a massage therapist any person who has no license for the practice of massage in the Town of Halifax, or whose massage license has been revoked or suspended within the past three years.
- H.** If food is served, the establishment must be in compliance with Article X of "The State Sanitary Code" and must have a retail food or food establishment permit from the Town of Halifax Board of Health.
- I.** No alcoholic beverages shall be permitted in that portion of a building used for the purpose of giving massage, as determined by the Town of Halifax Board of Health.
- J.** No person shall treat or be treated if afflicted with a reportable communicable disease. However, the person may treat or be treated when a written statement is received from a physician to the effect that the condition is no longer contagious.
- K.** Every person practicing massage shall wash his/her hands thoroughly with soap and hot water immediately before and after treating a client.
- K.** Smoking is not allowed in any building or establishment that is being used for the purpose of giving a massage.
- L.** All individuals employed by the establishment shall maintain a sufficient level of personal cleanliness as determined by the Board of Health.
- M.** All rooms shall be well lighted, well ventilated and properly heated in accordance with local

and/or state regulations except during those periods declared as emergencies by local or state officials. Lighting in areas used for massage shall be of such intensity that all parts of the room are clearly visible when lights are used at full lighting capacity. Dimming of lights during massage is allowed, if the client wishes, but the lights will have the capability of sufficient lighting for visibility during cleaning.

- N. There shall be a safe, adequate supply of hot and cold running water convenient and unobstructed to the room (s) for massage at all times.
- P. There shall be at least one toilet with hand washing facilities per four (4) treatment rooms or two bathrooms per every 12,000 square feet. Toilet facilities shall meet the following requirements:
  - a. They shall meet the Plumbing Code. For questions regarding this code call the Building Department.
  - b. They shall contain liquid soap, paper towels and a receptacle for disposal.
  - c. They shall be cleaned and disinfected at least once every 24 hours.
  - d. New establishments must meet the Building Department requirements for handicapped accessibility and compliance with the Americans with Disability Act.
- Q. All areas of the establishment shall be kept in a sanitary condition at all times.
- R. All robes, sheets, towels and other items, which may come in direct contact with the body, shall be properly cleaned and stored in a sanitary manner after each and every use. Single service disposable items are acceptable.
- S. No room or section of a building, licensed for the purpose of giving massage, shall be used as a bedroom.
- T. The license of the establishment and all massage therapists must be displayed in a conspicuous place.
- U. The name, address and phone number of the Halifax Board of Health shall be displayed in a conspicuous place.
- V. The establishment must comply with all local building code requirements.
- W. Establishment licenses shall only be granted to individuals who hold individual licenses issued by the Town of Halifax Board of Health, or to corporations whose principal officers hold such individual licenses.
- X. The Halifax Board of Health, at its discretion, may waive any of these requirements in its sole and absolute discretion.

## **Section 6. Record Keeping**

Massage therapists and massage therapy establishments shall keep the following records for a minimum of three (3) years, and such records shall be made available to the Board of Health upon request:

- A. Establishment information, which shall include:
  - a. Establishment name
  - b. Hours of operation
  - c. Owner's name and address
  - d. A complete and signed (by applicant) description of all massage/bodywork offered
  - E. Liability insurance information
- B. Client information, which shall include:
  - a. Original signed Informed Consent Forms

## **Section 7. Denial Of Application For License Or Renewal Thereof**

- A. Any person or establishment whose application for a license or license renewal is denied, may within ten (10) days of said denial request in writing a hearing upon the cause or causes of said denial. The Board of Health may set a time and place for said hearing within a reasonable time, not to exceed thirty (30) days.

## **Section 8. Suspension Or Revocation Of License**

**A.** No license granted under these regulations, whether for individual practitioners or for an establishment, may be suspended or revoked without a hearing, except that the Town of Halifax Board of Health, or its appointed agent, may suspend an establishment and an individual license for flagrant violation of the regulations or under emergency circumstances as determined by the Board of Health or its appointed agent.

- a.** In the event that the Halifax Board of Health or its appointed agent shall suspend any license as herein provided, the licensee shall be entitled to have such suspension reviewed by the Board of Health at its next regularly scheduled meeting or within fourteen (14) days of receipt of a hearing request, whichever is sooner.

**B.** Such licenses may be suspended or revoked if, after a hearing, the Town of Halifax Board of Health find that the licensee has:

- (1) Made a material false statement on the application form; or
- (2) Violated or permitted a violation of any of these regulations or of any conditions of the license; or
- (3) Violated or permitted a violation of any law of the Commonwealth.

## **Section 9. Penalties:**

**A.** Failure to comply with provisions of this regulation will result in levy of fines of not less than \$100.00, but no more than \$1,000.00. Each day's failure to comply with the provisions of this regulation shall constitute a separate violation.

- a.** Note: Effective 1992, under Chapter 111: Section 31 (violation of health regulation) maximum fines increased from \$100 to \$1,000.

## **Section 10. Severability:**

Each provision of this regulation shall be construed as separate to the end that, if any provision, or sentence, clause or phrase thereof, shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

Adopted June 25, 2003 by the Town of Halifax Board of Health  
Amended August 25, 2003

Signed by:

John Delano, Chairperson  
John Weber, Co-Chair  
Jeffrey Anderson, Clerk