

# **MASSAGE THERAPY FREQUENTLY ASKED QUESTIONS**

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## **Code of Ethics Clarifications**

### **Draping**

#### ***What is considered proper “draping”?***

Neither the Act nor the Board's Rules & Regulations defines the term "draping." However, the therapist's responsibility to "provide and use draping" is clearly stated in the Act § 73-67-31 (1)(j), in Rules 7.5.A.10 and 14, and in the Board's code of ethics item #7. Further, in Rule 11.1.C, every massage establishment is obligated to provide sanitary linens (draping) for each client. Hence, modesty clothing that the client brings to the session (e.g., underwear, swimsuit, shorts and t-shirt, etc.) cannot be construed as draping. The code of ethics item #7 describes the purpose of draping as to "ensure the safety, comfort and privacy of the client." It is incumbent on the schools to teach draping in a manner that is consistent with this purpose, including "draping and turning" as described in the educational requirements of the Act § 73-67-35 (2)(c) and of Rule 4.2.B.1.c.

### **CPR / First Aid Requirements**

#### ***What type of CPR and First Aid Certifications are acceptable?***

##### **Initial**

“CPR / First Aid certification” means a course that is hands-on skills training and demonstration and which is obtained from a Board-approved organization, including the American Red Cross, the American Heart Association, the American Safety and Health Institute, Emergency Care and Safety Institute, ProTrainings, LLC, ProFirstAid, Advanced Blended or Classroom, Pacific Medical Training, or another organization on a case-by-case basis.

##### **Renewal**

100% cognitive-only training courses will be accepted, if provided by a Board-approved organization.

#### ***Are LMT's required to have both child and adult CPR to meet the renewal licensing requirements?***

The adult course will suffice; however any additional training would be up to the LMT.

#### ***Can Mississippi CEU Providers who are also CPR / First Aid Instructors advertise on the MSBMT website?***

Since CPR and First Aid do not fit the definition of a program presented for Mississippi CEU credit, then the Mississippi Approved Provider cannot advertise on the CEU Approved Program Listing on the MSBMT website. If an approved provider wants to separately teach as a non-continuing education provider, then they can do so without any interaction with the Board.

Note: Refer to the location of CPR / First Aid course availability under the Licensure tab of our website which provides accessibility to all approved CPR / First Aid providers and program information.

### **Documentation Requirements**

Whoever (massage therapist or massage establishment) is designated as the custodian of client records shall retain all required client documentation of massage sessions for a period of two (2) years, unless the massage establishment has the responsibility for maintaining such documentation, and insure that it is readily available for inspection at the request of the Board or their duly appointed representative. This includes, but is not limited to client history/intake forms and client release forms, as well as SOAP notes, appointment schedule book and client evaluations if requested by the Board or their duly appointed representative.

### **SOAP Notes**

#### ***What is a therapist's responsibility to maintain SOAP notes under the Mississippi Professional Massage Therapy Act and the MSBMT Rules and Regulations?***

§ 73-67-31.(1)(e) of the MS Professional Massage Therapy Act and Rule 7.5.A.5 state the massage therapist's responsibility to: "Keep accurate and up-to-date records regarding a client's condition before and after massage therapy session in cases of a client being treated for a specific condition. Public, sports and on-site seated massage sessions are exempt from documentation; sports massage sessions are exempt from post event documentation."

The Board interprets the phrase "in cases of a client being treated for a specific condition" to apply regardless of the modality employed (e.g., Swedish, deep tissue, neuromuscular, cranio-sacral, manual lymph drainage, etc.). SOAP charts or similar documentation are kept for clients who request massage in conjunction with a specific condition including, but not limited to:

1. any client's self-reported complaint of pain/discomfort or tension or limitation in range of motion related to soft tissue
2. any soft-tissue conditions identified by the therapist and evaluated / treated in the course of the massage, even if the client did not self-report that specific condition or only requested "relaxation"
3. a medically-diagnosed condition
4. an accident, injury or trauma
5. post-surgical recovery
6. a valid medical prescription or medical orders for massage from a licensed healthcare worker

### **Intake Forms**

#### ***Is the client required to complete the client intake form?***

Except for public, sports, and on-site seated massage sessions, which are exempt from documentation, a client health history / intake is required for each client. The client may fill out the health history / intake form or the therapist may fill out the form based on a verbal interview with the client. The applicable sections of the Rules & Regulations are:

- 7.5.A.4 Obtain and keep an overview or profile of the client's state of being and health history and discuss any problem areas that may contraindicate massage [identical to Sec 73-67-31(1)(d)]
- 7.5.C Client intake forms must be signed and dated by the massage therapist and must comply with all Federal and State regulations including but not limited to HIPPA.

The massage therapist shall retain all required client documentation of massage sessions for a period of two (2) years, unless the massage establishment has the responsibility for maintaining such documentation, and insure that it is readily available for inspection at the request of the Board or their duly appointed representative. This includes, but is not limited to client history/intake forms and client release forms, as well as SOAP notes, appointment schedule book and client evaluations if requested by the Board or their duly appointed representative.

### **Exemptions Questions**

#### **Chiropractic - Scope of Practice**

***What is the major difference between the Massage Therapy Scope of Practice and the Chiropractic Scope of Practice?***

The Massage Therapy Scope of Practice excludes osseous tissue manipulation or adjustment. Osseous tissue is bone. This states that we are not chiropractors and do not adjust bones or perform 'manipulations' as defined in the Chiropractic Scope of Practice. Massage Therapist are all about muscles. Although muscles affect bones, our intent must be to affect muscles surrounding or attached to bones.

#### **Cosmetologist**

***Can a cosmetologist do 'massage' from the neck up (chair massage)?***

A cosmetologist can 'rub' from the neck up simultaneously with the treatment of the face/neck. Example: while doing a facial, NOT a chair massage which obviously is performed with the client's face in a cradle. The same would apply for up to the elbow for manicures and up to the knee for pedicures. The cosmetologist scope of practice includes facials, manicures and pedicures and they can rub adjacent areas described above to make the experience more enjoyable. That must be their intent and practice. They may not perform 'massage' singularly as the intent without being licensed by MSBMT.

#### **Nurses / Nurse Practitioners / Nurse Assistants**

***Do nurses have to be licensed by the Board of Massage Therapy to practice massage?***

Nurses do not need to be licensed as massage therapists when touching their patients within their scope of practice. However, no one may perform and charge individually for a

massage or any technique that moves soft tissue unless they are licensed as a massage therapist with the State Board or otherwise licensed and authorized by law.

***Can a nurse who is a physician's assistant perform acupressure under the direction of a physician?***

Acupressure is considered a modality that requires a massage therapy license under the Mississippi Professional Massage Therapy Act. The Act states the following exemption from the massage therapy licensure: § 73-67-5. *Exemptions (1) The provisions of this chapter shall not apply to the following: (a) persons state licensed, state registered, state certified, or otherwise state credentialed by the laws of this state to include massage as part of their practice, or other allied modalities that are certified by a nationally accredited organization recognized by the board. Any exemption granted under this section is effective only insofar as and to the extent that the bona fide practice of the profession or business of the person exempted overlaps into the field comprehended by this law, and exemptions under this section are only for those activities that are currently authorized and performed in the course of the bona fide practice of the business or profession of the person exempt.*

MSBMT has interpreted this to mean such health care workers as physicians and nurses do not need to be licensed as massage therapists when touching their patients within their scope of practice. However, no one may perform and charge individually for a massage or any technique that moves soft tissue unless they are licensed as a massage therapist with the State Board or otherwise licensed and authorized by law. Note that the exemption is applicable to the person actually performing the activity, and does not include the performance by a non-exempt person when supervised by an exempt person. Furthermore, one would have to validate that the scope of practice for the physician's assistant includes such an activity as acupressure. 7/27/2016

**Physicians**

***Do doctors have to be licensed by the Board of Massage Therapy to practice massage?***

Doctors do not need to be licensed as massage therapists when touching their patients within their scope of practice. However, no one may perform and charge individually for a massage or any technique that moves soft tissue unless they are licensed as a massage therapist with the State Board or otherwise licensed and authorized by law.

**Physical Therapist**

***Are physical therapist allowed to perform massage therapy without a license?***

Those professions who are exempt by state statute (§73-67-5(1) (a)) are allowed to perform massage therapy in the course of their regular practice. They may not advertise or practice massage therapy as a single modality outside of their exempt practice.

Example: A physical therapist may not practice 'on the side' as a massage therapist without first obtaining a massage therapy license.

**Licensure Clarifications**

**Code of Ethics Placement Requirements**

***Can MSBMT provide a clearer definition of ‘prominently displayed’?*** ‘Prominently’ is defined as ‘immediately noticeable conspicuous’. In relation to a location license, the license should be ‘immediately noticeable’ to the clients and inspectors as they enter the establishment along with the Code of Ethics. In the instance of a tournament or other establishment event, the original location licenses may be contained in a binder at the location that massage therapy will be performed. MSBMT recommends that if your questions relates to a Mobile Therapist Card, this MTC be placed in a clear name tag holder and affixed to your person, such as a work ID required by hospital personnel.

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### **Expiration**

***The expiration date of my license is May 31<sup>st</sup>, can I practice legally on May 31<sup>st</sup>?***  
YES. According to Chapter 6. Section 6.1.F. *Massage therapist may renew licenses online. The licensee is not excused from paying late fees or other consequences of license expiration due to the unavailability of the on-line renewal method on the last working day or any holiday or weekend day for state employees prior to the license expiration, or failure of the licensee to **complete the on-line renewal process prior to midnight on the last day for which the license is active.** All other provisions of renewal will apply. **The license would expire at 11:59 p.m. (night) and the last day that you could practice legally would be May 31st.***

### **Foreign Soil - Education Received**

***How do I obtain a Mississippi license if I have been trained (attended school) on foreign soil?***

You are responsible for requesting a certified copy of your school transcript, a curriculum verification form and a school handbook to be sent from your school directly to the Mississippi Board Office. Your transcript will be reviewed by the Board to insure adequate level of training. You will be required to take the Mississippi, National or other recognized examination for licensure. If you desire to obtain a Mississippi license and have held a license in another U.S. state for 3 years or more, you may follow the Rules regarding Reciprocity, Rule 4.5. If you held a license in another country, you must follow the Rules for 1<sup>st</sup> time applicants. These Rules may be located on the website under the section entitled ‘Licensure’.

### **Grandfather Provisions**

***If a person who was grandfathered in chooses to let their license expire due to health reasons, can they be reactivated sometime in the future under the grandfather provision?***

No. If they allow their license to expire, regardless of the circumstances, they will have to apply as a new applicant and meet all the requirements as a new application under the law and rules at the time the application is made. They would probably prefer to go INACTIVE as they can remain in this status for up to 3 years before becoming expired which may require additional educational hours after you have been in the expired status for 3 years. They may also prefer go into a RETIRED status (offered as of 4/10/09). They may remain in this status for an indefinite period of time. CEU requirements and

reapplication fees will be required upon returning to active status. See web site for more information.

### **How Long Does It Take to Receive My License?**

***Approximately how long does it take to receive a massage therapy license once application is made?***

Under Section 73-67-15 (d) of the Mississippi law, MSBMT is required to.....”*advise applicants as to the acceptance or denial of licensure with any reasons for denial within forty-five (45) days*”. Regulation 4.1 G. states “*the Board must receive a complete application packet, fees, and official transcript(s) by the established application deadline for the application to be considered for licensure at the next regularly scheduled Board Meeting*. The Application to sit for the Exam is NOT the Application for Licensure. Please refer to [www.msbmt.ms.gov](http://www.msbmt.ms.gov) for more information.

### **Indian Reservation Licensure Requirements**

***If you work as a massage therapist on the Choctaw Reservation are you required to have a Mississippi Massage Therapy license?***

You are not under the jurisdiction of MSBMT; however from a liability standpoint you may wish to carry a license with the Reservation’s address. Your client may also desire validation that you have been properly training as a MT.

### **License Placement Requirements**

***Can MSBMT provide a clearer definition of ‘prominently displayed’?*** ‘Prominently’ is defined as ‘immediately noticeable conspicuous’. In relation to a location license, the license should be ‘immediately noticeable’ to the clients and inspectors as they enter the establishment along with the Code of Ethics. In the instance of a tournament or other establishment event, the original location licenses may be contained in a binder at the location that massage therapy will be performed. MSBMT recommends that if your questions relates to a Mobile Therapist Card, this MTC be placed in a clear name tag holder and affixed to your person, such as a work ID required by hospital personnel.

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***What happens if more than one (1) therapist works in a room? Should everyone who works in that room have a license posted in that room?***

If the original licenses are ‘prominently displayed’ to all clients who enter the establishment, this should not be an issue. It is not recommended that license be kept in the therapy room. 5.27.09

### **Mobile Therapist Card Requirements with Home Based Business**

***Am I required to have a license with my home address in order to request a Mobile Therapist Card (MTC)?***

No. A Mobile Therapist Card is simply an extension of your existing license. You will receive a mobile therapist card with each renewal. You only need one. The MTC will



not have a location on the card – just your name, your license number, the original date of issue and the expiration. If you need a replacement MTC, you may request one by going to the “Change Information” tab on our website. The last box will be a drop-down menu. Print this form off and send it to the MSBMT Office at Post Office Box 20, Morton, MS 39117 along with a \$10.00 money order. If it is a replacement you will need to return your old one. However, remember that under Section 6.3.A of the Mississippi Rules and Regs, *‘each licensee shall have a current wall certificate attesting to the licensee’s title as a MS Licensed Massage Therapist at each place of business where massage therapy is practiced. Multiple wall licenses must be obtained from the Board.*

***When do I need to request a Mobile Therapist Card?***

A Mobile Therapist Card is an extension of your existing license. You will receive a MTC with each renewal. This would be needed for any LMT who may work offsite at any place, i.e., track meets, out calls to residences, and includes the lobby of a casino. However, if services are going to be performed in a spa location within the casino, a location license certificate must be displayed in a prominent location.

**Reapplication Procedures**

**Expired More than Three Years**

***My MS massage therapy license has been expired for more than 3 years, so I am reapplying as if I am a completely new applicant. Since I was previously licensed, the required hours of massage therapy school training has increased, and I now have to go back to massage school to make up the difference in hours. Do I also have to take continuing education hours totaling 12 hours for each year since my last renewal? (6/27/2013)***

If a massage therapist’s license has been expired/lapsed without paying the required renewal fees for more than 3 years, the Board will calculate the number of the hours under both Rule 6.1.H and Rule 6.1.K. The Board will require the larger of the two calculated numbers of hours, and not the sum of the two calculated numbers.

Rule 6.1.H requires the massage therapist to accumulate the continuing education hours (12 hours per year) that would have been applicable if the therapist had remained on “Active” status. This includes the 2 years when the therapist last held an “Active” license plus each year after the therapist failed to pay renewal fees.

Rule 6.1.K requires the massage therapist to meet current licensing requirements, which may include more hours of training documented on a massage school transcript than the therapist had when she/he previously held an “Active” status. To satisfy current licensing requirements, the therapist may have to document all or a portion of the required hours under this FAQ through a massage school transcript.

**Examples:**

1. A therapist, who has had an “Expired” status for 5 years, previously was licensed with a massage school transcript of 610 hours, but the current licensing requirement is a massage school transcript of 700 hours. Under Rule 6.1.H, the therapist would need:

(12 CE hours/year) X (2 years “Active” + 5 years “Expired”) = 84 CE hours.  
Under Rule 6.1.K, the therapist would need 700 – 610 = 90 hours of additional training on a massage school transcript.

The Board will require the larger of the calculated amounts (the massage school training):

**90 hours massage school > 84 CE hours**

2. A therapist, who has had an “Expired” status for 4 years, previously was licensed with a massage school transcript of 650 hours, but the current licensing requirement is a massage school transcript of 700 hours. Under Rule 6.1.H, the therapist would need: (12 CE hours/year) X (2 years “Active” + 4 years “Expired”) = 72 CE hours. Under Rule 6.1.K, the therapist would need:

700 – 650 = 50 hours of additional training on a massage school transcript.

The Board will require the larger of the calculated amounts – 72 hours; however, a minimum of 50 of those hours must be satisfied through obtaining additional massage school education to meet current licensing requirements for new applicants and be reflected on a school’s transcript:

50 hours	transcript of massage school additional
education	
<u>22 hours</u>	continuing education courses
<b>72 hours</b>	<b>total</b>

You will also be required to meet all other requirements as a new applicant under the current law at the time of re-activation. However, you may request that the Board allow you to retain your existing (previous) LMT number.

### **Specialty Licenses**

#### ***Does the Mississippi State Board of Massage Therapy issued ‘Specialty’ Licenses?***

No. When students graduate and become licensed as massage therapist, they are considered entry level MT’s. In order to hold oneself as a ‘specialist’ in a particular modality, one must take additional coursework and be certified by the recognized association or board of that modality, ie; though Reflexology is taught in massage school one does not advertise themselves as a ‘Reflexologist’ or claim to specialize in Reflexology unless certified by the Reflexology Institute or similar organization. This board does not recognize ‘specialties’. A licensed massage therapist is a licensed massage therapist. It is up to the licensed massage therapist to obtain adequate specialty training for your client’s satisfaction. Refer to the Rules and Regulations, Section 7.5.A. which states ‘perform only those services for which they are qualified and which represent their training and education.’

### **Good Moral Character Determination**

"Good Moral Character" is a pattern of behavior conforming to the profession's ethical standards and behavior that indicates honesty and truthfulness, integrity, respect among the community for lawful behavior, respect for the rights of others, and obedience to the lawful directives of public offices or officials or persons charged with the enforcement of

the law and showing an absence of moral turpitude. Persons with a conviction (misdemeanor or felony) related to prostitution, public indecency or sexual imposition have demonstrated an absence of good moral character and will not be granted a license to practice massage therapy.

a. A determination of good moral character shall be based on the absence of acts that reflect moral turpitude and that reflect all aspects of a person's character as exemplified by his or her behavior including, but not necessarily limited to, that the person:

- i. Is guilty of fraud, deceit or misrepresentation in procuring or attempting to procure any license provided for under this Board;
- ii. Attempted to use as his own the license of another;
- iii. Allowed the use of his license by another;
- iv. Is guilty of unprofessional or unethical conduct as defined by the code of ethics;
- v. Has been adjudicated as mentally incompetent by regularly constituted authorities;
- vi. Has received treatment for any emotional disturbances, mental disorder or insanity that would impair the person's ability to perform as a massage therapist;
- vii. Has been convicted, found guilty, or entered a plea of nolo contendere of a crime, or has charges or disciplinary action pending that directly relates to the practice of massage therapy or to the ability to practice massage therapy.
- viii. Is guilty of false, misleading or deceptive advertising, or is guilty of aiding or assisting in the advertising or practice of any unlicensed or unpermitted person in the practice of massage therapy;
- ix. Is or has been a defendant in civil litigation in which the basis of the complaint was for negligence, malpractice, or lack of professional competence in the practice of massage therapy;
- x. Has been disciplined by a regulatory authority in any jurisdiction related to the practice of massage or of any other credentialed profession (such disciplinary outcome includes, but is not limited to, license restrictions or conditions, probation, fine, or reprimand);
- xi. Has had rights, credentials or one or more license(s) to practice massage therapy or any other credentialed profession revoked, suspended, denied, or required to be surrendered in any jurisdiction, territory or possession of the United States or another country. A certified copy of the record of the jurisdiction making such a revocation, suspension or denial shall be conclusive evidence thereof;
- xii. Has voluntarily surrendered a license or credential to practice massage therapy or any other credentialed profession in

- connection with or to avoid a disciplinary action by a regulatory authority in any jurisdiction;
- xiii. Has been convicted, found guilty, or entered a plea of nolo contendere of any felony, other than a violation of federal or state tax laws.
- b. In determining a person's good moral character when there is evidence of the conduct described above, the Board will also consider the following factors:
- i. The nature of the criminal offense(s) or conduct which gave rise to the disciplinary, civil, or administrative action.
  - ii. The age of the applicant at the time of the criminal conviction(s) or conduct which gave rise to the disciplinary, civil or administrative action.
  - iii. The number of criminal convictions or number of disciplinary, civil or administrative actions taken against the applicant.
  - iv. The nature and severity of the sentence or sanction imposed for each criminal conviction or disciplinary, civil or administrative action.
  - v. Whether the probation period given in a conviction has been completed and fully satisfied to include fines, court costs, and other conditions of probation.
  - vi. Whether restitution ordered by a court in a criminal conviction or civil judgment has been fully satisfied.
  - vii. Whether the record of conviction was overturned on appeal, the record was expunged, or significant evidence of rehabilitation is provided.
  - viii. The remoteness from the date of the criminal offense(s) or conduct.

### **MS State Law Examination Exemption**

Effective January 1, 2011 all persons submitting an application for licensure with the Board must also pass the Mississippi State Law Examination (MSLE) that is given by the Mississippi State Board or its representative. Any student graduating from a Board approved massage therapy school may request a waiver of this requirement if the graduate will not be practicing in Mississippi. The content includes the Mississippi Professional Massage Therapy Act § 73-67 and its relevant MSBMT Rules and Regulations. The Board may schedule a session of the MSLE in coordination with a school. A minimum score of 70% is required prior to licensure.

### **CPR/First Aid**

Online CPR and First Aid certifications are approved for previously licensed applicants.

### **Medical Billing**

**(MSBMT does not have jurisdiction over insurance matters - this is provided for informational purposes only)**

***How do I apply for a National Provider Identifier for use when billing and communicating with an insurance company?***

You will need a National Provider Identifier (NPI) if you are covered entity under HIPAA (transmit health care records electronically). Electronically transmitting health care billing or payment information or encounter information (SOAP charts) would mean that HIPAA applies to you, with all of the other requirements associated with that law. Health care providers, who are not covered entities because they do not transmit information electronically using the standards adopted under HIPAA, are not required to obtain an *NPI*, but are not prohibited from doing so, and in some cases are encouraged to do so, as that number may be required for billing purposes by another provider to whom a referral has been made. If a non-covered health care provider obtains an *NPI*, it does not make him or her a covered entity.

The NPI is all numeric and is 10 positions in length: the first 9 positions are the identifier and the last position is a check digit. The check digit helps detect invalid NPIs. There is no embedded intelligence in the *NPI* with respect to the health care provider that it identifies.

Health care providers can apply for NPIs in one of three ways:

- For the most efficient application processing and the fastest receipt of NPIs, use the web-based application process. Simply log onto the National Plan and Provider Enumeration System (NPPES) and apply on line (see Related links inside CMS)
- Health care providers can agree to have an Electronic File Interchange (EFI) organization (EFIO) submit application data on their behalf (i.e., through a bulk enumeration process) if an EFIO requests their permission to do so □ Health care providers may wish to obtain a copy of the paper NPI Application/Update Form (CMS-10114) and mail the completed, signed application to the NPI Enumerator located in Fargo, ND, whereby staff at the NPI Enumerator will enter the application data into NPPES. This form is now available for download from the CMS website or by request from the NPI Enumerator. Health care providers who wish to obtain a copy of this form from the NPI Enumerator may do so in any of these ways: ○ Phone: 1-800-465-3203 or TTY 1-800-692-2326 ○ E-mail: customerservice@npienumerator.com ○ Mail:  
NPI Enumerator  
P.O. Box 6059  
Fargo, ND 58108-6059

You might try this link <http://nppes.cms.hhs.gov/NPPES/Welcome.do> to obtain an NPI.

### **Modality Practice**

## **Body Contouring**

**Do you have to have a massage therapy license in Mississippi to perform any and all body contouring or body sculpting services, to include, but not limited to lymphatic massage, infrared detox sauna blanket, taping method, vibration plate, detox body wraps, wood therapy, yoni steams, foot detox as well as any other related services?**

YES. Body contouring and body sculpting are terms used to describe several treatments designed to reshape and improve the appearance of the body and falls under the legislated definition of “massage” as found in Section 73-67-7 (g), Miss. Code Annotated, as revised. This definition indicates 73-67-7 (g) “Massage” means touch, stroking, kneading, stretching, friction, percussion and vibration, and includes holding, positioning, causing movement of the soft tissues and apply manual touch and pressure to the body (excluding an osseous tissue manipulation or adjustment. “Therapy” means action aimed at achieving or increasing health and wellness. “Massage therapy” means the profession in which the practitioner applies massage techniques with the intent of positively affecting the health and well-being of the client and may adjunctively (a) apply allied modalities, heat, cold, water and topical preparations not classified as prescription drugs, and (b) use hand held tools such as electric hand massages used adjunctively to the application of hand massage or devices designed as t-bars or knobblies, and (c) instruct self-care and stress management. Also note, that any device used in these modalities must be approved by the MS State Board of Massage Therapy prior to use. The MT.08 Application for Hand Held Devices is found on the website ([www.msmbmt.ms.gov/licensure](http://www.msmbmt.ms.gov/licensure)).

**The Massage Therapy Board was also advised by the Mississippi State Board of Nursing on November 3, 2023 (PBurks, MBN) that BODY CONTOURING AND LYMPHATIC PRACTICE DRAINAGE IS NOT WITHIN THE LPN OR THE RN’S SCOPE OF PRACTICE.**

## **Breast Massage**

*Is breast massage legal in Mississippi?*

Breast massage is not illegal in Mississippi, however due to the sensitivity of the procedure, it carries rules and responsibilities. See Rules and Regulations, Section 705.A. which states ‘perform only those services for which they are qualified and which represent their training and education.’ Also refer to MSBMT Code of Ethics which state that a LMT must ‘represent their qualifications honestly, including education and professional affiliations, and provide only those services, which they are qualified to perform’; ‘provide draping and treatment in a way that ensures the safety, comfort and privacy of the client. Provide and use draping to cover all genitalia and female breast unless prior written consent is given for breast massage’ and ‘Respect the client’s right to refuse, modify, or terminate therapy regardless of prior consent given’.

## **Cannabis**

**Can licensed massage therapists or their clients use cannabis during a massage therapy session?**

Under no circumstances should a licensee perform massage services while using cannabis. It shall be the decision of the licensee to perform services on someone who is

currently using cannabis as a prescribed drug; however, it is recommended that the licensee not allow the client to smoke in their presence nor provide it for them during a session.

## **CBD OIL**

### **Can LMT's use CBD oil infused products on massage clients in Mississippi?**

CBD hemp oil is made from high-CBD, low-THC hemp, unlike medical marijuana products, which are usually made from plants with high concentrations of psychoactive tetrahydrocannabinol (THC). Because hemp contains only trace amounts of THC, these hemp oil products are non-psychoactive. Cannabidiol (CBD) is just one of over 85 cannabinoids presently identified in the cannabis plant and is the second most abundant cannabinoid in marijuana after THC. In hemp, however, THC is only present in trace amounts, while CBD dominates the plant's makeup. CBD interacts with our naturally occurring systems, but is non-psychoactive, it doesn't cause a high. This makes it a safer, less controversial alternative, while still offering significant health benefits.

NOTE: Please refer to page 5 of the Rules and Regulations on the website at [www.msmbt.ms.gov](http://www.msmbt.ms.gov) which states, "Massage" means touch, stroking, kneading, stretching, friction, percussion and vibration, and includes holding, positioning, causing movement of the soft tissue and applying manual touch and pressure to the body (excluding an osseous tissue manipulation or adjustment). "Therapy" means action aimed at achieving or increasing health and wellness. "Massage therapy" means the profession in which the practitioner applies massage techniques with the intent of positively affecting the health and well-being of the client, **and may adjunctively (i) apply** allied modalities, heat, cold, water and **topical preparations not classified as prescription drugs**, (ii) use hand held tools such as electrical hand massagers used adjunctively to the application of hand massage or devices designed as t-bars or knobblies, and (iii) instruct self care and stress management. "Manual" means by use of hand or body.

However, please note that MSBMT does not endorse the use of any specific topical preparations. You will need to refer to other sources regarding the availability and use of CBD oil within the State of Mississippi.

## **Craniosacral Therapy**

### ***Are Mississippi LMT's able to practice Craniosacral therapy?***

Yes, craniosacral therapy is a Mississippi approved modality. Item # 1 of the Mississippi State Board of Massage Therapy Code of Ethics requires that an LMT *“represent their qualifications honestly, including education and professional affiliations, and provide only those services, which they are qualified to perform”*.

## **Dry Needling**

### **Can LMT's perform dry needling on massage clients in Mississippi?**

Dry Needling falls under the scope of practice for physical therapists and acupuncturists only.

## **Equine Therapy**

### ***Does a license for massage therapy include equine therapy?***

The Massage Therapy Scope of Practice does not define who or what we work on. However it does address that the LMT only perform in areas which they are adequately trained. Refer to the Rules and Regulations, Section 7.5.A. which states ‘perform only those services for which they are qualified and which represent their training and education.’

## **Facials, Body Wraps and Body Scrubs**

### ***Can licensed massage therapists do facials, body wraps and body scrubs?***

Licensed massage therapists are trained to do massage and the face and body are part of that training. Licensed massage therapists can do and advertise “facial massage”, “body wraps” and “body scrubs”. Massage therapists are allowed per § 73-67-7 to perform allied modalities, and apply heat, cold, water, and topical preparations not classified as prescription drugs. Licensed massage therapists do not use extractions or anything that may pierce the skin.

Are LMT’s allowed to, by all laws in the state of Mississippi participate in giving any and all facials? No.

As the laws state that LMT’s are allowed to practice any modality that they hold a licensure in and that does include facial massages as long as it does not include the use of prescribed medicated creams or facial extractions. However, is it allowed if a facial steamer, facial peels, or medical grade products are utilized during those facial services? A facial steamer is allowed and falls under hydrotherapy; however, no peels or medically grade products can be utilized during a facial massage.

Are LMT’s fully trained to work with identifying skin disorders and to recommend products based on consultation and visual findings? No. Although, massage therapists have training in recognizing skin disorders, they are not allowed to identify skin disorders through diagnoses and treatment.

To what extent would it exceed the licensure of the LMT and what they can practice? A massage therapist may apply massage techniques with the intent of positively affecting the health and well-being of the client and may **adjunctively** apply allied modalities, heat, cold, water, and topical preparations not classified as prescription drugs. In essence, this means that a massage therapist can perform facial massage; however, cannot service clients who are seeking facials only. **Adjunctively** is the defining application.

It is important that clients receiving a facial (i.e..... deep cleansing, exfoliating, hyaluronic, or acne), receive the consultation and recommendation for the services rendered with complete confidence that the technician can provide the service. For clients seeking only a facial service such as deep cleansing exfoliating, hyaluronic, or acne, they should be referred to an aesthetician because this is the primary purpose of their visit and they are not requesting **adjunctive** applied allied modalities of massage.



## **Fire Cupping**

### ***What's the MSBMT policy regarding Fire Cupping?***

The definition of "Massage Therapy" includes the use of applied allied modalities, heat, cold, water and topical preparations not classified as prescription drugs used adjunctively with movement of soft tissues and applying manual touch and pressure to the body. The Code of Ethics require that a licensed massage therapy professional "represent your qualifications honestly, including education and professional affiliations" and "provide only those services which you are qualified to perform" and "accurately inform clients, other health care practitioners and the public of the scope and limitations of your discipline". Fire cupping may be performed if the LMT meets the Rules and Code as specified above. 5/24/2016

## **Gua Sha Massage**

Gua sha is a healing technique of traditional East Asian medicine. Sometimes called 'coining, spooning or scraping', Gua sha is defined as instrument-assisted unidirectional press-stroking of a lubricated area of the body surface to intentionally create transitory therapeutic petechiae called 'sha' representing extravasation of blood in the subcutis. Raising sha removes blood stagnation considered pathogenic in traditional East Asian medicine.

**MSBMT has indicated that Gua Sha massage is within the scope of practice of a licensed massage therapist if the Code of Ethics, Item 1 is met - *represent their qualifications honestly, including education and professional affiliations, and provide ONLY those services, which they are qualified to perform.* 9/28/2017**

## **Hand Held Devices**

### ***Can I use hand held tools such as electrical hand massagers?***

The Act [§73-67-7 (g)] and the Mississippi State Board of Massage Therapy Rules and Regulations [Rule 1.4.K] will allow the *use of hand held tools such as electrical hand massagers used adjunctively to the application of hand massage....* The MSBMT Rules and Regulations [Rule 7.5.A.12] require that a massage therapists *prior to the use of electrical hand held massagers, must obtain Board approved education regarding use and contraindication for use of such instruments.*

The massage therapist should document the education, send it to the Board, and request a **device specific approval** of the education prior to using this device, including, but not limited to, the following:

1. the manufacturer and model of the electrical hand held massager;
2. how the education was obtained (e.g., either self-study, or via classroom / distance learning, including the name and qualifications of the person providing the instruction);
3. the specific learning objectives covered in the education (e.g., modes of operation of the device, appropriate uses for the electrical hand massager on a client's tissue, contraindications for use of the electrical hand massager on a client, sanitation for the electrical hand massager, etc.);

4. the resources that were used in the education training (e.g., user manual from the manufacturer, written training materials, one-on-one instruction from a knowledgeable user, etc.);
5. the means (e.g., oral or written exam, practical demonstration, etc.) used to assess the massage therapist's comprehensive understanding of the education material; and
6. the approximate duration of the education training.

NOTE: If a different device is added or replaced, all of the above requirements must be submitted to MSBMT for approval.

The above referenced training does not qualify for continuing education credit with the Board unless the Board has previously approved a provider / program for specific training.

### **Kenesio Taping**

*Is kinesio taping method a modality of practice?*

Kenesio taping is a method and not considered a modality and is an adjunct therapy similar to stretching.

### **Microdermal Abrasion / Extractions**

*Can a Mississippi licensed massage therapist perform micro dermal abrasion / extractions during a facial massage if trained?*

No. You may only perform these services if licensed as an esthetician.

### **Muscle Activation Technique (MAT)**

MAT - Muscle Activation Technique. Although a component of MAT is exercise by the client 2 or 3 times a day for a number of weeks; spending time with the practitioner is a big part of MAT which involves palpation of muscles, a form of muscle testing using isometric contractions, and cross-fiber friction of the muscle attachments, and a technique like digital pressure, but regardless, a hands-on technique at the origins and insertions of the muscle exist. As such, the **soft-tissue work the MAT practitioner does would qualify under the MS definition of massage in § 73-67-7.(g)**, (to the degree that the practitioner is not otherwise credentialed with a scope that is exempt from licensure under § 73-67-5 ):

"Massage" means touch, stroking, kneading, stretching, friction, percussion and vibration, and includes holding, positioning, causing movement of the soft tissues and applying manual touch and pressure to the body (excluding an osseous tissue manipulation or adjustment). "Therapy" means action aimed at achieving or increasing health and wellness. "Massage therapy" means the profession in which the practitioner applies massage techniques with the intent of positively affecting the health and well-being of the client, and may adjunctively ... (iii) instruct self-care and stress management. "Manual" means by use of hand or body."

Although MAT is often marketed to those with "a background and degree in the exercise, sport science, biology, and anatomy fields and those with professional and academic experience in various fields within the exercise continuum."; athletic trainers and

occupational therapists (licensed under the MS Dept of Health), physical therapists (licensed under the MS State Board of Physical Therapy), and medical doctors (licensed under the MS Board of Medical Licensure) would be the appropriate allied health professionals who are exempt.

**MSBMT has indicated that MAT requires a massage license. 9/28/2017**

### **Pet Therapy**

*Does a license for massage therapy include pet therapy?*

The Massage Therapy Scope of Practice does not define who or what we work on. However it does address that the LMT only perform in areas which they are adequately trained. Refer to the Rules and Regulations, Section 7.5.A. which states ‘perform only those services for which they are qualified and which represent their training and education.’

### **Reflexology**

*Do I have to be licensed with the Board of Massage Therapy to practice Reflexology?*

Reflexology is part of the basic required massage therapy curriculum. You must be licensed by the MSBMT to practice any modality that moves soft tissue, reflexology included.

### **Reiki**

*Can I practice Reiki in Mississippi without a Massage Therapy license?*

YES. ONLY if you practice the modality of Reiki independent of any other modality as no touch or manipulation of the client’s soft tissue is involved.

NO. If you are practicing Reiki with any other form / modality of massage or bodywork, then a Mississippi massage therapy license is required because the other modalities which involve touch or manipulation of the client’s soft tissue is being performed. 10.3.2013

### **Rolfing**

*Are Mississippi LMT’s able to practice Rolfing or Structural Integration therapy?*

**Rolfing** is an alternative medical treatment marketed by the Rolf Institute of Structural Integration (RISI). The Institute states that **Rolfing** is a "holistic system of **soft tissue manipulation** and movement education that organize(s) the whole body in gravity".

**Rolfing** is essentially identical to Structural Integration.

The Mississippi Professional Massage Therapy Act, Rule 1.4.K states:

K. “Massage” means touch, stroking, kneading, stretching, friction, percussion and vibration, and includes holding, positioning, **causing movement of the soft tissues** and applying manual touch and pressure to the body (excluding an osseous tissue manipulation or adjustment). “Therapy” means action aimed at achieving or increasing health and wellness. “Massage therapy” means the profession in which the practitioner applies massage techniques with the intent of positively affecting the health and well-being of the client, and may adjunctively (i) apply allied modalities, heat, cold, water and topical preparations not classified as prescription drugs, (ii) use hand held tools such as electrical hand massagers used adjunctively to the application of hand massage or

devices designed as t-bars or knobblies, and (iii) instruct self care and stress management. “Manual” means by use of hand or body. Therefore, anyone practicing "rolfing", unless they fall under the exemptions stated in Rule 7.2, MUST HAVE A MISSISSIPPI MASSAGE THERAPY LICENSE. 3/18/2015

### **Shiatsu vs Acupressure - for School Instructor Inquiry**

The Board has determined that acupressure is a family of different modalities, based on Eastern methods of massage that focus on specific points along meridians of the body and energy. Tui Na is a form of acupressure derived from Chinese traditions. If Shiatsu and Acupressure are being taught as the same material, there is no need for both courses. If they are being used in a curriculum to provide different forms of Eastern modality in each course, even though there may be significant overlap between the two. 3/4/2016

### **Singing Bowl Therapy**

If a bowl is placed directly on an individual’s body and was made to vibrate, then it falls under the definition of massage under Rule 1.4.O; therefore, a massage therapist license is required. If the bowls are located within the vicinity of an individual and were used for the calming of the mind, then it does not fall under the definition of massage. 7/13/2023

### **Stretching vs Massage**

MSBMT does not “own” stretching” as defined by MCA 73-67-7(g). In clarification:

1. “massage” is defined as “*touch, stroking, kneading, stretching, friction, percussion and vibration,*

**AND**

2. *Includes holding, positioning, causing movement of the soft tissues,*

**AND**

3. *Applying manual touch and pressure to the body.*

Stretching, by itself, is a type of exercise that increases flexibility and mobility by lengthening the muscles, either by extending them or with movement. Although they both share similarities, stretching’s main benefit is to relieve the tightness and tension that builds up in your muscles when they are used (and over-used). Therefore, any facility that only provides stretching does not fall under the jurisdiction of MSBMT.

[3/21/2024]