

MS STATE LAW EXAMINATION

Study Guide

1. Applying prescription topicals to clients is NOT within the scope of practice for a massage therapist Licensed in Mississippi.
2. American Red Cross, American Heart Association, and the American Safety and Health Institute, Medic First Aid BasicPlus CPR, AED and First Aid for Adults, Emergency Care and Safety Institute, and ProTrainings, LLC (ProFirstAid Advanced Blended or Classroom Course) are accepted Board-approved organizations for in-class CPR / First Aid certification for new applicants.
3. Manipulation of soft tissue is the scope of work within the practice of a massage therapist licensed in Mississippi. Diagnosing, acupuncture and esthetic work are outside the scope of work.
4. Current "CPR / First Aid certification" for initial licensing may only be obtained through a course from a Board-approved organization that requires hands-on skills training and demonstration.
5. Manipulating a client's osseous tissue (bones) is NOT within the scope of practice for a massage therapist Licensed in Mississippi.
6. The Mississippi State Board of Massage Therapy is granted the authority by the State Legislature to regulate the practice of massage, the use of the title "Licensed Massage Therapist" and massage therapy schools, programs, and instructors.
7. A Board Comprehensive Exam demonstrating competency that a new applicant may **currently** take for licensure as a Mississippi massage therapist are the Massage and Bodywork Licensing Examination (MBLEx) administered by the Federation of State Massage Therapy Boards and the MPE I and MPE II administered by the Mississippi State Board of Massage Therapy.
8. Instructing clients on self-care is within the scope of work in the practice of a massage therapist licensed in Mississippi.
9. A licensed massage therapist in Mississippi is allowed by their scope of practice to apply heat, cold and water to a clients' body in the course of a massage.
10. Statutory authority to regulate the profession of massage therapy was granted by the Mississippi State Legislature 2001.
11. "Professional" means requiring minimum standards of conduct, ethics and education in the practice of massage.
12. This Mississippi State Board of Massage Therapy does not discriminate against an applicant for age, gender, national origin or political affiliation.
13. One purpose of the Board is to issue and renew licenses to qualified persons. The Board is NOT responsible for resolving issues between licensed massage therapist and their employers; resolving issues between licensed massage therapist and their clients; or setting up standards and license massage therapy establishments.
14. Violations of the Rules and Regulations shall be punishable by a FINE per occurrence unless otherwise set forth by rule or statutory provision.

15. The licensee, the establishment, the approved school or the advertising entity are responsible for verifying the current license of any person practicing or advertising massage therapy at an establishment.
16. A \$35 fee is charged for LMTs who are unable to renew their license online. This fee is called a paper renewal application fee.
17. The MSBMT maintains a directory (or labels) of current licensed massage therapists (LMTs) that is made available to continuing education providers licensed with the MSBMT. An LMT may opt to remove their name, mailing address and email address from the directory.
18. By definition, a violation is the FIRST day that sufficient evidence is received, either in writing or via on-site inspection.
19. All fees paid to the Mississippi Board of Massage Therapy are NON-REFUNDABLE.
20. Working without a license may carry fines and possibly imprisonment by the Board.
21. The Mississippi State Board of Massage Therapy shall establish REASONABLE and CUSTOMARY fines and penalties for any violation of the Rules and Regulations.
22. There is a(n) ADVERTISING violation for anyone who solicits business with a revoked, inactive, retired, suspended or expired Provisional Permit or License.
23. A REAPPLICATION fee is charged when an LMT:
 - a) has allowed his/her license to lapse for more than 90 days;
 - b) is expired;
 - c) is retired less than three years;
 - d) is inactive;
 - e) is suspended.This fee is always charged in addition to the current license fee when reapplying for 'active' status.
24. Massage therapy licenses may not be renewed if fines or penalties are outstanding.
25. A licensee who requests approval from MSBMT for the use of a hand-held electric massage device must complete an application and pay a required application fee.
26. All members of the Mississippi State Board of Massage Therapy must be a residence of Mississippi.
27. All meetings of the Board are open to licensed massage therapist, massage school personnel, establishment owners and the general public.
28. In order for a massage therapist to speak during a Mississippi State Board of Massage Therapy (MSBMT) meeting, the individual must submit an agenda request 10 working days prior to the MSBMT meeting.
29. The Board may deny initial application for licensure or license renewal for violation of ethical codes.
30. The Chairman of the Board must be one of the Board's three (3) appointed massage therapists.
31. Of the five-member Mississippi State Board of Massage Therapy (MSBMT), 3 members must be Mississippi licensed massage therapists.
32. Massage therapists who are members of the Mississippi State Board of Massage Therapy must have at least 3 years of experience as a Mississippi licensee and a resident of Mississippi.

33. The Board is granted the authority to inspect, or have inspected, when required, the business premises of any licensed massage therapists during their operating hours, so long as such inspection does not infringe on the reasonable privacy of any therapists' clients.

34. An applicant must be 18 years of age or older; must meet the standards for the code of ethics; and must show proof of at least 8 hours training in CPR/First Aid. A college graduate equivalence is not a requirement for licensure.

35. The choice of licensing examinations that the applicant must pass in order to apply for a massage therapist license in Mississippi are: the National Certification Exam for Therapeutic Massage & Bodywork (NCETMB), administered by the National Certification Board for Therapeutic Massage & Bodywork; the MS State Pre-Licensure Examination (MPE-1 and MPE-II), administered by the MS State Board of Massage Therapy; and the Massage and Bodywork Licensing Exam (MBLEx), administered by the Federation of State Massage Therapy Boards. There is no National Massage Competency Examination administered by the American Massage Therapy Association.

36. Documented proof of at least three (3) years' work experience as a massage therapist is one of the requirements for Mississippi licensure through reciprocity from a non-regulated state.

37. The burden of demonstrating that the applicant possesses good moral character required for licensure shall rest with the applicant.

38. A requirement for Mississippi licensure through reciprocity from a regulated state is that the applicant must have (3) years' work experience as a massage therapist; at least 500 hours of in-class massage therapy education; must take and pass the Mississippi State Law Examination and have a clear a Mississippi and federal fingerprint-based background check.

39. Graduation from high school; a G.E.D.; or the equivalent is required in order to apply for and receive a license to practice in Mississippi.

40. Education requirements for licensure in Mississippi requires a certified transcript from the massage therapy school which the applicant attended. If the massage therapy school has ceased operation, the transcript must be provided by a third party that is acceptable to the Board; a state's regulatory board (if education was completed out of state; the National Certification Board for Therapeutic Massage and Bodywork or the Federation of State Massage Therapy Boards.

41. Special licensing provisions are granted military spouses who are licensed by and in good standing with another regulatory board.

42. The Mississippi State Board of Massage Therapy licenses massage therapists, massage schools, and instructors at massage schools.

43. A Mobile Therapist Card (MTC) will serve as proof that an individual is a licensed professional massage therapist in Mississippi if they do not have a current place of business within the State of Mississippi.

44. All applicants shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database in order to assist the Board in determining good moral character; verify that the prospective licensee is not guilty of a felony; and verify that the prospective licensee is not in violation of any statutory ground for denial of licensure.

45. If an applicant is coming to Mississippi from another state and seeks licensure in this State, the transcript from the out-of-state school must also contain information regarding national accreditation status and recognition as an approved massage therapy school in that state.

46. The applicant for massage therapy license must verify a minimum training requirement of 600 in-class hours, 100 student clinic hours and a grade of "C" or better in the overall program.
47. An applicant must pass the Mississippi State Law Examination administered by the MS State Board of Massage Therapy in order to apply for a massage therapist license in Mississippi.
48. A provisional permit is valid for a period of no more than ninety (90) days.
49. Good moral character for a massage therapy applicant is defined as a pattern of behavior to the profession's ethical standards and behavior that indicates honesty and truthfulness, integrity, respect for lawful behavior, respect for the rights of others and obedience to persons who enforce the law.
50. An applicant who has already taken a Board Comprehensive Examination will be considered for licensure if the official exam passing score has been submitted by the appropriate body that administers the exam.
51. In order for a massage therapist to receive a license to practice in Mississippi, the therapist must clear an FBI and Mississippi based fingerprint background check.
52. A Mississippi Board licensee (LMT) who is seeking licensure in another state must pay a \$50.00 fee and complete the MT.05 Request for Verification before the Board will verify and provide the licensee's information to the other state of jurisdiction.
53. Under MSBMT rules, a massage therapy applicant lacks good moral character and may be denied a license if he/she has been convicted of misdemeanor public indecency.
54. Under MSBMT rules, a massage therapy applicant lacks good moral character and will be denied a license if he/she has been convicted of misdemeanor prostitution.
55. A provisional permit may be extended for one additional period if the applicant pays the appropriate fee and submits proof of having taken and failed a board approved comprehensive licensing examination during the initial period of the provisional permit. This provisional permit is good for an additional ninety ((90) days.
56. Any and all requirements of good moral character and competency, as provided for in accepted codes of ethics shall be met.
57. The Board must receive an official transcript from the massage therapy school prior to receiving a license.
58. The minimal requirement when the massage therapist graduates from an approved massage therapy program is completion of 700 hours of massage education with a grade of "C" or better in every course of the program.
59. A student must take and pass an accepted comprehensive pre-licensing examination, such as the MBLEx or the MPE I and MPE II prior to becoming licensed in Mississippi.
60. If an applicant for a massage therapy license fails to complete all requirements within 24 months of submitting the initial application and paying the application fee and the license fee, the applicant must submit a new application and pay another initial application fee.
61. If an applicant completes a massage therapy program and passes the MS State Law Exam, but then waits at least 24 months before submitting an initial application and paying the application fee and license

fee, the applicant must re-take the MS State Law Exam or take a 3-hour continuing education course on MS Law.

62. Before the Mississippi State Board of Massage Therapy (MSBMT) refuses to grant or renew a license, or suspends or revokes a license, it must first hold a formal hearing with the massage therapist.

63. If the Board refuses to grant or renew a license or revokes or suspends a license, an opportunity for a hearing shall be afforded before final action is taken by the Board.

64. If the Mississippi State Board of Massage Therapy (MSBMT) refuses to grant or renew a license, or suspends or revokes a license, MSBMT's decision may be appealed to the Hinds County Circuit Court and then to the MS Supreme Court.

65. A massage establishment occupies one suite of a building that has ten (10) separate suites available for rent. If that massage establishment is identified with any pornographic or other establishment that may be construed as unprofessional and/or unethical in the practice of professional massage therapy, then the Board shall deny all applications for massage therapy wall certificates to practice at the one (1) suite occupied by the massage establishment and the contiguous suites (the ones on either side of the location in question).

66. A request for a new certificate of **your** license from the Mississippi Board of Massage Therapy (MSBMT) is required if you legally change your name through marriage.

67. In order to renew a license to practice in Mississippi, the massage therapist must provide evidence of having completed a current CPR and first aid certification from a Mississippi approved provider.

68. A request for a new certificate of **your** license from the Mississippi State Board of Massage Therapy (MSBMT) is required if your certificate is damaged or destroyed.

69. A massage therapist whose license status is "expired" can only make application to return to "active" status if all qualifications are met. A massage therapist cannot move from "expired" to "inactive" or "retired" status.

70. For each license renewal, the massage therapist must have 3 hours of Mississippi approved continuing education in Mississippi massage law.

71. All massage therapy licenses expire on May 31st every other year.

72. Continuing education hours **NEVER** expire while the license status of the massage therapist is retired.

73. Continuing education hours **NEVER** expire while the license status of massage therapist is suspended, revoked, active, inactive.

74. A massage therapist may use the on-line license renewal application method if the massage therapist has paid the amount currently due under the payment agreement.

75. If it has been more than 3 years since a massage therapist had an "active" license, he must reapply as a brand new massage therapist meeting all license requirements in effect at that time if he/she held an "expired" or "inactive" status.

76. Each licensee shall have a current wall certificate attesting to the licensee's title as a Mississippi Licensed Massage Therapist (LMT) at each place of business where massage therapy is practicing within the State of Mississippi

77. For each license renewal, the massage therapist must have 3 hours of Mississippi approved continuing education in ethics.
78. To renew a massage license by the paper method, and to **eliminate** paying any late fees, the renewal application must be posted-marked no later than May 1 which is 30 days prior to the expiration of the license.
79. Before he/she can elect the "Retired" status, a massage therapist have held a MS massage license for 5 years and have no violations of law within the last three (3) years.
80. A massage therapist may elect the "Retired" license status if his license at the time of the election is "active" or "Inactive".
81. If a massage therapist elects "inactive" or "retired" status, he/she must surrender his/her license certificate(s).
82. If the Board has determined that the address of a massage establishment has been attached to or identified with any pornographic or other establishment that may be construed as unprofessional and/or unethical in the practice of professional massage therapy, then the Board shall deny applications for wall certificates to practice massage therapy at that address for a period of five (5) years.
83. A massage therapist may elect to stay in the "Retired" status with the Mississippi State Board of Massage Therapy (MSBMT) indefinitely.
84. The **MAXIMUM** length of time that a massage therapist may elect to stay in the "inactive" status with the Mississippi State Board of Massage Therapy (MSBMT) is three (3) years.
85. To renew a massage license by computer, and to **eliminate** paying any late fees, the on-line entries must be completed no later than the license expiration date.
86. Payment of a reapplication fee is NOT required when the "retired" licensee returns to "active" status after three (3) years.
87. The most up-to-date information about the Board's Rules and Regulations may be found at www.msbmt.ms.gov.
88. A massage establishment occupies one suite of a building that has four (4) separate suites available for rent. If that massage establishment is identified with any pornographic or other establishment that may be construed as unprofessional and/or unethical in the practice of professional massage therapy, then the Board shall deny all applications for massage therapy wall certificates to practice at all four (4) suites.
89. When the initial license is granted by the Mississippi State Board of Massage Therapy (MSBMT), the massage therapist receives from MSBMT a license certificate(s) for the business which has been identified on the application and a mobile therapist card. No location license certificate will be issued for a home address unless the applicant operates a home-based business.
90. A request for a new certificate of **your** license from the Mississippi State Board of Massage Therapy (MSBMT) is required if you begin working at a new business location.
91. The **LEGAL REQUIREMENT** for hygiene practices by a Mississippi massage therapist is to clean hands immediately before each massage session and/or use medical gloves.

92. The **LEGAL REQUIREMENT** for a Mississippi massage therapist regarding sexual activities with a client is to not instigate or tolerate any sexual advance while acting in the capacity of a massage therapist.
93. Electrical hand-held massagers may be used only after obtaining Board-approved education regarding the use and the contraindications for such instruments.
94. The Code of Ethics is the guide in determining the appropriate professional conduct of all individuals licensed through the Mississippi State Board of Massage Therapy.
95. A massage therapist must 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. Examples of specific conditions are any client's self-reported complaint of pain/discomfort or tension or limitation in range of motion related to soft tissue; any client who requests massage in conjunction with an accident or injury; and any client who requests massage in conjunction with a medically-diagnosed condition.
96. A massage establishment must employ six or more therapists in order to qualify for the advertising exemption.
97. The **LEGAL REQUIREMENT** for how long a Mississippi massage therapist retains client forms is 2 years.
98. A Mississippi massage therapist is required to keep accurate and up-to-date client records (e.g., history, and charting) for someone who is being treated for a specific condition.
99. After disrobing and getting on the table for a 2-hour massage, a client volunteers information about a skin condition that has spread over the past 2 days from one shoulder so that it now covers his entire torso. You examine the area, believe you can identify the condition based on your personal experience, and have reason to believe the condition is a contraindication for massage. Do not give the client any information about the condition, except that you suspect it is a potential contraindication for massage. Terminate the session and refer the client to a doctor.
100. During the massage, the therapist notices responses from the client that indicate discomfort with the pressure. The **BEST** response by the massage therapist is to get feedback from the client and adjust the pressure and/or work a little slower.
101. The professional relationship is confidential and the client has a right to privacy at all times is the client confidentiality obligations of a MS massage therapist.
102. The Standards of Practice that guide appropriate professional behavior of Mississippi licensed massage therapists are the protection of public health, safety and welfare, and the best interests of the public.
103. Persons licensed by the Board shall adhere (comply) with the MSBMT Rules and Regulations; the Mississippi Professional Massage Therapy Act; the MSBMT Code of Ethics; and the Standards of Conduct.
104. When a client finishes filling out the intake form, the next action for a massage therapist is to discuss the items on the intake form that may be contradictions before starting the massage.
105. The **LEGAL REQUIREMENT** for a Mississippi massage therapist regarding draping of a client is to cover all genitalia and the female breast unless prior written consent is given for breast massage.
106. The **LEGAL REQUIREMENT** for who signs and dates the intake form is the massage therapist.

107. A massage school instructor in Mississippi who teaches anatomy, physiology or CPR/First Aid are not required to have a massage therapy license.

108. The Mississippi State Board of Massage Therapy (MSBMT) has the right to inspect client intake forms, SOAP charts, client evaluations, and the appointment books at the massage establishment.

109. All advertising for massage therapy must be ethical, professional, and not include questionable terms, such as bath, shampoo and escort.

110. A massage therapist must 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. An example of a specific condition is a massage session where the client requested only "relaxation", but the therapist identifies and treats a soft tissue condition.

111. The massage therapist, the massage establishment and the publisher of the advertisement are all responsible for verifying that the massage therapists license number appears on any and all advertisements, no matter the format.

112. The license number of the massage therapist is **LEGALLY REQUIRED** to be on a massage therapist's business card.

113. A massage therapist has previously obtained Board-approved training for an electrical hand-held massager. That device has broken. In order for the massage therapist to use a replacement device, without submitting another request for approval of training, the replacement electrical hand-held massager must be the same model from the same manufacturer.

114. A court declaring a therapist mentally incompetent is grounds for disciplinary action against the massage therapist by the Mississippi State Board of Massage Therapy (MSBMT).

115. An individual has two years from the violation to file a complaint against a massage therapist with the Mississippi State Board of Massage Therapy (MSBMT).

116. When a complaint against a massage therapist has been resolved through a formal hearing, the Mississippi State Board of Massage Therapy (MSBMT) can assess the costs of that hearing to either the therapist or the person who made the complaint, neither the therapist or the person who made the complaint or both the therapist and the person who made the complaint at the discretion of the MSBMT.

117. If the Mississippi State Board of Massage Therapy (MSBMT) takes disciplinary action against a massage therapist, MSBMT can restrict the therapist's scope of practice.

118. The therapist misrepresenting herself/himself to obtain a license is grounds for disciplinary action of denial against the massage therapist by the Mississippi State Board of Massage Therapy (MSBMT).

119. An example of poor moral character and competency that might prevent a massage therapist from receiving a license in Mississippi is a misdemeanor conviction related to an incident of a sexual nature.

120. Allowing someone else to use one's MSBMT license number is grounds for disciplinary action of revocation against the massage therapist by the Mississippi State Board of Massage Therapy (MSBMT).

121. A complaint against a massage therapist may be resolved with the Mississippi State Board of Massage Therapy (MSBMT) through an informal conference or a formal hearing with the MSBMT.

122. The therapist's credentials to practice massage elsewhere in the U.S. are revoked is grounds for disciplinary action against the massage therapist by the Mississippi State Board of Massage Therapy (MSBMT).

123. If the Mississippi State Board of Massage Therapy (MSBMT) takes disciplinary action against a massage therapist, the MSBMT may impose reasonable and customary fines on the therapist.

124. If a massage therapist planned to apply for an instructor license to supervise clinic or to teach palpatory anatomy or a modality like neuromuscular at a massage school, the therapist must have practiced massage for three years.

125. If the massage therapist planned to apply for an instructor license to supervise clinic or to teach palpatory anatomy or a modality like neuromuscular at a massage school, the therapist must be active or inactive or retired.

126. Students should maintain copies of the enrollment contract and transcript from the massage therapy school.

127. If a massage therapist planned to apply for an instructor license to supervise clinic or to teach palpatory anatomy or a modality like neuromuscular at a massage school, the therapist must have at least twice the number of hours in the course that the therapist intends to teach.

128. The massage therapy school must provide an environment that is conducive to effective instruction, promotes learning; supports the educational programs offered by the school; have a Complaint / Grievance Policy for students to report if they have issues with the school; and be provided with contact information with the Board to allege documented complaints against the school which are in violation of the MS State Board of Massage Therapy Rules and Regulations.

129. An LMT may apply for approval of a continuing education course which has not previously been approved by submitting required information at least 45 days prior to the date of the program and paying the required approval fee of \$100.

130. The Board will likely approve a continuing education course submitted by a massage therapist if the application is completed in its entirety and if the subject matter is ethical principles pertaining to the practice of massage therapy.

131. The Board will likely approve a continuing education course submitted by a massage therapist if the application is completed in its entirety and if the subject matter is methods, skills, and strategies for effective instruction and assessment for teachers.

132. CE courses and presenters must be approved by MSBMT in order to count toward continuing education (CE) hours acceptable for license renewal.

133. The maximum number of continuing education (CE) hours that a massage therapist may take from distance or home-study courses to renew a license with the MSBMT is stated on an **ANNUAL BASIS**. Five (5) CE hours per year (10 CE hours per renewal) is the maximum number of distance or home-study course hours.

134. The minimum number of continuing education (CE) hours that a massage therapist must document to renew a license with the Mississippi State Board of Massage Therapy (MSBMT) is stated on an **ANNUAL BASIS**. Twelve (12) CE hours per year (24 CE hours per renewal) is the minimum number of CE hours.

135. A massage therapist submits a request for approval of a continuing education course about ethical principles pertaining to massage therapy. The Board will likely approve the course if the application is completed correctly and is about code of ethics, conflict resolution or cultural diversity issues.

136. No continuing education credit will be approved for programs which exceed the scope of knowledge for massage therapy practice.
137. The Mississippi State Board of Massage Therapy (MSBMT) requires each massage establishment to have a working telephone.
138. Six (6) or more Mississippi licensed massage therapists must be employed in order to be excluded from the advertising provision which states that the license number of all massage therapist must be in any and all advertisement, no matter the format.
139. The Mississippi State Board of Massage Therapy (MSBMT) requires each massage establishment to have a sanitary lavatory with soap in a dispenser, and paper or individual-use towels, or an air dryer.
140. In each massage establishment, the Mississippi State Board of Massage Therapy (MSBMT) requires a current wall certificate of one's MS massage license with the address of the massage establishment to be displayed.
141. The Mississippi State Board of Massage Therapy (MSBMT) requires each massage establishment to have sanitary linens that are changed after every client.
142. Massage therapy establishments have certain requirements under the Massage Therapy Act even though they are not licensed by the MS State Board of Massage Therapy.
143. Both the establishment owner and the licensed massage therapist can be fined for not having the license number on the establishment website, although the massage therapist was not aware of the advertisement.
144. MSBMT requires that a massage establishment prominently displays the MSBMT code of ethics and professional conduct and the valid and current MSBMT issued license or provisional permit for each massage therapist providing services on behalf of the establishment.
145. Any massage therapist performing out call massages shall have documentation of the client's name, address where the therapy occurs, estimated time of return and phone number in a conspicuous record and available to the Board upon request.
146. The Mississippi State Board of Massage Therapy (MSBMT) requires each massage establishment to have a sanitary lavatory with an adequate supply of hot and cold running water.
147. Under the Mississippi Professional Massage Therapy Act, local regulation of massage therapy by cities or municipalities through business licenses shall treat massage therapists the same as other health care professions.
148. In each massage establishment, the Mississippi State Board of Massage Therapy (MSBMT) requires the MSBMT Code of Ethics to be displayed.
149. Revocation of a license means that the licensee's license is PERMANENTLY revoked.
150. A suspended license means a temporary suspension of a license based on the decision of the Board.