

WEST VIRGINIA MASSAGE THERAPY LICENSURE BOARD
REGULATORY REVIEW REPORT
DUE NOVEMBER 1, 2018

TITLE 194
LEGISLATIVE RULES
MASSAGE THERAPY LICENSURE BOARD
SERIES 1
GENERAL PROVISIONS

This rule establishes the procedures for conducting the business of the Board, as well as establishing licensing procedures.

Authority - W. Va. Code 30-37-6

According to the records, the rule was first promulgated on December 29, 1997 as an emergency rule and became effective on February 9, 1998.

This rule was revised and the revisions became effective on the following dates:

04/26/99
07/23/03
04/18/07
07/01/08
05/04/12

DETERMINATION: The board is currently working on revising the WV Code for necessary modifications to the statute. The boards goal is to have the Code introduced during the FY 2019 Legislative Session. Once the changes have been made to the Code then rule revisions to this Series will need to be modified as well. These modifications are necessary to reflect changes that have occurred on the national level in the past few years.

REASONS: The Board was unsuccessful in having the Code introduced during the FY 2018 Legislative Session. The Board has been working with legislators on having a bill sponsored this upcoming session.

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TITLE 194
PROCEDURAL RULE
MESSAGE THERAPY LICENSURE BOARD
SERIES 2
HEARING PROCEDURES

This rule establishes the procedures for conducting hearings before the board.

Authority - W. Va. Code §30-37-1 et seq. 30-1-1 et seq. and 29A-5-1 et seq.

According to the records, the rule became effective on January 28, 1999.

This rule has never been modified.

DETERMINATION: This rule is fine as is and needs no modifications.

REASONS: It is a necessary rule in relation to conducting hearings before the board.

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TITLE 194
PROCEDURAL RULE
MESSAGE THERAPY LICENSURE BOARD
SERIES 3
DISCIPLINARY AND COMPLAINTS PROCEDURES FOR MESSAGE THERAPISTS

This rule establishes the procedures for the investigation and resolution of complaints against massage therapists.

Authority - W. Va. Code §30-1-1 et seq. and 30-37-6

According to the records, the rule became effective on January 15, 2001.

This rule has never been modified.

DETERMINATION: This rule is fine as is and needs no modifications

REASONS: It is a necessary rule in relation to the investigation and resolution of complaints.

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TITLE 194
LEGISLATIVE RULES
MASSAGE THERAPY LICENSURE BOARD
SERIES 4
SCHEDULE OF FEES

This rule establishes the schedule of fees for the board.

Authority - W. Va. Code §30-37-6

According to the records, the fees were initially included in Series 1, General Provisions.

When it became a necessity to increase fees in 2011, the board created a new series to represent fees only. This rule became effective July 1, 2014.

This rule has never been modified.

DETERMINATION: This rule is fine as is and needs no modifications

REASONS: It is a necessary rule in relation to the fees that have been established by the board. It is mandated by the legislature that all Chapter 30 professional licensing boards be self-sufficient for funding purposes.