STATE OF NEW YORK

6275--A

2023-2024 Regular Sessions

IN SENATE

April 11, 2023

Introduced by Sen. WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to removing references to "masseur" and "masseuse"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 7802 of the education law, as amended by chapter 230 of the laws of 1997, is amended to read as follows:

§ 7802. Practice of massage therapy and use of title [~~"masseur", "masseuse" or~~] "massage therapist" or the term "massage" or "massage therapy". Only a person licensed or authorized pursuant to this chapter shall practice massage therapy and only a person licensed under this article shall use the title [~~"masseur", "masseuse" or~~] "massage therapist". No person, firm, partnership or corporation claiming to be engaged in the practice of massage or massage therapy shall in any manner describe, advertise, or place any advertisement **with the following language, including but not limited to, "massage therapy," "bodywork therapy," "massage therapist," "bodywork therapist," "massage," "masseur," "masseuse," "licensed massage therapist," or the acronym "LMT"** for services as defined in section seventy-eight hundred one of this article unless such services are performed by a person licensed or authorized pursuant to this chapter.

§ 2. The opening paragraph of section 7804 of the education law, as amended by chapter 230 of the laws of 1997, is amended to read as follows:

To qualify for a license as a massage therapist, [~~masseur or masseuse,~~] an applicant shall fulfill the following requirements:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD09687-02-4

§ 3. Subdivision 1 of section 7806 of the education law, as amended by chapter 230 of the laws of 1997, is amended to read as follows:

1. The department may issue a limited permit to practice massage therapy as a licensed massage therapist[~~, masseur or masseuse~~] to a person who has not previously held such a permit and who fulfills all except the examination and citizenship requirements for a license, provided however that a permit shall not be issued to a person who has failed the state licensing examination.

§ 4. This act shall take effect immediately.