§ 7805. Exempt persons. Nothing contained in this article shall be construed to prohibit:

1. The practice of massage therapy by any person who is authorized to practice medicine, nursing, osteopathy, physiotherapy, chiropractic, or podiatry in accordance with the provisions of this title.

2. The practice of that massage which is customarily given in barber shops or beauty parlors for the purpose of beautification by any licensed barber or beauty culturist.

3. The practice of massage therapy by any person employed in a medical institution licensed or chartered by the state of New York, provided that such person is under the on-site supervision of a person licensed to practice massage therapy or authorized to practice massage therapy by subdivision one of this section, or by any person enrolled in a program of a school or institute of massage therapy registered by the department, or enrolled in a program which satisfies the requirements of section seventy-eight hundred four of this article, provided that such person is under the on-site supervision of a person licensed to practice massage therapy or authorized to practice massage therapy by subdivision one of this section.

4. The practice of massage therapy by any person duly employed as a trainer by a professional athletic association, club or team, or as a member of the physical education department of an accredited university, college or high school.

5. The practice of massage therapy by any person employed by a corporation or association organized exclusively for the moral or mental improvement of men, women or children.

6. A massage therapist licensed and in good standing in another state or country from conducting a teaching demonstration of modalities and techniques that are within the practice of massage therapy in connection with a program of continuing education that is conducted by approved sponsors of continuing education by the department. Any massage

therapist conducting a teaching demonstration of modalities and techniques in New York state pursuant to this subdivision shall be subject to the personal and subject matter jurisdiction and disciplinary and regulatory authority of the board of regents as if he or she is a licensee and as if the exemption pursuant to this subdivision is a license. Such massage therapist shall comply with the provisions of this article, the rules of the board of regents, and the regulations of the commissioner, relating to professional misconduct, disciplinary proceedings and penalties for professional misconduct.