

**NOTICE OF INTENT TO ADOPT A PROPOSED
AMENDMENT TO THE GEORGIA BOARD OF MASSAGE THERAPY RULES:
CHAPTER 345-5, RULES 345-5-.01 *LICENSURE BY ENDORSEMENT*, AND,
NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Massage Therapy (hereinafter "Board") proposes an amendment to the Board Rules, Chapter 345-5-.01 licensure by Endorsement (herein after "proposed rule amendments").

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-2440.

A public hearing will be held at 9:15 am on June 26, 2009 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on June 19, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Massage Therapy, 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-2440 or fax (866) 888-7127.

The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 9:25 am on June 26, 2009 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Board of Massage Therapy has the authority to adopt a proposed amendment to Chapter 345-4 pursuant to authority contained in O.C.G.A. §§ 43-1-4, 43-1-19, 43-1-24, 43-1-25, 43-24A-7, 43-24A-10 and 43-24A-13.

At its meeting on April 3, 2009 the Georgia Board of Massage Therapy voted that the formulation and adoption of this rule amendment does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.G.C.A. §§ 43-1-4, 43-1-19, 43-1-24, 43-1-25, 43-24A-7, 43-24A-10 and 43-24A-13.

Additionally, at the meeting, the Board voted that it is not legal or feasible to meet the objectives of O.G.C.A. §§ 43-1-4, 43-1-19, 43-1-24, 43-1-25, 43-24A-7, 43-24A-10 and 43-24A-13 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of this proposed rule amendment will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of massage therapy.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 26th day of May, 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards Division

Posted: May 26, 2009

**SYNOPSIS OF PROPOSED AMENDMENT TO THE GEORGIA BOARD OF
MASSAGE THERAPY RULES, CHAPTER 345-5, RULES 345-5-.01 LICENSURE BY
ENDORSEMENT**

PURPOSE: The purpose of the proposed amendment is to add new requirements for licensure by endorsement.

MAIN FEATURES: The main feature of the proposed amendments is to add new requirements for licensure by endorsement in new paragraphs (b) through (e), and rearrangement of listing of existing requirements.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE
GEORGIA BOARD OF MASSAGE THERAPY RULES, CHAPTER 345-5, RULES
345-5-.01 LICENSURE BY ENDORSEMENT**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

Rule 345-5-.01 Licensure by Endorsement. Amended.

(1) Any applicant holding a current license, in good standing, as a massage therapist issued by another jurisdiction, state, or territory of the US or foreign country that is equal to or exceeds the Georgia licensure requirements, shall apply for licensure by endorsement by submitting an application on a form provided by the Board, accompanied by the appropriate fee (see fee schedule) and the following:

(a) verification that an applicant is at least 18 years of age; and

(b) has a high school diploma, GED, or recognized equivalent; and

(c) is a citizen of the United States or a permanent resident of the United States, and

(d) photograph of the applicant. Only a passport type (2"X 2") photo taken within the past twelve months will be accepted; and

(e) authorization to perform a criminal background; and

~~(f)~~ (f) three (3) references: two (2) professional references from licensed healthcare professionals or instructors from a massage therapy program and one (1) personal reference (excluding immediate family). All references must have known the applicant for two (2) years; however, for applicants who have graduated from a massage therapy program within one (1) year of the date of their application, the licensed professional references must have known the applicant for only a minimum of six (6) months; and

~~(e)~~ ~~authorization to perform a criminal background check; and~~

~~(d)~~ (g) official verification of current licensure as a massage therapist, in good standing, from another jurisdiction, state, or territory of the United States or foreign country, including a copy of its licensing laws for massage therapist, whose standards for licensure meet or exceed those required by Georgia.

~~(e)~~ (h) The Board may request additional verification of any requirements or credentials as it may deem necessary.

Authority: O.C.G.A. §§ 43-1-4, 43-1-19, 43-1-24, 43-1-24, 43-1-25, 43-24A-7, 43-24A-10, and 43-24A-13.

