TITLE 16  OCCUPATIONAL AND PROFESSIONAL LICENSING  
CHAPTER 7  MASSAGE THERAPISTS  
PART 11  CONTINUING EDUCATION

16.7.11.1 ISSUING AGENCY: Regulation and Licensing Department, Massage Therapy Board. 
[16.7.11.1 NMAC - Rp 16.7.11.1 NMAC xx/xx/2019]

16.7.11.2 SCOPE: This part applies to licensed massage therapists. 
[16.7.11.2 NMAC - Rp 16.7.11.2 NMAC xx/xx/2019]

16.7.11.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Massage Therapy Practice Act, Section 61-12C-17 NMSA 1978. 
[16.7.11.3 NMAC - Rp 16.7.11.3 NMAC xx/xx/2019]

16.7.11.4 DURATION: Permanent. 
[16.7.11.4 NMAC - Rp 16.7.11.4 NMAC xx/xx/2019]

16.7.11.5 EFFECTIVE DATE: May 30, 1996, unless a later date is cited at the end of a section. 
[16.7.11.5 NMAC - Rp 16.7.11.5 NMAC xx/xx/2019]

16.7.11.6 OBJECTIVE: This part is to establish the continuing education requirements and procedures and to ensure that licensed massage therapists provide the highest quality professional service. Therefore, licensees should engage in education activities that foster this objective. 
[16.7.11.6 NMAC - Rp 16.7.11.6 NMAC xx/xx/2019]

16.7.11.7 DEFINITIONS: [RESERVED] Refer to 16.7.1.7 NMAC 
[16.7.11.7 NMAC - Rp 16.7.11.7 NMAC xx/xx/2019] [[Refer to 16.7.1.7 NMAC]]

16.7.11.8 GENERAL PROVISIONS: The board does not maintain a list of continuing education providers. The licensee must determine where to obtain the required continuing education. 

A. Massage therapy licensees: As a condition for license renewal, each massage therapist licensed pursuant to the Massage Therapy Practice Act will be required to complete [sixteen (16)]16 hours of continuing education of which up to eight (8) hours can be taken on-line. All technique courses must be hands-on and shall not be taken on-line as cited in Subsection C of 16.7.1.9 NMAC and Paragraph (2) of Subsection A of 16.7.11.10 NMAC. 

(1) Continuing education must be completed within the twenty-four (24) months immediately preceding the renewal date of October 31; 
(2) Excess hours cannot be carried over to future renewals; 
(3) Continuing education taken prior to the twenty-four (24) month period will not be accepted; 
(4) Each licensee will maintain documentation of all completed continuing education, including contact information for the continuing education providers. 

B. Instructor registrants: Effective starting with the October 31, 2017 renewal cycle. In addition to the requirements for renewal of their massage therapy license, each registered massage therapy instructor will be required to complete sixteen (16) hours of continuing education, eight (8) of which must consist of the knowledge, skills and abilities of teaching adult learners. Eight (8) hours may be taken on-line. All technique courses must be hands-on and shall not be taken on-line as cited in Subsection C of 16.7.1.9 NMAC and Paragraph (2) of Subsection A of 16.7.11.10 NMAC. 

(1) Continuing education must be completed within the twenty-four (24) months immediately preceding the renewal date of October 31; 
(2) Excess hours cannot be carried over to future renewals; 
(3) Continuing education taken prior to the twenty-four (24) month period will not be accepted; 
(4) Each registrant will maintain documentation of all completed continuing education, including contact information for the continuing education providers. 

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Audit process: The board will audit continuing education to verify compliance.

1. A minimum of ten percent (10%) of renewing licensees [and registrants] will be randomly selected for audit;
2. Audit requests may be included in the renewal notice;
3. Licensees [and registrants] not selected for audit [are only required to list the continuing education they completed on their renewal applications;] shall attest to the completion of continuing education for the current renewal cycle;
4. The board may audit any licensee’s [or registrant’s] continuing education records at any time before the next scheduled license [registration] renewal;
5. Audited licensees [or registrants] who fail to provide the requested continuing education documentation are not eligible for license [registration] renewal.

CONTINUING EDUCATION PROGRAMS FOR MASSAGE THERAPISTS:

A. The board will accept the following types of continuing education which contribute directly to the licensee’s massage therapy practice:

1. courses, seminars, workshops and classes in areas related to the practice of massage therapy such as those listed in NMSA 1978, Section 61-12C-3(B): massage, bodywork, allied health care, psychology, anatomy, physiology, business, insurance, movement therapy, stress management, yoga, CPR, and first aid;
2. courses of study offered by registered massage therapy schools; massage therapy instructors; massage, bodywork, or allied healthcare professional organizations, NCBTMB continuing education providers, and accredited colleges and universities; or
3. publishing an article relating to massage therapy in a local, regional, or national publication, no more than twelve (12) hours of continuing education credit shall be granted in any renewal period. The number of continuing education hours shall be determined by the massage therapy board; in the interim the board’s chair or authorized representative of the board may grant the continuing education hours and then be ratified at the next regular meeting of the massage therapy board.

B. Ethics requirement: All massage therapists shall be required to complete a minimum of four (4) hours of ethics training as part of the sixteen (16) hour requirement for each renewal period. Ethics courses must be taken from individuals or institutions listed in 16.7.11.9 NMAC.

C. Technique courses must be hands on and shall not be taken on-line.

CONTINUING EDUCATION REQUIREMENTS:

A. The board will accept, towards a licensee’s continuing education requirements, courses taught by continuing education providers and non-continuing education providers.

1. Courses taught by continuing education providers do not require prior approval by the board prior to being counted towards a licensee’s continuing education requirements, provided that any continuing education provider who was an active New Mexico registered independent massage therapy instructor on February 4, 2019, must provide both the course syllabus and the one-time fee to the board prior to such course being counted towards a licensee’s continuing education requirements.
2. Courses taught by non-continuing education providers must be approved by the board prior to being counted towards a licensee’s continuing education requirements.

B. The board will accept, towards a licensee’s continuing education requirements, courses, seminars, workshops, or classes in an area related to the practice of massage therapy. This includes, but is not limited to:

1. massage;
2. bodywork;
3. health care;
4. psychology;
5. anatomy and physiology;
6. business;
7. insurance;
8. ethics;
9. professional development;
10. movement therapy;
11. stress management; and
12. exempt modalities as defined by Section 61-12C-5.1 NMSA 1978.
C. The board will also accept, towards a licensee’s continuing education requirements, a licensee’s publication of an article relating to massage therapy in a local, regional, or national publication. No more than twelve (12) hours of continuing education credit shall be granted in any given renewal period for the publication of such an article. The number of continuing education hours shall be determined by the massage therapy board, provided that in the interim the board’s staff may grant the continuing education hours to then be ratified at the next regular meeting of the board.

D. All massage therapists shall be required to complete a minimum of four (4) hours of ethics training as part of the sixteen (16)-hour requirement for each renewal period.

E. All massage therapists shall be required to complete a minimum of eight (8) hours of hands-on training as part of the sixteen (16)-hour requirement for each renewal period.

F. Continuing education courses are the responsibility of every massage therapy licensee, and it is the obligation of each licensee to comply with these rules. A licensee’s lack of knowledge as to whether a continuing education course was previously approved by the board will not be a valid justification or defense for a licensee’s failure to comply with continuing education requirements.

16.7.11.10 [CONTINUING EDUCATION PROGRAMS FOR MASSAGE THERAPY INSTRUCTORS:]

A. The board will accept the following types of continuing education which contribute directly to the registrants’ massage therapy practice and instructional knowledge, skills and abilities.

(1) courses, seminars, workshops and classes in areas related to andragogy such as: class presentation techniques, class materials preparations, communications skills, research, cultural diversity, and counseling;

(2) courses of study offered by registered massage therapy schools, NCBTMB providers, registered massage therapy instructors, massage, bodywork, or allied health care professional organizations; accredited colleges and universities. All technique courses must be hands on and shall not be taken online; or

(3) publishing an article relating to massage therapy in a local, regional, or national publication; no more than twelve (12) hours of continuing education credit shall be granted in any renewal period. The number of continuing education hours shall be determined by the massage therapy board, in the interim the board’s chair or authorized representative of the board may grant the continuing education hours and then be ratified at the next regular meeting of the massage therapy board.

B. A minimum of eight (8) hours of continuing education for massage therapy instructors must consist of the knowledge, skills and abilities of teaching adult learners.

CONTINUING EDUCATION COURSES TAUGHT BY CONTINUING EDUCATION PROVIDERS:

A. The board will accept all courses offered by a continuing education provider, as defined in 16.7.1 NMAC and Section 61-12C-3 NMSA 1978, towards a licensee’s continuing education requirements regardless of the location at which the course is taught.

B. Any continuing education provider who was an active New Mexico registered independent massage therapy instructor on February 4, 2019, must provide both the course syllabus and the required fee to the board prior to such course being counted towards a licensee’s continuing education requirements. This is a one-time requirement per continuing education course.

C. A course taught by a continuing education provider who was not an active New Mexico registered independent massage therapy instructor on February 4, 2019, does not require prior approval by the board before being counted towards a licensee’s continuing education requirements.

CONTINUING EDUCATION COURSES TAUGHT BY NON-CONTINUING EDUCATION PROVIDERS:

A. The board will accept courses taught by non-continuing education providers, as defined in 16.7.1 NMAC, towards a massage therapy licensee’s continuing education requirements with the following requirements and conditions.

B. Applicants seeking the board’s approval of continuing education courses taught by non-continuing education providers must submit the following documentation to the board:

(1) Completed application form;

(2) Course syllabus for the proposed course;

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(3) Copy of any license, registration, or certification applicable to the course, if offered by the applicant’s home jurisdiction;
(4) Proof of a minimum of two (2) years’ experience in the area of instruction;
(5) Applicant’s up-to-date resume;
(6) Fee as outlined by 16.7.3.8 NMAC.

C. Technique courses taught by non-continuing education providers will only be accepted towards a licensee’s continuing education requirements if taught hands-on and in-person.

D. Provided that the applicant has submitted a complete application, the board will approve or deny the course’s use towards a licensee’s continuing application requirements based on the following non-exhaustive factors:
   (1) Whether the applicant has violated any of the Board’s rules or the Massage Therapy Practice Act;
   (2) Whether the applicant has any recent administrative disciplinary history in New Mexico or any other jurisdiction;
   (3) Whether the applicant was dishonest in his or her application, or has a history of criminal offenses that substantially relate to the practice of massage therapy or a failure to pay child support; and
   (4) Any other factor deemed relevant by the board.

E. Upon receipt of a complete application, the board’s staff shall, with the consultation of the board’s application committee, make a preliminary and tentative recommendation as to whether the application should be approved or denied. This recommendation will be conveyed to the applicant in writing within thirty (30) days of the board’s receipt of the completed application. The final decision will be made by the board at its next regularly-scheduled meeting.

F. In the event that the board’s staff tentatively recommends the denial of an application, the applicant may request in writing the opportunity to be heard at the next regularly-scheduled board meeting. Where the applicant has made a request to be heard and the board votes to deny the application, the board will issue a final written decision no later than fifteen (15) business days following the board’s meeting.

HISTORY OR 16.7.11 NMAC:
Pre-NMAC History: The material in this part was derived from that previously filed with State Records Center and Archives under:


Other History: