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DIGEST

SB 221 Reengrossed

2025 Regular Session

Mizell

Present law provides for the licensure and regulation of the practice of massage therapy.

Present law requires the La. Board of Massage Therapy (board) to develop a process to review all complaints made to the board.

Proposed law retains present law and requires the board to conduct an unannounced, in-person inspection by the board of all complaints alleging illicit activity at a massage therapy establishment, within 10 days of receiving the complaint.

Proposed law allows the board to adopt rules that are related to preventing fraud, abuse, human trafficking, or other criminal activity.

Present law requires the board to receive a criminal background check for any person who is licensed or is applying to be licensed with the board.

Proposed law retains present law and requires the board to receive a criminal background check for any person who is applying for a massage therapist establishment license with the board.

Proposed law prohibits a massage therapy establishment from being used as a living or sleeping quarter, unless the establishment is located in a zone designated for residential use under a local ordinance.

Present law allows the board to require any renewing applicants, licensed prior to April 1, 2022, to submit to a state and federal background check.

Proposed law requires all renewing applicants who have not previously submitted to a state and federal background check prior to licensing renewal to submit to a state and federal background check.

Present law provides that a violation of present law is punishable by a fine of no more than one thousand dollars or up to six months in jail, or both. Further provides that upon conviction, the owner or operator of the massage establishment is barred from obtaining a massage therapist or establishment license for up to five years.

Proposed law retains present law and further provides that if any owner, manager, or supervisor of a massage therapy establishment violates present law in connection with the operation of the

massage therapy establishment, the establishment license will be revoked by the board.

Proposed law provides that after an establishment license is revoked, no occupational license, permit, or massage therapy establishment license shall be reissued for the same premises by either the board or a local governing authority.

Proposed law requires the board to submit an annual report to the legislature, no later than March 1st of each year with the following information:

- (1) The total number of complaints received.
- (2) A summary of each complaint received including the nature of the violation.
- (3) A summary of complaints involving repeat offenders.
- (4) The total number of all inspections conducted during the preceding calendar year.
- (5) The total number of active licenses of both individual massage therapist and massage therapist establishments and the number of new licenses, renewals, suspensions, and revocations.

Proposed law provides for each complaint investigated and resolved; the report shall include:

- (1) A description of the outcome or resolution.
- (2) Results of the complaint.
- (3) Name and title of the board member or investigator assigned to handle the complaint, as well as the date the complaint was filed and the date the investigation commenced and was resolved.
- (4) Any administrative or legal action arising out of a complaint.

Effective August 1, 2025.

(Amends R.S. 37:3555(A)(11) and (14)(a) and 3561(A)(2)(b); adds R.S.37:3553(D), 3558(E), 3565(C) and 3569)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Requires that violations by an owner, manager, or supervisor of a massage therapy establishment result in a revocation of a massage establishment license and prohibits

a new license or occupational license, permit, or massage therapy establishment license from being issued for the same location.

Senate Floor Amendments to engrossed bill

1. Prohibit massage establishments from being used as a living quarter unless the establishment is located in a residential zone.
2. Require renewing applicants without a prior background check to complete a state and federal background check.
3. Allow the board to adopt rules that are related to preventing fraud, abuse, human trafficking, or other criminal activity.
4. Make technical changes.