
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 531 by Representative Pressly

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "3561(A),"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "and 3562(A)(2) and (3), to enact" and insert in lieu thereof "and 3562(A)(1) through (3), to enact R.S. 15:587(A)(1)(k) and"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, delete "3561(A)(1),"

AMENDMENT NO. 4

On page 1, line 8, delete "backgrounds of" and insert in lieu thereof "background checks on"

AMENDMENT NO. 5

On page 1, between lines 17 and 18, insert the following:

"Section 1. R.S. 15:587(A)(1)(k) is hereby enacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information

A.(1)

* * *

(k) The Louisiana Board of Massage Therapy shall submit fingerprint cards and other identifying information of persons seeking licensure pursuant to R.S. 37:3551 et seq. to the bureau. The bureau shall, upon request and after receipt of fingerprint cards and other identifying information from the Louisiana Board of Massage Therapy, make available to the Louisiana Board of Massage Therapy all conviction information contained in the bureau's criminal history record and identification files which pertain to the person seeking licensure with the Louisiana Board of Massage Therapy. In addition, the fingerprints shall be forwarded by the bureau to the Federal Bureau of Investigation for a national criminal history record check.

* * *"

AMENDMENT NO. 6

On page 1, at the beginning of line 18, change "Section 1." to "Section 2."

AMENDMENT NO. 7

On page 2, line 19, after "baths," delete the remainder of the line

AMENDMENT NO. 8

On page 2, at the beginning of line 20, delete "or microcurrent devices" and insert in lieu thereof "and the use of non-prescriptive, off-the-shelf commercially available electromechanical devices for which they are trained which mimic or enhance the actions possible by the hands" and after "ultrasound" and before the comma "," delete "therapy"

AMENDMENT NO. 9

On page 2, line 21, delete "or" and delete the period "." and insert a comma "," and "the use electrical muscle stimulation, or transcutaneous electrical nerve stimulation except micro current."

AMENDMENT NO. 10

On page 3, line 5, delete "or certified"

AMENDMENT NO. 11

On page 3, line 12, after the period "." delete the remainder of the line and delete lines 13 and 14 in their entirety and insert in lieu thereof the following:

"The Board shall initiate promulgation of such rules and regulations within one hundred twenty days following any new changes to provisions of this Chapter."

AMENDMENT NO. 12

On page 3, delete lines 19 and 20 in their entirety and insert in lieu thereof the following:

"(7) Utilize all legally available news outlets as resources to identify unauthorized activity of a massage therapist or establishment."

AMENDMENT NO. 13

On page 3, line 21, delete "Monitor" and insert in lieu thereof "Evaluate"

AMENDMENT NO. 14

On page 3, delete lines 23 and 24 in their entirety and insert in lieu thereof the following:

"(9) Include in the inspection protocol a list of observations for inspectors to determine whether there is a strong possibility that an establishment is operating as a sexually-oriented business and forward to law enforcement if appropriate."

AMENDMENT NO. 15

On page 4, delete lines 4 through 15 in their entirety and insert in lieu thereof the following:

"(14)(a) Submit the names of new applicants for licensure to the Louisiana Bureau of Criminal Identification and Information, located within the Department of Public Safety and Corrections, for criminal history background checks. Upon the board's submission of an applicant's fingerprints and such other identifying information as may be required, the Louisiana Bureau of Criminal Identification and Information shall survey its criminal history record and identification files and shall make available to the board all conviction information contained in the Louisiana Bureau of Criminal Identification and Information's criminal history record and identification files which pertain to the applicant for licensure. In addition, the fingerprints shall be forwarded by the Louisiana Bureau of Criminal Identification and Information to the Federal Bureau of Investigation for a national criminal history record check."

(b) The costs of providing the information required under this Section shall be charged by the Louisiana Bureau of Criminal Identification, as specified in R.S. 15:587(B), to the board for furnishing the information contained in the Louisiana Bureau of Criminal Identification and Information's criminal history record and identification files, including any additional costs of providing the national criminal history records checks, which pertains to the applicant for licensure."

AMENDMENT NO. 16

On page 5, line 13, after "deliver" and before "a license" insert a comma ", " and "by USPS or any other non-electronic delivery option,"

AMENDMENT NO. 17

On page 5, delete lines 22 and 23 in their entirety and insert in lieu thereof the following:

"A.(1) Each license shall be renewed annually, on or before its expiration date by submitting a renewal application form, payment of the renewal fee specified in R.S. 37:3562, and providing evidence that the licensee has completed continuing education requirements, as established by rule of the board."

AMENDMENT NO. 18

On page 5, at the beginning of line 24, change "(1)" to "(2)(a)"

AMENDMENT NO. 19

On page 5, between lines 26 and 27, insert the following:

"(b) In the renewal cycle beginning April 1, 2022, and in this cycle only, each renewing applicant shall submit to a background check as described in R.S. 37:3555(A)(14). In order to renew, an applicant must not have pled guilty to or been convicted of any sex-related crime, crime of violence, or crime related to the practice of massage therapy."

AMENDMENT NO. 20

On page 6, between lines 4 and 5, insert the following:

"(1) Application fee ~~\$75.00~~ 100.00"

AMENDMENT NO. 21

On page 6, line 10, delete "an inspection" and insert in lieu thereof "a review"

AMENDMENT NO. 22

On page 6, line 13, delete "inspection" and insert in lieu thereof "review"

AMENDMENT NO. 23

On page 6, delete lines 18 and 19 in their entirety and insert in lieu thereof the following:

"or registration of such an establishment upon the establishment's failure of a follow-up inspection indicating continued or new violations of this Section, pending a disciplinary hearing."

AMENDMENT NO. 24

On page 7, at the beginning of line 1, change "Section 2." to "Section 3."

AMENDMENT NO. 25

On page 7, at the beginning of line 2, change "Section 3." to "Section 4."