

2025 Regular Session

SENATE BILL NO. 221

BY SENATOR MIZELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FEES/LICENSES/PERMITS. Provides relative to massage therapy. (8/1/25)

AN ACT

To amend and reenact R.S. 37:3555(A)(11) and (14)(a) and 3561(A)(2)(b) and to enact R.S. 37:3565(C) and 3569, relative to massage therapy; to provide relative to powers and duties of the board; to provide relative to licensure and renewals; to provide for criminal background checks; to provide for inspections and complaints; to provide for penalties; to provide for accountability and reporting to the legislature; to provide for terms, conditions, procedures, and enforcement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:3555(A)(11) and (14)(a) and 3561(A)(2)(b) are hereby amended and reenacted and R.S. 37:3565(C) and 3569 are hereby enacted to read as follows:

§3555. Powers and duties of the board

A. The board shall:

* * *

(11) Develop a process to review all complaints made to the board, **except any complaint alleging illicit activity at a massage therapist establishment shall result in an unannounced, in-person inspection by the board within ten days of**

the board receiving the complaint.

* * *

(14)(a) Be entitled to the criminal history record and identification files of the bureau of any person who is licensed or applying for a massage therapist establishment license with the board or any person who is licensed or is applying to be licensed with the board in order to determine an applicant's suitability for licensure. Fingerprints and other identifying information of the applicant shall be submitted to the bureau for qualification and registry, and the bureau shall, upon request of the board and after receipt of the fingerprint card and other identifying information from the applicant, make available to the board all arrest and conviction information contained in the bureau's criminal history record and identification files that pertain to the applicant for licensure. In addition, the fingerprints shall be forwarded by the bureau to the FBI for a national criminal history record check.

* * *

§3561. License renewal requirements

A. * * *

(2)(a) * * *

(b) The board ~~may~~ **shall** require any renewing applicant ~~licensed prior to April 1, 2022,~~ to submit to a state and federal background check as described in R.S. 37:3555(A)(14). In order to renew, an applicant shall 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.

* * *

§3565. Penalties

* * *

C.(1) Any owner, manager, or supervisor of a massage therapy establishment who violates the provisions of this Chapter, when the violation occurs in or in connection with the operation of the massage therapy establishment, shall result in the automatic revocation of the establishment's

1 license by the board.

2 (2) After a revocation of a massage therapy establishment license
3 pursuant to this Subsection, no occupational license, permit, or massage therapy
4 establishment license shall be issued by a local governing authority or the board
5 for the operation of a massage therapy establishment at that same premises or
6 address of the revoked licensee.

7 * * *

8 §3569. Annual reporting requirements

9 A. The board shall submit an annual report to the legislature no later
10 than March first of each year which shall include the following information:

11 (1) The total number of complaints received during the preceding
12 calendar year.

13 (2) A summary of each complaint received, including the nature of the
14 alleged violation.

15 (3) A summary of each complaint involving repeat offenders.

16 (4) The total number of inspections conducted during the preceding
17 calendar year and the results of each inspection, including the total number of
18 unlicensed massage therapist establishments and unlicensed massage therapists
19 discovered during each inspection.

20 (5) The total number of active massage therapist licensees and massage
21 therapist establishment licenses, the number of new massage therapist and
22 massage therapist establishment licenses issued during the preceding year, the
23 total number of massage therapist and massage therapist establishment licenses
24 renewed during the preceding year, and the total number of massage therapist
25 and massage therapist establishment licenses suspended or revoked during the
26 previous year.

27 B. For each complaint investigated and resolved, the report shall include
28 at minimum:

29 (1) A description of the outcome or resolution of each complaint.

(2) Whether the complaint resulted in any of the following actions:**(a) Issuance of a warning or cease and desist order.****(b) Imposition of a fine.****(c) Suspension or revocation of an individual or massage therapist establishment license.****(d) Referral to law enforcement or another regulatory body.****(e) Any other action.****(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 investigation proceedings commenced and the final resolution date, if the investigation is resolved.****(4) Any administrative or legal proceedings arising out of the complaint.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 221 Engrossed

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.

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.

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 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.37:3565(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 the 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.