

269 CMR 2.00: DEFINITIONS

Section

2.01: Definitions

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As used in 269 CMR, the following definitions shall apply:

Adult Entertainment Venues. Any Establishment, including but not limited to a nightclub, bar, restaurant, tavern, dance hall, stage or other performance venue, which displays live entertainment, including but not limited to persons or entertainers appearing in a state of nudity or other live performance, distinguished by an emphasis on depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. c. 272, § 31.

Board. The Board of Registration of Massage Therapy as established by M.G.L. c. 13, § 98.

Chair Massage. Massage therapy performed on a clothed, seated (i.e. not in a reclining or prone position) client.

Compliance Officer. The Licensed Massage Therapist designated by a Massage Therapist Establishment to be the Massage Therapist responsible for the Massage Therapy Establishment's compliance with the laws of the Commonwealth and 269 CMR.

Division. The Division of Occupational Licensure.

Establishment. Any location, or portion thereof, or entity which advertises and/or provides massage therapy services, including the provision of out of office massage therapy, which has been licensed by the Board pursuant to M.G.L. c. 112, §§ 227 through 235.

Informed Consent. Oral and written consent voluntarily given by a person who demonstrates a clear appreciation and understanding of the facts, procedures, implications, and future consequences of an action or procedure.

Licensed Massage School. A facility which is licensed by the Board after meeting minimum standards for training and curriculum, as determined in accordance with M.G.L. c. 12, §§ 227 through 235.

Licensee. A person or entity holding a license issued pursuant to M.G.L. c. 112, §§ 227 through 235.

Massage. The systematic treatment of the soft tissues of the body by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion for purposes of demonstrating muscle excursion or muscle flexibility and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat or cabinet baths, in which the primary intent is to enhance or restore the health and well-being of the client. Massage therapy shall not include diagnoses of illness or disease, the prescribing of drugs or medicines, high-velocity, low amplitude thrust applied to the joint, electrical stimulation, application of ultrasound, exercise, spinal or other joint manipulations or any services or procedures for which a license to practice medicine, chiropractic, occupational therapy, physical therapy or podiatry is required by law. Massage Therapy also shall not include the practice of a person who uses touch, words or directed movement to deepen awareness of the patterns of movement in the body, or the affectation of the human energy system or acupoints or Qi meridians of the human body while engaged within the scope of practice of a profession with established standards and ethics, including, but not limited to, the Feldenkrais Method, Reflexology, The Trager Approach, Ayurvedic Therapies, Rolf Structural Integration, Polarity or Polarity Therapy, Polarity Therapy Bodywork, Asian Bodywork Therapy that does not constitute Massage as defined in M.G.L. c. 112, §§ 227 through 235, Acupressure, Jin Shin Do, Qi Gong, Tui Na, Shiatsu, Body-mind Centering and Reiki. For purposes of 269 CMR *et seq.*, the use of the term "Massage" shall also mean the term "Massage therapy".

2.01: continued

Massage Therapist, Massage Practitioner, or Licensed Massage Therapist (LMT). A person licensed by the Board who lawfully instructs or administers Massage or Massage therapy for compensation pursuant to a license issued by the Board. For purposes of 269 CMR *et seq.*, the use of the term “Massage Therapist” shall also mean the term “Massage Practitioner” or “Licensed Massage Therapist” and all three terms are used interchangeably.

Mobile Massage Unit. A vehicle approved by the Board in which the interior space is designed and equipped for delivery of Massage therapy.

Opaque. Material that cannot be seen through; not transparent.

Operator. A person who, by his or her direction or control, allows massage therapy to be offered for compensation on premises owned/leased or controlled by that individual or an entity controlled by the individual. For the purposes of 269 CMR 6.03(5) a Massage Therapist practicing alone shall be considered an Operator.

Out-of-office Massage Therapy Services. The delivery of Massage therapy at an address other than the one designated on the Establishment license.

Unrelated. A person who is not a family member by blood or by a legally recognized relationship.

REGULATORY AUTHORITY

269 CMR 2.00: M.G.L. c. 13, § 99; c. 112, §§ 61 through 65E and §§ 227 through 235.