

309.352 Scope of KRS 309.350 to 309.364.

KRS 309.350 to 309.364 shall not preclude:

- (1) Persons duly licensed, registered, or certified as massage therapists in another state or territory, the District of Columbia, or a foreign country teaching a course related to massage therapy or consulting with a person licensed under KRS 309.350 to 309.364;
- (2) Students enrolled in a program recognized by the board and completing a clinical requirement for graduation while under the supervision of a board-licensed massage therapist or other licensed health-care professional as defined by the board in administrative regulation;
- (3) A person administering a massage to members of the person's immediate family;
- (4) Persons who restrict manipulation of the soft tissues of the human body to the hands, feet, or ears, and do not hold themselves out to be massage therapists;
- (5) Persons who use procedures within the scope of practice of their profession, which has established standards and ethics, provided that their services use touch, words, and directed movement to deepen awareness of existing patterns of movement in the body as well as to suggest new possibilities of movement while engaged, but who are not designated or implied to administer massage or to be massage therapists. These practices include, but are not limited to, the Feldenkrais Method and the Trager Approach;
- (6) Persons engaged within the scope of practice of a profession with established standards and ethics in which touch is limited to what is essential for palpation and affecting of the human energy system, provided that their services are not designated or implied to be massage or massage therapy. These practices include but are not limited to polarity therapy;
- (7) Persons duly licensed, certified, or registered in another state or territory, the District of Columbia, or a foreign country when incidentally in this state to provide service as a part of an emergency response team working in conjunction with disaster relief officials or as part of a charity event, athletic event, or artistic performance;
- (8) Students participating in massage therapy classes or continuing education while in the classroom or practicing on a classmate and not holding themselves out as massage therapists or accepting compensation for the practice; or
- (9) Practitioners of the following occupations and professions regulated by state law while engaging in the practices for which they are duly licensed and while not holding themselves out to be massage therapists:
 - (a) Physicians, osteopaths, podiatrists, and athletic trainers regulated under KRS Chapter 311;
 - (b) Chiropractors regulated under KRS Chapter 312;
 - (c) Registered nurses and practical nurses regulated under KRS Chapter 314;
 - (d) Barbers, cosmetologists, and estheticians regulated under KRS Chapters 317, 317A, and 317B respectively;

- (e) Occupational therapists regulated under KRS Chapter 319A; and
- (f) Physical therapists regulated under KRS Chapter 327.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 112, sec. 2, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 29, sec. 2, effective July 12, 2006. -- Created 2003 Ky. Acts ch. 45, sec. 3, effective June 24, 2003; and ch. 70, sec. 3, effective June 24, 2003.

Legislative Research Commission Note (6/24/2003). 2003 Ky. Acts ch. 45, sec. 3, and 2003 Ky. Acts ch. 70, sec. 3, are substantially identical and have been codified together.