

SENATE BILL No. 111

By Committee on Public Health and Welfare

1-26

1 AN ACT concerning health professions and practices; enacting the
2 massage therapist licensure act; providing for regulation and licensing
3 of massage therapists; powers, duties and functions of the state board of
4 healing arts.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. Sections 1 through 17, and amendments thereto, shall be
8 known and may be cited as the massage therapist licensure act.

9 Sec. 2. As used in the massage therapist licensure act:

10 (a) "Act" means the massage therapist licensure act.

11 (b) "Board" means the state board of healing arts.

12 (c) "Compensation" means the payment, loan, advance, donation,
13 contribution, barter, deposit or gift of money or anything of value.

14 (d) "Licensed massage therapist" means an individual who meets the
15 requirements of the massage therapist licensure act and who engages in the
16 practice of massage therapy.

17 (e) "Massage school" means a massage therapy educational program
18 that meets the standards for training and curriculum as set forth by the
19 state board of regents under the Kansas private and out-of-state
20 postsecondary educational institution act or comparable legal authority in
21 another state.

22 (f) "Massage therapy" and "massage" means a healthcare service
23 involving the external manipulation or pressure of soft tissue for
24 therapeutic purposes. It is the application of a system of structured touch,
25 pressure, movement and holding of the soft tissue of the human body in
26 which the primary intent is to relieve pain, improve circulation, relieve
27 stress, increase relaxation and enhance or restore the health and well-being
28 of the client. The practice of "massage therapy" includes complementary
29 methods, including the external application of water, heat, cold,
30 lubrication, salt scrubs, body wraps or other topical preparations and
31 electromechanical devices that mimic or enhance the actions of humans.

32 (1) "Massage" or "massage therapy" does not include:

33 (A) Medical or nursing diagnosis of injury, illness or disease;

34 (B) therapeutic exercise;

35 (C) chiropractic diagnosis of injury, illness or disease and treatment
36 including chiropractic joint adjustment;

- 1 (D) physical therapy joint mobilization or manipulation;
- 2 (E) electrical stimulation or application of ultrasound; or
- 3 (F) dispensing or issuing prescriptions or pharmaceutical agents.
- 4 (2) "Massage" or "massage therapy" includes, but is not limited to:
- 5 (A) Development, implementation and modification of a massage
- 6 therapy treatment plan that addresses the client's soft tissue manifestations,
- 7 needs and concerns including identifying indications, contraindications
- 8 and precautions of massage therapy within the scope of the massage
- 9 therapist licensure act;
- 10 (B) obtaining informed consent regarding the risks and benefits of the
- 11 massage therapy treatment plan and application and modification of the
- 12 massage therapy treatment plan as needed;
- 13 (C) using effective interpersonal communication in the professional
- 14 relationship;
- 15 (D) utilizing an ethical decision-making process that conforms to the
- 16 ethical standards of the profession, as set forth in the massage therapist
- 17 licensure act and in rules and regulations adopted by the board;
- 18 (E) establishing and maintaining a practice environment that provides
- 19 for the client's health, safety and comfort; and
- 20 (F) establishing and maintaining client records, professional records
- 21 and business records in compliance with standards of professional conduct
- 22 as required by rules and regulations adopted by the board.
- 23 (g) "Licensed massage therapist" means an individual who meets the
- 24 requirements of the massage therapist licensure act and who engages in the
- 25 practice of massage therapy.
- 26 (h) "Professional massage therapy association" or "bodywork therapy
- 27 association" means a state or nationally chartered professional membership
- 28 organization that has been recognized by the board as offering services to
- 29 massage therapists and that requires that its members adhere to the
- 30 organization's established code of ethics and standards of practice.
- 31 Sec. 3. Upon application to the board and the payment of the required
- 32 fees, an applicant for a license as a massage therapist may be licensed as a
- 33 massage therapist if the applicant meets all the requirements of the
- 34 massage therapist licensure act and provides documentation acceptable to
- 35 the board that the applicant:
- 36 (1) Has obtained a high school diploma or its equivalent;
- 37 (2) is 18 years of age or older;
- 38 (3) has no other record of disqualifying conduct as defined by the
- 39 board;
- 40 (4) is a citizen or legal permanent resident of the United States;
- 41 (5) has successfully completed a course of instruction approved by
- 42 the board consisting of at least 625 in-classroom hours of supervised
- 43 instruction, including massage therapy technique and theory,

1 contraindications, ethics, sanitation, hygiene, business training, anatomy,
2 physiology and pathology; and

3 (6) has successfully passed, including prior to the effective date of the
4 massage therapist licensure act, a nationally recognized competency
5 examination in massage therapy that meets acceptable psychometric
6 principles, is statistically validated through a job-task analysis under
7 current standards for educational and professional testing and has been
8 approved by the board.

9 Sec. 4. Prior to July 1, 2024, the board shall commence a
10 grandfathering period for currently practicing massage therapists in the
11 state of Kansas. The board shall issue a license as a massage therapist to
12 any individual who meets the requirements of section 3(a)(1), (2), (3) and
13 (4), amendments thereto, and one of the following requirements verified to
14 the board by affidavit that the individual has:

15 (a) Completed a minimum of 625 hours of instruction relating to
16 massage therapy at a massage school or comparable entity in another state;

17 (b) completed at least 300 hours of training in massage therapy
18 during the three years immediately preceding such individual's license
19 application;

20 (c) practiced massage therapy for at least three years;

21 (d) been an active member in good standing of a professional
22 massage or bodywork therapy association as a massage or bodywork
23 therapist for a period of at least 12 months; or

24 (e) passed an examination meeting the requirements of section 3(a)
25 (5), and amendments thereto, or a nationally recognized certification
26 examination.

27 Sec. 5. (a) The board may issue a license to practice massage therapy
28 as a licensed massage therapist to an applicant who has been duly licensed
29 as a massage therapist by examination under the laws of another state,
30 territory, the District of Columbia or a foreign country if, in the opinion of
31 the board, the applicant meets the qualifications required for licensure as a
32 massage therapist in this state. Verification of the applicant's licensure
33 status shall be required from the original state of licensure.

34 (b) The board may issue a temporary permit to practice massage
35 therapy as a licensed massage therapist for a period not to exceed 120
36 days. A temporary permit may be issued to an applicant for licensure as a
37 licensed massage therapist who is a graduate of a massage school in a
38 foreign country after verification of licensure in that foreign country and
39 approval of educational credentials.

40 Sec. 6. (a) Nothing in the massage therapist licensure act shall:

41 (1) Be construed to restrict any individual licensed or regulated by the
42 state of Kansas from engaging in the profession or practice for which they
43 are licensed or regulated, including, but not limited to, acupuncture,

1 athletic training, barbering, chiropractic, cosmetology, dentistry,
2 electrology, esthetics, manicuring, medicine, naturopathic medicine,
3 nursing, occupational therapy, osteopathy, physical therapy, podiatry,
4 professional counseling, psychology, social work or veterinary medicine or
5 any other profession licensed or regulated by the state of Kansas;

6 (2) prohibit:

7 (A) The practice of massage therapy by an individual employed by
8 the government of the United States while the individual is engaged in the
9 performance of duties prescribed by the laws and regulations of the United
10 States;

11 (B) the practice of massage therapy by individuals duly licensed,
12 registered or certified in another state, territory, the District of Columbia or
13 a foreign country when incidentally called into this state to teach a course
14 related to massage therapy or to consult with an individual licensed under
15 the massage therapist licensure act;

16 (C) students currently enrolled in a massage school while completing
17 a clinical requirement or supervised massage therapy fieldwork experience
18 for graduation performed under the supervision of an individual licensed
19 under the massage therapist licensure act, so long as the student does not
20 hold oneself out as a licensed massage therapist and does not receive
21 compensation for services performed;

22 (D) any individual from performing massage therapy services in the
23 state, if those services are performed without compensation and are
24 performed in cooperation with a charitable organization or as part of an
25 emergency response team working in conjunction with disaster relief
26 officials;

27 (E) the practice, conduct and activities or services of an individual
28 who is employed by a non-resident performance team, entertainer or
29 athletic team to the extent that such services or activities are provided
30 solely to the team or entertainer in the state for not more than 30 days;

31 (F) individuals giving massage to members of such person's
32 immediate or extended family without compensation;

33 (G) individuals who restrict their manipulation of the soft tissues of
34 the human body to the hands, feet or ears and do not hold themselves out
35 to be massage therapists; and

36 (H) members of any church practicing their religious tenets; or

37 (3) be construed to prevent or restrict the practice of any individual in
38 this state who:

39 (A) Uses touch, words and directed movement to deepen awareness
40 of existing patterns of movement in the body and to suggest new
41 possibilities of movement while engaged within the scope of practice of a
42 profession with established standards and ethics, so long as their services
43 are not designated or implied to be massage or massage therapy. Such

1 practices include, but are not limited to: The Feldenkrais method of
2 somatic education; the Rolf institute's Rolf movement integration; the
3 Trager approach to movement education; and body-mind centering;

4 (B) uses touch to affect the energy systems, acupoints or qi meridians
5 or channels of energy, of the human body while engaged within the scope
6 of practice of a profession with established standards and ethics, provided
7 that their services are not designated or implied to be massage or massage
8 therapy. Such practices include, but are not limited to: Acupressure; Asian
9 bodywork therapy, jin shin do bodymind acupressure; polarity, polarity
10 therapy and polarity therapy bodywork; qigong; reiki; shiatsu and tuina; or

11 (C) uses touch to effect change in the structure of the body while
12 engaged in the practice of structural integration including, but not limited
13 to, practitioners of Roling structural integration, the Rolf method of
14 structural integration and Hellerwork.

15 (b) Practitioners described in paragraph (2) shall be recognized by or
16 meet the established standards of either a professional organization or
17 credentialing body that represents or certifies the respective practice based
18 on a minimal level of training, demonstration of competency and
19 adherence to ethical standards.

20 Sec. 7. (a) An individual licensed under the massage therapist
21 licensure act as a massage therapist shall:

22 (1) Use the letters "LMT" to identify themselves to patients or the
23 public; and

24 (2) be authorized to use words that indicate that such individual is a
25 massage therapist licensed under the massage therapist licensure act,
26 including: "Massage therapist," "massagist," "massotherapist,"
27 "myotherapist," "body therapist," "massage technician," "massage
28 practitioner," "masseur," "masseuse" or any derivation thereof.

29 (b) (1) On and after September 1, 2024, it shall be unlawful for any
30 individual who is not licensed under the massage therapist licensure act as
31 a massage therapist or whose license has been suspended, revoked or
32 lapsed to promote oneself to the public in any manner as a licensed
33 massage therapist or to engage in the practice of massage therapy.

34 (2) A violation of this subsection is a class B person misdemeanor.

35 (3) A violation of this subsection constitutes an unconscionable act or
36 practice in violation under K.S.A. 50-627, and amendments thereto,
37 whether or not it involves a consumer, a consumer transaction or a
38 supplier, as defined in K.S.A. 50-624, and amendments thereto.
39 Notwithstanding the provisions of K.S.A. 50-634, and amendments
40 thereto, no private right of action under the Kansas consumer protection
41 act may be brought alleging a violation of this subsection.

42 (c) No statute granting authority to persons licensed or registered by
43 the board shall be construed to confer authority upon a massage therapist

1 to engage in any activity not conferred by the massage therapist licensure
2 act.

3 Sec. 8. (a) A massage therapy advisory committee of six members,
4 consisting of two board members and four non-board members, shall be
5 established by the board to advise and assist the board in implementing the
6 massage therapist licensure act as determined by the board. The advisory
7 committee shall meet at least annually. Members of the advisory
8 committee shall be paid compensation, subsistence allowances, mileage
9 and other expenses as provided in K.S.A. 75-3223(e), and amendments
10 thereto, for each day of actual attendance at any meeting of the advisory
11 committee or any subcommittee meeting authorized by the board.

12 (b) The two board members of the massage therapy advisory
13 committee shall be appointed by the board. Three of the non-board
14 members of the massage therapy advisory committee shall be massage
15 therapists appointed by the board who shall also be United States citizens
16 and residents of the state. Not more than one member of the board may be
17 an owner of a massage school. The fourth non-board member shall be
18 appointed by the Kansas attorney general. The members of the committee
19 shall be appointed for terms of two years and shall serve at the pleasure of
20 the board.

21 Sec. 9. (a) The board shall biennially charge and collect in advance
22 fees provided for in the massage therapist licensure act as fixed by the
23 board by rules and regulations, subject to the following limitations:

24 Application fee, not more than.....	\$80
25 Temporary permit fee, not more than.....	25
26 License renewal fee, not more than.....	75
27 License reinstatement fee, not more than.....	80
28 Certified copy of license, not more than.....	25
29 Written verification of license, not more than.....	30
30 Inactive license fee, not more than.....	20

31 (b) The board may require that fees paid for any examination under
32 the massage therapist licensure act be paid directly to the examination
33 service by the individual taking the examination.

34 (c) The board shall accept personal checks, certified checks, cashier's
35 checks, money orders or credit cards for payment of fees under this
36 section. The board may designate other methods of payment but shall not
37 refuse payment in the form of a personal check. The board may impose
38 additional fees and recover any costs incurred by reason of payments made
39 by personal checks with insufficient funds and payments made by credit
40 cards.

41 Sec. 10. (a) All licenses issued under the provisions of the massage
42 therapist licensure act, whether initial or renewal, shall expire every two
43 years. The expiration date shall be established by rules and regulations

1 adopted by the board. The board shall send a notice for renewal of license
2 to every massage therapist at least 60 days prior to the expiration date of
3 such person's license. Every individual so licensed who desires to renew
4 such license shall file with the board, on or before the date of expiration of
5 such license, a renewal application with the prescribed biennial renewal
6 fee. Every licensee who is no longer engaged in the active practice of
7 massage therapy may so state by affidavit and submit such affidavit with
8 the renewal application. An inactive license may be requested along with
9 payment of a fee fixed by rules and regulations of the board. Except for the
10 first renewal for a license that expires within 30 months following
11 licensure examination or for renewal of a license that expires within the
12 first nine months following licensure by reinstatement or endorsement,
13 every licensee with an active massage therapy license shall submit with the
14 renewal application evidence of satisfactory completion of a program of
15 continuing massage therapy education.

16 (b) As a condition for renewal of a license, the board shall require
17 completion of not more than 24 hours biennially of continuing education
18 approved by the board in rules and regulations. Upon receipt of the
19 renewal application, payment of fee and evidence of satisfactory
20 completion of the required program of continuing massage therapy
21 education and upon a finding that the applicant meets the requirements set
22 forth by law in effect at the time of initial licensure of the applicant, the
23 board shall verify the accuracy of the application and grant renewal of the
24 license.

25 (c) Continuing education courses shall be offered by providers
26 approved by the board. The courses shall be completed within the 24
27 months immediately preceding the date renewal is due. Hours in excess of
28 the total number required may not be carried over to future renewals. The
29 continuing education requirements shall not apply to a massage therapist
30 within the biennium during which the massage therapist is first licensed,
31 except that such requirements shall apply to licensees every biennium
32 thereafter.

33 (d) Any individual who fails to secure a license renewal within the
34 time specified herein may secure a reinstatement of such lapsed license by
35 making verified application therefor on a form provided by the board,
36 furnishing proof that the applicant is competent and qualified to act as a
37 massage therapist and satisfying all of the requirements for reinstatement,
38 including payment to the board of a reinstatement fee as established by the
39 board by rules and regulations. An application for reinstatement of a
40 license shall be held awaiting completion of documentation as may be
41 required, except that such application shall not be held for a period of time
42 in excess of that specified in rules and regulations of the board.

43 (e) (1) Each licensee shall notify the board in writing of:

1 (A) A change in name or address within 30 days of the change; or
2 (B) a conviction of any felony or misdemeanor that is specified in
3 rules and regulations adopted by the board within 30 days from the date
4 the conviction becomes final.

5 (2) As used in this subsection, "conviction" means:

6 (A) The entry of a plea or verdict of guilty or a conviction following a
7 plea of nolo contendere and without regard to whether the sentence was
8 suspended or probation was granted after such conviction;

9 (B) a forfeiture of bail, bond or collateral deposited to secure a
10 defendant's appearance in court if such forfeiture has not been vacated; or

11 (C) entering into a diversion agreement in lieu of further criminal
12 proceedings alleging a violation of any offense specified by the board in
13 rules and regulations.

14 (f) (1) The board shall require an initial applicant for licensure as a
15 massage therapist to be fingerprinted and submit to a state and national
16 criminal history record check. The fingerprints shall be used to identify the
17 applicant and to determine whether the applicant has a record of criminal
18 history in this state or another jurisdiction. The board is authorized to
19 submit the fingerprints to the Kansas bureau of investigation and the
20 federal bureau of investigation for a state and national criminal history
21 record check and request subsequent arrest notification services from both
22 agencies. The board may use the information obtained from fingerprinting
23 and the applicant's criminal history only for purposes of verifying the
24 identity of any applicant and in making the official determination of
25 character and fitness of the applicant for any licensure to practice massage
26 therapy in this state. Any disclosure of a record for a purpose other than
27 that provided by this subsection is a class A nonperson misdemeanor and
28 shall constitute grounds for removal from office or termination of
29 employment.

30 (2) Local and state law enforcement officers and agencies shall assist
31 the board in the taking and processing of fingerprints of applicants to
32 practice massage therapy in this state and shall release all records of an
33 applicant's adult convictions and nonconvictions to the board.

34 (3) The board shall fix a fee for fingerprinting and conducting a state
35 and national criminal history record check of applicants or licensees as
36 may be required by the board in an amount necessary to reimburse the
37 board for the cost. Fees collected under this subsection shall be remitted to
38 the state treasurer in accordance with K.S.A. 75-4215, and amendments
39 thereto. Upon receipt of each such remittance, the state treasurer shall
40 deposit the entire amount in the state treasury to the credit of the healing
41 arts fee fund.

42 (4) As used in this subsection, "initial applicant" means an individual
43 who has submitted an application for licensure as a massage therapist in

1 this state for the first time.

2 Sec. 11. (a) The board may refuse to grant licensure to, or may
3 suspend, revoke, condition, limit, qualify or restrict the licensure issued
4 under the massage therapist licensure act of any individual whom the
5 board, after the opportunity for a hearing, determines:

6 (1) Is incompetent to practice massage therapy or is found to engage
7 in the practice of massage therapy in a manner harmful or dangerous to a
8 client or to the public;

9 (2) has been convicted by a court of competent jurisdiction of a
10 felony or a misdemeanor crime against persons, even if not related to the
11 practice of massage therapy;

12 (3) is currently listed on a child abuse registry or an adult protective
13 services registry as the result of a substantiated finding of abuse or neglect
14 by any state agency, agency of another state or the United States, District
15 of Columbia, territory of the United States or another country and the
16 applicant or licensee has not demonstrated to the board's satisfaction that
17 such person has been sufficiently rehabilitated to merit the public trust;

18 (4) has violated a provision of the massage therapist licensure act or
19 one or more of the rules and regulations of the board;

20 (5) has obtained or attempted to obtain a license or license renewal by
21 bribery or fraudulent representation;

22 (6) has knowingly made a false statement on a form required by the
23 board for license or license renewal;

24 (7) has failed to obtain continuing education credits required by rules
25 and regulations of the board;

26 (8) has been found guilty of unprofessional conduct as defined by
27 rules and regulations of the board; or

28 (9) has had a registration, license or certificate as a massage therapist
29 revoked, suspended or limited, or has had other disciplinary action taken,
30 or an application for registration, license or certificate denied by the proper
31 regulatory authority of another state or the United States, District of
32 Columbia, territory of the United States or another country, with a certified
33 copy of the record of the action of the other jurisdiction being conclusive
34 evidence thereof.

35 (b) Upon filing of a sworn complaint with the board charging an
36 individual with having been guilty of any of the unlawful practices
37 specified in subsection (a), two or more members of the board shall
38 investigate the charges, or the board may designate and authorize an
39 employee or employees of the board to conduct an investigation. After
40 investigation, the board may institute charges. If an investigation, in the
41 opinion of the board, reveals reasonable grounds for believing the
42 applicant or licensee is guilty of the charges, the board shall fix a time and
43 place for proceedings, and such proceedings shall be conducted in

1 accordance with the provisions of the Kansas administrative procedure act.

2 (c) No person shall be excused from testifying in any proceedings
3 before the board under the massage therapist licensure act or in any civil
4 proceedings under this act before a court of competent jurisdiction on the
5 ground that such testimony may incriminate the person testifying, except
6 that such testimony shall not be used against the person for the prosecution
7 of any crime under the laws of this state excluding the crime of perjury as
8 defined in K.S.A. 2021 Supp. 21-5903, and amendments thereto.

9 (d) If final agency action of the board in a proceeding under this
10 section is adverse to the applicant or licensee, the costs of the board's
11 proceedings shall be charged to the applicant or licensee as in ordinary
12 civil actions in the district court. If the board is the unsuccessful party, the
13 costs shall be paid by the board. Witness fees and costs may be taxed by
14 the board according to the statutes relating to procedure in the district
15 court. All costs accrued by the board, when it is the successful party and
16 the attorney general certifies such costs cannot be collected from the
17 applicant or licensee, shall be paid from the healing arts fee fund. All
18 moneys collected following board proceedings shall be credited in full to
19 the healing arts fee fund.

20 (e) The denial, suspension, revocation or limitation of a license or
21 public or private censure of a licensee may be ordered by the board after
22 notice and hearing on the matter in accordance with the provisions of the
23 Kansas administrative procedure act. The board shall also notify the local
24 law enforcement agency of a disciplinary action. Upon the end of the
25 period of not less than two years for the revocation of a license,
26 application may be made to the board for reinstatement. The board shall
27 have discretion to accept or reject an application for reinstatement and may
28 hold a hearing to consider such reinstatement. An application for
29 reinstatement of a revoked license shall be accompanied by the license
30 reinstatement fee established under section 9, and amendments thereto.

31 (f) The board, in addition to any other penalty prescribed in
32 subsection (a), may assess a civil fine, after proper notice and an
33 opportunity to be heard, against a licensee for unprofessional conduct in an
34 amount not to exceed \$1,000 for the first violation, \$2,000 for the second
35 violation and \$3,000 for the third or subsequent violation. All fines
36 assessed and collected under this section shall be remitted to the state
37 treasurer in accordance with the provisions of K.S.A. 75-4215, and
38 amendments thereto. Upon receipt of each such remittance, the state
39 treasurer shall deposit the entire amount in the state treasury to the credit
40 of the state general fund.

41 (g) The board, upon request, shall receive from the Kansas bureau of
42 investigation such criminal history record information relating to arrests
43 and criminal convictions as necessary for the purpose of determining

1 initial and continuing qualifications of licensees and applicants for
2 licensure by the board.

3 Sec. 12. Except as provided in section 10(f)(3) and section 11(f), and
4 amendments thereto, the board shall remit all moneys received from fees,
5 charges or penalties under the massage therapist licensure act to the state
6 treasurer in accordance with the provisions of K.S.A. 75-4215, and
7 amendments thereto. Upon receipt of each such remittance, the state
8 treasurer shall deposit the entire amount in the state treasury, and 10% of
9 each such remittance shall be credited to the state general fund and the
10 balance shall be credited to the healing arts fee fund. All expenditures from
11 such fund shall be made in accordance with appropriation acts upon
12 warrants of the director of accounts and reports issued pursuant to
13 vouchers approved by the president of the board or by an individual
14 designated by the president of the board.

15 Sec. 13. A local unit of government shall not establish or maintain
16 professional licensing requirements for a massage therapist licensed under
17 the massage therapist licensure act. Nothing in the massage therapist
18 licensure act shall affect local zoning requirements. Local government law
19 enforcement agencies may inspect massage therapy registrations and the
20 business premises where massage therapy is practiced for compliance with
21 applicable laws. Nothing in this section shall be construed to preclude
22 criminal prosecution for a violation of any criminal law. If such inspection
23 reveals the practice of massage therapy by an individual without a valid
24 license, the individual may be charged with a violation of section 6(b), and
25 amendments thereto, and the board shall be notified.

26 Sec. 14. (a) When it appears to the board that any individual is
27 violating any of the provisions of the massage therapist licensure act, the
28 board may bring an action in a court of competent jurisdiction for an
29 injunction against such violation without regard to whether proceedings
30 have been or may be instituted before the board or whether criminal
31 proceedings have been or may be instituted.

32 (b) The provisions of this section shall take effect on and after
33 September 1, 2025.

34 Sec. 15. All state agency adjudicative proceedings under the massage
35 therapist licensure act shall be conducted in accordance with the
36 provisions of the Kansas administrative procedure act and shall be
37 reviewable in accordance with the Kansas judicial review act.

38 Sec. 16. Professional liability insurance coverage shall be maintained
39 in effect by each massage therapist as a condition to rendering professional
40 service as a massage therapist in this state. An applicant for initial or
41 renewal licensure shall provide proof to the board that the applicant
42 currently has professional liability insurance with minimum coverage of
43 \$2,000,000 per claim and \$6,000,000 in aggregate.

1 Sec. 17. On July 1, 2023, nothing in the massage therapist licensure
2 act or in the provisions of K.S.A. 40-2,100 through 40-2,105d, and
3 amendments thereto, shall be construed to require that any individual,
4 group or blanket policy of accident and sickness, medical or surgical
5 expense insurance coverage or any provision of a policy, contract, plan or
6 agreement for medical service issued on or after July 1, 2023, reimburse or
7 indemnify an individual licensed under the massage therapist licensure act
8 for services provided as a massage therapist.

9 Sec. 18. This act shall take effect and be in force from and after its
10 publication in the statute book.