Amendment No. 323

Senate Amendment to Senate Bill No. 386 (BDR 54-891)
Proposed by: Senate Committee on Commerce and Labor
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 386 (§ 1).

ASSEMBLY ACTION		Initial and Date	SENATE ACTION		Initial and Date
Adopted ☐	Lost ☐		Adopted ☐	Lost ☐	
Concurred In ☐	Not ☐		Concurred In ☐	Not ☐	
Receded ☐	Not ☐		Receded ☐	Not ☐	

EXPLANATION: Matter in (1) ***blue bold italics*** is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

DP/SJQ Date: 4/15/2025

S.B. No. 386—Revises provisions relating to massage therapy. (BDR 54-891)

SENATE BILL NO. 386–SENATORS SCHEIBLE;
DALY, KRASNER AND TAYLOR

MARCH 17, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to massage therapy. (BDR 54-891)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

AN ACT relating to massage therapy; authorizing the Board of Massage Therapy to issue a license to practice massage therapy, reflexology or structural integration to a person who would not otherwise qualify for such a license if the person satisfies certain other requirements; revising the acts which constitute the practice of reflexology; eliminating certain requirements for meetings of the Board; requiring the Board to adopt regulations concerning disciplinary actions against the holder of a certificate of a massage, reflexology and structural integration establishment; revising provisions governing the issuance of temporary licenses by the Board; authorizing the Executive Director of the Board to issue subpoenas; revising provisions governing certain advertisements; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Board of Massage Therapy to issue licenses to practice massage therapy, reflexology or structural integration. (Chapter 640C of NRS)

Section 1 of this bill authorizes the Board, after conducting a review of the credentials of an applicant who does not otherwise satisfy the requirements for the issuance of a license to practice massage therapy, reflexology or structural integration, to grant such a license to a person who: (1) has legally practiced massage therapy, reflexology or structural integration in another state, territory or possession of the United States or the District of Columbia for not less than 3 years; (2) submits certain information and documents to the Board; and (3) passes certain examinations. **Sections 5-7** of this bill make conforming changes to indicate that the provisions of **section 1** are exceptions to the general requirements for the issuance of a license to practice massage therapy, a license to practice reflexology and a license to practice structural integration.

Section 2 of this bill revises the definition of the term "reflexology" to include the application of a system of pressure to the face of the human body.

Section 3 of this bill eliminates the requirement that the Board alternate the location of its meetings between the southern and northern districts of this State.

Existing law requires the Board to adopt regulations that prescribe the requirements for the certification and operation of a massage, reflexology and structural integration establishment. (NRS 640C.330) **Section 4** of this bill requires the Board to adopt regulations which include the grounds for the imposition of disciplinary action against the holder of a certificate of a massage, reflexology and structural integration establishment and the disciplinary actions which the Board may impose.

Existing law sets forth various requirements for a person to be issued a temporary license to practice massage therapy, reflexology or structural integration. (NRS 640C.590, 640C.610, 640C.630) **Sections 8 and 11** of this bill revise those requirements to instead authorize the Board to issue a temporary license to practice massage therapy, reflexology or structural integration in this State to a person: (1) who holds an active license in good standing to practice massage therapy, reflexology or structural integration issued by another state, territory or possession of the United States or the District of Columbia; and (2) who satisfies the requirements for a temporary license set forth in regulations adopted by the Board. **Section 8** prohibits those regulations from requiring a person to take or pass a written examination concerning his or her qualifications to practice massage therapy, reflexology or structural integration to be issued a temporary license. Existing law provides that a temporary license expires 90 days after issuance and is not renewable. (NRS 640C.590, 640C.610, 640C.630) **Section 8** authorizes a person who has been issued a temporary license to apply for a new temporary license not less than 3 months after the expiration of the temporary license most recently issued to the person.

Existing law authorizes the Board or any member thereof to issue subpoenas to compel the attendance of witnesses and the production of books and papers. (NRS 640C.750) **Section 9** of this bill additionally authorizes the Executive Director of the Board to issue such subpoenas.

Existing law prohibits: (1) an unlicensed person from advertising as a massage therapist, reflexologist or structural integration practitioner; and (2) a licensed person from using any false or misleading statement or representation in advertising that is intended to induce another person to use the services of the massage therapist, reflexologist or structural integration practitioner. Existing law also requires certain advertising by a licensed massage therapist, reflexologist or structural integration practitioner to include certain information. (NRS 640C.930) **Section 10** of this bill sets forth similar prohibitions and requirements applicable to massage, reflexology and structural integration establishments.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 640C of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Board may, after conducting a review of the credentials of an applicant who does not otherwise satisfy the requirements set forth in NRS 640C.580, 640C.600 or 640C.620, as applicable, issue a license to the applicant pursuant to this section.

2. An applicant for a license to practice massage therapy, reflexology or structural integration, as applicable, issued pursuant to this section must:

(a) Have legally practiced massage therapy, reflexology or structural integration in another state, territory or possession of the United States or the District of Columbia for not less than 3 years; and

(b) Submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy, reflexology or structural integration, verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice massage therapy, reflexology or structural integration, as applicable; and

(II) Disciplinary proceedings relating to his or her license to practice massage therapy, reflexology or structural integration, as applicable, are not pending;

(4) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;

(5) A statement authorizing the Board or its designee to conduct an investigation to determine the accuracy of any statements set forth in the application; and

(6) Official transcripts from a program of massage therapy, reflexology or structural integration which must demonstrate that the applicant completed :

(I) For a program of massage therapy, not less than 500 hours of instruction ; ~~[, including, without limitation:~~

~~*(I) A combined total of not less than 200 hours of instruction in anatomy, physiology, kinesiology, pathology, business and ethics consisting of not less than 120 hours of instruction in a classroom and not less than 80 hours of instruction other than in a classroom; and]*~~

(II) ~~[A combined total of not less than 300 hours of instruction and practical experience in massage, reflexology or]~~ For a program of structural integration , ~~[theory and practical application, including]~~ not less than ~~[140]~~ 700 hours of instruction ; ~~[in a classroom]~~ and

(III) For a program of reflexology, not less than ~~[40]~~ 200 hours of ~~[practical work experience.]~~ instruction.

3. In addition to any examination required pursuant to NRS 640C.320, an applicant for a license issued pursuant to this section must pass a nationally recognized examination for testing the education and professional competency of massage therapists, reflexologists or structural integration practitioners, as applicable, that is approved by the Board.

Sec. 2. NRS 640C.080 is hereby amended to read as follows:

640C.080 "Reflexology" means the application of a system of pressure to the feet, ears *, face* and hands of the human body.

Sec. 3. NRS 640C.180 is hereby amended to read as follows:

640C.180 1. At the first meeting of each fiscal year, the members of the Board shall elect a Chair, Vice Chair and Secretary-Treasurer from among the members.

2. The Board shall meet at least quarterly and may meet at other times at the call of the Chair or upon the written request of a majority of the members of the Board.

3. ~~[~~The Board shall alternate the location of its meetings between the southern district of Nevada and the northern district of Nevada. For the purposes of this subsection:

~~(a) The southern district of Nevada consists of all that portion of the State lying within the boundaries of the counties of Clark, Esmeralda, Lincoln and Nye.~~

~~(b) The northern district of Nevada consists of all that portion of the State lying within the boundaries of Carson City and the counties of Churchill, Douglas, Elko, Eureka, Humboldt, Lander, Lyon, Mineral, Pershing, Storey, Washoe and White Pine.~~

~~4.]~~ A meeting of the Board may be conducted telephonically or by videoconferencing. A meeting conducted telephonically or by videoconferencing

must meet the requirements of chapter 241 of NRS and any other applicable provisions of law.

~~[5.]~~ ***4.*** Five members of the Board constitute a quorum for the purposes of transacting the business of the Board, including, without limitation, issuing, renewing, suspending, revoking or reinstating a license issued pursuant to this chapter.

Sec. 4. NRS 640C.330 is hereby amended to read as follows:

640C.330 1. The Board shall adopt regulations that prescribe the requirements for the certification and operation of a massage, reflexology and structural integration establishment, including, without limitation, the:

(a) Requirements for a massage, reflexology and structural integration establishment to obtain a certificate;

(b) Standards with which a massage, reflexology and structural integration establishment must comply; ~~[and]~~

(c) Establishment of fees pursuant to NRS 640C.520 for the issuance and renewal of a certification of a massage, reflexology and structural integration establishment ~~[.]~~ ***; and***

(d) Grounds for the imposition of disciplinary action against a holder of a certificate and the disciplinary actions which the Board may impose, which may include, without limitation, the imposition of a fine and the suspension or revocation of a certificate.

2. The provisions of this section and any regulations adopted pursuant thereto do not prohibit a local government from licensing and regulating a massage, reflexology and structural integration establishment, including, without limitation, in a manner that is more stringent than the regulations adopted by the Board pursuant to this section.

3. Local governments have concurrent jurisdiction with the Board over the licensure and regulation of massage, reflexology and structural integration establishments.

4. If there is a conflict between a provision of the regulations adopted by the Board pursuant to this section and a requirement of a local government, the requirement of a local government prevails to the extent that the requirement provides a more stringent or specific requirement regarding the regulation of a massage, reflexology and structural integration establishment.

5. As used in this section, "massage, reflexology and structural integration establishment" means any premises, mobile unit, building or part of a building where massage therapy, reflexology or structural integration is practiced by a person or persons licensed pursuant to this chapter.

Sec. 5. NRS 640C.580 is hereby amended to read as follows:

640C.580 1. The Board may issue a license to practice massage therapy.

2. ~~[An]~~ ***Except as otherwise provided in section 1 of this act, an*** applicant for a license must:

(a) Be at least 18 years of age;

(b) Except as otherwise provided in NRS 640C.426, submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) Proof that the applicant has successfully completed a program of massage therapy recognized by the Board;

(4) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice massage therapy; and

(II) Disciplinary proceedings relating to his or her license to practice massage therapy are not pending;

(5) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(6) A statement authorizing the Board or its designee to conduct an investigation to determine the accuracy of any statements set forth in the application; and

(c) In addition to any examination required pursuant to NRS 640C.320 and except as otherwise provided in NRS 640C.426, pass a nationally recognized examination for testing the education and professional competency of massage therapists that is approved by the Board.

3. The Board:

(a) Shall recognize a program of massage therapy that is:

(1) Approved by the Commission on Postsecondary Education; or

(2) Offered by a public college in this State or any other state; and

(b) May recognize other programs of massage therapy.

4. Except as otherwise provided in NRS 640C.426, the Board or its designee shall:

(a) Conduct an investigation to determine:

(1) The reputation and character of the applicant;

(2) The existence and contents of any record of arrests or convictions of the applicant;

(3) The existence and nature of any pending litigation involving the applicant that would affect his or her suitability for licensure; and

(4) The accuracy and completeness of any information submitted to the Board by the applicant.

(b) Report the results of the investigation of the applicant within the period the Board establishes by regulation pursuant to NRS 640C.320.

(c) Except as otherwise provided in NRS 239.0115, maintain the results of the investigation in a confidential manner for use by the Board and its members and employees in carrying out their duties pursuant to this chapter. The provisions of this paragraph do not prohibit the Board or its members or employees from communicating or cooperating with or providing any documents or other information to any other licensing board or any other federal, state or local agency that is investigating a person, including, without limitation, a law enforcement agency.

Sec. 6. NRS 640C.600 is hereby amended to read as follows:

640C.600 1. The Board may issue a license to practice reflexology.

2. ~~[An]~~ ***Except as otherwise provided in section 1 of this act, an*** applicant for a license must:

(a) Be at least 18 years of age;

(b) Except as otherwise provided in NRS 640C.426, submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) Proof that the applicant has successfully completed a program of reflexology recognized by the Board;

(4) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice reflexology verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice reflexology; and

(II) Disciplinary proceedings relating to his or her license to practice reflexology are not pending;

(5) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(6) A statement authorizing the Board or its designee to conduct an investigation to determine the accuracy of any statements set forth in the application; and

(c) In addition to any examination required pursuant to NRS 640C.320 and except as otherwise provided in NRS 640C.426, pass a nationally recognized examination for testing the education and professional competency of reflexologists that is approved by the Board.

3. The Board:

(a) Shall recognize a program of reflexology that is:

(1) Approved by the Commission on Postsecondary Education; or

(2) Offered by a public college in this State or any other state; and

(b) May recognize other programs of reflexology.

4. Except as otherwise provided in NRS 640C.426, the Board or its designee shall:

(a) Conduct an investigation to determine:

(1) The reputation and character of the applicant;

(2) The existence and contents of any record of arrests or convictions of the applicant;

(3) The existence and nature of any pending litigation involving the applicant that would affect his or her suitability for licensure; and

(4) The accuracy and completeness of any information submitted to the Board by the applicant.

(b) Report the results of the investigation of the applicant within the period the Board establishes by regulation pursuant to NRS 640C.320.

(c) Except as otherwise provided in NRS 239.0115, maintain the results of the investigation in a confidential manner for use by the Board and its members and employees in carrying out their duties pursuant to this chapter. The provisions of this paragraph do not prohibit the Board or its members or employees from communicating or cooperating with or providing any documents or other information to any other licensing board or any other federal, state or local agency that is investigating a person, including, without limitation, a law enforcement agency.

Sec. 7. NRS 640C.620 is hereby amended to read as follows:

640C.620 1. The Board may issue a license to practice structural integration.

2. ~~[An]~~ ***Except as otherwise provided in section 1 of this act, an*** applicant for a license must:

(a) Be at least 18 years of age;

(b) Except as otherwise provided in NRS 640C.426, submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) Proof that the applicant has successfully completed a program of structural integration recognized by the Board;

(4) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice structural integration verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice structural integration; and

(II) Disciplinary proceedings relating to his or her license to practice structural integration are not pending;

(5) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(6) A statement authorizing the Board or its designee to conduct an investigation to determine the accuracy of any statements set forth in the application; and

(c) In addition to any examination required pursuant to NRS 640C.320 and except as otherwise provided in NRS 640C.426, pass a nationally recognized examination for testing the education and professional competency of structural integration practitioners that is approved by the Board.

3. The Board:

(a) Shall recognize a program of structural integration that is:

(1) Approved by the Commission on Postsecondary Education; or

(2) Offered by a public college in this State or any other state; and

(b) May recognize other programs of structural integration.

4. Except as otherwise provided in NRS 640C.426, the Board or its designee shall:

(a) Conduct an investigation to determine:

(1) The reputation and character of the applicant;

(2) The existence and contents of any record of arrests or convictions of the applicant;

(3) The existence and nature of any pending litigation involving the applicant that would affect his or her suitability for licensure; and

(4) The accuracy and completeness of any information submitted to the Board by the applicant.

(b) Report the results of the investigation of the applicant within the period the Board establishes by regulation pursuant to NRS 640C.320.

(c) Except as otherwise provided in NRS 239.0115, maintain the results of the investigation in a confidential manner for use by the Board and its members and employees in carrying out their duties pursuant to this chapter. The provisions of this paragraph do not prohibit the Board or its members or employees from communicating or cooperating with or providing any documents or other information to any other licensing board or any other federal, state or local agency that is investigating a person, including, without limitation, a law enforcement agency.

Sec. 8. NRS 640C.630 is hereby amended to read as follows:

640C.630 1. The Board may issue a temporary license to practice ***massage therapy, reflexology or*** structural integration ~~[.]~~ ***in this State to a person who holds an active license in good standing to practice massage therapy, reflexology or structural integration issued by another state, territory or possession of the United States or the District of Columbia.***

2. An applicant for a temporary license issued pursuant to this section must ~~[:~~

~~(a) Be at least 18 years of age; and~~

~~(b) Submit to the Board:~~

~~(1) A completed application on a form prescribed by the Board;~~

~~(2) The fees prescribed by the Board pursuant to NRS 640C.520;~~

~~(3) Proof that the applicant has successfully completed a program of structural integration recognized by the Board pursuant to NRS 640C.620;~~

~~(4) Proof that the applicant:~~

~~(I) Has taken the examination required pursuant to NRS 640C.620; or~~

~~(II) Is scheduled to take such an examination within 90 days after the date of application;~~

~~(5) An affidavit indicating that the applicant has not committed any of the offenses for which the Board may refuse to issue a license pursuant to NRS 640C.700;~~

~~(6) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice structural integration verifying that:~~

~~(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice structural integration; and~~

~~(II) Disciplinary proceedings relating to his or her license to practice structural integration are not pending; and~~

~~(7) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.~~ ***satisfy the requirements for the issuance of a temporary license set forth in the regulations adopted by the Board pursuant to subsection 5.***

3. A temporary license issued pursuant to this section expires 90 days after the date the Board issues the temporary license. The Board shall not renew the temporary license. ***A person who has been issued a temporary license pursuant to this section may apply for a new temporary license not less than 3 months after the expiration of the temporary license most recently issued to the person.***

4. A person who holds a temporary license:

(a) May practice ***massage therapy, reflexology or*** structural integration ***, as applicable,*** only under the supervision of a fully licensed ***massage therapist, fully licensed reflexologist or fully licensed*** structural integration practitioner ***, as applicable,*** and only in accordance with the provisions of this chapter and the regulations of the Board;

(b) Must comply with any other conditions, limitations and requirements imposed on the temporary license by the Board;

(c) Is subject to the regulatory and disciplinary authority of the Board to the same extent as a fully licensed ***massage therapist, fully licensed reflexologist or fully licensed*** structural integration practitioner ~~[;]~~ ***, as applicable;*** and

(d) Remains subject to the regulatory and disciplinary authority of the Board after the expiration of the temporary license for all acts relating to the practice of ***massage therapy, reflexology or*** structural integration ***, as applicable,*** which occurred during the period of temporary licensure.

5. ***The Board shall adopt regulations to carry out the provisions of this section, including, without limitation, regulations establishing requirements for the issuance of a temporary license. Such regulations must not require an applicant for the issuance of a temporary license to take or pass a written examination concerning his or her qualifications to practice massage therapy, reflexology or structural integration to be issued a temporary license.***

6. As used in this section ~~[, "fully]~~ ***:***

(a) "Fully licensed massage therapist" means a person who holds a license to practice massage therapy issued pursuant to NRS 640C.420 or 640C.580.

(b) "Fully licensed reflexologist" means a person who holds a license to practice reflexology issued pursuant to NRS 640C.420 or 640C.600.

(c) "Fully licensed structural integration practitioner" means a person who holds a license to practice structural integration issued pursuant to NRS 640C.420 or 640C.620.

Sec. 9. NRS 640C.750 is hereby amended to read as follows:

640C.750 1. The Board may conduct investigations and hold hearings to carry out its duties pursuant to this chapter.

2. In such a hearing:

(a) Any member of the Board may administer oaths and examine witnesses; and

(b) The Board ***, the Executive Director of the Board*** or any member ~~[thereof]~~ ***of the Board*** may issue subpoenas to compel the attendance of witnesses and the production of books and papers.

3. Each witness who is subpoenaed to appear before the Board is entitled to receive for his or her attendance the same fees and mileage allowed by law for a witness in a civil case. The amount must be paid by the party who requested the subpoena. If any witness who has not been required to attend at the request of any party is subpoenaed by the Board, his or her fees and mileage must be paid by the Board from money available for that purpose.

4. If any person fails to comply with the subpoena within 10 days after it is issued, the Chair of the Board may petition a court of competent jurisdiction for an order of the court compelling compliance with the subpoena.

5. Upon the filing of such a petition, the court shall enter an order directing the person subpoenaed to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why the person has not complied with the subpoena. A certified copy of the order must be served upon the person subpoenaed.

6. If it appears to the court that the subpoena was regularly issued by the Board, the court shall enter an order compelling compliance with the subpoena. The failure of the person to comply with the order is a contempt of the court that issued the order.

Sec. 10. NRS 640C.930 is hereby amended to read as follows:

640C.930 1. A person shall not advertise as a massage therapist, reflexologist or structural integration practitioner in this State unless the person is licensed to practice massage therapy, reflexology or structural integration pursuant to this chapter.

2. A person licensed to practice massage therapy, reflexology or structural integration pursuant to this chapter shall not disseminate, as part of any advertising by the massage therapist, reflexologist or structural integration practitioner, any false or misleading statement or representation of material fact that is intended, directly or indirectly, to induce another person to use the services of the massage therapist, reflexologist or structural integration practitioner.

3. All advertising by a licensed massage therapist, reflexologist or structural integration practitioner must include his or her name and the name of his or her company, if applicable. All advertising in a telephone directory or a newspaper must also include the number of the license.

4. ***A person shall not advertise a massage, reflexology and structural integration establishment in this State unless the person holds a certificate to operate the massage, reflexology and structural integration establishment issued by the Board pursuant to NRS 640C.330.***

5. A person who holds a certificate to operate a massage, reflexology and structural integration establishment shall not disseminate, as part of any advertising by the person holding the certificate, any false or misleading statement or representation of material fact that is intended, directly or indirectly, to induce another person to use the services of the massage, reflexology and structural integration establishment.

6. All advertising by a person who holds a certificate to operate a massage, reflexology and structural integration establishment must include his or her name and the name of the massage, reflexology and structural integration establishment. All advertising in a telephone directory or a newspaper must also include the number of the certificate to operate the massage, reflexology and structural integration establishment.

7. A person who violates any provision of subsection 1 **,** ~~[or]~~ 2 ***, 4 or 5*** is guilty of a misdemeanor.

~~[5.]~~ ***8.*** If, after notice and a hearing as required by law, the Board determines that a person has willfully engaged in advertising in a manner that violates the provisions of this section or NRS 640C.910, the Board may, in addition to any penalty, punishment or disciplinary action authorized by the provisions of this chapter, order the person to cease and desist the unlawful advertising. The provisions of this subsection do not apply to any person whose license has been expired for less than 90 days or is temporarily suspended.

~~[6.]~~ ***9.*** The Board may order any person convicted of a crime involving violence, prostitution or any other sexual offense to cause any telephone number included in the advertising to be disconnected from service. If the Board orders the person to cause any telephone number to be disconnected from service and the person fails to comply within 5 days after the date on which the person is served with the order, the Board may:

(a) If the provider is regulated by the Public Utilities Commission of Nevada, request the Commission to order the provider to disconnect the telephone number from service pursuant to NRS 703.175 and 707.355; or

(b) If the provider is not regulated by the Public Utilities Commission of Nevada, request the provider to disconnect the telephone number from service and inform the provider that the request is made pursuant to this section. Upon receiving such a request, the provider shall take such action as is necessary to disconnect the telephone number from service.

~~[7.]~~ ***10.*** A provider shall not:

(a) Forward or offer to forward the telephone calls of a telephone number disconnected from service pursuant to this section; or

(b) Provide or offer to provide a message that includes a new telephone number for the person whose telephone number was disconnected from service pursuant to this section.

~~[8.]~~ ***11.*** If a provider complies in good faith with a request to disconnect a telephone number from service pursuant to this section, such good-faith compliance shall constitute a complete defense to any civil or criminal action brought against the provider arising from the disconnection or termination of service.

~~[9.]~~ ***12.*** As used in this section:

(a) "Advertising" means the intentional placement or issuance of any sign, card or device, or the permitting or allowing of any sign or marking on a motor vehicle, in any building, structure, newspaper, magazine or airway transmission, on the Internet or in any directory under the listing of "massage therapist," "massage," "reflexologist," "reflexology," "structural integration ~~[practitioner" or]~~ ***practitioner,"*** "structural ~~[integration."]~~ ***integration" or "massage, reflexology and structural integration establishment."***

(b) ***"Massage, reflexology and structural integration establishment" has the meaning ascribed to it in NRS 640C.330.***

(c) "Provider" means a provider of any type of telephone, messaging or paging service.

~~[(c)]~~ ***(d)*** "Provider of messaging or paging service" means an entity that provides any type of messaging or paging service to any type of communication device.

~~[(d)]~~ ***(e)*** "Provider of telephone service" has the meaning ascribed to it in NRS 707.355.

~~[(e)]~~ ***(f)*** "Telephone number" means any sequence of numbers or characters, or both, used by a provider to provide any type of telephone, messaging or paging service.

Sec. 11. NRS 640C.590 and 640C.610 are hereby repealed.

Sec. 12. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 11, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On October 1, 2025, for all other purposes.

TEXT OF REPEALED SECTIONS

640C.590 Temporary license to practice massage therapy.

1. The Board may issue a temporary license to practice massage therapy.

2. An applicant for a temporary license issued pursuant to this section must:

(a) Be at least 18 years of age; and

(b) Submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) Proof that the applicant has successfully completed a program of massage therapy recognized by the Board pursuant to NRS 640C.580;

(4) Proof that the applicant:

(I) Has taken the examination required pursuant to NRS 640C.580; or

(II) Is scheduled to take such an examination within 90 days after the date of application;

(5) An affidavit indicating that the applicant has not committed any of the offenses for which the Board may refuse to issue a license pursuant to NRS 640C.700;

(6) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice massage therapy verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice massage therapy; and

(II) Disciplinary proceedings relating to his or her license to practice massage therapy are not pending; and

(7) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

3. A temporary license issued pursuant to this section expires 90 days after the date the Board issues the temporary license. The Board shall not renew the temporary license.

4. A person who holds a temporary license:

(a) May practice massage therapy only under the supervision of a fully licensed massage therapist and only in accordance with the provisions of this chapter and the regulations of the Board;

(b) Must comply with any other conditions, limitations and requirements imposed on the temporary license by the Board;

(c) Is subject to the regulatory and disciplinary authority of the Board to the same extent as a fully licensed massage therapist; and

(d) Remains subject to the regulatory and disciplinary authority of the Board after the expiration of the temporary license for all acts relating to the practice of massage therapy which occurred during the period of temporary licensure.

5. As used in this section, "fully licensed massage therapist" means a person who holds a license to practice massage therapy issued pursuant to NRS 640C.420 or 640C.580.

640C.610 Temporary license to practice reflexology.

1. The Board may issue a temporary license to practice reflexology.

2. An applicant for a temporary license issued pursuant to this section must:

(a) Be at least 18 years of age; and

(b) Submit to the Board:

(1) A completed application on a form prescribed by the Board;

(2) The fees prescribed by the Board pursuant to NRS 640C.520;

(3) Proof that the applicant has successfully completed a program of reflexology recognized by the Board pursuant to NRS 640C.600;

(4) Proof that the applicant:

(I) Has taken the examination required pursuant to NRS 640C.600; or

(II) Is scheduled to take such an examination within 90 days after the date of application;

(5) An affidavit indicating that the applicant has not committed any of the offenses for which the Board may refuse to issue a license pursuant to NRS 640C.700;

(6) A certified statement issued by the licensing authority in each state, territory or possession of the United States or the District of Columbia in which the applicant is or has been licensed to practice reflexology verifying that:

(I) The applicant has not been involved in any disciplinary action relating to his or her license to practice reflexology; and

(II) Disciplinary proceedings relating to his or her license to practice reflexology are not pending; and

(7) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

3. A temporary license issued pursuant to this section expires 90 days after the date the Board issues the temporary license. The Board shall not renew the temporary license.

4. A person who holds a temporary license:

(a) May practice reflexology only under the supervision of a fully licensed reflexologist and only in accordance with the provisions of this chapter and the regulations of the Board;

(b) Must comply with any other conditions, limitations and requirements imposed on the temporary license by the Board;

(c) Is subject to the regulatory and disciplinary authority of the Board to the same extent as a fully licensed reflexologist; and

(d) Remains subject to the regulatory and disciplinary authority of the Board after the expiration of the temporary license for all acts relating to the practice of reflexology which occurred during the period of temporary licensure.

5. As used in this section, "fully licensed reflexologist" means a person who holds a license to practice reflexology issued pursuant to NRS 640C.420 or 640C.600.