

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 7 MESSAGE THERAPISTS
PART 6 REQUIREMENTS FOR INSTRUCTORS

16.7.6.1 ISSUING AGENCY: Regulation and Licensing Department, Massage Therapy Board
[12-24-99; 16.7.6.1 NMAC - Rn & A, 16 NMAC 7.6.1, 06-28-01; A, 06-24-05; A, XX-XX-XX]
~~[P. O. Box 25101 Santa Fe, New Mexico 87504]~~

16.7.6.2 SCOPE: This part applies to applicants for massage therapy instructor registration and visiting massage therapy instructors, and to registered massage therapy instructors.
[12-24-99; 16.7.6.2 NMAC - Rn, 16 NMAC 7.6.2, 06-28-01]

16.7.6.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Massage Therapy Practice Act, Section 61-12C-6.C, 61-12C-8.B, and 61-12C-9.C.
[12-24-99; 16.7.6.3 NMAC - Rn, 16 NMAC 7.6.3, 06-28-01]

16.7.6.4 DURATION: Permanent.
[12-24-99; 16.7.6.4 NMAC - Rn, 16 NMAC 7.6.4, 06-28-01]

16.7.6.5 EFFECTIVE DATE: December 24, 1999, unless a later date is cited at the end of a section.
[12-24-99; 16.7.6.5 NMAC - Rn, 16 NMAC 7.6.5, 06-28-01; A, 06-24-05]

16.7.6.6 OBJECTIVE: This part is to establish the application requirements for massage therapy instructors and visiting massage therapy instructors, and to establish the standards for registered massage therapy instructors.
[12-24-99; 16.7.6.6 NMAC - Rn, 16 NMAC 7.6.6, 06-28-01]

16.7.6.7 DEFINITIONS: [RESERVED]
[12-24-99; 16.7.6.7 NMAC - Rn, 16 NMAC 7.6.7, 06-28-01; A, 06-24-05; A, 09-04-09]
[Refer to 16.7.1.7 NMAC]

16.7.6.8 MESSAGE THERAPY INSTRUCTOR:

A. Requirements: the applicant shall:

- (1) ~~[The applicant must]~~ hold a valid massage therapist license in New Mexico; and
- (2) ~~[The applicant must]~~ have practiced massage therapy for a minimum of two (2) years during the three (3) years preceding the application for a massage therapy instructor registration.

B. Application requirements for registration: ~~[At the time of application]~~ the applicant ~~[must]~~ shall provide the following:

- (1) a completed application for massage therapy instructor registration, which must be legible and printed in black ink or typed:
 - (a) incomplete application will be returned for completion; and
 - (b) faxed application ~~[and/or]~~ and supporting documentation will not be accepted;
- (2) documentation verifying two (2) years of professional massage therapy experience during the three (3) years preceding the application must include a minimum of three (3) of the following documents:
 - (a) income tax forms documenting massage therapy practice;
 - (b) verifiable letters from clients confirming receipt of massage therapy services from the applicant;
 - (c) yellow page advertisement(s) that show dates of the advertisement(s);
 - (d) printed flyers or brochure advertisements including dates;

- (e) proof of rent or lease of practice location or office space;
 - (f) proof of current association membership;
 - (g) proof of current professional insurance;
 - (h) copies of dated receipts for massage therapy practice-related supplies or furnishings that total a minimum of \$500;
 - (i) verifiable letters from employers; and
 - (j) work log consisting of client's names, addresses and/or phone numbers, appointment dates, and time periods worked on clients;
- (3) documentation of completion of 50 contact hours of instructional experience of professional teaching, or workshop instruction;
- (4) the massage therapy instructor registration fee in accordance with of Subsection B of 16.7.3.8 NMAC.

C. Documents in foreign language: Any document submitted in a foreign language must be accompanied by an accurate translation in English.

(1) Each translated document must bear the affidavit of the ~~[translator sworn to before a notary public certifying that he or she is competent in both the language of the document and the English language and that the translation is a true and complete translation of the foreign language original]~~ certified translator attesting to it being a true and complete translation of the original document;

(2) the affidavit must also contain the translator's contact information, including address and phone number of the organization that granted the translator certification;

(3) each translated document must bear a notary seal and signature swearing that the document is that of applicants; and

~~(3)~~ (4) translation and notarization of any document relevant to a person's application will be at the expense of the applicant.

[12-24-99; 16.7.6.8 NMAC - Rn & A, 16 NMAC 7.6.8, 06-28-01; A, 06-24-05; A, XX-XX-XX]

16.7.6.9 SCHOOL-BASED MASSAGE THERAPY INSTRUCTORS:

A. Prerequisite requirements: Every instructor teaching massage therapy as defined in ~~[16.7.6.7]~~ 16.7.6.8 NMAC must be registered by the board as a massage therapy instructor.

B. General provision: Every transcript submitted to the board by an instructor shall be accompanied by a course outline(s) and dates of instruction unless previously submitted as part of a registered massage therapy school curriculum approved by the board. The registered school-based massage therapy instructor shall only provide instruction within the board-approved curriculum of a registered massage therapy school. The applicant or licensee shall notify the board, in writing, within thirty (30) days of any change in their employment, of any additional massage therapy schools where they are instructors.

C. Professional conduct: The registered school-based massage therapy instructor will comply with the board's rule on professional conduct, 16.7.2 NMAC.

[12-24-99; 16.7.6.9 NMAC - Rn, 16 NMAC 7.6.9, 06-28-01; A, 06-24-05; A, XX-XX-XX]

16.7.6.10 STANDARDS FOR INDEPENDENT MASSAGE THERAPY INSTRUCTORS:

A. Prerequisite requirements: Every registered instructor teaching massage for continuing education as defined in Subsection ~~[D of 16.7.6.7]~~ A of 16.7.11.9 NMAC must be registered as an independent massage therapy instructor.

B. General provision: The registered independent massage therapy instructor may provide instruction at a registered massage therapy school without having to obtain a school-based massage therapy instructor registration, provided that such instruction shall be limited to the school's curriculum approved by the board.

C. Curriculum: The registered independent massage therapy instructor shall submit a curriculum for board review and approval or disapproval, including continuing education courses.

D. Certificates of completion: Every certificate of completion provided by the registered independent massage therapy instructor to the licensee shall include:

- (1) the name of the course;
- (2) the date(s) of training;
- (3) the class hour or contact hour completed;
- (4) the name, registration number, and address of the registered independent massage therapy instructor; and
- (5) the signature of the registered independent massage therapy instructor.

E. Professional Conduct: The registered independent massage therapy instructors will comply with the board's rule on professional conduct, 16.7.2 NMAC.
[16.7.6.10 NMAC - N, 06-24-05; A, XX-XX-XX]

16.7.6.11 VISITING MASSAGE THERAPY INSTRUCTOR EXEMPTION:

A. Prerequisite requirements:

- (1) the applicant must hold a massage therapy license, in another state or jurisdiction, or
- (2) the applicant must have massage therapy training equivalent to the requirements outlined in Paragraph 1 of Subsection B or Paragraph 2 of Subsection B of 16.7.4.9 NMAC.

B. General provisions:

(1) A visiting massage therapy instructor exemption will be granted to an applicant for the purpose of allowing the instructor to teach massage therapy as defined in Section 61-12C-3.E, of the Massage Therapy Practice Act, and Subsection E of 16.7.1.7 NMAC for a limited time without having to obtain a massage therapy license and registration as a massage therapy instructor from the New Mexico board of massage therapy.

(2) The duration of a visiting massage therapy instructor exemption will not exceed 14 days in a calendar year; thereafter the instructor must comply with the provisions for licensure as a massage therapist and registration as a massage therapy instructor.

C. Application requirements for visiting massage therapy instructor: At the time of application the applicant will provide the following:

- (1) a complete application for a visiting massage therapy instructor exemption;
 - (a) Incomplete application will be returned.
 - (b) Faxed application and/or supporting documentation will not be accepted.
 - (c) All documents submitted in a foreign language must be accompanied by an accurate translation in English. Each translated document must bear the affidavit of the translator certifying that he or she is competent in both the language of the document and the English language and that the translation is a true and complete translation of the foreign language original, and sworn to before a notary public. Translation of any document relevant to a person's application will be at the expense of the applicant.

(2) the name of the New Mexico sponsor who must be a registrant;

(3) documentation verifying Paragraph 1 of Subsection A or Paragraph 2 of Subsection A of 16.7.6.10 NMAC, above;

(4) documentation of completion of 50 contact hours of instructional experience of professional teaching, or workshop instruction;

(5) a course description/syllabus; and

(6) the visiting massage therapy instructor fee, in accordance with Subsection D of 16.7.3.8 NMAC.

[16.7.6.11 NMAC - Rn, 16.7.6.10 NMAC, 06-24-05]

16.7.6.12 REQUIREMENTS FOR TEACHING ASSISTANTS: Registered massage therapy schools may utilize persons who are not registered massage therapy instructors to assist registered massage therapy instructors in providing instruction to massage therapy students working toward obtaining their massage therapy license. Such persons shall be considered teaching assistants.

- A. The teaching assistant must be a licensed massage therapist.
- B. The teaching assistant must be supervised by a registered massage therapy instructor who is physically present in the room.
- C. Experience as a teaching assistant shall apply to the 50-hour requirement outlined in 16.7.6.8.B (3) NMAC.
- D. It is the responsibility of the registered massage therapy school to ensure that the teaching assistant complies with the requirements of the board's regulations, 16.7 NMAC, including 16.7.2 NMAC, Professional Conduct.
[16.7.6.12 NMAC - N, 06-24-05]

HISTORY OF 16.7.6 NMAC:

Pre-NMAC History: The material in this part is derived from that previously filed with the State Records Center and Archives under:

Rule 92-7, Approval of Massage Therapy Schools/Instructors, 3-26-92;

Rule 92-7, Massage Therapy Schools/Instructors, 9-9-92;

Regulation 7, Massage Therapy Schools/Instructors, 1-5-94.

History or Repealed Material:

16 NMAC 7.6, Requirements for Instructors - Repealed 12-24-99