

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 42:110

Contact Person: Leah Cooper Boggs
Phone: (502) 782-0562 (office)
Phone Number: 502-352-8095 (cell)
Email: lboggs@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation sets forth the continuing education requirements for massage therapists.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to update and clarify the continuing education requirements for massage therapy and to comply with KRS Chapter 309 as amended by HB 79 (2021).

(c) How this administrative regulation conforms to the content of the authorizing statutes: The Board is required by KRS 309.355(1) to regulate the practice of massage therapy. KRS 309.355(3) also authorizes the Board to promulgate administrative regulations regarding the practice of massage therapy.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The proposed regulation clarifies the continuing education requirements of massage therapy.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: It reduces the continuing education requirements to be consistent with the statutory changes passed in the last legislative session..

(b) The necessity of the amendment to this administrative regulation: See (1)(b).

(c) How the amendment conforms to the content of the authorizing statutes: See (1)(c).

(d) How the amendment will assist in the effective administration of the statutes: See (1)(d).

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect the 2,665 individuals licensed by the Board.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: None. It reduces the continuing education requirements for massage therapists.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): None. It reduces the continuing education requirements for massage therapists.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): They will not have to complete as many continuing education hours.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None. It reduces the continuing education requirements for massage therapists.

(b) On a continuing basis: None.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: There is no cost to the implementation and enforcement of this administrative regulation.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No additional funding or increase in fees is needed.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees are directly or indirectly established or increased by the administrative regulation.

(9) TIERING: Is tiering applied? (Explain why or why not): Tiering is not applicable as the proposed language will be applied equally to all entities impacted by it.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 201 KAR 42:110

Contact Person: Leah Cooper Boggs
Phone: (502) 782-0562 (office)
Phone Number: 502-352-8095 (cell)
Email: lboggs@ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Board of Licensure for Massage Therapy.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.355(1), 309.355(3)

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. The administrative regulation will not create any additional expenses or revenues for any state or local government agency after implementation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fires, or school districts) for the first year? No revenues are expected to be generated by the provisions of this administrative regulation.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None.

(c) How much will it cost to administer this program for the first year? There are no additional costs.

(d) How much will it cost to administer this program for subsequent years? See 3(c).

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

Regulation No. 201 KAR 42:110

Contact Person: Leah Cooper Boggs
Phone: (502) 782-0562 (office)
Phone Number: 502-352-8095 (cell)
Email: lboggs@ky.gov

“Continuing Education Program Application,” 06/2021, is a two (2) page form used by entities seeking approval from the Board of Licensure for Massage Therapy of the continuing education program they are offering. It amends the “Continuing Education Program Application,” August 2014. The proposed amendments to this form make the following changes: (1) clarifies that the CE hours applicable to the renewal of a license shall be directly related to the professional growth and development of massage therapy practitioners; (2) clarifies that the education objective must pertain to subject matters that are integrally related to the practice of massage therapy; (3) updates the contact information for the Board; and (4) changes the revision date.