DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF EMERGENCY AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1284
MASSAGE LICENSING ACT

Section
1284.10 Requirements for Licensure Under Section 20 of the Act (Grandfather)
(Repealed)
1284.20 Approved Programs
1284.30 Application for Licensure
1284.40 Endorsement
1284.45 Display of License
1284.50 Fees
1284.60 Renewals
1284.70 Inactive Status
1284.80 Restoration
1284.90 Continuing Education

EMERGENCY
1284.110 Granting Variances

AUTHORITY: Implementing the Massage Licensing Act [225 ILCS 57] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105].


Section 1284.90 Continuing Education

EMERGENCY

a) Continuing Education Hours Requirements

1) Beginning with the December 31, 2008 renewal and every renewal thereafter, in order to renew a license, a licensee shall be required to
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complete 24 hours of continuing education, including at least 2 hours of ethics.

2) A prerenewal period is the 24 months preceding December 31 of each even-numbered year.

3) One CE hour shall equal 50 minutes.

4) Courses that are part of the curriculum of a university, college or other educational institution shall be allotted CE credit at the rate of 15 CE hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.

5) A renewal applicant shall not be required to comply with CE requirements for the first renewal of an Illinois license.

6) Massage therapists licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.

7) Continuing education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the State of Illinois.

b) Approved Continuing Education (CE)

1) CE hours shall be earned by verified attendance at (e.g., certificate of attendance or certificate of completion) or participation in a program or course (program) that is offered or sponsored by an approved continuing education sponsor;

2) All 24 Up-to-12 hours of CE credit per renewal may be earned as follows:

A) For completion of a self-study course that is offered by an approved sponsor who meets the requirements set forth in subsection (c). Each self-study course shall include an examination.

B) Credit may be earned for papers prepared and delivered before recognized massage therapy organizations; papers published in
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nationally recognized massage therapy journals; or a chapter published in a book on massage therapy, each appropriately verified.

C) First time presentation of an academic course or workshop, seminar, in-service, electronic or Web-based course. Speeches made at luncheons or banquets or any other presentation not within the guidelines of this Section are not eligible for CE credit.

c) Approved CE Sponsors and Programs

1) Sponsor shall mean:

A) Entities approved by the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB);

B) The American Massage Therapy Association (AMTA) and its chapters;

C) Any approved massage therapy program or accredited school, college, university or State agency; and

D) Any other person, firm, or association that has been approved and licensed by the Division pursuant to subsection (c)(2) to coordinate and present continuing education courses and programs in conjunction with this Section.

2) An entity seeking licensure as a CE sponsor shall submit an application, on forms supplied by the Division, along with the fee set forth in Section 1284.50. The applicant shall certify to the following:

A) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (c)(3) and all other criteria in this Section. A sponsor shall be required to submit a CE program with course materials for review prior to being approved as a CE sponsor;
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B) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (c)(9);

C) That, upon request by the Division, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Division has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance.

3) All programs shall:

A) Contribute to the advancement, extension and enhancement of the professional skills and knowledge of the licensee in the practice of massage, which shall include, but not be limited to, ethical reasoning, critical reasoning, interpersonal abilities and performance skills;

B) Be developed and presented by persons with 2 years of education and/or experience in the subject matter of the program;

C) Specify the course objectives, course content and teaching methods to be used; and

D) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.

4) Each CE program shall provide a mechanism for evaluation of the program and instructor by the participants. The evaluation may be completed on-site immediately following the program presentation or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.

5) An approved sponsor may subcontract with individuals and organizations to provide approved programs.
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6) All programs given by approved sponsors shall be open to all licensed massage therapists and not be limited to members of a single organization or group.

7) To maintain approval as a licensed sponsor, each sponsor shall submit to the Division by each even-numbered year a renewal application, the renewal fee specified in Section 1284.50 of this Part, and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.

8) It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The sponsor's certificate of attendance shall contain:

   A) The name, address and license number of the sponsor;
   B) The name and license number of the participant;
   C) A brief statement of the subject matter;
   D) The number of hours attended in each program;
   E) The date and place of the program; and
   F) The signature of the sponsor or person responsible for the CE program.

9) The sponsor shall maintain attendance records for not less than 5 years.

10) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

11) Upon the failure of a sponsor to comply with any of the requirements of this Section, the Division, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at, or participation in any of that sponsor's CE programs until such time as the Division receives assurances of compliance with this Section.
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12) Notwithstanding any other provision of this Section, the Division or Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with requirements of this Section.

d) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements.

2) The Division may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence shall be required in the context of the Division's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.

3) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing and may request an interview with the Board. At that time, the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100/10-65].

e) Continuing Education Earned in Other Jurisdictions

1) If a licensee has earned or is seeking CE hours offered in another jurisdiction not given by an approved sponsor for which the licensee will be claiming credit toward full compliance in Illinois, the applicant shall submit an individual program approval request form, along with a $25 processing fee, prior to participation in the program or within 90 days prior to expiration of the license. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.

2) If a licensee fails to submit an out of state CE approval form within the required time frame, late approval may be obtained by submitting the approval request form with the $25 processing fee plus a $50 per CE hour late fee not to exceed $300. The Board shall review and recommend approval or disapproval of the program using the criteria set forth in subsection (c)(3) of this Section.
f) Restoration of Nonrenewed License. Upon satisfactory evidence of compliance with the current CE requirements, the Division shall restore the license upon payment of the required fee as provided in Section 1284.50.

g) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Division a renewal application, along with the required fee set forth in Section 1284.50, a statement setting forth the facts concerning noncompliance and request for waiver of the CE requirements on the basis of these facts. A request for waiver shall be made prior to the renewal date. If the Division, upon the written recommendation of the Board, finds, from such affidavit or any other evidence submitted, that extreme hardship has been shown warranting granting a waiver, the Division shall waive enforcement of CE requirements for the renewal period for which the applicant has applied.

2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

   A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;

   B) An incapacitating illness documented by a statement from a currently licensed physician;

   C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or

   D) Any other similar extenuating circumstances.

3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final decision on the application is made by the Division.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 16212, effective September 15, 2020, for a maximum of 150 days)