

APA-1
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control _____ Department or Agency: Alabama Board of Massage Therapy
Rule No.: 532-X-5-.02

Rule Title: Advertising Limitations

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly
Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's
Police power and the protection of the public health,
Safety, or welfare? Yes

Is there another, less restrictive method of regulation
Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or
Indirectly increasing the costs of any goods or services
Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public
Than the harm that might result from the absence of
The proposed rule? No

Are all facets of the rulemaking process designed solely
For the purpose of, and so they have, as their primary
Effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be
accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-
22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the
requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all
applicable filing requirements of the Administrative Procedure Division of the Legislative
Reference Service.

Signature of certifying officer 

Date: October 20, 2011

(DATE FILED)
(STAMP)

Alabama Board of Massage Therapy

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Massage Therapy

RULE NO. & TITLE: 532-X-5-.02 Advertising Limitations

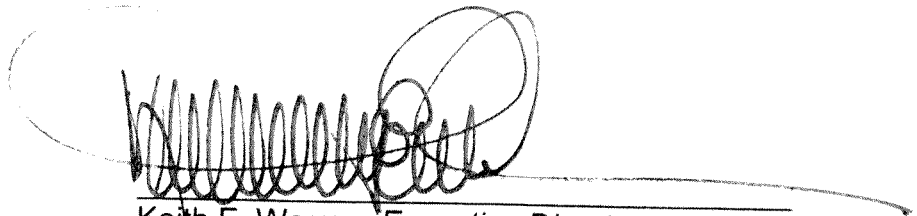
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to remove registration number from the advertising limitations.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:30 p.m. on Monday, December 5, 2011. Comments should be directed to Keith E. Warren, Executive Director, at 610 S. McDonough Street, Montgomery, AL 36104 or via electronic mail at keith@warrenandco.com or via telephone at 334-269-9990.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Monday, December 5, 2011.

CONTACT PERSON AT AGENCY: Keith E. Warren
Executive Director
610 S. McDonough Street
Montgomery, AL 36104
(334) 269-9990



Keith E. Warren, *Executive Director*
Alabama Board of Massage Therapy

532-X-5-.02 Advertising Limitations.

(1) A written advertisement by a massage therapist or a massage therapy establishment shall contain the license ~~or~~ ~~registration~~-number of the massage therapist or establishment.

(2) No person or establishment without valid massage therapy licensure shall advertise as a massage therapist or massage therapy establishment.

(3) An establishment whose primary function is not massage therapy and for which establishment massage therapy is incidental to the primary function, may apply to the Board for an exemption from licensure as a massage therapy establishment pursuant to the procedure state above.

(4) No sexually oriented business may use the terms "massage therapy," or "bodywork" in any way form of advertising.

Author: Keith E. Warren

Statutory Authority: Code of Ala. 1975, §34-43-16.

History: New Rule: Filed January 29, 2001; effective March 5, 2001. **Amended:** Filed November 9, 2006; effective December 14, 2006.