

SENATE BILL NO. 2125

Introduced by

Industry, Business and Labor Committee

(At the request of the State Board for Vocational and Technical Education and the State Board of Massage)

1 A BILL for an Act to create and enact a new subsection to section 15-20.4-02 and three new
2 sections to chapter 43-25 of the North Dakota Century Code, relating to schools of massage;
3 and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new subsection to section 15-20.4-02 of the 1999 Supplement to the
6 North Dakota Century Code is created and enacted as follows:

7 Schools of massage regulated under chapter 43-25.

8 **SECTION 2.** A new section to chapter 43-25 of the North Dakota Century Code is
9 created and enacted as follows:

10 **Schools of massage - Licensure.** It is unlawful for any person to operate a school of
11 massage unless the school has a current license from the board to operate a school of
12 massage. The board may issue a license to a school of massage which pays the annual
13 license fee set by the board and meets the requirements in this chapter and any rules adopted
14 by the board. Licenses are issued on an annual basis.

15 **SECTION 3.** A new section to chapter 43-25 of the North Dakota Century Code is
16 created and enacted as follows:

17 **Schools of massage - Minimum standards.** The board shall adopt rules establishing
18 minimum standards for the operation of a school of massage, including the terms and
19 conditions under which a school of massage may cease operating. The rules adopted by the
20 board must address the following subjects:

- 21 1. Administration of the school, including staffing, physical location and design,
22 recordkeeping, insurance and other financial security, and mandatory supplies.
- 23 2. Quality of instruction, including curriculum, qualifications of instructors, method of
24 instruction and examination, and number of hours needed to graduate.

- 1 3. Refunds of tuition fees and all other related charges, including a right to a full
2 refund, except for an administrative fee not to exceed twenty-five dollars, for a
3 student who withdraws from a school of massage before or within seven days after
4 the first day of instruction. A student is not entitled to a refund if the student has
5 completed at least half of the school's course of instruction.
- 6 4. An internal process for student complaints.
- 7 5. Transfers of students from other schools of massage.
- 8 6. Mandatory reports to the board, including records of admission and attendance.
- 9 7. Inspections of massage schools.
- 10 8. The operation of a student clinic.
- 11 9. The retention of student records, refund of tuition fees and charges, and transfer of
12 credits, as a result of the closure of a school of massage.

13 **SECTION 4.** A new section to chapter 43-25 of the North Dakota Century Code is
14 created and enacted as follows:

15 **Schools of massage - Disciplinary action.** The board may revoke, suspend, place on
16 probation, or refuse to issue or renew a license issued to a school of massage for failing to
17 comply with this chapter or any rules adopted by the board.

18 **SECTION 5. EFFECTIVE DATE - SUSPENSION.** Sections 1, 2, and 4 of this Act are
19 suspended and shall not become effective until the effective date of rules adopted under
20 section 3 of this Act, if by that date the board of massage notifies the legislative council and the
21 board for vocational and technical education that those rules have been adopted.