

CHAPTER 305
HB 1469-FN-A - FINAL VERSION

19Feb2026... 0615h
26Mar2026... 1187h
05/14/2026 1865s
4Jun2026... 2063CofC

2026 SESSION

26-3052
09/06

HOUSE BILL ***1469-FN-A***

AN ACT relative to the licensing requirements for massage therapy establishments.

SPONSORS: Rep. Foote, Rock. 13; Rep. Grote, Rock. 24; Rep. Nelson, Rock. 13; Rep. Rhodes, Ches. 17; Rep. Roy, Rock. 31; Rep. Rice, Hills. 38; Rep. N. Murphy, Hills. 12; Rep. D. Mannion, Rock. 25; Rep. Sweeney, Rock. 25; Rep. Milz, Rock. 13; Sen. Altschiller, Dist 24; Sen. Birdsell, Dist 19; Sen. Abbas, Dist 22; Sen. Gannon, Dist 23

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill requires massage establishments to be licensed and regulated by the office of professional licensure and certification (OPLC). The bill also allows for compensation of members of the advisory board of massage therapists.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the licensing requirements for massage therapy establishments.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 305:1 Massage Therapists and Massage Establishments; Regulation. Amend RSA 328-B:1 to read
2 as follows:

3 328-B:1 Regulation of Massage Therapists and Massage Establishments. The general court, to
4 protect the health, safety, and welfare of the people of the state of New Hampshire, establishes a
5 regulatory program for massage therapists, including establishing basic qualifications for licensure of
6 massage therapists ***and massage establishments***.

7 305:2 Massage Therapists and Massage Establishments. RSA 328-B:2, VII is repealed and
8 reenacted to read as follows:

9 VII. "Massage establishment" means a commercial location where massage is advertised, and
10 where massage is performed by more than one licensed massage therapist. "Massage establishment"
11 does not include locations where massage is offered as an adjunct to medical care in a location or facility
12 operated by licensed health care professionals operating within their scope of practice, temporary and
13 incidental massage offered in the open in public accommodations, or other exceptions as permitted by
14 rules.

15 305:3 New Paragraph; Massage Therapists and Massage Establishments; Definitions. Amend RSA
16 328-B:2 by inserting after paragraph VIII the following new paragraph:

17 IX. "Sole proprietor" means any person who owns a business by himself or herself and does not
18 have any employees within his or her business.

19 305:4 New Paragraphs; Massage Therapists and Massage Establishments; Prohibited Acts. Amend
20 RSA 328-B:3 by inserting after paragraph VI the following new paragraphs:

21 VII. Operate an establishment without an establishment license.

22 VIII. Operate an establishment unless such establishment is at all times under the direct
23 supervision and management of a professional licensed under this chapter.

24 305:5 New Paragraph; Massage Therapists and Massage Establishments; Rulemaking. Amend
25 RSA 328-B:4 by inserting after paragraph VII the following new paragraph:

26 VIII. Pursuant to 541-A, adopt rules to regulate massage establishments, including:

27 (a) Standards for licensing massage establishments.

28 (b) Conditions, requirements, and standards for operation under an establishment
29 license, including health and safety standards.

30 (c) Standards for inspections of establishments.

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(d) Requirements to open, close, relocate, or renew an establishment.

(e) Requiring public display of licensure and secure recordkeeping procedures.

(f) Qualifications for exemption of schools, health facilities, or others from massage establishment license requirements in RSA 328-B:14.

(g) Required documentation to verify sole proprietor or independent contractor designation.

(h) Procedures for notifying law enforcement of suspected unlawful activity.

305:6 Massage Therapists and Massage Establishments; Advisory Board. Amend the introductory paragraph of RSA 328-B:5 to read as follows:

328-B:5 Advisory Board of Massage Therapists.

The executive director shall establish the advisory board of massage therapists. The board shall consist of 3 massage therapists who are licensees in the state of New Hampshire. The members shall be appointed for 3 years, staggered so that the term of one member expires each year, and they shall hold office until successors are appointed~~[-, and shall serve on the board without any compensation]~~. In no event shall a member serve more than [2] **3** full consecutive terms. The board shall:

305:7 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7 to read as follows:

328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire *in accordance with RSA 310:8* ~~[on the last day of the birth month of the licensee in the even-numbered year, upon approval of the executive director of the renewal application and submission of the required renewal fee].~~

305:8 Massage Therapists and Massage Establishments. RSA 328-B:8, V is repealed and reenacted to read as follows:

V. Has engaged in illegal activity, including but not limited to prostitution or human trafficking.

305:9 New Paragraph; Massage Therapists and Massage Establishments; Exemptions. Amend RSA 328-B:10 by inserting after paragraph III the following new paragraph:

IV. Nothing in this chapter shall require a residential care or health facility licensed pursuant to RSA 151:2 to obtain an establishment license under this chapter.

305:10 New Section; Massage Therapists and Massage Establishments; Licensure of Establishments. Amend RSA 328-B by inserting after section 13 the following new section:

328-B:14 Massage Establishment Licensure.

I. It shall be a misdemeanor for any person, as owner, manager, or agent to open, establish, conduct or maintain an establishment without first having obtained an establishment license. Any New Hampshire licensed massage therapist may obtain an establishment license upon application and payment of fee provided that the establishment meets all requirements established in the rules of the board. Massage establishment licenses granted pursuant to this chapter shall be conspicuously posted within the establishment.

II. In addition to licenses issued under paragraph I, the executive director may issue an establishment license to an applicant who is a natural person and does not hold a personal massage therapist license provided that the owner employs a licensed massage therapist as manager. This paragraph shall not authorize such owner to personally engage in massage therapy.

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1 III. The requirement for establishment licensure under paragraph I shall not apply to a sole
2 proprietor of his or her business or independent contractors. If a sole proprietor or independent contractor
3 is providing services without a prior appointment, the sole proprietor or independent contractor shall
4 obtain an establishment license.

5 IV. Only establishments issued a license by the executive director shall use the terms "licensed
6 massage establishment" or "massage establishment."

7 V. The license fees for establishments shall be determined in rules adopted by the executive
8 director under RSA 541-A.

9 305:11 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Definitions RSA 328-
10 H:2, III is repealed and reenacted to read as follows:

11 III. "Bodywork establishment" means a commercial location where reflexology, structural
12 integration, and/or Asian bodywork therapy is advertised, and where it is practiced by more than one
13 person. "Bodywork establishment" does not include locations where bodywork is offered as an adjunct to
14 medical care in a location or facility operated by licensed healthcare professionals operating within their
15 scope of practice, temporary and incidental bodywork offered in the open in public accommodations, or
16 other exceptions as permitted by rules.

17 305:12 New Paragraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
18 Definitions. Amend RSA 328-H:2 by inserting after paragraph VII the following new paragraph:

19 VIII. "Sole proprietor" means any person who owns a business by himself or herself and does not
20 have any employees within his or her business.

21 305:13 New Paragraphs; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
22 Prohibited Acts. Amend RSA 328-H:4 by inserting after paragraph V the following new paragraphs:

23 VI. Operate a reflexology, structural integration, or Asian bodywork therapy establishment without
24 an establishment license.

25 VII. Operate a reflexology, structural integration, or Asian bodywork therapy establishment unless
26 such establishment is at all times under the direct supervision and management of a practitioner licensed
27 under this chapter.

28 305:14 New Subparagraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
29 Rulemaking. Amend RSA 328-H:5, VIII by inserting after subparagraph (I) the following new
30 subparagraph:

31 (m) Regulate establishments including:

32 (1) Standards for licensing massage establishments.

33 (2) Conditions, requirements, and standards for operation under an establishment
34 license, including health and safety standards.

35 (3) Standards for inspections of establishments, including inspections conducted as part
36 of the initial licensure process.

37 (4) Requirements to open, close, relocate, or renew an establishment.

38 (5) Requiring public display of licensure and secure recordkeeping procedures.

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(6) Qualifications for exemption of schools, health facilities, or others from reflexology, structural integration, or Asian bodywork therapy establishment license requirements in RSA 328-H:18.

305:15 New Paragraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Rulemaking. Amend RSA 328-H:10 by inserting after paragraph V the following new paragraph:

VI. Has engaged in illegal activity including but not limited to prostitution or human trafficking.

305:16 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Exemptions. Amend RSA 328-H:13 to read as follows:

328-H:13 Exemptions.

I. Nothing in this chapter shall prevent a person licensed by this state pursuant to any other provision of law from performing the occupation for which he or she is licensed.

II. Nothing in this chapter shall require a residential care or health facility licensed pursuant to RSA 151:2 to obtain an establishment license under this chapter.

305:17 New Section; Reflexologists, Structural Integrators; and Asian Bodywork Therapists; Licensure of Establishments. Amend RSA 328-H by inserting after section 17 the following new section:

328-H:18 Establishment Licensure.

I. It shall be a misdemeanor for any person, as owner, manager, or agent to open, establish, conduct or maintain an establishment without first having obtained an establishment license. Any New Hampshire licensed reflexologist, structural integrator, or Asian bodywork therapist may obtain an establishment license upon application and fee provided that the establishment meets all requirements established in the rules adopted by the executive director. Establishment licenses granted pursuant to this chapter shall be conspicuously posted within the establishment.

II. In addition to licenses issued under paragraph I, the board may issue an establishment license to an applicant who is a natural person and does not hold a personal reflexologist, structural integrator, or Asian bodywork therapist license provided that the owner employs a licensed reflexologist, structural integrator, or Asian bodywork therapist as manager. This paragraph shall not authorize such owner to personally engage as a practitioner under this chapter.

305:18 Effective Date. This act shall take effect July 1, 2027.

Approved: July 10, 2026
Effective Date: July 01, 2027

