

Rep. Grote, Rock. 24
Rep. S. Pearson, Rock. 13
Rep. Foote, Rock. 13
February 9, 2026
2026-0615h
09/05

Amendment to HB 1469-FN-A

1 Amend the title of the bill by replacing it with the following:

2

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

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5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Massage Therapists and Massage Establishments; Regulation. Amend RSA 328-B:1 to read as
8 follows:

9 328-B:1 Regulation of Massage Therapists and Massage Establishments. The general court, to
10 protect the health, safety, and welfare of the people of the state of New Hampshire, establishes a
11 regulatory program for massage therapists, including establishing basic qualifications for licensure
12 of massage therapists *and massage establishments*.

13 2 Massage Therapists and Massage Establishments. RSA 328-B:2, VII is repealed and
14 reenacted to read as follows:

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

21 3 New Paragraph; Massage Therapists and Massage Establishments; Definitions. Amend RSA
22 328-B:2 by inserting after paragraph VIII the following new paragraph:

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

25 4 New Paragraphs; Massage Therapists and Massage Establishments; Prohibited Acts. Amend
26 RSA 328-B:3 by inserting after paragraph VI the following new paragraphs:

27 VII. Operate an establishment without an establishment license.

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

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1 5 New Paragraph; Massage Therapists and Massage Establishments; Rulemaking. Amend RSA
2 328-B:4 by inserting after paragraph VII the following new paragraph:

3 VIII. Regulate and adopt rules on massage establishments, including:

4 (a) Standards for licensing massage establishments.

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

7 (c) Standards for inspections of establishments.

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

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

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

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

14 6 Massage Therapists and Massage Establishments; Advisory Board. Amend the introductory
15 paragraph of RSA 328-B:5 to read as follows:

16 328-B:5 Advisory Board of Massage Therapists.

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

23 7 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7 to
24 read as follows:

25 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire *in*
26 *accordance with RSA 310:8* ~~[on the last day of the birth month of the licensee in the even-~~
27 ~~numbered year, upon approval of the executive director of the renewal application and submission of~~
28 ~~the required renewal fee].~~

29 8 Massage Therapists and Massage Establishments. RSA 328-B:8, V is repealed and reenacted
30 to read as follows:

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

33 9 New Paragraph; Massage Therapists and Massage Establishments; Exemptions. Amend RSA
34 328-B:10 by inserting after paragraph III the following new paragraph:

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

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1 10 New Section; Massage Therapists and Massage Establishments; Licensure of
2 Establishments. Amend RSA 328-B by inserting after section 13 the following new section:

3 328-B:14 Massage Establishment Licensure.

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

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

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

18 IV. Only establishments issued a license by the executive director shall use the terms
19 “licensed massage establishment” or “massage establishment.”

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

22 11 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Definitions RSA
23 328-H:2, III is repealed and reenacted to read as follows:

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

30 12 New Paragraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
31 Definitions. Amend RSA 328-H:2 by inserting after paragraph VII the following new paragraph:

32 VIII. “Sole proprietor” means any person who owns a business by himself or herself and does
33 not have any employees within his or her business.

34 13 New Paragraphs; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
35 Prohibited Acts. Amend RSA 328-H:4 by inserting after paragraph V the following new paragraphs:

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

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

4 14 New Subparagraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
5 Rulemaking. Amend RSA 328-H:5, VIII by inserting after subparagraph (l) the following new
6 subparagraph:

7 (m) Regulate establishments including:

8 (1) Standards for licensing massage establishments.

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

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

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

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

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

18 15 New Paragraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
19 Rulemaking. Amend RSA 328-H:10 by inserting after paragraph V the following new paragraph:

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

22 16 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Exemptions. Amend
23 RSA 328-H:13 to read as follows:

24 328-H:13 Exemptions.

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

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

29 17 New Section; Reflexologists, Structural Integrators; and Asian Bodywork Therapists;
30 Licensure of Establishments. Amend RSA 328-H by inserting after section 17 the following new
31 section:

32 328-H:18 Establishment Licensure.

33 I. It shall be a misdemeanor for any person, as owner, manager, or agent to open, establish,
34 conduct or maintain an establishment without first having obtained an establishment license. Any
35 New Hampshire licensed reflexologist, structural integrator, or Asian bodywork therapist may
36 obtain an establishment license upon application and fee provided that the establishment meets all

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1 requirements established in the rules adopted by the executive director. Establishment licenses
2 granted pursuant to this chapter shall be conspicuously posted within the establishment.

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

8 18 Office of Professional Licensure and Certification; New Classified Position. One investigative
9 paralegal position, labor grade 22, is hereby established as a classified position in the office of
10 professional licensure and certification.

11 19 Effective Date. This act shall take effect July 1, 2027.

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AMENDED ANALYSIS

This bill requires massage establishments to be licensed and regulated by the office of professional licensure and certification (OPLC). The bill also adds compensation to members of the advisory board of massage therapists and establishes a new investigative paralegal position within the OPLC.