

Amendment to HB 1458-FN

1 Amend RSA 328-B:4, VII(n) as inserted by section 3 of the bill by replacing it with the following:

2

3 (n) The qualifications for a massage establishment proprietor including verification of
4 identity through provision of a social security number or tax identification number and no prior
5 convictions under RSA 633, RSA 632-A, RSA 645:2, RSA 649-A or similar laws in other states, as
6 verified by a background check conducted by the department of safety, division of state police and a
7 background check conducted by the Federal Bureau of Investigation, with all associated costs to be
8 paid by the licensee.

9

10 Amend the bill by replacing all after section 8 with the following:

11

12 9 New Subparagraphs; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;
13 Rulemaking. Amend RSA 328-H:5, VIII by inserting after subparagraph (l) the following new
14 subparagraphs:

15 (m) Exemptions from the definition of bodywork establishment which maintain the
16 intention to require a proprietor license only for those locations where there are multiple
17 practitioners working in a location where there is no other oversight or visibility to the public or
18 passersby. The board shall recommend an exemption to the definition of bodywork establishment to
19 permit occasional assistance by another licensed practitioner.

20 (n) The qualifications for a bodywork establishment proprietor including verification of
21 identity through provision of a social security number or tax identification number and no prior
22 convictions under RSA 633, RSA 632-A, RSA 645:2, RSA 649-A or similar laws in other states, as
23 verified by a background check conducted by the department of safety, division of state police and a
24 background check conducted by the Federal Bureau of Investigation, with all associated costs to be
25 paid by the licensee.

26 10 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Renewal of
27 Practitioner License. RSA 328-H:9 is repealed and reenacted to read as follows:

28 328-H:9 Renewal of License. All licenses issued pursuant to this chapter shall expire in
29 accordance with RSA 310:8.

30 11 New Section; Massage Therapists and Massage Establishments; Criminal History Records
31 Checks. Amend RSA 328-B by inserting after section 6 the following new section:

32 328-B:6-a Criminal History Record Checks.

Amendment to HB 1458-FN
- Page 2 -

1 I. Every applicant for initial permanent licensure or reinstatement shall submit to the office
2 of professional licensure and certification a criminal history record information authorization form,
3 as provided by the New Hampshire division of state police, which authorizes the release of his or her
4 criminal history record information, if any, to the office of professional licensure and certification.

5 II. The applicant shall submit with the release form a complete set of fingerprints taken by a
6 qualified law enforcement agency, an authorized employee of the department of safety, or an
7 authorized employee of the office of professional licensure and certification, approved by the
8 commissioner of the department of safety. In the event that the first set of fingerprints is invalid
9 due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the
10 criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient
11 pattern, the office of professional licensure and certification may, in lieu of the criminal history
12 records check, accept police clearances from every city, town, or county where the person has lived
13 during the past 5 years.

14 III. The office of professional licensure and certification shall submit the criminal history
15 records release form and fingerprint form to the division of state police which shall conduct a
16 criminal history records check through its records and through the Federal Bureau of Investigation.
17 Upon completion of the records check, the division of state police shall release copies of the criminal
18 history records to the office of professional licensure and certification.

19 IV. The office of professional licensure and certification shall review the criminal record
20 information prior to making a licensing decision and shall maintain the confidentiality of all criminal
21 history records received pursuant to this section.

22 V. The applicant shall bear the cost of a criminal history record check.

23 12 New Section; Reflexologists; Structural Integrators, and Asian Bodywork Therapists;
24 Practitioner License; Criminal History Record Checks. Amend RSA 328-H by inserting after section
25 8 the following new section:

26 328-H:8-a Criminal History Record Checks.

27 I. Every applicant for initial permanent licensure or reinstatement shall submit to the office
28 of professional licensure and certification a criminal history record information authorization form,
29 as provided by the New Hampshire division of state police, which authorizes the release of his or her
30 criminal history record information, if any, to the office of professional licensure and certification.

31 II. The applicant shall submit with the release form a complete set of fingerprints taken by a
32 qualified law enforcement agency, an authorized employee of the department of safety, or an
33 authorized employee of the office of professional licensure and certification, approved by the
34 commissioner of the department of safety. In the event that the first set of fingerprints is invalid
35 due to insufficient pattern, a second set of fingerprints shall be necessary in order to complete the
36 criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient
37 pattern, the office of professional licensure and certification may, in lieu of the criminal history

Amendment to HB 1458-FN
- Page 3 -

1 records check, accept police clearances from every city, town, or county where the person has lived
2 during the past 5 years.

3 III. The office of professional licensure and certification shall submit the criminal history
4 records release form and fingerprint form to the division of state police which shall conduct a
5 criminal history records check through its records and through the Federal Bureau of Investigation.
6 Upon completion of the records check, the division of state police shall release copies of the criminal
7 history records to the office of professional licensure and certification.

8 IV. The office of professional licensure and certification shall review the criminal record
9 information prior to making a licensing decision and shall maintain the confidentiality of all criminal
10 history records received pursuant to this section.

11 V. The applicant shall bear the cost of a criminal history record check.

12 13 Effective Date. This act shall take effect July 2, 2027.