

HB 1458-FN - AS AMENDED BY THE HOUSE

19Feb2026... 0638h

19Feb2026... 0833h

26Mar2026... 1188h

2026 SESSION

26-3250

09/08

HOUSE BILL

***1458-FN***

AN ACT                    relative to the licensing of massage establishments and massage, reflexology, structural integration, and Asian bodywork facilities.

SPONSORS:            Rep. Layon, Rock. 13; Rep. Harriott-Gathright, Hills. 10; Rep. Lascelles, Hills. 14; Rep. Tripp, Rock. 13

COMMITTEE:          Executive Departments and Administration

---

AMENDED ANALYSIS

This bill establishes a licensure requirement to operate massage establishments and massage, reflexology, structural integration, and Asian bodywork facilities and establishes standards for the operation of such facilities.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1458-FN - AS AMENDED BY THE HOUSE

19Feb2026... 0638h  
19Feb2026... 0833h  
26Mar2026... 1188h

26-3250  
09/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT                    relative to the licensing of massage establishments and massage, reflexology, structural integration, and Asian bodywork facilities.

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

1            1    Massage Therapists and Massage Establishments.    RSA 328-B:2, VII is repealed and  
2    reenacted to read as follows:

3            VII. "Massage establishment" means a commercial location where massage is advertised,  
4    and where massage is performed by more than one person. "Massage establishment" does not  
5    include locations where massage is offered as an adjunct to medical care in a location or facility  
6    operated by licensed healthcare professionals operating within their scope of practice, temporary and  
7    incidental massage offered in the open in public accommodations, or other exceptions as permitted  
8    by rules.

9            VII-a. "Massage establishment proprietor" means the person operating a massage  
10   establishment, specifically a person responsible for the lease or ownership of the massage  
11   establishment, daily operations, and hiring or contracting with massage therapists practicing within  
12   the establishment. "Massage establishment proprietor" does not include a property owner not  
13   involved in business operations. A proprietor shall ensure that they and all massage therapists  
14   employed or contracted for by the establishment hold a massage therapy license.

15           2    Massage Therapists and Massage Establishments; Prohibited Acts.    RSA 328-B:3, II is  
16   repealed and reenacted to read as follows:

17           II. Act as a massage establishment proprietor without holding the proprietor license and a  
18   massage therapy license issued pursuant to this chapter.

19           3    New Subparagraphs; Massage Therapists and Massage Establishments; Rulemaking. Amend  
20   RSA 328-B:4, VII by inserting after subparagraph (l) the following new subparagraphs:

21           (m) Exemptions from the definition of massage establishment which maintain the  
22   intention to require a proprietor license only for those locations where there are multiple massage  
23   therapists working in a location where there is no other oversight or visibility to the public or  
24   passersby. The board shall recommend an exemption to the definition of massage establishment to  
25   permit occasional assistance by another licensed massage therapist.

26           (n) The qualifications for a massage establishment proprietor including verification of  
27   identity through provision of a social security number or tax identification number and no prior  
28   convictions under RSA 633, RSA 632-A, RSA 645:2, RSA 649-A or similar laws in other states, as  
29   verified by a background check conducted by the department of safety, division of state police and a

**HB 1458-FN - AS AMENDED BY THE HOUSE**  
**- Page 2 -**

1 background check conducted by the Federal Bureau of Investigation, with all associated costs to be  
2 paid by the licensee.

3 4 Massage Therapists and Massage Establishments; Advisory Board of Massage Therapists.  
4 Amend RSA 328-B:5 to read as follows:

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

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

12 I. Review the qualifications of applicants for licenses.

13 II. Review the qualifications of individuals desiring to conduct massage workshops or  
14 seminars who are not licensed in this state.

15 III. Review the continuing education programs for licensees.

16 IV. ***Review the exemptions to the definition of massage establishments and***  
17 ***qualifications for a massage establishment proprietor license.***

18 V. Advise the executive director regarding the implementation of this chapter.

19 5 Massage Therapists and Massage Establishments; License Renewal. Amend RSA 328-B:7 to  
20 read as follows:

21 328-B:7 License Renewal. All licenses issued pursuant to this chapter shall expire ***in***  
22 ***accordance with RSA 310:8*** ~~[on the last day of the birth month of the licensee in the even-~~  
23 ~~numbered year, upon approval of the executive director of the renewal application and submission of~~  
24 ~~the required renewal fee.]~~.

25 6 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Definitions. RSA 328-  
26 H:2, III is repealed and reenacted to read as follows:

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

33 7 New Paragraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;  
34 Definitions. Amend RSA 328-H:2 by inserting after paragraph VII the following new paragraph:

35 VIII. "Proprietor" means the person operating an establishment at a specific location which  
36 offers services licensed under this chapter by 2 or more practitioners. "Proprietor" shall include a  
37 person responsible for the lease or ownership of the establishment, and the hiring or contracting

**HB 1458-FN - AS AMENDED BY THE HOUSE**

**- Page 3 -**

1 with practitioners operating within the establishment. A "proprietor" shall not include a property  
2 owner not involved in business operations. A proprietor shall ensure that they and all bodywork  
3 practitioners employed or contracted for by the establishment hold a practitioner license.

4 8 New Paragraph; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;  
5 Prohibited Acts. Amend RSA 328-H:4 by inserting after paragraph V the following new paragraph:

6 VI. Operate a bodywork establishment without holding a proprietor license and practitioner  
7 license issued pursuant to this chapter.

8 9 New Subparagraphs; Reflexologists, Structural Integrators, and Asian Bodywork Therapists;  
9 Rulemaking. Amend RSA 328-H:5, VIII by inserting after subparagraph (l) the following new  
10 subparagraphs:

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

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

22 10 Reflexologists, Structural Integrators, and Asian Bodywork Therapists; Renewal of  
23 Practitioner License. RSA 328-H:9 is repealed and reenacted to read as follows:

24 328-H:9 Renewal of License. All licenses issued pursuant to this chapter shall expire in  
25 accordance with RSA 310:8.

26 11 New Section; Massage Therapists and Massage Establishments; Criminal History Records  
27 Checks. Amend RSA 328-B by inserting after section 6 the following new section:

28 328-B:6-a Criminal History Record Checks.

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

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

1 criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient  
2 pattern, the office of professional licensure and certification may, in lieu of the criminal history  
3 records check, accept police clearances from every city, town, or county where the person has lived  
4 during the past 5 years.

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

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

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

14 12 New Section; Reflexologists; Structural Integrators, and Asian Bodywork Therapists;  
15 Practitioner License; Criminal History Record Checks. Amend RSA 328-H by inserting after section  
16 8 the following new section:

17 328-H:8-a Criminal History Record Checks.

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

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

31 III. The office of professional licensure and certification shall submit the criminal history  
32 records release form and fingerprint form to the division of state police which shall conduct a  
33 criminal history records check through its records and through the Federal Bureau of Investigation.  
34 Upon completion of the records check, the division of state police shall release copies of the criminal  
35 history records to the office of professional licensure and certification.

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

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

5       13 Effective Date. This act shall take effect July 2, 2027.

LBA  
26-3250  
03/27/2026

**HB 1458-FN- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2026-1188h)

AN ACT                   relative to the licensing of massage establishments and massage, reflexology, structural integration, and Asian bodywork facilities.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2028 through 2029.

**AGENCIES CONTACTED:**

Office of Professional Licensure and Certification