

Anchorage Municipal Code
Chapter 10.40.010 MASSAGE PRACTITIONER

Applicant must return to Clerk's Office:

- completed application form (signature must be notarized)
- \$100 license fee (2 years)
- copy of State of Alaska business license
- proof of being over 18 years of age or older
- verified evidence that applicant qualifies under AMC 10.40.010.D.2 or AMC 10.40.010.D.3.

10.40.010 Massage license required; issuance.

- A. No person may engage in the business of providing or otherwise provide as a service to the public, massages or related services as an owner, operator, employee or contractor, or massage therapist without first obtaining a massage practitioner license from the municipal clerk, unless such person is a health care provider.
1. No person may engage in the business for hire, either profit or nonprofit, of providing flagellation as a method of massage, unless authorized under their licenses to provide such services as a health care provider currently licensed under AS title 8.
- B. No person shall advertise, use the title of or otherwise hold themselves out as a massage therapist, masseuse, masseur or massage practitioner unless such person is licensed to provide massage or massage-related services under this section or is a health care provider.
- C. For purposes of this section, the following terms shall have the meanings indicated in this subsection:
1. *Massage* means the treatment of the human body by soft tissue manipulation, methodical pressure, friction or the kneading of the body through the use of techniques including but not limited to effleurage, petrissage, friction or tapotement, but not including flagellation, as those terms are defined in a recognized medical dictionary such as but not limited to Taber's Cyclopedic Medical Dictionary, 17th edition, F.A. Davis Company, 1989.
2. *Massage practitioner* means a person who is licensed or is qualified for a license to provide massage or massage related services under this section.
3. *Health care provider* means a health care provider who holds a current, valid license issued under AS title 8, including chiropractors, naturopaths, physicians, nurses, physical therapists and other such health care providers, who are authorized under this license to perform massage therapy as a part of their licensed practice.
4. *Engaging in the business of providing massages or related services* means administering for compensation or hire massages or a method of treating the superficial parts of the human body through physical contact with or by rubbing, stroking, kneading, tapping, rolling, pounding or vibration for the purposes of relaxation, hygiene or improvement of physical appearance, muscle tone or circulation.
- D. License.
1. A massage practitioner licensee must be 18 years of age, provide verified evidence that such licensee is a massage practitioner and fill out a form supplied by the municipal clerk containing such other relevant information as the municipal clerk may require.
- a. The municipal clerk may issue a massage practitioner license, valid for two years, to a massage practitioner fulfilling the qualifications set forth in subsection D.2 of this section.
- b. The municipal clerk may issue a massage practitioner license, valid for one year, to any massage practitioner meeting the qualifications set forth in subsection D.3 of this section.
2. To qualify for a license under this section, an applicant for a license shall:
- a. Have graduated from a post-secondary education school of massage therapy, approved by any state, which required the successful completion of a program of at least 500 hours of supervised instruction;
- b. Hold a current, valid license as a massage practitioner from another state that regulates massage practitioners or massage therapists and defines massage, massage practitioners and licensed massage practitioners on a basis substantially similar to this section; or
- c. Hold a current certification as a massage therapist by a national certification board or a national certification program for massage and body work meeting standards similar to those for persons currently licensed under AS 8.84 as a physical therapist.
3. An applicant may also qualify for a license under this section, provided the applicant, as of the effective date of the ordinance from which this section derives, shall either:

- a. Have two or more years' experience personally providing massages under the direct supervision of a massage practitioner qualified under subsection D.2 of this section or a health care provider;
 - b. Be known to a massage practitioner qualified under subsection D.2 of this section or a health care provider to have a combination of two or more years of practical experience and education in massage therapy;
 - c. Have either graduated from a degree or certification program or successfully completed 250 hours of massage therapy training from a post-secondary education school of massage therapy approved by any state; or
 - d. Have matriculated into any post-secondary education school of massage therapy approved by any state provided that the applicant successfully completes at least 125 hours of supervised instruction in massage therapy prior to June 1, 1996, and 125 hours of such instruction per year thereafter until qualified for a massage practitioner license under subsection D.2 of this section; and submits a verified certification from either a massage practitioner qualified under subsection D.2 of this section or from a health care provider which attests to the education, training and experience claimed by the applicant and to the adequacy of such education, training and experience to qualify a person to provide massages.
4. Nothing in this section shall require a person owning or operating a massage business to obtain a license under this section provided such person does not personally provide massages or hold himself or herself out to the public as personally providing massages or as a massage therapist.
 5. This section shall not apply to employees of a health care provider when providing massages on the health care premises and under the direct supervision of a health care provider.

(CAC 6.28.040; AO No. 78-23; AO No. 85-26; AO No. 94-38(S-2), § 1, 7-12-94; AO No. 94-230(S-1), § 1, 1-31-95)

10.40.015 Prohibited acts by holders of adult-oriented establishment license or massage license.

A person holding an adult-oriented establishment license or a masseur/masseuse license may not:

- A. Operate the business or engage in the licensed activity between the hours of 2:00 a.m. and 6:00 a.m.
- B. Lock patrons inside any part of the premises during business hours.
- C. Solicit for another person, engage in or offer to engage in an act of prostitution, cunnilingus or fellatio with a business invitee.
- D. Intentionally expose their genitals to a business invitee or intentionally touch the genitals of a business invitee.

(CAC 6.28.050; AO No. 93-157(S-6), § 2, 5-1-94)