

**STATE OF NEVADA
BOARD OF MASSAGE THERAPY
INFORMATIONAL STATEMENT
LCB File R028-25**

The following informational statement is provided pursuant to NRS 233B.066

(a) A clear and concise explanation of the need for the adopted regulation.

The Nevada Board of Massage Therapy ("Board") has proposed changes to the Nevada Administrative Code ("NAC") Chapter 640C, regarding draping of clients and allowing clients to be undraped when the licensee is performing a breast massage if the licensee has prior written consent of the client. This is needed to ensure access to care for certain therapeutic and medical massages that require the breast to be undraped to allow for proper massaging of the breast.

(b) A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

Public comment was solicited by conducting a public workshop and then noticed and conducted a public hearing on this matter.

Public comment was supportive of the regulation because of a prior change in the regulation that required all clients to be draped. Public comment was heard that certain techniques used for certain types of clients require the breast to be undraped. The Board discussed ways to ensure the clients were protected to ensure draping was the standard, but a breast could be undraped in certain circumstances.

Interested persons may review a copy of the summary of the public response by contacting Elisabeth Barnard, Executive Director for the Board, at ebarnard@lmt.nv.gov or 775-687-9951.

(c) The number of persons who:

(1) Attended each hearing: 14 persons, including Board members and staff, at the October 24, 2025, workshop and 20 persons, including Board members and staff at the December 8, 2025, hearing

(2) Testified at each hearing: 1 person testified at the October 24, 2025, workshop and 2 at the December 8, 2025, hearing

(3) Submitted to the agency written statements: 1

(d) For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing: (1) name (2) telephone number; (3) business address; (4) business telephone number; electronic mail; name of organization.

People who testified at the October 24, 2025, and December 8, 2025, meetings:

Sally Spurgeon: sally@therapielv.com

Denise Bolanos: (only the December 8, 2025, hearing)

Written comments received from:

Sally Spurgeon: sally@therapielv.com (for the October 24, 2025, workshop)

(e) A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

Licensees impacted by a prior adopted regulation reached out to the Board regarding their concern that the regulation prohibited them from engaging in certain techniques. The Board held a public workshop to gather more information on the issue and moved forward with a temporary regulation and then moved forward with a permanent regulation and held a subsequent workshop and a public hearing on this matter.

Interested persons may review a copy of the summary of the public response by contacting Elisabeth Barnard, Executive Director for the Board, at ebarnard@lmt.nv.gov or 775-687-9951.

(f) If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted with a change to add the phrase “if the client is female” to subparagraphs (a) and (b) of subsection 1 and removing paragraph (h) of subsection 5.

(g) The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

(1) Both adverse and beneficial effects:

Adverse effects: There are no adverse effects of this regulation on the businesses it regulates nor on the public.

Beneficial effects: The changes will enable individuals who seek out massage therapists for certain types of massage will continue to receive the massages to assist in their continued healing.

(2) Both immediate and long-term effects:

Immediate effects: The immediate effects are to establish clear guidance on acceptable practices and allow businesses proposing to (continue) offering those services to remain compliant.

Long-term effects: Client will receive services and clear and distinct requirements are set forth for licensees to comply with to ensure safety of the public.

(h) The estimated cost to the agency for enforcement of the proposed regulation.

There are no costs to the Board for implementation of this regulation.

(i) A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

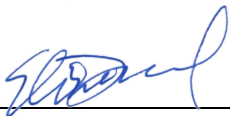
There are no other state or government agencies that overlap this regulation. This regulation does not overlap or duplicate a federal regulation.

(j) If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

This regulation does not contain any provisions which are more stringent than a federal regulation that regulates the same activity.

(k) If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not impose a fee.



Elisabeth Barnard, Executive Director
Nevada State Board of Massage Therapy