STATE OF NEVADA
BOARD OF MASSAGE THERAPY

INFORMATIONAL STATEMENT
LCB File R137-26

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 to set forth hearing provisions for establishment certificate holders, update licensing fees, establish procedure for issuing a temporary license, defining mobile massage, and updating continuing education requirements. The changes for establishment certificate and procedures for issuing a temporary license were needed to conform with changes to NRS 640C adopted during the 2025 Legislative session. The changes to continuing education requirements were adopted in response to feedback from licensees and other stakeholders to ensure regulation align with public protection needs.

(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. The Board also solicited comments by sending out a survey to its licensees and other interested parties regarding feedback on the Board's requirements for continuing education.
Public comment was supportive of the regulation because of the regulation reduces the number of hours a licensee is required to complete continuing education. No public comments were received at the public hearing.

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: 39 persons, including Board members and staff, at the June 8, 2026, workshop and 22 persons, including Board members and staff at the September 4, 2026, hearing

(2) Testified at each hearing:, 0 persons testified at either the June 8, 2026, workshop or the September 4, 2026, hearing

(3) Submitted to the agency written statements: no written statements were received

(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.
not applicable

(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.
The Board made a concerted effort to determine whether the regulation is likely to "[i]mpose a direct and significant economic burden upon a small business" or "[d]irectly restrict the formation, operation or expansion of a small business." NRS 233B.0608(1). The Board concluded the regulation would not cause these negative impacts or effects, after consultation with the licensing community and massage, reflexology and structural integration establishments and other potentially affected parties, professional associations for massage, reflexology and structural integration and internal staff. 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 two changes which was to correct an error in a term in Section 4 of the regulation to revise the word "remand" in paragraph (b) of subsection (1) to "reprimand" and revising a portion of deleted language in Section 7 of the regulation—to undelete paragraph (a) and (b) of subsection 3.

(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 establish a process pursuant to which the Board can discipline holders of establishment certificates, reduces the fees for a temporary license, creates clarity in continuing education requirements. There may be beneficial economic effects for the public by reducing the burden on licensees to remain compliant with continuing education requirements to maintain licensure.

(2) Both immediate and long-term effects:

Immediate effects: The direct effects are to establish clear guidance on acceptable practices and creates clear procedures for disciplining holders of establishment certificates. The immediate effects for the public will potentially be more access to their licensee since the licensee will not be required to engage in long hours of continuing education.

Long-term effects: Licensees and their businesses may see indirect effects improved public confidence and expectations. Long-term effects on the public is that they can have more confidence in the compliance of establishments with applicable laws. Such increased confidence is often reflected in higher consumer spending.

(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 restructure the fee schedule for establishment certificates. Some businesses may see an increase of a maximum of $15 per year. The revised fee structure is simpler for both businesses to understand and for administration. Anticipated increases in revenue is approximately $3,000 which will be used to offset the costs of administering the program. The fee for the new temporary license is less than what the Board charged for the prior temporary license.