



TOWN OF DANVERS
Department of Planning and Human Services
BOARD OF HEALTH - Peter M. Mirandi, Director
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MASSAGE RULES

Town of Danvers, Massachusetts 01923

RULES AND REGULATIONS FOR MASSAGE THERAPY, POLARITY THERAPY, AND BODYWORK ACTIVITIES.

The following rules and regulations entitled "Regulations Governing the Practice of Massage and the Conduct of Establishments for the Giving of Massage", adopted by vote of the Board on March 12, 1973, and amended on December 11, 1988, April 22, 1992, June 9, 1992, and March 8, 1993 under the authority of Section 31 of Chapter 111 and Sections 51 and 53 of Chapter 140 of the General Laws of the Commonwealth of Massachusetts are hereby amended as follows: The Danvers Board of Health finds it necessary to license the practice of massage therapy/bodywork/movement education in order to protect the public health. It is the Board's intent that only establishments that meet and maintain minimum standards of competence may provide services to the public.

1. The title of these regulations shall be adopted as "Minimum Sanitary Standards for Massage Establishments."
2. **Permit Required and Fee:** No person shall conduct an establishment for the giving of massage for hire or reward or advertise or hold himself out as being engaged in the business of massage in the Town of Danvers without receiving a permit therefore from the Danvers Board of Health. There shall be a permit fee for each establishment giving massage, in an amount as established from time to time by vote of the Board of Health. A permit issued to an establishment is not transferable.
3. **Definitions:** For the purpose of these regulations.
 - A. **Massage** shall mean manipulation or conditioning of a part or parts of the body by manual or other means, as a purported health or invigoration treatment.
 - B. **Establishment for giving massage** means the office, place of business, or premises where massage is practiced.
 - C. **Approved** shall mean approved by the Board of Health of the Town of Danvers in accordance with accepted standards.
 - D. **Approved course of massage** shall mean a course of the art and science of Massage, Polarity, or Bodywork which included both theory and practice and which course has been approved by a nationally recognized and accepted School of Massage or Institute of Massage.
 - E. **Massage therapist** shall mean a male or female who practices massage.

- F. Off-premises massage therapy/bodywork/movement education business shall mean any person, firm, association, partnership, corporation or combination of persons who provide or permit to be provided massage therapy/bodywork/movement education at a location other than an establishment, which has been licensed or which should be licensed under this regulation, including but not limited to private homes, businesses and sports events.
4. Exceptions and exclusions: For the purpose of these regulations:
- A. Establishment exceptions: Hospitals, nursing and convalescent homes, and other similar licensed institutions where massage may be given are excluded from the definition of an establishment. Also, any facility conducting the services of a hospital, nursing and convalescent home or other similar institution as determined by the Board of Health, but due to some limiting factor is not subject to licensing, shall be similarly excluded from the definition of an Establishment. Physicians, chiropractors, nurses, physical therapists, school athletic trainers, or chiropodists (podiatrists) registered in the Commonwealth are excluded. A person registered as a barber or an apprentice under the provisions of Section 87H or Section 87I of Chapter 112 of the General Laws or as a hairdresser, or a student under the provisions of Sections 87T to 87JJ, inclusive of said Chapter 112 of the General Laws may practice facial and scalp massage without taking out a license.
5. Expiration Date of Permit: Permits shall automatically expire on April 30th of each year. Applications for renewal must be submitted at least thirty (30) days prior to expiration date.
6. Requirements for Therapists to Practice Massage: Each individual establishment shall create specifications and or qualifications for employees. These specifications shall be submitted to the Board of Health in writing with the first establishment application after the enactment of these regulations, and shall re-submit the specifications when alterations are made.
7. Requirements for Permit for an Establishment: Every establishment for the giving of massage shall meet the following standards:
- A. Shall be staffed by a person or persons who have been approved to practice Massage Therapy, Polarity Manipulation or Bodywork Practitioning as stated in the rules governing such practices in the Town of Danvers.
 - B. It shall have an adequate means of sewage disposal.
 - C. It shall be well lighted, well ventilated and properly heated when seasonally indicated.
 - D. No room used by the permit holder in the conduct of his/her business shall be used as a bedroom.
 - E. There shall be an adequate supply of hot and cold running water, readily accessible at all times, located on the premises where massage or body work is to be conducted.

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and/or other
- F. There shall be approved toilet and washing facilities within the premises readily available to the patrons and affording sufficient privacy. If shower facilities are available the establishment must provide hypo allergenic soap, warm water hygienic cleansing materials.
 - G. All rooms of the establishment and furniture and equipment therein shall be kept clean at all times.
 - H. Each room or enclosure used for the giving of massage services shall have at least one artificial light of not less than forty (40) watts.
 - I. There shall be installed a heat and smoke detecting system approved by the Fire Department of Danvers.
 - J. There shall be adequate facilities for the cleaning of all equipment.
 - K. All rooms used for reception and treatment of patrons shall be arranged so as to afford adequate fire protection and shall have satisfactory means of egress in case of approved by the Danvers Building Inspector and Danvers Fire Chief.
 - L. All equipment, instruments, devices, robes, sheets, blankets, pillow cases, wearing apparel, towels or other materials which may come in direct contact with the body shall be properly cleaned.
 - M. Adherence to the Code of Ethics of the National Organizations of which you are a member.
 - N. No alcoholic beverages shall be permitted on the premises.
 - O. All new clients must first completely read and sign an intake form listing common contraindications and allergies.
 - P. If shower facilities are not provided, the operator shall post conspicuously at the reception area of the facility a sign which shall read:
- fire as

NOTICE TO MASSAGE CLIENTS

**THIS ESTABLISHMENT DOES NOT PROVIDE A SHOWER FOR USE AFTER MASSAGE.
IF YOU BELIEVE YOU ARE ALLERGIC TO LOTIONS, OILS OR POWDERS, PLEASE
NOTIFY THE THERAPIST PRIOR TO THE MASSAGE AND THEY WILL NOT BE USED.**

**IF REQUESTED, THE THERAPIST WILL USE RUBBING ALCOHOL OR SOAP AND WATER
TO REMOVE OILS, LOTIONS OR POWDERS USED DURING MASSAGE.**

(The above shall be printed using 1" lettering for the heading and 1/2" lettering for the body of the statement).

- 8. Dress Code: All individuals who are engaged in the practice of massage shall present themselves in a clean, sanitary and professional manner.

9. Direct Application of Instruments to Skin Prohibited: No instruments or devise designed or used for direct application to the skin shall be applied directly to the skin unless properly cleaned and disinfected.
10. The Treatment of Wounds Prohibited: No sponge, stick, alum or other article liable to convey infection shall be used to make application directly to the skin or any cut or wounds.
11. Treatment of Persons With Skin Disease Prohibited: No person shall treat any person afflicted with any skin eruption or other disease unless such person shall have furnished a written certificate from a physician to the effect that the eruption or disease is not of contagious or transmissible character.
12. Cleaning of Hands: Every person authorized to practice massage shall thoroughly cleanse his/her hands by washing with soap and hot water immediately before serving a patron. Upon interruption of service, every therapist shall sanitize their hands with an approved sanitizer.
13. Display of Permit: Each establishment shall display in a conspicuous location the establishment permit issued by the Board of Health.
14. Designation of Name: No persons shall operate under any name or conduct his/her business under any designation not specified on his or her Permit.
15. Change of Address: Every Permit Holder shall notify the Board of Health prior to any change of address, home or business, or name. Any new permit or amendment to an existing permit required because of the foregoing may be issued.
16. Inspections: Every Permit Holder shall allow the Board of Health or its agents or other Town authorities acting in an official capacity to inspect his/her place of business and his/her work at any reasonable time.
17. Hearing in Case of Suspension or Revocation of Permit: A person whose Permit has been suspended or revoked, may within ten (10) days of the suspension or revocation of his Permit request, in writing, a hearing upon the cause or causes of such suspension or revocation. The Board of Health shall set a time and place for said hearing.
18. Residential Establishments: Any person seeking a permit for the conduct of massage in his or her home shall designate an area used specifically for such purpose. It shall be enclosed to provide sufficient privacy. All applications for residential establishments shall be accompanied by a letter from the Department of Code Enforcement stating the proposed establishment is in compliance with all applicable zoning laws.
19. Variances: The Board of Health may, upon application therefore, or upon its own initiative, grant such exemptions or exceptions from the requirements of these regulations as it determines are authorized by law and will not result in undue hazard to public health and safety.
20. Penalties: Whoever violates any provision of these rules or regulations shall be punished by a fine of not more than one hundred (\$100) dollars.

21. Severability: If any section, paragraph, sentence, clause or phrase of these rules and regulations shall be decided invalid for any reason whatsoever, such decision shall not affect the remaining portions of these regulations, which shall remain in full force and effect, and to this end the provisions of these regulations are hereby declared severable.

Any establishment whose application for a permit has been denied, suspended or revoked may request a hearing before the Board of Health by submitting a written request within ten (10) days of said denial, suspension, or revocation. The Board of Health shall set a time and place for said hearing within fourteen (14) days of receipt of the request.

Any person may submit a written request to the Board of Health for a variance in the application of any provision of these rules and regulations when the enforcement thereof would do manifest injustice. The Board of Health shall respond in writing within thirty (30) days.

Effective Date: Upon publication.

Adopted by vote: March 12, 1973

Amended by vote: December 11, 1988, April 22, 1992, June 9, 1992 and March 8, 1993, April 17, 2003