

Chapter SPS 90

AUTHORITY, INTENT AND DEFINITIONS

SPS 90.01 Authority and intent.

SPS 90.02 Definitions.

Note: Chapter RL 90 was renumbered chapter SPS 90 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

SPS 90.01 Authority and intent. The rules in chs. SPS 90 to 94 are adopted by the department pursuant to s. 227.11 (2), Stats., and ch. 460, Stats., to govern the credentialing of massage therapists and bodyworkers.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99; CR 06-069: am. Register December 2006 No. 612, eff. 1-1-07; **correction made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**

SPS 90.02 Definitions. As used in chs. SPS 90 to 94, unless the context otherwise requires:

- (1) "Accrediting agency" means any of the following:
 - (a) A regional or national accrediting agency recognized by the U.S. department of education.
 - (b) A state government agency or territorial government agency located in another state or territory of the United States or another country.
- (1g) "Approved training program" means a series of classroom courses, not including continuing education, which is approved by the department having a unified purpose which lead to a diploma or degree or to an occupational or vocational objective, meeting the requirements of s. SPS 92.01.
- (1r) "Certificate holder" means a person granted a certificate under ch. 460, Stats.
- (2) "Classroom hour" means a period of instruction consisting of not less than 50 minutes.
- (4) "Department" means the department of safety and professional services.
- (5) "Health care practitioner" means a health care provider as defined in s. 146.81 (1), Stats.

(5m) "Insured" means any person to whom or for whose benefit an insurer makes a promise in an insurance policy. The term includes policyholders, subscribers, members, and beneficiaries.

(6) "Manual action" includes holding, positioning, rocking, kneading, compressing, decompressing, gliding or percussing the soft tissue of the human body or applying a passive range of motion to the human body.

(7) "Massage therapist or bodyworker" means a person who engages in massage therapy or bodywork.

(8) "Massage therapy or bodywork" means the science and healing art that uses manual actions to palpate and manipulate the soft tissue of the human body, in order to improve circulation, reduce tension, relieve soft tissue pain or increase flexibility, and includes determining whether massage therapy or bodywork is appropriate or contraindicated, or whether referral to another health care practitioner is appropriate. Massage therapy or bodywork does not include making a medical or chiropractic diagnosis.

(10) "Policyholder" means the person who controls the policy by ownership, payment of premiums, or otherwise.

(11) "Sexual contact" has the meaning given in s. 939.22 (34), Stats.

(12) "Sexual intercourse" has the meaning given in s. 948.01 (7) (a), Stats.

(13) "Sexually oriented business" means keeping a place of prostitution as defined in s. 939.22 (24), Stats.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99; emerg. cr. (1), (2) and (11), renum. (1) to (8) to be (3) to (10) and am. (4), eff. 9-3-00; cr. (1), renum. (1) to (8) to be (2) to (9) and am. (3), Register, January, 2001, No. 541, eff. 2-1-01; correction in (3) made under s. 13.93 (2m) (b) 7., Stats. Register, December, 2006, No. 612; CR 06-069: r. and recr. (1) (b), cr. (1g), (1r), (5m), and (10) to (13), am. (2), (6) and (8), r. (3) and (9), Register December 2006 No. 612, eff. 1-1-07; **correction in (intro.), (1g), (4) made under s. 13.92 (4) (b) 6., 7., Stats., Register November 2011 No. 671.**