

**SENATE BILL NO. 2352**

Introduced by

Senators Christenson, Polovitz

Representatives D. Johnson, Nelson

1 A BILL for an Act to amend and reenact section 43-25-04 of the North Dakota Century Code,  
2 relating to the practice of massage by American Indian healers.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 43-25-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **43-25-04. Exemptions.** The following persons are exempt from this chapter:

- 7 1. Schools that furnish massage services to their student athletes.
- 8 2. Any student of a school of massage who is practicing massage in the course of  
9 fulfilling a required massage therapy practicum under the direct supervision of a  
10 licensed massage therapist or in the course of participating in a school-supervised  
11 student massage clinic under the direct supervision of a licensed massage  
12 therapist.
- 13 3. Any individual who is engaged in a profession or occupation for which the  
14 individual is licensed by this state, as long as the individual's activities are  
15 performed in the course of the bona fide practice of the individual's profession or  
16 occupation and as long as the individual does not represent to the public that the  
17 individual is a massage therapist or is engaged in the practice of massage.
- 18 4. A health spa or similar business to the extent the spa or business is performing  
19 superficial applications, including salt glows and contouring.
- 20 5. An American Indian traditional healer to the extent that individual does not  
21 jeopardize the public health or safety. A traditional healer may not represent to the  
22 public that the individual is a massage therapist.