

# **URGENT!!!!!!!!!! SPREAD THE WORD!!**

## **This is a VERY LONG post but URGENT!**

In the past few weeks, it came to everyone's attention that there has been a huge miscommunication amongst the profession, the schools, the CE providers and the board that was by the mechanism in which the need for an establishment license was being interpreted and the administrators understanding of what was being communicated. Now that it has been discovered, the intent of the following information is to protect the profession and get licensees, staff, schools and CE providers on the same page without adversely affecting the licenses.

### **Who needs an establishment license?**

0870-01-.01(10) defines an Establishment: A business or institution that is a fixed and permanent location or a mobile vehicle facility that is open and accessible to the general public for compensated massage services.

If a business (Majlis Massage) located at 1234 State Street offers massage then the owner / responsible person of Majlis Massage must have an establishment license.

### **New clarification: Who can work "under" that establishment license?**

- \* Any LMT who is working under the name Majlis Massage, no matter if they are an employee or IC.
- \* What they can **NOT** do is work under the establishment license for Majlis Massage if they are operating their own massage business (TN Massage) and acting as LMT who is renting or subletting space from Majlis Massage but marketing themselves and their own business.

### **When do I have to get this corrected? DO NOT WAIT!!!**

A grace period has been given to allow everyone time to rectify this situation and either get an establishment license if they were supposed to have one, or reinstate a retired one if they should no longer be under someone else's establishment license.

You have until Dec 31st, 2025 to get an establishment license if you are supposed to have one and NOT GET A PENALTY. Keep in mind it takes several weeks to process so you can't apply last minute. You should apply ASAP so you are in compliance by the end of the 2025.

### **What if my establishment license is retired?**

If you have an establishment license that is retired you can reinstate it without having to do the criminal background check. You can do the change of address to your new location is.

Does this mean that there could be multiple establishment licenses issued to the same address? **YES.**

If I have a one room massage studio and only use it two days a week and want to rent it or sublet it to another LMT (who is running their own business) out of my room they will have to get their own establishment license for the same location.

**PUBLIC CHAPTER 357 / 63-18-105(c):** The law that got passed allowing Chiropractors, Medical Doctors and Osteopathic Physicians to have LMTs work in their facility and not need an establishment license is still in effect. The main requirement here is the **PRIMARY** business must be Chiropractic, Medical or Osteopathic Physician. It does not matter in this case if you are renting the space and running your own business or an employee / IC, you **DO NOT NEED** an establishment license in this case if you are in the same office as them.

Link to apply for an Establishment License:

<https://www.tn.gov/health/health-program-areas/health-professional-boards/ml-board/ml-board/applications.html>

click on link to apply for Massage Establishment online

You will also need to get another Criminal Background Check:

<https://tn.state.identogo.com/workflow/28TYXY>

**USE OCA CODE: 2681 (Massage Establishment)**

If you have ANY questions, concerning this topic ... PLEASE reach out to:

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