

Policy Statement  
Tennessee Massage Licensure Board

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**POLICY ON AN INDIVIDUAL MASSAGE THERAPIST WORKING AT AN  
ESTABLISHMENT WITH AN EXPIRED/LAPSED LICENSE**

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The Massage Licensure Board recognizes that an individual may inadvertently work as a massage therapist at a massage establishment while said establishment's license is expired/lapsed. However, the law prohibits an individual from working as a massage therapist at a massage establishment with an expired/lapsed license. As such, the Board has adopted the following policy as it relates to the discipline of a massage therapist who is found to have worked at a massage establishment during a time which the establishment's license is expired/lapsed. **This policy only applies to individuals working in a massage establishment with a lapsed/expired license and does not apply to individuals working in a massage establishment that has never held a valid license.**

1. Immediately upon recognition that the establishment license has expired/lapsed, the individual must cease practicing at said establishment.
2. If the work history reflects that the individual has worked as a massage therapist at an establishment with an expired/lapsed license in excess of three (3) months but not more than twelve (12) months, the Board will send the licensee an Agreed Citation that specifies payment of a fine calculated as follows:

Months works on expired license	Agreed citation civil penalty total
4	\$100
5	\$200
6	\$300
7	\$400
8	\$500
9	\$600
10	\$850
11	\$1100
12	\$1350

3. Agreed Citations prepared in accordance with this policy shall be reportable on the Department of Health's website and on its monthly disciplinary action report, as well as to all appropriate federal databanks included the National Practitioner Data Bank (NPDB).
4. If the licensee refuses to execute the Agreed Citation and/or remit the civil penalty described therein within sixty (60) days of the date the Agreed citation is sent to the licensee, or if the

licensee has worked as a massage therapist at an establishment operating on a lapsed/expired license for twelve (12) months or longer, the licensee shall be referred to the Office of Investigations and the Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be:

- a. A reprimand of the license and probation of the license until the next renewal period;
- b. Assessment of civil penalties in an amount to exceed the amounts specified above;
- c. Assessment of costs associated with investigating and prosecuting the matter; and
- d. Any and all other remedies the Board deems appropriate.

EFFECTIVE ON: May 10, 2022

CHAIRPERSON: Michael Welker