



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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**18 VAC 90-50 – Regulations Governing the Certification of Massage Therapists  
Department of Health Professions  
March 18, 2013**

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### **Summary of the Proposed Amendments to Regulation**

The Board of Nursing (Board) proposes to amend its regulations that set the rules for certification of massage therapists to update language and clarify the process for provisional practice.

### **Result of Analysis**

Benefits likely outweigh costs for these proposed regulations.

### **Estimated Economic Impact**

Current regulations require that applicants or certificate holders who move submit a change of address in writing within 30 days of the change. Current regulations also require applicants or certificate holders whose names have changed to submit either a copy of a marriage certificate or a court order for name change. The Board proposes to allow changes of address to be submitted electronically and also to allow certificates of naturalization as proof of name change. Both of these changes will benefit affected individuals by allowing them greater flexibility in providing documentation to the Board. No entity is likely to incur any costs on account of these changes.

Current regulations allow eligible candidates who have filed an application for certification in Virginia to practice massage therapy for not more than 90 days between completion of their education program and receipt of the results of their certification exam (and the issuance of their certification). The Board proposes to add language that clarifies that the application filed must be complete and that provisional practice must be authorized by the Board. The Department of Health Professions (DHP) reports that the proposed new language will not

change current practice as the Board already requires authorization for provisional practice. Consequently, no affected entity is likely to incur any costs on account of these proposed changes. To the extent that the requirements for provisional practice might have been hard for some individuals to understand, these clarifying changes will provide a benefit.

### **Businesses and Entities Affected**

DHP reports that there are currently 6,345 individuals certified as massage therapists in the Commonwealth. All of these entities, as well as any individuals who seek certification in the future, will be affected by these proposed regulations.

### **Localities Particularly Affected**

No localities will be particularly affected by these proposed regulations.

### **Projected Impact on Employment**

This proposed regulatory action is unlikely to have any effect on employment in the Commonwealth.

### **Effects on the Use and Value of Private Property**

These proposed regulatory changes are unlikely to affect the use or value of private property in the Commonwealth.

### **Small Businesses: Costs and Other Effects**

No small business is likely to incur costs on account of this proposed change.

### **Small Businesses: Alternative Method that Minimizes Adverse Impact**

No small business is likely to incur costs on account of this proposed change.

### **Real Estate Development Costs**

This regulatory action will likely have no effect on real estate development costs in the Commonwealth.

### **Legal Mandate**

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.H requires that such economic impact

analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.