

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1969

By: Stanley

6 AS INTRODUCED

7 An Act relating to massage therapy; establishing
8 certain purposes; ratifying certain objectives and
9 intentions; defining terms; establishing certain
10 eligibility to join certain Compact; allowing certain
11 individuals to continue to apply for certain license;
12 construing provisions; requiring recognition of
13 certain licenses in certain states; establishing
14 certain qualifications for certain licenses;
15 establishing certain effective period; subjecting
16 certain licensee to certain laws and jurisdictions;
17 requiring certain cooperation with the Interstate
18 Massage Compact Commission; establishing certain
19 exclusive powers; allowing certain adverse action to
20 be taken on certain licenses; allowing certain
21 investigations; providing certain authority to
22 certain remote state; providing for certain
23 deactivation if certain adverse action is taken;
24 applying certain adverse actions to all
authorizations to practice; providing for certain
suspension of certain licenses in certain situations;
requiring sharing of certain materials; requiring
certain active military members to designate certain
home state; requiring certain educational
requirements for certain active military members;
creating the Interstate Massage Compact Commission;
providing an effective date of certain Compact;
limiting certain states to have certain number of
delegates; providing the Commission with certain
authority; requiring the Commission to meet certain
number of times; providing the Commission with
certain powers; establishing Executive Committee;
providing Executive Committee with certain authority;
establishing composition of Executive Committee;
allowing removal of certain members in certain
situations; establishing certain requirements for

1 Executive Committee meetings; allowing Executive
2 Committee to hold certain emergency meetings;
3 requiring certain information to be included in
4 certain annual report; requiring certain notice of
5 certain public meetings; allowing certain emergency
6 public meeting to be convened; requiring certain
7 notice of emergency public meeting; requiring certain
8 legal counsel to certify certain emergency public
9 meeting; allowing for the Commission to convene in
10 certain closed, nonpublic meeting; requiring certain
11 closed, nonpublic meeting to meet certain
12 requirements; requiring the Commission to keep
13 certain minutes; requiring the Commission to pay for
14 certain expenses; prohibiting the Commission from
15 incurring certain obligations without certain funds;
16 requiring the Commission to keep certain accounts;
17 establishing certain immunity in certain situations;
18 requiring the Commission to defend certain
19 individuals in certain situations; requiring the
20 Commission to provide for certain coordinated
21 database and reporting system; requiring the
22 Commission to assign certain licensee certain
23 identifier; requiring certain state to submit certain
24 data; establishing certain authenticated business
records; establishing certain responsibilities of
certain states; prohibiting certain data from being
shared without certain permission; providing for
certain removal of certain data; authorizing
promulgation of certain rules and regulations;
establishing certain rulemaking powers; requiring
certain hearing to be held for certain rule adoption;
requiring certain notice of certain hearings for
rulemaking; requiring certain hearings to be
recorded; requiring certain information to be
available to the public; allowing the Commission to
take final action on certain rules; allowing certain
consideration and adoption of certain emergency
rules; allowing revision of certain rules;
prohibiting certain rulemaking requirements from
applying in certain situations; establishing certain
enforcement of certain Compact; requiring certain
written notice to be provided to certain state;
allowing for certain termination of certain state
from Compact; providing certain responsibilities for
certain terminated state; prohibiting the Commission
from bearing certain costs; allowing for certain
state to appeal certain actions of the Commission;

1 requiring the Commission to attempt certain
2 resolution; requiring enforcement of certain
3 provisions; allowing initiation of certain legal
4 action; allowing certain initiation of certain legal
5 action; prohibiting certain enforcement of Compact;
6 establishing certain Compact effective date;
7 requiring the Commission to convene and review
8 certain charter member state statutes; allowing for
9 certain withdrawal of certain member state; requiring
10 certain withdrawing state to recognize certain
11 licenses; allowing for certain amendment of Compact
12 by member states; providing for certain rulemaking
13 authority by the Commission; allowing the Commission
14 to deny certain state participation; providing for
15 codification; and providing an effective date.

16
17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified

19 in the Oklahoma Statutes as Section 4300 of Title 59, unless there
20 is created a duplication in numbering, reads as follows:

21 A. The purpose of this Compact shall be to reduce the burdens
22 on state governments and to facilitate the interstate practice and
23 regulation of massage therapy with the goal of improving public
24 access to and the safety of massage therapy services. Through this
25 Compact, the member states seek to establish a regulatory framework
26 which provides for a new multistate licensing program. Through this
27 additional licensing pathway, the member states seek to provide
28 increased value and mobility to licensed massage therapists in the
29 member states, while ensuring the provision of safe, competent, and
30 reliable services to the public.

1 B. This Compact is designed to achieve the following
2 objectives, and the member states hereby ratify the same intentions
3 by subscribing to:

4 1. Increase public access to massage therapy services by
5 providing for a multistate licensing pathway;

6 2. Enhance the member states' ability to protect the public's
7 health and safety;

8 3. Enhance the member states' ability to prevent human
9 trafficking and licensure fraud;

10 4. Encourage the cooperation of member states in regulating the
11 multistate practice of massage therapy;

12 5. Support relocating military members and their spouses;

13 6. Facilitate and enhance the exchange of licensure,
14 investigative, and disciplinary information between the member
15 states;

16 7. Create an Interstate Commission that shall exist to
17 implement and administer the Compact;

18 8. Allow a member state to hold a licensee accountable, even
19 when that licensee holds a multistate license;

20 9. Create a streamlined pathway for licensees to practice in
21 member states, increasing the mobility of duly licensed massage
22 therapists; and

23 10. Serve the needs of licensed massage therapists and the
24 public receiving their services.

1 C. Nothing in this Compact shall be intended to prevent a state
2 from enforcing its own laws regarding the practice of massage
3 therapy.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 4301 of Title 59, unless there
6 is created a duplication in numbering, reads as follows:

7 As used in this act:

8 1. "Active military member" means any person with full-time
9 duty status in the Armed Forces of the United States, including
10 members of the National Guard and Reserve;

11 2. "Adverse action" means any administrative, civil, equitable,
12 or criminal action permitted by a member state's laws which is
13 imposed by a licensing authority or other regulatory body against a
14 licensee including, but not limited to, actions against an
15 individual's authorization to practice such as revocation,
16 suspension, probation, surrender in lieu of discipline, monitoring
17 of the licensee, limitation of the licensee's practice, or any other
18 encumbrance on licensure affecting an individual's ability to
19 practice massage therapy, including the issuance of a cease and
20 desist order;

21 3. "Alternative program" means a non-disciplinary monitoring or
22 prosecutorial diversion program approved by a member state's
23 licensing authority;

1 4. "Authorization to practice" means a legal authorization by a
2 remote state pursuant to a multistate license permitting the
3 practice of massage therapy in that remote state, which shall be
4 subject to the enforcement jurisdiction of the licensing authority
5 in that remote state;

6 5. "Background check" means the submission of an applicant's
7 criminal history record information, as further defined in 28
8 C.F.R., Section 20.3(d), as amended, to the Federal Bureau of
9 Investigation and the agency responsible for retaining state
10 criminal records in the applicant's home state;

11 6. "Charter member states" means member states who have enacted
12 legislation to adopt this Compact where such legislation predates
13 the effective date of this Compact pursuant to Section 12 of this
14 act;

15 7. "Commission" means the government agency whose membership
16 consists of all states that have enacted this Compact and operates
17 as an instrumentality of the member states, known as the Interstate
18 Massage Compact Commission;

19 8. "Continuing competence" means a requirement, as a condition
20 of license renewal, to provide evidence of participation in, and
21 completion of, educational or professional activities that maintain,
22 improve, or enhance massage therapy fitness to practice;

23 9. "Current significant investigative information" means
24 investigative information that a licensing authority, after an

1 inquiry or investigation that complies with a member state's due
2 process requirements, has reason to believe is not groundless and,
3 if proved true, would indicate a violation of the state's laws
4 regarding the practice of massage therapy;

5 10. "Data system" means a repository of information about
6 licensees who hold multistate licenses including, but not limited
7 to, license status, investigative information, and adverse actions;

8 11. "Disqualifying event" means any event which shall
9 disqualify an individual from holding a multistate license under
10 this Compact, which the Commission may specify by rule;

11 12. "Encumbrance" means a revocation or suspension of, or any
12 limitation or condition on, the full and unrestricted practice of
13 massage therapy by a licensing authority;

14 13. "Executive committee" means a group of delegates elected or
15 appointed to act on behalf of and within the powers granted to it by
16 the Commission;

17 14. "Home state" means the member state which is the licensee's
18 primary state of residence where the licensee holds an active
19 single-state license;

20 15. "Investigative information" means information, records, or
21 documents received or generated by a licensing authority pursuant to
22 an investigation or other inquiry;

1 16. "Licensing authority" means a state's regulatory body
2 responsible for issuing massage therapy licenses or otherwise
3 overseeing the practice of massage therapy in that state;

4 17. "Licensee" means an individual who currently holds a
5 license from a member state to fully practice massage therapy, whose
6 license is not a student, provisional, temporary, inactive, or other
7 similar license status;

8 18. "Massage therapy", "massage therapy services", and
9 "practice of massage therapy" mean the care and services provided by
10 a licensee as set forth in a member state's statutes and regulations
11 in the state where the services are being provided;

12 19. "Member state" means any state that has adopted this
13 Compact;

14 20. "Multistate license" means a license that consists of
15 authorizations to practice massage therapy in all remote states
16 pursuant to this Compact, which shall be subject to the enforcement
17 jurisdiction of the licensing authority in a licensee's home state;

18 21. "Remote state" means any member state other than the
19 licensee's home state;

20 22. "Rule" means any opinion or regulation promulgated by the
21 Commission under this Compact, which shall have the force of law;

22 23. "Single-state license" means a current, valid authorization
23 issued by a member state's licensing authority allowing an
24 individual to fully practice massage therapy that is not a

1 restricted, student, provisional, temporary, or inactive practice
2 authorization and authorizes practice only within the issuing state;
3 and

4 24. "State" means a state, territory, possession of the United
5 States, or the District of Columbia.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 4302 of Title 59, unless there
8 is created a duplication in numbering, reads as follows:

9 A. To be eligible to join this Compact, and to maintain
10 eligibility as a member state, a state shall:

11 1. License and regulate the practice of massage therapy;
12 2. Have a mechanism or entity in place to receive and
13 investigate complaints from the public, regulatory or law
14 enforcement agencies, or the Commission about licensees practicing
15 in that state;

16 3. Accept passage of a psychometrically valid national
17 examination as a criterion for massage therapy licensure in that
18 state. For purposes of this Compact, such examination shall not
19 include a state-administered examination but shall be inclusive of:

20 a. the Massage and Bodywork Licensure Examination,
21 b. National Certification Board for Therapeutic Massage
22 and Bodywork licensure examination prior to January 1,
23 2015, and

- c. the substantial equivalent of subparagraph a and b of this paragraph, which the Interstate Massage Compact Commission may approve by rule;

4. Require that licensees satisfy educational requirements prior to being licensed to provide massage therapy services to the public in that state;

5. Implement procedures for requiring the background check of applicants for a multistate license and for the reporting of any disqualifying events including, but not limited to, obtaining and submitting, for each licensee holding a multistate license and each applicant for a multistate license, fingerprint or other biometric-based information to the Federal Bureau of Investigation for background checks; and receiving the results of the background checks and considering the results of such a background check in making licensure decisions;

6. Have continuing competence requirements as a condition for license renewal;

7. Participate in the data system, including through the use of unique identifying numbers pursuant to subsection B of Section 9 of this act;

8. Notify the Commission and other member states, in compliance with the terms of the Compact and rules of the Commission, of any disciplinary action taken by the state against a licensee practicing under a multistate license in that state or of the existence of

1 investigative information or current significant investigative
2 information regarding a licensee practicing in that state pursuant
3 to a multistate license;

4 9. Comply with the rules of the Commission; and

5 10. Accept licensees with valid multistate licenses from other
6 member states.

7 B. Individuals not residing in a member state shall continue to
8 be able to apply for a member state's single-state license as
9 provided under the laws of each member state. However, the single-
10 state license granted to those individuals shall not be recognized
11 as granting a multistate license for massage therapy in any other
12 member state.

13 C. Nothing in this Compact shall affect the requirements
14 established by a member state for the issuance of a single-state
15 license.

16 D. A multistate license issued to a licensee shall be
17 recognized by each remote state as an authorization to practice
18 massage therapy in each remote state.

19 SECTION 4. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 4303 of Title 59, unless there
21 is created a duplication in numbering, reads as follows:

22 A. To qualify for a multistate license under this Compact and
23 to maintain eligibility for such license, an applicant shall:

1 1. Hold an active single-state license to practice massage
2 therapy in the applicant's home state;

3 2. Satisfy one of the following:

4 a. completion of at least six hundred twenty-five (625)
5 hours of massage therapy education,

6 b. graduation from an educational program that meets the
7 minimum qualifications for licensure in the home state
8 and two (2) years of continuous licensure with a
9 single-state license in good standing in the home
10 state except as provided in Section 7 of this act, or

11 c. satisfaction of the substantial equivalent of
12 subparagraph a or b of this paragraph;

13 3. Successfully pass a psychometrically valid national
14 examination. For purposes of this Compact, such examination shall
15 not include a state-administered examination but shall be inclusive
16 of:

17 a. the Massage and Bodywork Licensure Examination,

18 b. National Certification Board for Therapeutic Massage
19 and Bodywork licensure examination prior to January 1,
20 2015, and

21 c. the substantial equivalent of subparagraph a and b of
22 this paragraph, which the Commission may approve by
23 rule;

24 4. Submit to a background check;

5. Have not been convicted or found guilty, or have entered into an agreed disposition, of:

- a. a felony offense under applicable state or federal criminal law, within five (5) years prior to the date of his or her application. Such time period shall not include any time served for the offense, provided that the applicant has completed any and all requirements imposed as a result of any such offense,

- b. a misdemeanor offense related to the practice of massage therapy under applicable state or federal criminal law, within two (2) years prior to the date of his or her application. Such time period shall not include any time served for the offense, and provided that the applicant has completed any and all requirements arising as a result of any such offense, or

c. any offense, whether a misdemeanor or a felony, under state or federal law, at any time, relating to any of the following:

- (1) kidnapping,
- (2) human trafficking,
- (3) human smuggling,
- (4) sexual battery, sexual assault, or any related offenses, or

(5) any other category of offense, which the Commission may designate by rule;

6. Have not previously held a massage therapy license which was revoked by, or surrendered in lieu of discipline to an applicable licensing authority;

7. Have no history of any adverse action on any occupational or professional license within two (2) years prior to the date of his or her application; and

8. Pay all required fees.

B. A multistate license granted pursuant to this Compact may be effective for a definite period of time concurrent with the renewal of the home state license.

C. A licensee practicing in a member state shall be subject to all scope of practice laws governing massage therapy services in that state.

D. The practice of massage therapy under a multistate license granted pursuant to this Compact shall subject the licensee to the jurisdiction of the licensing authority, the courts, and the laws of the member state in which the massage therapy services are provided.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4304 of Title 59, unless there is created a duplication in numbering, reads as follows:

1 A. Nothing in this Compact or any rule of the Interstate
2 Massage Compact Commission shall be construed to limit, restrict, or
3 in any way reduce the ability of a:

4 1. Member state to enact and enforce laws, regulations, or
5 other rules related to the practice of massage therapy in that
6 state, where those laws, regulations, or other rules are not
7 inconsistent with the provisions of this Compact;

8 2. Member state to take adverse action against a licensee's
9 single-state license to practice massage therapy in that state;

10 3. Remote state to take adverse action against a licensee's
11 authorization to practice in that state; or

12 4. Licensee's home state to take adverse action against a
13 licensee's multistate license based upon information provided by a
14 remote state.

15 B. A member state's licensing authority shall cooperate with
16 the Commission and with each entity exercising independent
17 regulatory authority over the practice of massage therapy according
18 to the provisions of this Compact.

19 SECTION 6. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 4305 of Title 59, unless there
21 is created a duplication in numbering, reads as follows:

22 A. A licensee's home state shall have exclusive power to impose
23 an adverse action against a licensee's multistate license issued by
24 the home state.

1 B. A home state may take adverse action on a multistate license
2 based on the investigative information, current significant
3 investigative information, or adverse action of a remote state.

4 C. A home state shall retain authority to complete any pending
5 investigations of a licensee practicing under a multistate license
6 who changes his or her home state during the course of such
7 investigation. The licensing authority shall be empowered to report
8 the results of such investigation to the Commission through the data
9 system pursuant to Section 9 of this act.

10 D. Any member state may investigate actual or alleged
11 violations of the scope of practice laws in any other member state
12 for a massage therapist who holds a multistate license.

13 E. A remote state shall have the authority to:

14 1. Take adverse actions against a licensee's authorization to
15 practice;

16 2. Issue cease and desist orders or impose an encumbrance on a
17 licensee's authorization to practice in that state;

18 3. Issue subpoenas for both hearings and investigations that
19 require the attendance and testimony of witnesses, as well as the
20 production of evidence. Subpoenas issued by a licensing authority
21 in a member state for the attendance and testimony of witnesses or
22 the production of evidence from another member state shall be
23 enforced in the latter state by any court of competent jurisdiction,
24 according to the practice and procedure of such court applicable to

1 subpoenas issued in proceedings before it. The issuing licensing
2 authority shall pay any witness fees, travel expenses, milage, and
3 other fees required by the service statutes in the state in which
4 the witnesses or other evidence is located;

5 4. If otherwise permitted by state law, recover from the
6 affected licensee the costs of investigations and disposition of
7 cases resulting from any adverse action taken against the licensee;
8 and

9 5. Take adverse action against the licensee's authorization to
10 practice in that state based on the factual findings of another
11 member state.

12 F. If an adverse action is taken by the home state against a
13 licensee's multistate license or single-state license to practice in
14 the home state, the licensee's authorization to practice in all
15 other member states shall be deactivated until all encumbrances have
16 been removed from such license. All home state disciplinary orders
17 that impose an adverse action against a licensee shall include a
18 statement that the massage therapist's authorization to practice is
19 deactivated in all member states during the pendency of the order.

20 G. If adverse action is taken by a remote state against a
21 licensee's authorization to practice, that adverse action shall
22 apply to all authorizations to practice in all remote states. A
23 licensee whose authorization to practice in a remote state is
24 removed for a specified period of time shall not be eligible to

1 apply for a new multistate license in any other state until the
2 specified time for removal of the authorization to practice has
3 passed and all encumbrance requirements are satisfied.

4 H. Nothing in this Compact shall override a member state's
5 authority to accept a licensee's participation in an alternative
6 program in lieu of adverse action. A licensee's multistate license
7 shall be suspended for the duration of the licensee's participation
8 in any alternative program.

9 I. In addition to the authority granted to a member state by
10 its respective scope of practice laws or other applicable state
11 laws, a member state may participate with other member states in
12 joint investigations of licensees. Member states shall share any
13 investigative, litigation, or compliance materials in furtherance of
14 any joint or individual investigation initiated under the Compact.

15 SECTION 7. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 4306 of Title 59, unless there
17 is created a duplication in numbering, reads as follows:

18 Active military members or their spouses shall designate a home
19 state where the individual has a current license to practice massage
20 therapy in good standing. The individual may retain his or her home
21 state designation during any period of service when that individual
22 or his or her spouse is on active-duty assignment. Active military
23 members or their spouses shall satisfy the provisions of paragraph 2
24 of subsection A of Section 4 of this act by successful graduation

1 from an educational program that meets the minimum qualifications
2 for licensure in the designated home state.

3 SECTION 8. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 4307 of Title 59, unless there
5 is created a duplication in numbering, reads as follows:

6 A. The compact member states hereby create and establish a
7 joint government agency, known as the Interstate Massage Compact
8 Commission, whose membership consists of all member states that have
9 enacted the Compact. The membership shall be an instrumentality of
10 the compact states acting jointly and not as an instrumentality of
11 any one state. The Commission shall come into existence on or after
12 the effective date of the compact pursuant to Section 12 of this
13 act.

14 B. 1. Each member state shall have and be limited to one
15 delegate selected by that member state's state licensing authority.
16 The delegate shall be a member of the state licensing authority or
17 the primary administrative officer of the state licensing authority
18 or his or her designee.

19 2. The Commission shall establish, by rule or bylaw, a term of
20 office for delegates and may, by rule or bylaw, establish term
21 limits.

22 3. The Commission may recommend removal or suspension of any
23 delegate from office.

1 4. A member state's state licensing authority shall fill any
2 vacancy of its delegate occurring in the Commission within sixty
3 (60) days of the vacancy.

4 5. Each delegate shall be entitled to one vote on all matters
5 that are voted on by the Commission.

6 6. The Commission shall meet at least once during each calendar
7 year. Additional meetings may be held as set forth in the bylaws.
8 The Commission may meet by telecommunication, video conference, or
9 other similar electronic means.

10 C. The Commission shall have the powers to:

11 1. Establish the fiscal year of the Commission;

12 2. Establish code of conduct and conflict of interest policies;

13 3. Adopt rules and bylaws;

14 4. Maintain its financial records in accordance with the
15 bylaws;

16 5. Meet and take such actions as are consistent with the
17 provisions of this Compact, the Commission's rules, and the bylaws;

18 6. Initiate and conclude legal proceedings or actions in the
19 name of the Commission, provided that the standing of any state
20 licensing authority to sue or be sued under applicable law shall not
21 be affected;

22 7. Maintain and certify records and information provided to a
23 member state as the authenticated business records of the

1 Commission, and designate an agent to do so on the Commission's
2 behalf;

3 8. Purchase and maintain insurance and bonds;

4 9. Borrow, accept, or contract for services of personnel
5 including, but not limited to, employees of a member state;

6 10. Conduct an annual financial review;

7 11. Hire employees, elect or appoint officers, fix
8 compensation, define duties, grant such individuals appropriate
9 authority to carry out the purposes of the Compact, and establish
10 the Commission's personnel policies and programs relating to
11 conflicts of interest, qualifications of personnel, and other
12 related personnel matters;

13 12. Assess and collect fees;

14 13. Provided that the Commission shall avoid any appearance of
15 impropriety or conflict of interest, accept, receive, utilize, and
16 dispose of any and all appropriate gifts, donations, grants of
17 money, other sources of revenue, equipment, supplies, materials, and
18 services;

19 14. Lease, purchase, retain, own, hold, improve, or use any
20 real, personal, or mixed property, or any undivided interest;

21 15. Sell, convey, mortgage, pledge, lease, exchange, abandon,
22 or otherwise dispose of any real, personal, or mixed property;

23 16. Establish a budget and make expenditures;

24 17. Borrow money;

1 18. Appoint committees, including standing committees, composed
2 of members, state regulators, state legislators or his or her
3 representatives, and consumer representatives, and such other
4 interested persons as may be designated in this Compact and the
5 bylaws;

6 19. Elect up to two ex officio, nonvoting members of the
7 Commission as specified in the Commission's bylaws;

8 20. Accept and transmit complaints from the public, regulatory
9 or law enforcement agencies, or the Commission, to the relevant
10 member states regarding potential misconduct of licensees;

11 21. Elect a chair, vice chair, secretary, treasurer, and other
12 such officers of the Commission as provided in the Commission's
13 bylaws;

14 22. Establish and elect an Executive Committee, including a
15 chair and vice chair;

16 23. Adopt and provide to the member states an annual report;

17 24. Determine whether a state's adopted language is materially
18 different from the model Compact language such that the state would
19 not qualify for participation in the Compact; and

20 25. Perform other functions necessary or appropriate to achieve
21 the purposes of this Compact.

22 D. 1. The Executive Committee shall have the power to act on
23 behalf of the Commission according to the terms of this Compact.

1 The powers, duties, and responsibilities of the Executive Committee
2 shall include:

- 3 a. overseeing the day-to-day activities of the
4 administration of the Compact including compliance
5 with the provisions of the Compact, the Commission's
6 rules and bylaws, and other such duties as deemed
7 necessary,
- 8 b. recommending to the Commission changes to the rules or
9 bylaws, changes to this Compact legislation, fees
10 charged to Compact member states, fees charged to
11 licensees, and other fees,
- 12 c. ensuring Compact administration services are
13 appropriately provided, included by contract,
- 14 d. preparing and recommending the budget,
- 15 e. maintaining financial records on behalf of the
16 Commission,
- 17 f. monitoring Compact compliance of member states and
18 providing compliance reports to the Commission,
- 19 g. establishing additional committees as necessary,
- 20 h. exercising the powers and duties of the Commission
21 during the interim between Commission meetings, except
22 for adopting or amending the rules or bylaws, or
23 exercising any other powers and duties expressly
24 reserved to the Commission by rule or bylaw, and

1 i. other duties as provided in the rules or bylaws of the
2 Commission.

3 2. The Executive Committee shall be composed of seven (7)
4 voting members as follows:

5 a. the chair and vice chair of the Commission and any
6 other members of the Commission who serve on the
7 Executive Committee shall be voting members of the
8 Executive Committee, and

9 b. other than the chair, vice chair, secretary, and
10 treasurer, the Commission shall elect three voting
11 members from the current membership of the Commission.

12 3. The Commission may remove any member of the Executive
13 Committee as provided in the Commission's bylaws.

14 4. The Executive Committee shall:

15 a. meet at least annually,
16 b. have meetings open to the public except when
17 conducting meetings pursuant to paragraph 3 of
18 subsection F of this section, and

19 c. give five (5) business days' advance notice of its
20 public meetings, posted on its website, and, as
21 determined, provide notice to persons with an interest
22 in the public matters the Executive Committee intends
23 to address at those meetings.

1 5. The Executive Committee may hold an emergency meeting when
2 acting for the Commission to:

3 a. meet an imminent threat to public health, safety, or
4 welfare,

5 b. prevent a loss of Commission or participating state
6 funds, or

7 c. protect public health and safety.

8 E. The Commission shall adopt and provide the member states an
9 annual report.

10 F. 1. All meetings of the Commission that are not closed
11 pursuant to paragraph 3 of this subsection shall be open to the
12 public. Notice of public meetings shall be posted on the
13 Commission's website at least thirty (30) days prior to the public
14 meeting. Notice of all Commission meetings shall provide the time,
15 date, and location of the meetings, and if the meeting is to be held
16 or accessible via telecommunication, video conference, or other
17 electronic means, the notice shall include the mechanism for access
18 to the meeting.

19 2. The Commission may convene an emergency public meeting by
20 providing at least twenty-four (24) hours' prior notice on the
21 Commission's website, and any other means as provided in the
22 Commission's rules, for any of the reasons it may dispense with
23 notice of proposed rulemaking pursuant to Section 10 of this act.

1 The Commission's legal counsel shall certify that one of the reasons
2 justifying an emergency public meeting has been met.

3 3. The Commission may convene in a closed, non-public meeting
4 for the Commission to discuss the following matters:

- 5 a. non-compliance of a member state with its obligations
6 under the Compact,
- 7 b. the employment, compensation, discipline, or other
8 matters, practices, or procedures related to specific
9 employees, or other matters related to the
10 Commission's internal personnel practices and
11 procedures,
- 12 c. current or threatened discipline of a licensee by the
13 Commission or by a member state's licensing authority,
- 14 d. current, threatened, or reasonably anticipated
15 litigation,
- 16 e. negotiation of contracts for the purchase, lease, or
17 sale of goods, services, or real estate,
- 18 f. accusing any person of a crime or formally censuring
19 any person,
- 20 g. trade secrets or commercial or financial information
21 that is privileged or confidential,
- 22 h. information of a personal nature where disclosure
23 would constitute a clearly unwarranted invasion of
24 personal privacy,

1 i. investigative records compiled for law enforcement
2 purposes,

3 j. information related to any investigative reports
4 prepared by or on behalf of or for use of the
5 Commission or any other committee charged with
6 responsibility of investigation or determination of
7 compliance issues pursuant to the Compact,

8 k. legal advice,

9 l. matters specifically exempted from disclosure to the
10 public by federal or member state law, or

11 m. other matters as promulgated by the Commission by
12 rule.

13 4. The Commission shall keep minutes that fully and clearly
14 describe all matters discussed in a meeting and shall provide a full
15 and accurate summary of actions taken, reasons for such actions, and
16 a description of all views expressed. If a meeting, or portion of a
17 meeting, is closed, the presiding officer shall state that the
18 meeting will be closed and reference each relevant exempting
19 provision, and such references shall be recorded in the minutes.
20 All minutes and documents of a closed meeting shall remain under
21 seal, subject to release only by a majority vote of the Commission
22 or order of a court of competent jurisdiction.

1 G. 1. The Commission shall pay, or provide for the payment of,
2 the reasonable expenses of its establishment, organization, and
3 ongoing activities.

4 2. The Commission may accept any and all appropriate sources of
5 revenue, donations, and grants of money, equipment, supplies,
6 materials, and services.

7 3. The Commission may levy on and collect an annual assessment
8 from each member state and impose fees on licensees of member states
9 to whom it grants a multistate license to cover the cost of
10 operations and activities of the Commission and its staff, which
11 shall be a total amount sufficient to cover its annual budget as
12 approved each year for which revenue is not provided by other
13 sources. The aggregate annual assessment amount for member states
14 shall be allocated based upon a formula that the Commission shall
15 promulgate by rule.

16 4. The Commission shall not incur obligations of any kind prior
17 to securing the funds adequate to meet the obligations. The
18 Commission shall not pledge the credit of any member states, except
19 by and with the authority of the member state.

20 5. The Commission shall keep accurate accounts of all receipts
21 and disbursements. The receipts and disbursements of the Commission
22 shall be subject to the financial review and accounting procedures
23 established under its bylaws and annual financial review by a
24 certified or licensed public accountant. The report of the

1 financial review shall be included in and become part of the annual
2 report of the Commission.

3 H. 1. Each member, officer, executive director, employees, and
4 representative of the Commission shall be immune from suit and
5 liability, both personally and in his or her official capacity, for
6 any claim for damage to or loss of property or personal injury or
7 other civil liability caused by or arising out of any actual or
8 alleged act, error, or omission that occurred, or that the person
9 against whom the claim is made had a reasonable basis for believing
10 occurred within the scope of Commission employment, duties, or
11 responsibilities. Nothing in this paragraph shall be construed to
12 protect any such person from suit or liability for any damage, loss,
13 injury, or liability caused by the intentional or willful or wanton
14 misconduct of that person. The procurement of insurance of any type
15 by the Commission shall not compromise or limit the immunity granted
16 by this subsection.

17 2. The Commission shall defend any member, officer, executive
18 director, employee, and representative of the Commission in any
19 civil action seeking to impose liability arising out of any actual
20 or alleged act, error, or omission that occurred within or as
21 determined by the Commission that the person against whom the claim
22 is made had a reasonable basis for believing occurred within the
23 scope of Commission employment, duties, or responsibilities.
24 Nothing in this paragraph shall be construed to prohibit such person

1 from retaining his or her own counsel at his or her own expense or
2 that the actual or alleged act, error, or omission did not result
3 from that person's intentional or willful or wanton misconduct.

4 3. The Commission shall indemnify and hold harmless any member,
5 officer, executive director, employee, and representative of the
6 Commission for the amount of any settlement or judgment obtained
7 against that person arising out of any actual or alleged act, error,
8 or omission that occurred within or as determined by the Commission
9 that the person against whom the claim is made had a reasonable
10 basis for believing occurred within the scope of Commission
11 employment, duties, or responsibilities, provided that the actual
12 act, error, or omission did not result from the intentional or
13 willful or wanton misconduct of that person.

14 I. Nothing in this Compact shall be construed as a limitation
15 on the liability of any licensee for professional malpractice or
16 misconduct, which shall be governed solely by any other applicable
17 state laws.

18 J. Nothing in this Compact shall be interpreted to waive or
19 otherwise abrogate a member state's state action immunity or state
20 action affirmative defense with respect to antitrust claims under
21 the Sherman Act, Clayton Act, or any other state or federal
22 antitrust or anticompetitive law or regulation.

23 K. Nothing in this Compact shall be construed to be a waiver of
24 sovereign immunity by the member states or by the Commission.

1 SECTION 9. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 4308 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Interstate Massage Compact Commission shall provide for
5 the development, maintenance, operation, and utilization of a
6 coordinated database and reporting system.

7 B. The Commission shall assign each applicant for a multistate
8 license a unique identifier, as determined by the rules of the
9 Commission.

10 C. Notwithstanding any other provisions of state law, a member
11 state shall submit a uniform data set to the data system on all
12 individuals to whom this Compact is applicable as required by the
13 rules of the Commission, including:

14 1. Identifying information;

15 2. Licensure data;

16 3. Adverse actions against a licensee and any related
17 information;

18 4. Non-confidential information related to alternative program
19 participation, the beginning and ending dates of such participation,
20 and other information related to such participation;

21 5. Any denial of application for licensure, and the reasons for
22 such denial, not including any criminal history record information
23 where prohibited by law;

1 6. The existence of current significant investigative
2 information or investigative information; and

3 7. Other information that may facilitate the administration of
4 this Compact or the protection of the public, as determined by the
5 rules of the Commission.

6 D. The records and information provided to a member state
7 pursuant to this Compact or through the data system, when certified
8 by the Commission or an agent of the Commission, shall constitute
9 the authenticated business records of the Commission, and shall be
10 entitled to any associated hearsay exception in any relevant
11 judicial, quasi-judicial, or administrative proceedings in a member
12 state.

13 E. The existence of current significant investigative
14 information and investigative information pertaining to a licensee
15 in any member state shall be available only to other member states.

16 F. It shall be the responsibility of the member states to
17 report any adverse action against a licensee who holds a multistate
18 license and to monitor the database to determine whether adverse
19 action has been taken against a multistate licensee or license
20 applicant. Adverse action information pertaining to a licensee or
21 license applicant in any member state shall be available to any
22 other member state.

1 G. Member states contributing information to the data system
2 may designate information that shall not be shared with the public
3 without the express permission of the contributing state.

4 H. Any information submitted to the data system that is
5 subsequently expunged pursuant to federal laws or the laws of the
6 member state contributing the information shall be removed from the
7 data system.

8 SECTION 10. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 4309 of Title 59, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The Interstate Massage Compact Commission shall promulgate
12 reasonable rules in order to effectively and efficiently implement
13 and administer the purposes and provisions of this Compact. A rule
14 shall be invalid and have no force or effect only if a court of
15 competent jurisdiction holds that the rule is invalid because the
16 Commission exercised its rulemaking authority in a manner that is
17 beyond the scope and purposes of the Compact, or the powers granted
18 by this Compact, or based upon another applicable standard of
19 review.

20 B. The rules of the Commission shall have the force of law in
21 each member state, provided that where the rules of the Commission
22 conflict with the laws of the member state that establishes the
23 member state's scope of practice as held by a court of competent

1 jurisdiction, the rules of the Commission shall be ineffective in
2 that state to the extent of the conflict.

3 C. The Commission shall exercise its rulemaking powers pursuant
4 to the criteria set forth in this act and the adopted rules. Rules
5 shall become binding as of the date specified by the Commission for
6 each rule.

7 D. A rule shall have no further force and effect in any member
8 state or to any state applying to participate in the Compact if a
9 majority of the legislatures of the member states rejects a rule or
10 portion of a rule by enactment of a statute or resolution in the
11 same manner used to adopt the Compact within four (4) years of the
12 date of adoption of the rule.

13 E. Rules shall be adopted at a regular or special meeting of
14 the Commission.

15 F. The Commission shall hold a public hearing and allow persons
16 to provide oral and written comments, data, facts, opinions, and
17 arguments prior to adoption of a proposed rule. Prior to the
18 adoption of a proposed rule by the Commission, the Commission shall
19 provide a notice of proposed rulemaking at least thirty (30) days in
20 advance of the meeting at which the Commission will hold a public
21 hearing on the proposed rule. The notice shall be provided on the
22 website of the Commission or other publicly accessible platform, to
23 persons who have requested notice of the Commission's notices of
24

1 proposed rulemaking and in any other ways the Commission may specify
2 by rule. The notice shall include:

3 1. The time, date, and location of the public hearing at which
4 the Commission will hear public comment and, if different, the time,
5 date and location of the meeting where the Commission will consider
6 and vote on the proposed rule;

7 2. The mechanism for access to the hearing if being held via
8 telecommunication, video conference, or other electronic means;

9 3. The text and reason of the proposed rule;

10 4. A request for comments on the proposed rule from any
11 interested person; and

12 5. The manner for which interested persons may submit written
13 comments.

14 G. All hearings shall be recorded and a copy of the recording,
15 all written comments, and documents received by the Commission in
16 response to the proposed rule shall be available to the public.

17 H. Nothing in this section shall be construed to require a
18 separate hearing on each rule. Rules may be grouped for the
19 convenience of the Commission.

20 I. 1. The Commission shall, by majority vote of all
21 Commissioners, take final action on the proposed rule.

22 2. The Commission may adopt changes to the proposed rule,
23 provided the changes do not enlarge the original purpose of the
24 proposed rule.

1 3. The Commission shall provide an explanation of the reasons
2 for substantive changes made to the proposed rule as well as reasons
3 for substantive changes not made that were recommended by
4 commenters.

5 4. The Commission shall determine a reasonable effective date
6 for the rule. The effective date of the rule shall be no earlier
7 than thirty (30) days after the Commission issues the notice that it
8 has adopted or amended the rule except for an emergency as provided
9 by subsection J of this section.

10 J. The Commission may consider and adopt an emergency rule
11 within twenty-four (24) hours' notice, provided that the usual
12 rulemaking procedures provided in the Compact shall be retroactively
13 applied to the rule as soon as reasonably possible and no later than
14 ninety (90) days after the effective date of the rule. An emergency
15 rule shall:

16 1. Meet an imminent threat to public health, safety, or
17 welfare;

18 2. Prevent a loss of Commission or member state funds;

19 3. Meet a deadline for the promulgation of a rule that is
20 established by federal law or rule; or

21 4. Protect public health and safety.

22 K. The Commission or an authorized committee of the Commission
23 may direct revisions to a previously adopted rule for purposes of
24 correcting typographical errors, errors in format, errors in

1 consistency, or grammatical errors. Public notice of any revisions
2 shall be posted on the website of the Commission. The revision
3 shall be subject to challenge by any person for a period of thirty
4 (30) days after posting. The revision may be challenged only on
5 grounds that the revision results in a material change to a rule. A
6 challenge shall be made in writing and delivered to the Commission
7 prior to the end of the notice period. If no challenge is made, the
8 revision will take effect without further action. If the revision
9 is challenged, the revision may not take effect without the approval
10 of the Commission.

11 L. No member states rulemaking requirements shall apply under
12 this Compact.

13 SECTION 11. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 4310 of Title 59, unless there
15 is created a duplication in numbering, reads as follows:

16 A. 1. The executive and judicial branches of state government
17 in each member state shall enforce this Compact and take all actions
18 necessary and appropriate to implement the Compact.

19 2. Venue is proper and judicial proceedings by or against the
20 Commission shall be brought solely and exclusively in a court of
21 competent jurisdiction where the principal office of the Commission
22 is located. The Commission may waive venue and jurisdictional
23 defenses to the extent it adopts or consents to participate in
24 alternative dispute resolution proceedings. Nothing in this section

1 shall affect or limit the selection or propriety of venue in any
2 action against a licensee for professional malpractice, misconduct,
3 or any similar matter.

4 3. The Commission shall be entitled to receive service of
5 process in any proceeding regarding the enforcement or
6 interpretation of the Compact and shall have standing to intervene
7 in such a proceeding for all purposes. Failure to provide the
8 Commission service of process shall render a judgment or order void
9 as to the Commission, this Compact, or promulgated rules.

10 B. If the Commission determines that a member state has
11 defaulted in the performance of its obligations or responsibilities
12 under this Compact or the promulgated rules, the Commission shall
13 provide written notice to the defaulting state. The notice of
14 default shall describe the default, the proposed means of curing the
15 default, and any other action that the Commission may take, and
16 shall offer training and specific technical assistance regarding the
17 default. The Commission shall provide a copy of the notice of
18 default to other member states.

19 C. If a state in default fails to cure the default, the
20 defaulting state may be terminated from the Compact upon an
21 affirmative vote of a majority of the delegates of the member
22 states, and all rights, privileges, and benefits conferred on that
23 state by this Compact may be terminated on the effective date of
24 termination.

1 D. Termination of membership in the Compact shall be imposed
2 only after all other means of securing compliance have been
3 exhausted. Notice of intent to suspend or terminate shall be given
4 by the Commission to the governor, the majority and minority leaders
5 of the defaulting state's legislature, the defaulting state's state
6 licensing authority, and each of the member state's state licensing
7 authority.

8 E. A state that has been terminated shall be responsible for
9 all assessments, obligations, and liabilities incurred through the
10 effective date of termination, including obligations that extend
11 beyond the effective date of termination.

12 F. Upon the termination of a state's membership from this
13 Compact, that state shall immediately provide notice to all
14 licensees who hold a multistate license within that state of such
15 termination. The terminated state shall continue to recognize all
16 licenses granted pursuant to this Compact for a minimum of one
17 hundred eighty (180) days after the date of such notice of
18 termination.

19 G. The Commission shall not bear any costs related to a state
20 that is found to be in default or that has been terminated from the
21 Compact, unless agreed upon in writing between the Commission and
22 the defaulting state.

23 H. The defaulting state may appeal the action of the Commission
24 by petitioning the United States District Court for the District of

1 Columbia or the federal district where the Commission has its
2 principal offices. The prevailing party shall be awarded all costs
3 of such litigation, including reasonable attorney fees.

4 I. 1. Upon request by a member state, the Commission shall
5 attempt to resolve disputes related to the Compact that arise among
6 member states and between member and non-member states.

7 2. The Commission shall promulgate a rule providing for both
8 mediation and binding dispute resolution for disputes as
9 appropriate.

10 J. 1. The Commission, in the reasonable exercise of its
11 discretion, shall enforce the provisions of this Compact and the
12 Commission's rules.

13 2. By majority vote as provided by Commission rule, the
14 Commission may initiate legal action against a member state in
15 default in the United States District Court for the District of
16 Columbia or the federal district where the Commission has its
17 principal offices to enforce compliance with the provisions of the
18 Compact and its promulgated rules. The relief sought may include
19 both injunctive relief and damages. In the event judicial
20 enforcement is necessary, the prevailing party shall be awarded all
21 costs of such litigation, including reasonable attorney fees. The
22 remedies shall not be the exclusive remedies of the Commission. The
23 Commission may pursue any other remedies available under federal or
24 the defaulting member state's law.

1 3. A member state may initiate legal action against the
2 Commission in the United States District Court for the District of
3 Columbia or the federal district where the Commission has its
4 principal offices to enforce compliance with the provisions of the
5 Compact and its promulgated rules. The relief sought may include
6 both injunctive relief and damages. In the event judicial
7 enforcement is necessary, the prevailing party shall be awarded all
8 costs of such litigation, including reasonable attorney fees.

9 4. No individual or entity other than a member state may
10 enforce this Compact against the Commission.

11 SECTION 12. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 4311 of Title 59, unless there
13 is created a duplication in numbering, reads as follows:

14 A. 1. The Compact shall come into effect on the date which the
15 Compact statute is enacted into law in the seventh member state. On
16 or after the effective date of the Compact, the Commission shall
17 convene and review the enactment of each of the charter member
18 states to determine if the statute enacted by each such charter
19 member state is materially different than the model Compact statute.

20 a. A charter member state whose enactment is found to be
21 materially different from the model compact statute
22 shall be entitled to the default process set forth in
23 Section 11 of this act, and

1 b. If any member state is later found to be in default,
2 or is terminated or withdraws from the Compact, the
3 Commission shall remain in existence and the Compact
4 shall remain in effect even if the number of member
5 states should be less than seven.

6 2. Member states enacting the compact subsequent to the charter
7 member states shall be subject to the process set forth in paragraph
8 24 of subsection B of Section 8 of this act to determine if their
9 enactments are materially different from the model Compact statute
10 and whether they qualify for participation in the Compact.

11 3. All actions taken for the benefit of the Commission in
12 furtherance of the purposes of the administration of the Compact
13 prior to the effective date of the Compact or the Commission coming
14 into existence shall be considered to be actions of the Commission
15 unless specifically repudiated by the Commission.

16 4. Any state that joins the Compact shall be subject to the
17 Commission's rules and bylaws as they exist on the date on which the
18 Compact becomes law in that state. Any rule that has been
19 previously adopted by the Commission shall have the full force and
20 effect of law on the day the Compact becomes law in that state.

21 B. 1. Any member state may withdraw from this Compact by
22 enacting a statute repealing that state's enactment of the Compact.
23 A member state's withdrawal shall not take effect until one hundred
24 eighty (180) days after enactment of the repealing statute.

1 2. Withdrawal shall not affect the continuing requirement of
2 the withdrawing state's licensing authority to comply with the
3 investigative and adverse action reporting requirements of this
4 Compact prior to the effective date of withdrawal.

5 3. Upon the enactment of a statute withdrawing from this
6 Compact, a state shall immediately provide notice of such withdrawal
7 to all licensees within that state. Notwithstanding any subsequent
8 statutory enactment to the contrary, such withdrawing state shall
9 continue to recognize all licenses granted pursuant to this Compact
10 for a minimum of one hundred eighty (180) days after the date of
11 such notice of withdrawal.

12 C. Nothing in this Compact shall be construed to invalidate or
13 prevent any licensure agreement or other cooperative arrangement
14 between a member state and a non-member state that does not conflict
15 with the provisions of this Compact.

16 D. This Compact may be amended by the member state. No
17 amendment to this Compact shall become effective and binding upon
18 any member state until it is enacted into the laws of all member
19 states.

20 SECTION 13. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 4312 of Title 59, unless there
22 is created a duplication in numbering, reads as follows:

23 A. This Compact and the Interstate Massage Compact Commission's
24 rulemaking authority shall be liberally construed so as to

1 effectuate the purposes and the implementation and administration of
2 the Compact. Provisions of the Compact expressly authorizing or
3 requiring the promulgation of rules shall not be construed to limit
4 the Commission's rulemaking authority solely for those purposes.

5 B. The provisions of this Compact shall be severable and if any
6 phrase, clause, sentence, or provision of this Compact is held by a
7 court of competent jurisdiction to be contrary to the constitution
8 of any member state, a state seeking participation in the Compact,
9 or of the United States, or the applicability to any government,
10 agency, person, or circumstance is held to be unconstitutional by a
11 court of competent jurisdiction, the validity of the remainder of
12 this Compact and the applicability to any other government, agency,
13 person, or circumstance shall not be affected.

14 C. The Commission may deny a state's participation in the
15 Compact or, in accordance with the provisions of subsection C of
16 Section 11 of this act, terminate a member state's participation in
17 the Compact, if the Commission determines that a constitutional
18 requirement of a member state is a material departure from the
19 Compact. Otherwise, if this Compact shall be held to be contrary to
20 the constitution of any member state, the Compact shall remain in
21 full force and effect as to the remaining member states and to the
22 member state affected as to all severable matters.

23 D. Nothing in this act shall prevent or inhibit the enforcement
24 of any other law of a member state that is not inconsistent with the

1 Compact. Any laws, statutes, regulations, or other legal
2 requirements in a member state in conflict with the Compact shall be
3 superseded to the extent of the conflict. All permissible
4 agreements between the Commission and the member states shall be
5 binding in accordance with their terms.

6 SECTION 14. This act shall become effective November 1, 2026.
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