

POLICY
TENNESSEE MASSAGE LICENSURE BOARD

APPLICANTS WITH CRIMINAL CONVICTIONS

Any person who has applied for a license as a massage therapist or for an establishment license who has a felony conviction which occurred ten (10) or more years prior to the date of application for licensure; or a single misdemeanor conviction or group of misdemeanor convictions all arising out of a single incident which occurred five (5) or more years prior to the date of application for licensure **MAY not** be required to appear before the Board and the Board's manager, in consultation with the Board's advisory attorney or consultant when appropriate, is authorized to issue a temporary authorization pursuant to T.C.A. § 63-1-142 and determine whether or not the applicant needs to appear before the Board before a license can be issued.

The following are referred to the peer assistance program as described in the Board's Substance Abuse Policy and are required to appear before the Board before any license or practice authorization may be issued:

1. Any applicant who has a felony conviction which occurred less than ten (10) years from the date of application for licensure; or
2. Any applicant who has a single misdemeanor conviction or group of misdemeanor convictions all arising out of a single incident which occurred less than five (5) years from the date of application for licensure; or
3. Any applicant who has more than one felony conviction regardless of when they occurred; or
4. Any applicant who has a pattern of multiple misdemeanor convictions not arising out of a single incident regardless of when they occurred.

Furthermore, any person convicted of a crime described in T.C.A. § 63-18-105(b)(2) (prostitution or sexual misconduct) cannot be considered for or granted a license.

Notwithstanding this policy, the Board's manager, in consultation with the Board's advisory attorney, may make exceptions to this policy on a case-by-case basis when referral to the Board's peer assistance program is not necessary.

**Adopted by the Tennessee Massage Licensure Board on
May 4, 2016.**