



Sherry Dorsey Walker
STATE REPRESENTATIVE
3rd District

**HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
411 LEGISLATIVE AVENUE
DOVER, DELAWARE 19901**

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House Sunset Committee (Policy Analysis & Government Accountability) Meeting Minutes

5.14.2024

House Committee Recording

Chair Dorsey Walker called the meeting to order at 1:03 p.m.

Members present:

Rep. Dorsey Walker, Chair

Rep. Johnson

Rep. Parker Selby

Rep. Spiegelman

Chair Dorsey Walker introduced **HB 386 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK.** *Time Stamp: 1:05*

This Act is sponsored by Rep. Phillips. Section 1 of this Act revises the definition of “massage establishment” by repealing the exemption for all business establishments licensed under other chapters of Title 24. This exemption allows a massage practitioner to work in a licensed cosmetology shop that does not hold a massage establishment license. In that situation, the cosmetology shop can have an identified professional-in-charge responsible for the operation of the cosmetology shop and its employees, but that individual is not responsible for the massage practitioners. This means that the professional-in-charge responsible for the cosmetology shop cannot be held responsible for the wrongful actions of a massage practitioner, which adversely impacts the disciplinary process. With this exemption repealed, a cosmetology shop offering massage services is required to have both a massage establishment license and a licensed massage practitioner as the professional-in-charge responsible for the actions of all massage practitioners providing services on the premises. Section 2 of this Act increases the minimum hours of education required for licensed massage therapists for students who begin their massage

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therapy education on or after July 1, 2024, from 500 hours to 625 hours and makes corresponding revisions to the required curriculum hours for each subject. This increase in hours is required by changes in the federal Department of Education regulations for student eligibility for Title IV financial aid, including the elimination of the “150% rule”. Instead, school hours must match the curriculum hours required for licensure by the state. However, programs that require less than 600 hours are not eligible for Title IV financial aid. This change is consistent with the recommendation of the Federation of State Massage Therapy Boards that 625 curriculum hours are appropriate to adequately train massage therapists to practice safely and competently. Section 1 of this Act takes effect upon enactment, but Section 2 of this Act takes effect on or before July 1, 2024, to align with the effective date of the federal Department of Education regulations. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Chair Dorsey Walker opened the floor for public comment. *Time Stamp: 1:07*

Members of the public who voiced support of the bill included Elsa Nastase.

A motion was made by Rep. Johnson and seconded by Rep. Parker Selby to release HB 386 from committee; motion carried. Yes = 4 (Dorsey Walker, Johnson, Parker Selby, Spiegelman); No = 0; Absent = 1 (Collins). The bill was released from committee with a F=0, M=4, U=0 vote.

Chair Dorsey Walker introduced **SB 194 w/ SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRACTICE OF PHARMACY**. *Time Stamp: 1:12*

Sponsored by Sen. McBride, this Act allows pharmacists, under protocol approved by the Division of Public Health, to provide HIV pre-exposure and post-exposure prophylaxis treatments.

Rep. Spiegelman asked if this bill is meant to provide an option for action for pharmacies and, if they choose to participate, this bill provides guidelines and regulations for action. Rep. Johnson answered that this bill is meant to provide access.

Rep. Spiegelman asked if Delaware has a similar enactment law for administering a flu vaccine. Rep. Johnson answered that she would imagine so.

Chair Dorsey Walker opened the floor for public comment. *Time Stamp: 1:18*

Members of the public who voiced support of the bill included Kim Gomes.

A motion was made by Rep. Parker Selby and seconded by Rep. Spiegelman to release SB 194 w/ SA 1 from committee; motion carried. Yes = 4 (Dorsey Walker, Johnson, Parker Selby, Spiegelman); No = 0; Absent = 1 (Collins). The bill was released from committee with a F=4, M=0, U=0 vote.

Chair Dorsey Walker adjourned the meeting at 1:22 p.m.

Respectfully submitted by:

Anna Squiers

Attendance List

- Elsa Nastase, Director of Education at Dalton Institute of Cosmetology and Esthetics and Academy of Massage and Body Works
- Kim Gomes, Medical Society of Delaware