HOUSE DOCKET, NO. 2699 FILED ON: 1/16/2015

HOUSE . . . . . No. 185

The Commonwealth of Massachusetts

PRESENTED BY:

Robert F. Fennell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to encourage well qualified practitioners in the field of personal training.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Robert F. Fennell	*10th Essex*	*1/16/2015*
Louis L. Kafka	*8th Norfolk*	*1/16/2015*

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HOUSE . . . . . No. 185

By Mr. Fennell of Lynn, a petition (accompanied by bill, House, No. 185) of Robert F. Fennell and Louis L. Kafka relative to practitioners in the field of personal training. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *209* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to encourage well qualified practitioners in the field of personal training.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 23A of chapter 112 of the Massachusetts General Laws 2012 official edition is hereby amended by inserting the following:

Section 23A. The following words as used in sections twenty-three A to twenty-three P, inclusive, unless the context otherwise requires, shall have the following meanings:

"Fitness facility" means a health club, health spa, fitness center, wellness center, or private personal training studio. A fitness facility shall include entities that operate either for-profit or not-for-profit.

"Group exercise instructor" means an individual who instructs more than one person at one time, with or without equipment, in exercises designed to improve cardiovascular

conditioning, muscular strength, flexibility and weight loss in classes that include, but are not limited to, martial arts, Pilates, yoga, kickboxing, boot camp, spinning and any other group class that is taught at a fitness facility.

"Personal trainer" means a person who develops a personal exercise plan or program for an individual; and demonstrates, with or without equipment, exercises designed to improve cardiovascular condition muscular strength, flexibility and/or weight loss.

SECTION 2. Said chapter 112 is hereby amended by inserting after section 23F the following section:

Section 23F ½. It shall be required in order for a person to hold himself or herself out as a personal trainer, to (a) be certified as a personal trainer or its equivalent by national independent organization whose certification procedures for personal trainers have been approved by the National Commission for Certifying Agencies (NCCA); or

(b) possess a credential or certification in either the field of personal training, exercise science, or similarly related field, from an educational institution accredited by an accrediting body recognized by either the Council for Higher Education Accreditation or by the United States Department of Education.

Exemptions. The certification requirements set forth in section 23F 1/2 shall not apply to the following:

(i) Group exercise instructors;

Effective Date.

(a) The requirements of this act shall take effect three (3) years following enactment.

(b) For individuals who have practiced as personal trainers directly through or on behalf of fitness facilities for a period of three consecutive years; the requirements of this act shall take effect five (5) years following enactment.