

**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**DIVISION OF PROFESSIONAL REGULATION**  
**5300 Board of Massage and Bodywork**  
**Statutory Authority: 24 Delaware Code, Section 5306(1) (24 Del.C. §5306(1))**  
**24 DE Admin. Code 5300**

**PROPOSED**

The Delaware Board of Board of Massage and Bodywork in accordance with 24 **Del.C.** §5306(1) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to the provision of massage and bodywork services.

A public hearing will be held on January 20, 2005 at 3:00 p.m. in the Second Floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Massage and Bodywork, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**Proposed Rules and Regulations**

**9.0 Crimes Substantially Related To The Practice Of Massage And Bodywork:**

9.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit any of the following crimes, is deemed to be substantially related to the practice of massage and bodywork in the State of Delaware without regard to the place of conviction:

- 9.1.1 Aggravated menacing. 11 Del.C. §602(b)
- 9.1.2 Reckless endangering in the first degree. 11 Del.C. §604
- 9.1.3 Abuse of a pregnant female in the first degree. 11 Del.C. §606.
- 9.1.4 Assault in the second degree. 11 Del.C. §612
- 9.1.5 Assault in the first degree. 11 Del.C. §613.
- 9.1.6 Abuse of a sports official; felony. 11 Del.C. §614.
- 9.1.7 Terroristic threatening; felony. 11 Del.C. §621.
- 9.1.8 Unlawfully administering drugs. 11 Del.C. §625.
- 9.1.9 Unlawfully administering controlled substance or counterfeit substance or narcotic drugs. 11 Del.C. §626.
- 9.1.10 Murder by abuse or neglect in the second degree. 11 Del.C. §633.
- 9.1.11 Murder by abuse or neglect in the first degree. 11 Del.C. §634.
- 9.1.12 Murder in the second degree. 11 Del.C. §635.
- 9.1.13 Murder in the first degree. 11 Del.C. §636.
- 9.1.14 Incest. 11 Del.C. §766.
- 9.1.15 Unlawful sexual contact in the third degree. 11 Del.C. §767.
- 9.1.16 Unlawful sexual contact in the second degree. 11 Del.C. §768.
- 9.1.17 Unlawful sexual contact in the first degree. 11 Del.C. §769.
- 9.1.18 Rape in the fourth degree. 11 Del.C. §770.
- 9.1.19 Rape in the third degree. 11 Del.C. §771.
- 9.1.20 Rape in the second degree. 11 Del.C. §772.
- 9.1.21 Rape in the first degree. 11 Del.C. § 773.
- 9.1.22 Sexual extortion. 11 Del.C. §776.
- 9.1.23 Bestiality. 11 Del.C. §777.
- 9.1.24 Continuous sexual abuse of a child. 11 Del.C. §778.
- 9.1.25 Dangerous crime against a child. 11 Del.C. §779.
- 9.1.26 Female genital mutilation. 11 Del.C. §780.
- 9.1.27 Kidnapping in the second degree. 11 Del.C. §783.
- 9.1.28 Kidnapping in the first degree. 11 Del.C. §783A.
- 9.1.29 Acts constituting coercion. 11 Del.C. §791.

9.1.30 Arson in the first degree. 11 Del.C., §803.  
9.1.31 Burglary in the third degree. 11 Del.C. §824.  
9.1.32 Burglary in the second degree. 11 Del.C. §825.  
9.1.33 Burglary in the first degree. 11 Del.C. §826.  
9.1.34 Robbery in the second degree. 11 Del.C. §831.  
9.1.35 Robbery in the first degree. 11 Del.C. §832.  
9.1.36 Carjacking in the second degree. 11 Del.C. §835.  
9.1.37 Carjacking in the first degree. 11 Del.C. §836.  
9.1.38 Theft; felony. 11 Del.C. §841.  
9.1.39 Theft; lost or mislaid property; mistaken delivery. 11 Del.C. §842.  
9.1.40 Extortion. 11 Del.C. §846.  
9.1.41 Receiving stolen property. 11 Del.C. §851  
9.1.42 Identity theft. 11 Del.C. §854.  
9.1.43 Criminal impersonation of a police officer. 11 Del.C. §907B.  
9.1.44 Securing execution of documents by deception. 11 Del.C. §909.  
9.1.45 Insurance fraud. 11 Del.C. §913.  
9.1.46 Health care fraud. 11 Del.C. §913A.  
9.1.47 Dealing in children. 11 Del.C. §1100.  
9.1.48 Sexual exploitation of a child. 11 Del.C. §1108.  
9.1.49 Unlawfully dealing in child pornography. 11 Del.C. §1109.  
9.1.50 Possession of child pornography. 11 Del.C., §1111.  
9.1.51 Sexual offenders; prohibitions from school zones. 11 Del.C. §1112.  
9.1.52 Sexual solicitation of a child. 11 Del.C. §1112A.  
9.1.53 Improper influence. 11 Del.C. §1207.  
9.1.54 Terroristic threatening of public officials or public servants. 11 Del.C. §1240.  
9.1.55 Assault in a detention facility. 11 Del.C. §1254.  
9.1.56 Promoting prison contraband; felony. 11 Del.C. §1256.  
9.1.57 Tampering with a witness. 11 Del.C. §1263.  
9.1.58 Hate crimes; felony. 11 Del.C. §1304.  
9.1.59 Aggravated harassment. 11 Del.C. §1312.  
9.1.60 Stalking. 11 Del.C. §1312A.  
9.1.61 Cruelty to animals; felony. 11 Del.C. §1325.  
9.1.62 Maintaining a dangerous animal; felony. 11 Del.C. §1327.  
9.1.63 Abusing a corpse. 11 Del.C. §1332.  
9.1.64 Violation of privacy. 11 Del.C. §1335.  
9.1.65 Bombs, incendiary devices, Molotov cocktails and explosive devices. 11 Del.C., §1338.  
9.1.66 Adulteration. 11 Del.C. §1339.  
9.1.67 Lewdness. 11 Del.C. §1341.  
9.1.68 Prostitution. 11 Del.C. §1342.  
9.1.69 Patronizing a prostitute prohibited. 11 Del.C. §1343.  
9.1.70 Promoting prostitution in the third degree. 11 Del.C. §1351.  
9.1.71 Promoting prostitution in the second degree. 11 Del.C. §1352.  
9.1.72 Promoting prostitution in the first degree. 11 Del.C. §1353.  
9.1.73 Permitting prostitution. 11 Del.C. §1355.  
9.1.74 Obscenity. 11 Del.C. §1361.  
9.1.75 Possessing a destructive weapon. 11 Del.C. §1444.  
9.1.76 Unlawfully dealing with a dangerous weapon; felony. 11 Del.C. §1445.  
9.1.77 Possession of a deadly weapon during commission of a felony. 11 Del.C. §1447.  
9.1.78 Possession of a firearm during commission of a felony. 11 Del.C. §1447A.  
9.1.79 Possession and purchase of deadly weapons by persons prohibited. 11 Del.C. §1448.  
9.1.80 Giving a firearm to person prohibited. 11 Del.C. §1454.  
9.1.81 Engaging in a firearms transaction on behalf of another. 11 Del.C. §1455.  
9.1.82 Removing a firearm from the possession of a law enforcement officer. 11 Del.C. §1458.  
9.1.83 Organized Crime and Racketeering. 11 Del.C. §1504.

- 9.1.84 Victim or Witness Intimidation. 11 Del.C. §§3532 & 3533.
- 9.1.85 Abuse, neglect, mistreatment or financial exploitation of residents or patients. 16 Del.C. §1136(a), (b) and (c).
- 9.1.86 Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, Lysergic Acid Diethylamide (L.S.D.), designer drugs, or 3,4-methylenedioxymethamphetamine (MDMA). 16 Del.C. §4753A (a)(1)-(9).
- 9.1.87 Prohibited acts E under the Uniform Controlled Substances Act. 16 Del.C. §4755.
- 9.1.88 Prohibited acts under the Uniform Controlled Substances Act. 16 Del.C. §4756(a)(1)-(5) and (b).
- 9.1.89 Breaking and Entering, Etc. to Place or Remove Equipment 11 Del.C. §2410
- 9.1.90 Attempt to Intimidate. 11 Del.C. §3534
- 9.1.91 Abuse, neglect, exploitation or mistreatment of infirm adult. 31 Del.C. §3913(a), (b) and (c).
- 9.2 Crimes substantially related to the practice of massage and bodywork shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.

**8 DE Reg. 796 (12/01/04)**