

**POLICY**  
**TENNESSEE MASSAGE LICENSURE BOARD**

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**APPLICANTS CURRENTLY ON CRIMINAL PROBATION**

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Any applicant who is currently on criminal probation as a result of a misdemeanor or felony conviction may, at the discretion of the Board:

- (1) Have the consideration of his or her application deferred until such time all sentences and probationary terms are completed; or
- (2) Have his or her application denied.

For the purposes of this policy, a “conviction” means an adjudication of guilt that has not been vacated or expunged by the appropriate court, a plea of guilty or *nolo contendere* (no contest) accepted by the court, or a plea treated by the court as a guilty plea, regardless of the jurisdiction in which the conviction was entered.

For the purposes of this policy, a “conditional license” shall publicly state the nature of the applicant’s criminal conviction and may include any other “conditions” set by the Board, as defined in Massage Rules 0870-01-.07(6)(b) and 0870-01-.13(1)(f).

No applicant convicted of prostitution or sexual misconduct (as described in T.C.A. § 63-18-105(b)(2)), whether a felony or misdemeanor, will be granted a license.

**Adopted by the Tennessee Massage Licensure Board on this the 17th day of May, 2010.**

**Revised by the Tennessee Massage Licensure Board on this the 8<sup>th</sup> day of November, 2010.**