

This notice was supplemented (revised) on September 8, 2003 by Revenue Notice # 03-09. Please see Revenue Notice # 03-09.

Minnesota revenue notice number 02-08

Sales and Use Tax - Massage Services

Introduction

This revenue notice clarifies and supplements Revenue Notice # 94-11. Under Minnesota Statutes, section 297A.61, subdivision 3(g)(5)(vii), massage services are subject to Minnesota sales and use tax unless they are provided for treatment of illness, injury, or disease by or upon written referral of a licensed health care facility or a licensed health care professional.

What is a Massage?

Massage means any method of applying pressure, friction, rubbing, stroking, tapping, kneading or rolling of the external parts of the human body by manual, electrical, or mechanical means, with or without appliances and with or without lubricants such as salts, powders, liquids, creams or other similar preparation. Massage includes energy therapy if it involves manipulation of the body (e.g., Reiki and Therapeutic Touch).

Examples of Massage Services

Reflexology, Shiatsu, Acupressure, Rolfing, Trager, Neuromuscular Therapy, Polarity Therapy, Sports Massage, Myofascial Release, and Ohashiatsu.

Massage does not include treatment provided by health-related professionals regulated by the State of Minnesota if the treatment is within the scope of the regulated practice. Under Minnesota Statutes, section 297A.61, subdivision. 3(g)(5)(vii), massage services that are provided for treatment of illness, injury, or disease by licensed health care professionals are not subject to tax. Some of the services that are not subject to tax under this provision include the practice of medicine, acupuncture, homeopathy, osteopathy, chiropractic, physical therapy, podiatry and athletic training. The practice of massage does not include services provided by cosmetologists or estheticians required to be licensed under Minnesota Statutes, chapter 155A and barbers required to be registered under Minnesota Statutes, chapter 154 if they do not give, or hold themselves out to give massages other than massages that are incidental to their general occupations, where no separate compensation is received for giving massages.

Effective Date

To the extent this revenue notice reflects a change in policy, it is prospective in nature and becomes effective August 1, 2002.

Dated: June 24, 2002

Jennifer Engh
Assistant Commissioner for Tax Policy