

Dear Chairman Olson and Committee Members,

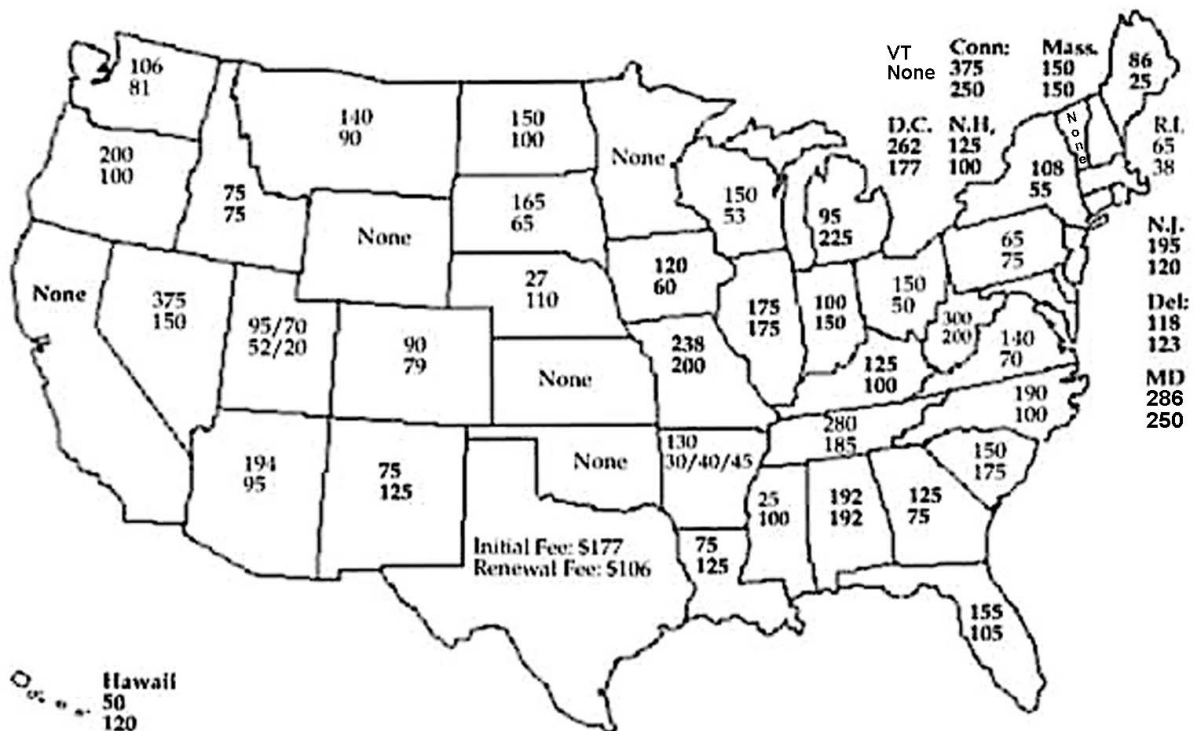
My name is Victoria Dance, a massage therapist licensed in Arizona since 1984. I have been working as a massage therapist at a medical clinic in Juneau for the last 5 years. I pay \$90 biennially for my license in Arizona. I understand that if this bill is passed, I may have as much as a 400% increase in my licensing fees. Additionally, there is the potential to increase the fees even more than that due to board investigations of massage parlors that are reported violating the statute.

Many therapists, who would like to be recognized as health care providers appreciate the great work people have done in bringing forth this bill. Although regulation is needed and in many ways appreciated, high fees are difficult to justify in light of return on investment. In an environment of cost reduction, likelihood of increasing income through third-party billing is slight. Less than ¼ of all massage therapists bill insurance claims. Many do not wish to burden themselves with the time spent in paperwork and negotiation. Out of all the states, Washington is the only state that mandates third-party billing for massage therapists. Few people can predict if or when the Affordable Care Act would include massage therapy as preventative or restorative care.

Without likelihood of increased income, I do not believe that there would be overwhelming support for high licensing fees. In fact, many therapists I've shown the projected fees to do not support the bill. After spending an average of \$10,000 on massage school tuition, the average amount of time people spend in this career is 5-7 years. According to the AMTA and ABMP, the average massage therapist is female, middle aged and part-time (17 hours a week). This is not the profile of someone who wants to pay almost as much for his or her professional license as a physician in Alaska: \$500.

Most therapists here in Juneau are licensed in other states. 32% of the states levy between \$100-\$150 for biennial fees. West Virginia (with 1200 therapists) has the highest fees at \$300.

While California does not have a state law, they do have a voluntary state certification that can be used in lieu of municipal requirements. Could this precedent be a compromise here in Alaska between the therapists who wish to do third-party billing and those who do not want the burdens of a state license?



Some important qualifications for licensing in HB328 are already being required of massage therapists by municipal ordinances in Alaska.

Massage Therapy Licensing by Alaska Municipalities

	Anchorage	Fairbanks	Palmer	Valdez
Qualifications	500 hrs or Nat'l Board certification	Nat'l Board cert. or 350 hours & 2 yrs. work as MT or out-of-state license	500 Hours or Nat'l Board cert. or out-of-state license	500 hours or Nat'l Board certification or out-of-state license
Exam	none	none	none	none
Insurance	none	yes if member of professional organization	none	none
Background Check	yes	yes	yes	yes
Initial Fees	\$100	\$100	\$25	\$50
Renewal Fees	\$100 annual	\$200 biennial	25 biennial	\$25
City & State Business License	yes	yes	yes	yes
Membership in Professional Organization		may use current membership as a credential	yes	

Cheyenne, Wyoming (another state where legislators have chosen not to pass a state massage law), has a model, in-depth ordinance which other Wyoming cities use, making it easier for therapists to be mobile within their state. Therapists also have fulfilled the most common state licensing requirements if they move to another state. In Cheyenne, notifying their licensing municipality about other cities where a massage therapist is working solves portability issues. The therapist then pays a nominal fee (\$27) for the registration.

St. Paul MN massage license requirements	Notarized NCBTMB certificate or 500 hours	National exam or a State written & practical exam	Professional and liability insurance	Background check & no convictions of moral turpitude.	CPR	Initial Fees \$90 with nat'l exam; \$260 with state exam	Renewal Fee \$90 annually	City establishment license
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Another example of best practices in municipal licensing is in St. Paul. Minnesota does not have a state licensing law, but the public is actually more informed and protected by St. Paul's competency standards and the Bill of Rights, which must be displayed in each massage establishment. The Bill of Rights has therapists' credentials and theoretical approach, fee information, how to file a complaint, confidentiality statement and a statement that clients may expect courteous treatment and be free from verbal, physical, or sexual abuse by the practitioner. The client is required to sign-off on this document and it is kept on file.

An important advantage of local licensing is that complaints and investigations can be handled more efficiently. Here is a municipal investigative scenario: There is a complaint that a massage therapist has sexually assaulted a client on the table. The detective investigates and arrests the defendant who goes through the court system with no extra direct costs to the licensing division.

A case like this would be very expensive for a state licensing board. As an example, the West Virginia Massage Board, had a similar scenario: a complaint was filed against a massage therapist who sexually assaulted a client. The board suspended the defendant's license immediately. An investigator was assigned to interview all applicable witnesses, gather evidence and present the report to the Board. The attorney general's office was involved and there were four days of hearing and testimony. The therapist was formally charged and administratively prosecuted. The therapist then appealed the decision to the county court system. The court gave an opinion in the Board's favor. Then the therapist took the case to state Supreme Court.

This was a long process over two years that cost the board 1/3 of its budget. The West Virginia board has not received a penny from the defendant and the Board has had to raise member fees by 60% to meet the deficit created by just this one case.

More common are cases that cost between \$4-5000. For instance, the West Virginia board is currently investigating a complaint about an Asian massage parlor that advertises happy endings. This would be a typical scenario in the Anchorage area but not in Juneau. The Arizona Board hears an average of 12 of these types of cases a year. But Arizona has over 9000 licensed therapists to carry the burden of \$60,000 worth of investigations and Alaska has an estimated 600. Alaska massage therapists' projected fees are based on the Social Worker Board because of similar numbers of licensees, but not on the basis of similar investigative cases. For instance, there are no "social worker parlors".

Summary: The cost of state licensing is an unnecessary burden to our profession.

- The law must be for all therapists in Alaska, not just those who want to make insurance claims directly.
- The fees are too high: most therapists pay between \$100-\$150 in out-of-state licensing fees. Therapists licensed through Alaska cities are paying between \$100-\$200 in municipal fees. P
- While a \$460 fee is the projected for state licensing, there is a strong likelihood of fees increasing due to potential criminal investigations.
- The public can be protected by local licensing laws that can handle complaints and investigations more efficiently and cost effectively.

For these reasons, I am requesting that HB328 be held as a study resolution for one year until the next legislative session. This would give more time to do research on the issues and to come back with a bill that is suitable for Alaska's unique needs.

Thank you for your attention,
Victoria Dance, MA LMT