

HB

328

<TARGET><BILL>HB 328</BILL><SUBJECT>HB
328</SUBJECT><COMM>HFIN28</COMM></TARGET>

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: CSHB 328(L&C)
Fiscal Note Number: 1
(H) Publish Date: 4/1/14

Identifier: HB328-DCCED-CBPL-03-03-14
Title: BOARD/LICENSING OF MASSAGE THERAPISTS
Sponsor: NAGEAK
Requester: House Labor & Commerce

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Personal Services							
Travel	18.4		36.8	36.8	36.8	36.8	36.8
Services	51.2		12.9	12.9	12.9	12.9	12.9
Commodities	0.2		0.2	0.2	0.2	0.2	0.2
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	69.8	0.0	49.9	49.9	49.9	49.9	49.9

Fund Source (Operating Only)

1156 Rcpt Svcs	69.8		49.9	49.9	49.9	49.9	49.9
Total	69.8	0.0	49.9	49.9	49.9	49.9	49.9

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues	69.8		49.9	49.9	49.9	49.9	49.9
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 07/01/15

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Don Habeger, Director	Phone:	(907)465-2536
Division:	Corporations, Business and Professional Licensing	Date:	03/03/2014 06:00 PM
Approved By:	Jeanne Mungle, Director	Date:	03/04/14
Agency:	Administrative Services		

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. CSHB 328(L&C)

Analysis

HB328 requires licensure of massage therapists. It establishes the scope of practice for licensees, licensure requirements and exemptions, unlawful acts, and transitional language for program implementation. This bill establishes required licensure for individuals engaging in the practice of massage therapy. This will add a new professional licensing program to the 39 existing within the Division of Corporations, Business and Professional Licensing ("division").

The addition of this program requires startup expenses to configure the professional licensing database, develop and implement regulations, purchase supplies, and establish program procedures. Licensing fees for each program are set per AS 08.01.065 so the revenue collected equals the occupation's regulatory costs.

Costs for establishing and maintaining the new license program are based on existing programs of comparable size and consist of the following:

Travel: \$15.4 in first year and \$30.8 in future years for five board members to travel to meetings (two meetings in first year and four meetings annually thereafter); \$3.0 in first year and \$6.0 in future years for a staff member to travel to meetings (two meetings in first year and four meetings annually thereafter).

Services: \$35.2 in the first year for IT to incorporate the new licensing program into the professional licensing database; \$11.9 first year legal support costs for implementing program; \$5.6 on-going legal support services beginning in year two; \$3.2 on-going hearing and mediation services beginning in year two; \$1.1 printing, advertising, mailing costs for public notice of regulations, postage, memberships; \$3.0 for fingerprinting.

Commodities: \$0.2 business supplies.

Licensure fee setting regulations are required and the board must adopt regulations necessary to carry out the board's duties.

In addition to the above costs the program would incur direct expenses for licensing examiners, investigators, regulations specialist, and supervisory management through positive timekeeping. They would also incur indirect expenses for administrative support, such as accounting, payroll, risk management, ADA chargeback, and building leases. Although increased authorization is not needed for these costs, this program's share of the division's total indirect costs will be considered as part of the program's total costs during the biennial review of licensing fees.

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Division:	<u>Corporations, Business and Professional Licensing</u>	Date:	<u>03/03/2014 06:00 PM</u>
Approved By:	<u>Jeanne Mungle, Director</u>	Date:	<u>03/04/14</u>
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Mr. Chairman and Committee Members,

Thank you for hearing my testimony on HB 328 "An Act establishing the Board of Massage Therapists; relating to the licensing of massage therapists; and providing for an effective date."

My name is Diane Kyser. I am the proprietor of Artemis Enterprise, a massage therapy practice in Juneau, Alaska. I have been in business for the last twenty years paying my Alaska State Business License fees and Juneau's City Sales tax every year. I am a member Associated Bodywork and Massage Professionals and pay yearly Massage Professional Liability Insurance which requires at least five hundred hours of 500 hours of in-class supervised instruction and clinical work from an approved massage school in the United States.

During my years in practice, I have contracted to Pearson's Pond, The University of Alaska, Juneau School District, and donated massage time to Cancer Relay Races. All require a business license and liability insurance for a contractual agreement.

I also work at Arctic Chiropractic in Juneau, Alaska and The Alaska Club as a staff massage therapist. At the Alaska Club, I was asked in 2012 to set up the massage program in the downtown and valley health club. This included design of the massage space, writing the job description, and policy and procedures, training of the front desk staff for booking massage appointments, and interviewing massage therapists which include checking their educational training.

I am for the passage of HB 328 because the education requirement of this act sets the standard of education for massage therapists to practice in the State of Alaska. On page 3, starting in line 22, it reads:

"Sec. 08.61.030. Qualifications for license. (3) furnishes evidence satisfactory to the board that the person has completed a course of study of at least 500 hours of in-class supervised instruction and clinical work from an approved massage school;"

When HB 328 is passed, it will allow the Alaska Board Massage Therapists to set the continuing education requirements training needed for massage therapist to be professionally licensed in the State of Alaska. On page 3, line 11, it reads:

"Sec. 08.61.020. Duties and powers of board; (4) establish standards for continuing education for massage therapists;"

The cost of conducting business under a Massage Professional Licensing Board is small. At the rate of \$75.00 per massage, three massages would pay for my yearly licensing fee. As a business owner, my business expenses can be deducted.

I believe that these educational standards required by this act, will provide the consumers of massage therapy in Alaska with massage therapists who have been educated in safe massage therapy modalities. The continuing education requirements that will be established by the board this Act creates will

provide the State of Alaska with massage therapists who practice with updated knowledge that is contributing to the well-being of those who receive massage therapy in Alaska.

I thank you for your time spent and will spend considering HB328. I respectfully request that you pass HB328 out of Committee.

Thank you,

Diane Kyser, Massage Therapist

Proprietor, Artemis Enterprise

P.O. Box 21869

Juneau, AK 99802-1869

907-723-1917

Alaska State Legislature
Representative Benjamin P. Nageak

Alaska State Capitol
Room 428
Juneau, Alaska 99801-1182



Phone: (907) 465-3473
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House Bill 328
Sponsor Statement

“An Act establishing a Board of Massage Therapists; relating to the licensing of massage therapists; and providing for an effective date.”

House Bill 328 seeks to provide industry and educational standards to promote a code of ethics, public safety, self-regulation, accountability, business development, grievance process and therapy access.

Currently Alaska is one of six states not regulating the massage therapy profession. A professional code of ethics develops a scope of practice including education, contraindications, body system, potential results, and above all safety.

Licensing endorses small business development by allowing a therapist to become a preferred provider and bill insurance directly versus going through chiropractors, physical therapists and physicians.

Creating a standard of practice allows consumers to educate themselves to the standard of care they should expect and helps them find the most appropriate therapy style for their individual care.

This bill encourages greater professional opportunities for therapists. With the massage therapy profession growing at an average rate of 120 therapists each year, now is the time to create clear industry standards for the health and safety of Alaskans.

84% of surveyed massage therapists support state licensure. I support their efforts and I ask you to please join me in support of this vital fundamental legislation.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

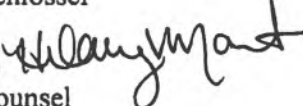
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 2, 2014

SUBJECT: Sectional Summary of CSHB 328(L&C)
(Work Order No. 28-LS1431\N)

TO: Representative Benjamin Nageak
Attn: Mary Schlosser

FROM: Hilary Martin 
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

Section 1. Adds the Board of Massage Therapists (board) to the list of professions covered by AS 08.01.

Section 2. Adds massage therapists to the list of professions that must use an appropriate professional designation.

Section 3. Sunsets the board on June 30, 2018.

Section 4. Adds a new chapter, AS 08.61, regulating massage therapists.

08.61.010. Establishes the board, with four licensed massage therapist members and one public member.

08.61.020. Sets out the duties and powers of the board, including adopting regulations, providing for examination of applicants, establishing standards of professional competence, ethical conduct, and continuing education, and approving nationally recognized competency examinations.

08.61.030. Sets out the qualifications for a license, including at least 500 hours of in-class supervised instruction, submitting fingerprints for a criminal justice information and national criminal history record check, having a current cardiopulmonary resuscitation certificate, and attending safety education in bloodborne pathogens.

08.61.040. Sets out the requirements to be licensed by credentials.

08.61.050. Sets the standards for license renewal.

08.61.060. Authorizes the board to impose disciplinary sanctions on a licensee under various circumstances.

08.61.070. Prohibits practice of massage therapy without a license.

08.61.080. Exempts certain persons from the license requirements of the chapter, including students, employees of the United States government, and persons using only certain specified techniques.

08.61.090. Requires the department to set fees for application, license issuance, license renewal, and investigation under the chapter.

08.61.100. Defines terms for the chapter.

Section 5. Adds the board to the list of professions that are subject to having their fingerprints sent to the FBI (by the Department of Public Safety) for a national criminal history check for purposes of evaluating the fitness of the person for licensure.

Section 6. Adds licensing of massage therapists to the list of restrictions on the powers of a home rule municipality.

Section 7. Prevents a home rule and general law municipality from requiring licensure of massage therapists.

Section 8. Applies the provisions of the Administrative Procedure Act to the board.

Section 9. Adds an applicability section that makes the Act applicable, on or after the effective date of the Act, to persons who have not practiced massage therapy in the state, and makes the Act applicable, two years after the effective date of the Act, to persons who have been practicing massage therapy in the state and meet the requirements of AS 08.61.040.

Section 10. Adds transitional language that allows the board to waive the course of study and examination requirements for a person who applies for a license within two years of the effective date of the Act, and who proves that the person owned, operated, or worked for a massage therapy business before the effective date of the Act by submitting various types of documentation.

Section 11. Sets staggered terms for the initial board members.

Section 12. Allows the Department of Commerce, Community, and Economic Development and the board to adopt regulations; states that the regulations may not take effect until the effective date of the Act.

Representative Benjamin Nageak

April 2, 2014

Page 3

Section 13. Gives AS 08.61.010 and 08.61.020, and secs. 11 and 12 of the Act an immediate effective date.

Section 14. Makes the Act effective on July 1, 2015.

HVM:ray

14-147.ray

2014 Licensing Legislation Fact Sheet

Alaska Massage Therapist Licensure Coalition

Impact of state licensure

Industry Standards

Creates minimum competency standards

Provides competency standards through education, training and examination requirements
Assures eligibility requirements are met to practice

Allows consumers to understand the industry and select the most appropriate massage therapy professional for their needs

Brings the benefit of open access to the selection process.

Public Safety

Assures only properly educated and trained massage therapists are licensed to practice on the public

Enables the state to discipline massage therapists who violate the practicing act

Enhances public safety by enforcing disciplinary actions against non-compliant practitioners

Establishes a consistent standard of practice enforceable by a professional code of ethics

Establishes formal grievance process for consumers to help prevent unethical/non-compliant therapists from continuing to practice

Professional Development

- Broader professional opportunities for therapists
- Allows massage therapists a voice in fair wages and rights
- Allows massage therapists to govern their own profession
- A developed scope of practice unique to the massage therapy profession

Background

Alaska is one of only six states that does not regulate the massage therapy profession in any manner.

AMTA-AK Board Supports Passage of State Licensure Legislation

2012 AMTA – Alaska Chapter Coalition formed

2012-13 coalition accomplishments:

- 5 coalition meetings held gathering feedback
- Draft bill widely circulated for comments
- Membership survey indicated significant support

Promotes Business Development

- In other states, many massage therapists are small business owners – but not in Alaska.
- In Alaska, since massage therapists do not have state licenses, they are unable to bill insurance as preferred providers.
- In states with licensing requirements, massage therapists are able to become preferred providers with insurance companies, allowing them to be successful small business owners.
- State licensure of Alaska's massage therapists would promote small business development across the state.

Amanda Unser
alaskaamta@gmail.com

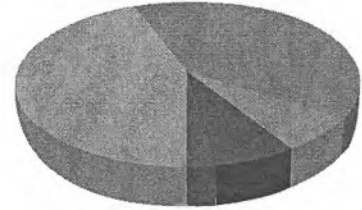


amta
american massage therapy association

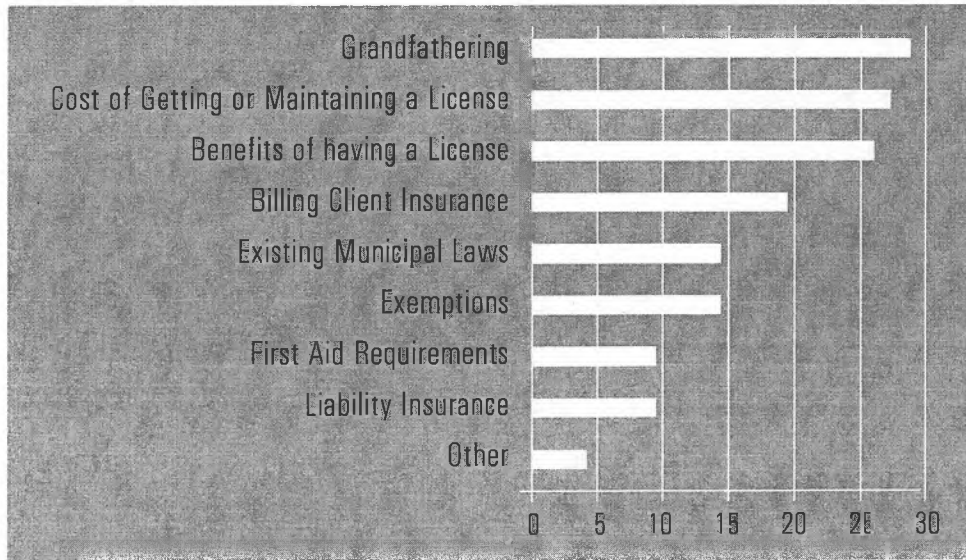
Survey Results

Do you support the statewide licensing of massage therapists?

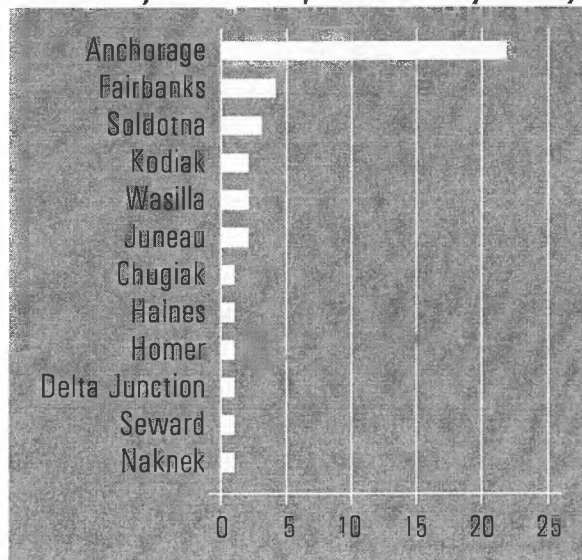
Definitely, licensing is sorely needed.	19	44%
Only if it is done right.	17	40%
Maybe/Undecided	3	7%
Skeptical, leaning towards no.	3	7%
Other	1	2%
Grand Total	43	



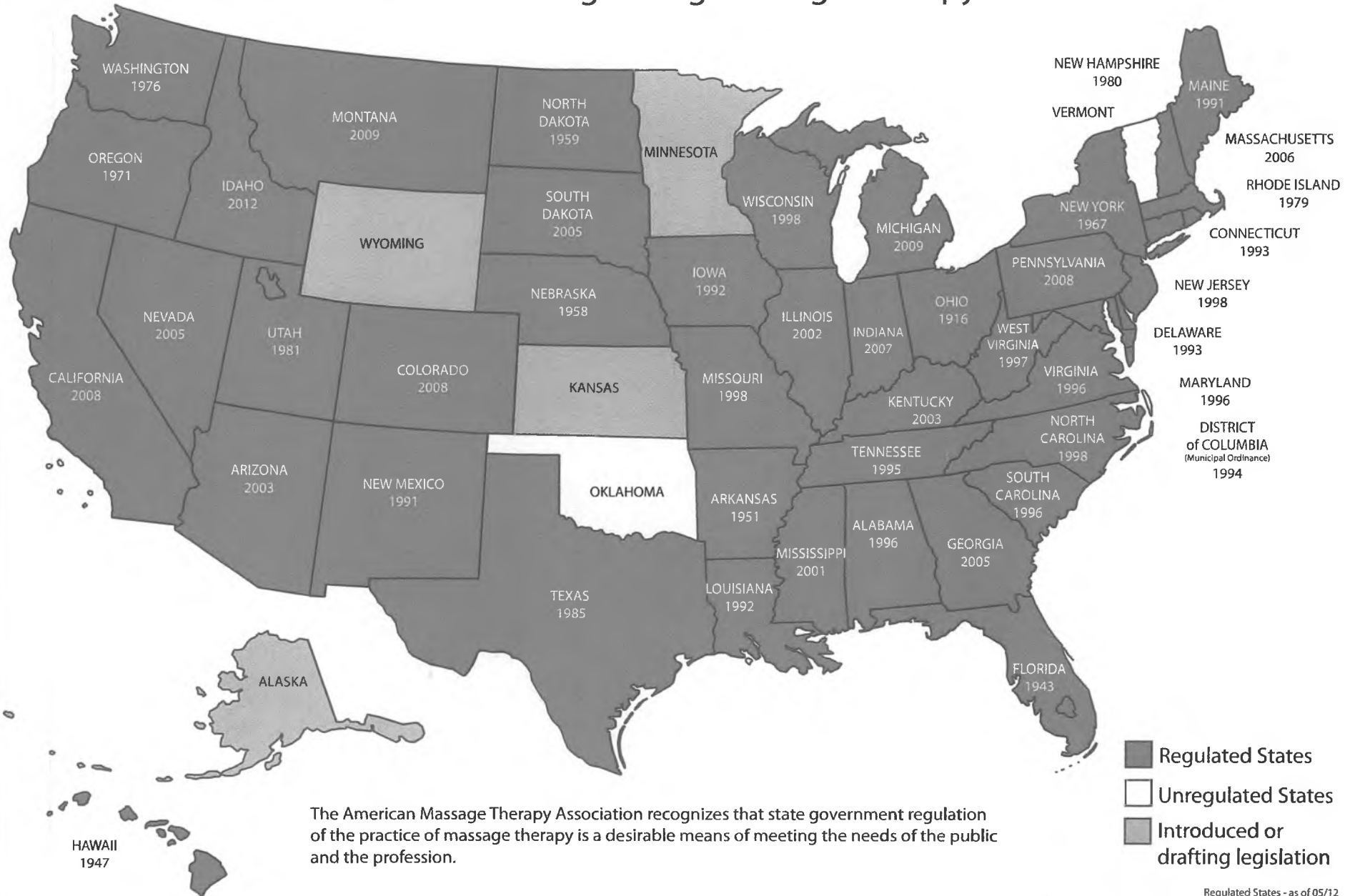
Decision Factors



Survey Participation by City



States Regulating Massage Therapy



From: [Rep. Benjamin Nageak](#)
To: [Mary Schlosser](#)
Subject: FW: HB328
Date: Monday, March 10, 2014 1:50:08 PM

From: Cheri Zepp [mailto:cherizepp@hotmail.com]
Sent: Friday, March 07, 2014 9:42 AM
To: Rep. Benjamin Nageak
Subject: HB328

Good morning Representative Nageak,

I have not yet had the pleasure to meet you, but I have been working with your amazing staff – Mary Schlosser. I would like to offer my support for House Bill 328.

Thank you for meeting with several members of the coalition several weeks ago, and hearing what we had to say about why it is so important to have licensure for massage therapists in the State of Alaska. We want to thank you again for sponsoring this bill, and we appreciate your time and your staff's time on this bill.

I want to express to you that I, personally, fully understand the implications of fees and requirements of education that will be imposed. I graduated from massage school in Texas, where I received my license after taking the state exam and I kept my license current for 7 years. I paid \$250.00 per year (not biennial) to the State of Texas, and this fee did not hurt my business at all. I decided to let my Texas license lapse because I was not considered licensed in my home state, and the constant denials from insurance companies increased year after year -- all the same reason - I am not considered licensed, because we do not have a law here in Alaska that requires a license to operate. Even though I attend massage training and graduated with honors.

I have paid yearly fees, attended continuing education classes and am current with information pertaining to my trade. I do not feel impending fees, nor, the requirement of education will be a burden on my pocketbook. I also am a member of the Associated Bodywork and Massage Professionals. That membership allows me Liability Insurance or Medical Malpractice worth millions should I hurt someone in the course of my work.

I currently provide employment for 5-6 therapists at my studio, Chez Sante' Massage Therapy. They are contracted to work at my studio, and I require them to obtain a business license to operate in the State of Alaska. They are also required to obtain liability insurance, and are encouraged to take continuing education.

My first priority is my clients -- their safety is number one, and so I believe once this becomes required in our state we can weed out the sex offenders who are currently slipping through cracks. Currently, anyone can hang a shingle out that allows them to be a "massage therapist" and I'm certain that there are already sex offenders working on innocent people. I question why any professional massage therapist would not want a law that helps to protect their clients.

I feel that the bill in its current state is satisfactory and needs no further amendments, and I am very comfortable with the language.

Thank you again Representative Nageak.

Sincerely,

Cheri Zepp
Chez Sante' Massage Therapy
(907) 723-5054

My name is Patricia Collins. I have been a full time massage therapist in Juneau for 11 years. I have a business license, liability insurance and pay appropriate sales tax. I do not see HB 328 increasing the fees that I charge to my clientele. The costs associated with the continuing education are costs I already gladly pay. The additional cost of state professional licensure, I consider minor. HB 328 brings us into closer aligned with the massage regulations that other states currently have. It may provide therapists with the ability to directly bill health insurance for services. It will also assist in providing the public with some assurance that their massage therapist has basic training in safe and sanitary practices. I support the passing of HB 328 with three amendments.

The first amendment I suggest is in **Section 08.61.030 (3), Qualifications for licensure**. Currently the bill states education must come from a board approved "school". I believe the words "**or board approved apprenticeship program**" should be added after the word school. The US Secretary of Education considers massage therapy a vocational trade. Board approved apprenticeship is a common route of education for vocational trades. Even though there are hundreds of massage schools in the country, COMTA, the federally recognized accrediting agency for massage therapy, has only 61 accredited programs in 27 states. All massage therapists hope that the education that we receive will be respected in the future or in other states but at this point there are no guarantees. Both Hawaii and Florida have board approved apprenticeship in their state legislation. Our state has many communities that will never be large enough to support a massage school. If our legislation does not include board approved apprenticeship future therapists will have no choice other than relocation for 6 months to a year of their life in order to receive training. This will be an option for some but it will not be an option for others. The lack of apprenticeship will limit who will be able to enter the field in the future.

The other amendments I suggest are related to safety of the public. It is important that persons performing massage and / or bodywork have basic knowledge of safe and sanitary practices. There are some who say that this bill is to regulate massage and the exempt modalities are a different field which they categorize as bodywork. For many reasons I feel this is split is illogical for our state. Exempt modalities are taught in the same massage schools as non-exempt modalities and therapists mix modalities considering all of them as part of their massage practice. The public, in general, will not consider the different modalities as separate & will assume they all have some kind of oversight. Our state does not have a large enough population of massage therapists and bodyworkers to successfully support two different boards. I believe that with two simple amendments we will be able to give the board that is created by this bill needed oversight of modalities that pose the greatest risk to our public.

Section 08.61.080 (10) - This section exempts Rolfing and structural integration. The Rolf Institute is a well known bodywork school with very high standards. In order to advertise Rolfing you must be a student or graduate of the Rolf Institute. A person who is educated in principals that were developed by Ida Rolf but has not gone to the Rolf

Institute is considered to practice structural integration. Unfortunately, there is no federal oversight as to who teaches, what is taught, who performs or what is performed under the umbrella term "structural integration". The way this bill is currently written there will be no state oversight of structural integration. I believe we should remove item (10) or rewrite it to apply to students and graduates of the Rolf Institute only.

Section 08.61.080 (12) - This section lists a broad range of modalities that may be classified as energy work and Asian bodywork. Some of these modalities do not use pressure applied to the body but some do. Item (7) in this same Section (08.61.080) already exempts persons performing techniques that do not pressure or manipulate soft tissue in the human body. To specifically list non-force modalities in item (12) is a redundancy. I am further concerned about this exemption because there are weekend workshops and short term programs in the listed modalities that are open to anyone in the public to take. There is no federal oversight regarding who teaches, what is taught, who takes the classes or what overall safety and sanitation knowledge a practitioner has. With the current wording of the bill there will not be any state oversight of potentially harmful bodywork modalities. I recommend removing item (12) from the proposed bill. Non-invasive modalities will remain exempt under item (7). Modalities that involve pressure or manipulation of body tissue will have oversight.

I thank everyone for the time that they spend on this piece of legislation and the development of the Alaska State Massage & Bodywork Board.

- Patricia Collins
mistymountainmassage@gmail.com



amta
american massage therapy association®

500 davis street, suite 900 | evanston, il 60201-4695 | phone 847.864.0123 | toll free 877.905.2700 | fax 847.864.1178

email: info@amtamassage.org | web: www.amtamassage.org

August 25th, 2011

To Whom It May Concern,

On behalf of the American Massage Therapy Association (AMTA), we want to express our support for licensure of the massage therapy profession in the State of Alaska. AMTA is a professional membership association representing more than 56,000 massage therapists nationally, including more than 300 massage therapists in Alaska. Our association has represented the massage therapy profession since 1943.

AMTA works for fair, consistent and effective licensing both to ensure the right to practice of massage therapists and to protect the public. AMTA believes in balanced regulation that provides for minimal standards of practice to ensure professionalism and provide public confidence in massage therapy.

Currently, 43 states and the District of Columbia provide for the regulation of massage therapy and most provide a Practice Act that requires licensure to practice. With growing number of states turning to licensure, we see that it works for the profession and public.

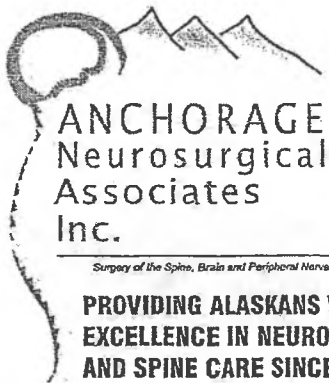
For more information on the reasons to support licensure of the massage therapy profession, please see the attached information sheet.

Massage therapy licensing embodies the principles and values AMTA upholds, and it includes content and practice standards we believe must be part of massage licensing in all states. Only by enacting this type of law, and by requiring licensure for massage therapists, can we ensure practitioners have met minimum competency standards, established through formal education, training and examination requirements.

Thank you for your time. If we can provide any additional information or be of any assistance, please feel free to contact us.

Respectfully,

Chris A. Studebaker
Director, Government & Industry Relations



LOUIS L. KRALJICK, M.D.
DIPLOMATE OF THE AMERICAN BOARD OF NEUROLOGICAL SURGERY
FELLOW OF AMERICAN COLLEGE OF SURGEONS
TIMOTHY I. COHEN, M.D.
DIPLOMATE OF THE AMERICAN BOARD OF NEUROLOGICAL SURGERY
ESTRADA J. BERNARD, JR, M.D.
DIPLOMATE OF THE AMERICAN BOARD OF NEUROLOGICAL SURGERY
FELLOW OF AMERICAN COLLEGE OF SURGEONS
MARSHALL TOLBERT, M.D.
ENDOVASCULAR NEUROSURGERY
CANDACE HICKEL, MPAS, PA-C
DARCIE CRAVENS, MPAS, PA-C

March 5, 2012

To Whom It May Concern,

I am writing this letter in support of licensure of massage therapists in Alaska. As a referring practitioner, I feel that it is safer for my patients to be evaluated by a properly trained massage therapist who is held to a specified standard of training. Massage therapists play an integral role in the evaluation and management of disease. Licensure will help to ensure that basic entry-level education and examination standards are met. The majority of other states have already taken this approach to ensure the safety of their patients, massage therapists, and medical community.

I strongly support the stance to create a licensure requirement for massage therapy in Alaska. If you have any questions in regards to this letter feel free to contact me.

Sincerely,

Darcie Cravens
Darcie K. Cravens, PA-C
DKC/jh

Timothy I. Cohen M.D.
Timothy I. Cohen, M.D.



CLINIC OF
CHIROPRACTIC HEALTH

JAMES F. HESTON, D.C.

141 W. PIONEER AVE.
HOMER, ALASKA 99603
(907) 235-7146
FAX (907) 235-7186
EMAIL: CHIRO@XYZ.NET

February 27, 2014

To Whom It May Concern;

I am writing this letter in support of HB 328 and SB 188, thereby establishing a regulatory board for the profession of Massage Therapy. As a Chiropractor, I have worked along side many Massage Therapists who have enhanced the care provided, aiding in the advancement of the patients' healing process. Standards and regulations for this profession need to be established and monitored.

The Chiropractic and Massage Therapy professions have been working together for many years and it is past time for Massage Therapists to be self-regulated. The passing of these bills will be a positive step for this profession to regulate itself through licensure, and establishing and promoting a high professional standard of ethical and moral conduct. This board will help protect the health, welfare, and safety of the public through regulatory standard establishment, enforcement, and continuing education requirements for re-licensure. More and more, third party payers for health services are requiring that Massage Therapists have some certificate of competency before considering reimbursement for services rendered. This board and the licenses it will issue will fill this void for many of those Therapists who do not currently hold any certification or license. The requirement of continuing education will help keep licensees knowledgeable in technique and on track with moral concerns.

It is well established that Massage Therapy can greatly aid in the healing process of injury to the human body. The profession of Massage Therapy can only move forward and gain support through regulation and the establishment of conduct and moral guidelines.

Sincerely,

James F. Heston, D.C.
Chairman of the Board of Chiropractic Examiners



To whom it may concern:

On February 27, 2014 the Alaska Nurses Association re-affirmed our support for the licensing of the massage therapists in the State of Alaska. As a profession that has been licensed for many years we know the importance of having a board, regulations and statutes to protect both the public and our practice.

Please accept this letter of support for licensing this very important profession for the delivery of health and wellness for Alaskans.

“An Act establishing a Board of Massage Therapists; relating to the licensing of massage therapists; and providing for an effective date.”

House Bill 328 and Senate Bill 188 seek to provide industry and educational standards to promote a code of ethics, public safety, self-regulation, accountability, business development, grievance process and therapy access.

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This bill encourages greater professional opportunities for therapists. With the massage therapy profession growing at an average rate of 120 therapists each year, now is the time to create clear industry standards for the health and safety of Alaskans.

This legislation is in response to 84% of surveyed massage therapists supporting state licensure. I support their efforts and I ask you to please join me in support of this vital fundamental legislation.

Respectfully,

Jana Shockman, RN, CCRN-CSC
Alaska Nurses Association
Board of Directors-President



Associated Bodywork & Massage Professionals

25188 Genesee Trail Rd, Ste 200
Golden, CO 80401
800-458-2267
fax 800-667-8260
www.abmp.com

February 7, 2014

To: Alaska State Legislators

From: Jean Robinson, Government Relations Director

Re: Massage Therapy Practice Act – Support of Draft Bill 12-9-13

I am pleased to provide this letter of support on behalf of Associated Bodywork & Massage Professionals (ABMP). ABMP is the largest national professional association for massage therapists with more than 82,000 members nationwide, including more than 250 members in Alaska. We provide professional liability insurance, business resources, professional publications, and legislative and regulatory advocacy for our members.

We have been engaged in the development of a draft bill in Alaska since 2007. Our priorities for the bill have included protecting current practitioners right to practice without having to obtain additional education or pass an exam, reasonable entry-level requirements for licensure that are and consistent with the rest of the country, and incorporating best practices from lessons learned from the forty-four states and three territories that currently regulate the profession.

I am delighted to report that we have come a long way. ABMP supports the Work Draft of the bill dated 12-9/13 (with a few very minor edits). We now comfortably ask for your support as well. Thank you for your attention to this matter. I would be happy to answer any questions and can be reached at jean@abmp.com or 800-458-2267 extension 645.



Arctic Chiropractic

PO Box 894
Barrow AK 99723
907-852-3099(o)
907-852-3255(f)

Life is good when you're pain
free

Justin J Petersen DC

March 10, 2014

To whom it may concern;

As a chiropractor currently practicing in Alaska, and as a former licensed massage therapist, I have a unique perspective on the current proposal under review. I also happen to be working in Barrow presently and therefore can bring some additional understanding to this proposal and how it affects Alaskan's living in remote areas.

As one of the few remaining states to implement a licensing board and regulations and procedures for massage therapists within the State, it is long overdue. Without these types of procedures in place, anyone could present themselves as a Massage Therapist. The public at large believes them to have some sort of training to ensure the proper employment of massage techniques, but they would be mistaken in many cases. This unfortunately could lead to unsafe and unethical practices.

Additionally, due to the extremes in climate in Alaska, massage therapy is a very effective therapeutic technique which is of great benefit to Alaskan's. Unfortunately some insurance companies will not currently cover these services when it is not provided by someone who is licensed, and therefore trained appropriately and regulated in regard to ethical and professional conduct. Implementing a State board to license and regulate this profession is necessary in providing for the needs of many Alaskan's as then these services would be more likely to be covered by the insurance they currently carry.

For the safety, and improved standard of care this would provide to all the residents of Alaska, it is my professional opinion that the regulation of this particular profession is of paramount importance and lend my full support to this endeavor.

Sincerely,

Justin J Petersen DC



ALASKA NATIVE MEDICAL CENTER



4315 Diplomacy Drive
Cardiology Department
Anchorage, AK 99508
February 12, 2012

To Whom It May Concern,

I am writing in support of the effort to establish a licensing board for massage therapy in the state of Alaska. It has been my experience that massage therapy offers great benefits complementary to the allopathic medical approach. It is in the best interest of patients and massage therapists alike that the public has confidence in their training and that professional standards are enumerated and obeyed. The establishment of a Board of Massage Therapists and licensure requirement is a crucial first step. Feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Schnellbaecher, MD".

Matt Schnellbaecher, MD
Cardiology Director

Alaska Native Medical Center
4315 Diplomacy Drive
Anchorage, AK 99508
(907) 563-2662

Anchorage Native Primary Care Center
4320 Diplomacy Drive
Anchorage, AK 99508
(907) 729-3250



amta
american **massage therapy** association®

Alaska Chapter

The Alaska Massage Therapy Association – Alaska Chapter (AK-AMTA), supports licensure of massage therapists in Alaska. Currently there are only six states (including Alaska) that do not have a comprehensive statewide licensure requirement for massage therapists. Licensure of Alaska's massage therapists enhances public safety, and promotes small business development.

Massage therapists in Alaska are only regulated at a local level, and only in Anchorage, Fairbanks, Palmer and Valdez. Statewide licensure provides the public with the knowledge that their massage therapist has been properly trained, and is current with their continuing education. Licensure also provides a way to discipline individuals that claim to be massage therapists, but are not properly trained or licensed.

Licensure will also provide massage therapists with the ability to bill insurance directly, allowing small, independent massage therapy practices to grow.

During 2013, a coalition of massage therapists coordinated several meetings, and conducted a survey of massage therapists in Alaska. The survey showed overwhelming support among massage therapist for licensure in the state.

Nindy Jurik
President AMTA-AK

House Bill 328, Senate Bill 188

“An Act establishing a Board of Massage Therapists; relating to the licensing of massage therapists; and providing for an effective date.”

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This bill encourages greater professional opportunities for therapists. With the massage therapy profession growing at an average rate of 120 therapists each year, now is the time to create clear industry standards for the health and safety of Alaskans.

This legislation is in response to 84% of surveyed massage therapists supporting state licensure. I support their efforts and I ask you to please join me in support of this vital fundamental legislation.

Bill
801 Willow Ave
ANCHORAGE, AK 99504

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4305 Hayes St. Unit A
Anchorage, AK 99503

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Jacqueline Wood
PO Box 91110
Anchorage AK 99509

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Ashley R. Cunningham
12946 Norak Pl.
Anchorage, Ak 99516

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Amanda Unser
8071 ROVENNA ST
Anchorage AK 99518

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Megan M.S. Detz
3655 Burl Ct
Anchorage, AK 99504

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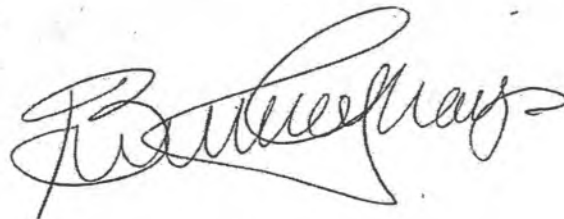
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Jamie Bursell
Jamie Bursell
18095 Pt Stephens Rd
Juneau AK 99801

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JASON CLIFTON

 02/28/14

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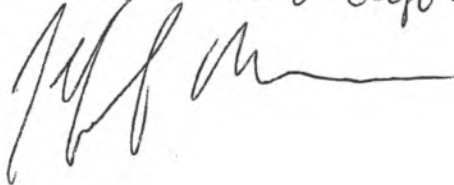
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Jeff Mandragon


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Sandy Sheridan
1746 2nd St.
Apt. B
Douglas, AK 99824
Sandy Sheridan

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John M. ...
John M. ...
168 Tracy Ave
Juneau AK 99801

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Ann Gifford
Ann Gifford

4350 Glacier Hwy.
Juneau, AK 99801

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NORMA FLEER *W Speck*
3151 Pioneer Ave
Juneau, AK 99801

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COLLEEN K. KAUTZ

2737 JOHN STREET

JUNEAU, AK 99801

(907) 723-2669

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T. Campbell 2/26/14

Terri Campbell
437 W. 11th St

Juneau, AK 99801

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Coayle Byrne

6745 Marguerite

Juneau AK 99801

Mayli Byrne

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Teresa B. Cramer
Teresa B. Cramer
801 Dixon St.
Juneau, Ak 99801

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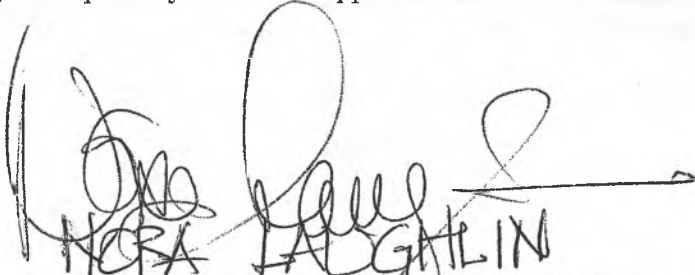
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This legislation is in response to 84% of surveyed massage therapists supporting state licensure. I support their efforts and I ask you to please join me in support of this vital fundamental legislation.


NORA LAGATLIN
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9349 TURN ST,
JUNEAU, AK.
99801

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Kari ~~de~~ Monagle

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Juneau, AK 99803

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Juneau AK 99802

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Robert Cesca

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Juneau, AK 99801

723-0806

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Peggy Bray

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900 Hermit St. #9

Tuneau, AK. 99801

907-789-0937

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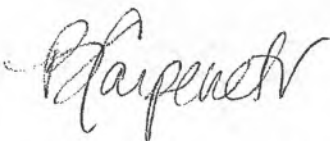
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Branca Carpeneti Feb. 25, 2014

634 Seward St. Juneau, AK 99801

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Lauri Higgins

2-25-14

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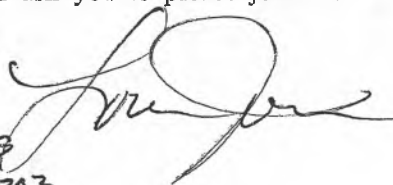
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Loren Jones
P.O. Box 240703
Douglas, AK 99824



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LAUREN RAE JONES
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JUNEAU, AK 99801

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LAURA GREGOVICH

POB 210725

ADKE BAY, AK 99821

Dear Chairman Stoltz, Chairman Austerman, Vice-Chairman Neuman and Members of the Committee,

My name is Victoria Dance, a massage therapist licensed in Arizona since 1984, when I also became a member of the AMTA. I have been working as a massage therapist at a medical clinic in Juneau for the last 6 years. I, and several other therapists, many who are small business owners, oppose HB328 because the bill does not reflect current industry standards for education.

- 500 hours is already required by municipal ordinances licensing massage therapists in Alaska
- 500 hours is an arbitrary number with no statistical foundation
- Over 1/3 of state massage laws require more than 500 hours.
- ELAP, the only source of data for massage therapy competency, recently recommended 625 hours.
- COMTA, specializing in accrediting massage therapy schools, requires 600 hours
- Title IV federal student aid requires a 600 hour curriculum

Before massage began to be used in medical offices, 500 hours of training satisfied what was needed to do relaxation massage. With the advance of medical massage, competency standards, based on a two year study, have been raised to 625 hours.

If HB328 is not going to advance the profession by using the competency standards of the industry, why should we have the burden of high regulation fees?

- No therapist in Alaska pays anywhere near the \$550 fee projected for Alaska
- 53% of states have fees of \$100 - \$150
- No Alaska municipal ordinances require more than \$200 for renewal.
- 77% of boards are in deficit and there is no ceiling on fee increases.
- An estimated 600 therapists will have to carry the burden of normal board fees and fees increased by investigations of massage parlor violations.

HB328 will not enable massage therapists to send claims into and be paid directly by insurance companies.

- The law must be for all therapists in Alaska, not just those who want to make insurance claims directly someday in the future.
- Less than ¼ of all massage therapists bill claims for workman's comp and MVA injury.
- There are only 3 states where massage is a health insurance benefit. Only one state mandates insurance companies to accept claims directly from massage therapists.
- The Division of Insurance testimony confirms that the insurance code is not changed in Alaska by HB328 to allow massage to be billed directly by a massage therapist.
- There is no increased income from developing an insurance-based clientele to offset higher fees

Seven states license massage therapists by ordinances similar to the proposed bill

- The state received no public complaints about massage. The bill was initiated by therapists.
- Massage therapists are already being regulated more efficiently and less expensively by cities.
- The public can be, and are being, protected by local licensing laws that can handle complaints and investigations more efficiently and cost effectively.

Thank you for your attention,

Victoria Dance, MA LMT

2695 David Street, #1

Juneau, AK 99801

907-957-4080

MUNICIPAL LICENSING OF MASSAGE THERAPY

Massage Therapists are already being licensed more efficiently and less expensively by city ordinances which have similar requirements as more expensive state regulation.

Massage Therapy Licensing by Alaska Municipalities				
	Anchorage	Fairbanks	Palmer	Valdez
Qualifications	500 hrs or nat'l certification	Nat'l Board certification or 350 hours and 2 years experience	500 Hours or Board certification or out-of-state license	500 hours or 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	\$25
City & State Business License	yes	yes	yes	yes

Some cities , in the six other states that regulate massage through city licensing, have in-depth ordinances.

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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MAP OF LICENSING FEES IN STATES REGULATING MASSAGE THERAPISTS

