



ADVOCATE FOR MASSAGE THERAPY AS A RECOGNIZED AND RESPECTED HEALTHCARE PROFESSION

January 21, 2019

To: WSMTA Board of Directors and Members

From: WSMTA Government Relations Program Director, Robbin Blake, LMT (rblake@mywsmta.org)

Re: January 11, 2019 Board of Massage (BOM) Meeting Notes

Change in Board Members -- Stephanie Dickey is the new chair (elected last meeting). Teresa Sharp left the Board after the last meeting and new member Heidi Williams attended. Tonya Cox was a new Board member as of the November session, but she did not attend this meeting.

Change in DOH Members -- James Chaney (Executive Director) attended in place of the new Executive Director who will be responsible for the BOM.

City of Kent's Work on Illicit Massage Businesses -- Detective Eric Doherty (Kent Police Dept) and Victoria Robben (Prosecuting Attorney for the City of Kent) provided information on how they shut out illicit massage in the City of Kent. Essentially, they sent Undercover (UC) officers into to what they identified as 17-18 illicit massage businesses. They gathered information and then revoked the business licenses on these businesses and charged as many people as possible with misdemeanors and felonies. The reasoning behind this, was that people with felonies could not obtain other business licenses in Kent. The City of Kent was able to close these businesses and although the businesses tried opening multiple other businesses, the City of Kent were able to prevent them from doing so.

Both Doherty and Robben stated that the goal was not to try and shut them down for good, but to get them out of Kent, which means that they knew these businesses would pop up in other municipalities. They tried to get other municipalities involved, but the other municipalities were not interested as it wasn't politically a big enough issue for them. The other thing they did was to follow up with Landlords of these businesses to inform the landlord to know to whom they were leasing to and that it is illegal to rent to businesses doing illegal business within their property.

Detective Doherty gave a run down on what these businesses were like. They all had a similar storefront -- curtained off so that passerby's could not see in. There were no employees visible in the front part of the store. When a legitimate customer entered, the person who came to greet the customer would claim to be the cleaner and not speak English and the person looking for a real massage would be turned away if possible. If the person was an illegitimate "customer", the person who greeted would take the illegitimate "customer" to a room and perform whatever sex act was requested.

The person onsite who ran the front end of the business was generally the "mama-san" and the women who worked in the business were trafficked up from California and almost exclusively

Chinese/Asian. These women generally live onsite. When these places are busted, the women never talk and speak up for themselves and quickly are disappeared to other locations elsewhere.

Another point that Detective Doherty made was that whatever requirements exist for documentation--massage school certificates, ID etc--these people can buy it as they have endless money and these things are readily available illegally.

Rules Development Workshop

- WAC 246-830-005 Definitions -- Put off until the March meeting. They wanted to get through today's meeting and circle back to definitions.
- WAC 246-830-020 Applications -- No Changes
- WAC 246-830-035 Licensing for out-of-state applicants
 - Title was change to "Licensing for out-of-state applicants by endorsement"
 - Section 1(a) out-of-state applicants currently are required to have graduated from a massage program of 500 hours substantially equivalent of what is required in Washington state. Now it will be 625 hours.

Note, WSMTA and AMTA-WA both argued for an option for out-of-state applicants to provide a mix of work experience and/or continuing education to make up the difference between 500 and 625 hours. Almost all states with greater requirement of 500 hours require that the massage school an LMT graduated from be at least the number of minimum hours required without any alternative means to make up the difference except to go back to massage school to make up the hours in the topics they are deficient in. For example, if an LMT graduated from a 600 hour program and the new state they want to move to requires 750 hours, they would have to go back to massage school to take an additional 150 hours of classes in the topics they are deficient in.

Only a few states allow alternative means to make up the difference. Oregon is one of them and has one of the better laid out options. One of the biggest issues is that massage therapists with the greatest level of experience generally have the least amount of education as they were educated in a time when requirements only required up to a couple hundred hours and have been grandfathered in over time as requirements have increased. It is becoming difficult for them to move to a new state without having to go back to school to make up their education "deficiencies". Yet many of these LMTs can have hundreds if not thousands of continuing education hours.

- Section 1(c) was changed to: If there is gap in ~~practice~~ licensure of three or more years immediately prior to apply for a license by endorsement, the applicant must provide documentation of twenty-four hours of hands on continuing education of massage therapy ~~delivery of massage therapy services~~.
- WAC 246-830-037 Transfer programs and Transfer of prior education and clock hours. In section 4, the transfer program initial approval expiration date will be aligned to massage school's BOM renewal date.
- WAC 246-830-420 Approval of massage school, massage program, or apprenticeship program.
 - Throughout this WAC, two-years practical experience was change to three-years practical experience.
 - In section 1(d) the student clinic supervisor was required, to "...review and approve the student's massage plan." This was changed to "...reviewing and approving

the student's massage plan and observing a reasonable portion of each massage session based on the competency of the student."

- In section 1(h)(i), language was change from, "Verification that the school is approved to operate in the state of Washington..." to "Verification that the school is approved, or has pending approval, to operate in the state of Washington..."
- WAC 246-830-440 Curriculum--Academic standards--Faculty--Student clinic.
 - In section 1, 500 hours was changed to 625 hours.
 - In sections 3 and 4, two-years experience was changed to three-years.
 - in section 4, the ration of ten students to one faculty member in student clinic was changed to 6 students to one faculty member.

Program Reports

- There are 13,833 active LMTs in Washington state with 390 pending
- It is expected that in October 2019 there will be a renewing license fee increase. It could be up to 60%. The percent has not been agreed to yet, but the date it will go into effect has been.
- Megan Maxey mentioned that there is a new bill which will affect LMTs. House Bill 1082, LMTs and Reflexologists would be required to carry government issued photo ID when doing massage.