



## ADVOCATE FOR MASSAGE THERAPY AS A RECOGNIZED AND RESPECTED HEALTHCARE PROFESSION

September 15, 2019

**To:** WSMTA Board of Directors and Members

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

**Re:** September 6, 2019 Board of Massage (BOM) Meeting Notes

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**New DOH Massage Therapy Executive Director:** Renee Fullerton joined the massage therapy team at the Department of Health (DOH) as the Executive Director. She replaces Susan Gragg who was the Interim Executive Director.

**School Program Reviews:** Arlington School of Massage -- approved

**Somatic Education Training Program Review** -- Body Intelligence, a craniosacral training program, had applied to the DOH for an exemption as a Somatic Education program. WSMTA was the only public entity to submit any comment. The individual board members had reviewed our document. The BOM only evaluates the somatic education application and provides a recommendation as to whether the program should be considered Somatic Education or Massage. Their recommendation goes to the Department of Health Secretary who makes the final decision. The BOM voted unanimously to designate the Body Intelligence as "massage" and not "somatic education".

### **Rules Update and Discussion:**

- WAC 246-830-035 Licensing by endorsement for out-of-state applicants: Prior to this meeting, this WAC did not have any time stipulation in which an out-of-state applicant had to complete their massage school program in. For in-state Washington schools, the BOM has placed a minimum of 6 months to complete the new 625 hour program.

The DOH Massage Therapy Program Manager, Megan Maxey, provided information to the BOM about the current grouping of 12-15 out-of-state applicants. She provided details on the weeks of schooling and total number of hours of the programs for the student who had gone through the fastest and for the average of all of the students. She had proposed that we adopt language similar to Florida State that specified the maximum number of hours per day and per week. The BOM adopted the language as Megan had suggested which was, "...at a rate of no more than six classroom hours per day and no more than thirty classroom hours per calendar week and..". in subsections 1ai and 1aii.

In the public comments section, public members primarily protested this for several reasons: a) 30 hours per week is actually 20.8 weeks which is less than the 6 month (26 weeks) minimum that the state had set for Washington state schools and b) by specifying a maximum of 6 hours a day, the BOM eliminated the ability of schools to hold weekend programs. As an example, I stated that I had gone to the 1000-hour Brian Utting School of Massage which was 16 months long. Our training consisted of 3 weekdays at 4 hours each day and one 8-hour Saturday twice a month. Under this new requirement, the Brian Utting School program, and others like it would not have

been allowed to operate, as these programs were longer than 6 hours per day on some days. There are current WA state programs that would not fit into this new rule and would be disqualified. Various members of the general public also pointed out that not all programs have the same number of hours per week so putting a maximum number of hours per week was also an issue.

Previously, when the BOM reviewed this WAC regarding licensing by endorsement for out-of-state applicants, each time the board got into a debate as to whether it should stipulate a minimum 6 month program requirement as the in-state programs are required to live by. However, in every prior BOM meeting they managed to leave the language alone with the reasoning that if a program was approved in another jurisdiction outside of WA state, these applicants should not be penalized for completing a program in less time than is required in Washington state.

- WAC 246-830-430 Education and Training: The same language from above, "...at a rate of no more than six classroom hours per day and no more than thirty classroom hours per calendar week and.." replaced the 6 month minimum requirement in subsection 1 of this WAC to completed a massage therapy program. The public comment was the same as it was regarding the change in WAC 246-830-035 Licensing by endorsement for out-of-state applicants.
- WAC 246-830-557 Massage of the gluteal cleft or perineum: Renee Fullerton of the DOH suggested that language be added to this WAC that was similar to the language used in the Intraoral WAC regarding the use of gloves. The new language reads:

(6) A massage therapist performing massage of the body parts listed in subsection (1) of this section must use hygienic, safe, and sanitary practices, including:

- (i) Wearing gloves during treatment and training that involves massage of the body parts listed in subsection (1) of this section unless the treatment or training is provided over clothing or draping that provides a barrier to transmission of biologically hazardous material and infectious disease;
- (ii) Using fresh gloves for every client or patient during treatment and training that involves massage of the body parts listed in subsection (1) of this section unless the treatment or training is provided over clothing or draping that provides a barrier to transmission of biologically hazardous material and infectious disease; and
- (iii) Gloves that have been used for treatment and training that involves massage of the body parts listed in subsection (1) of this section must not be reused for any other purpose.

Public members, to include the WSMTA, supported this addition to the WAC.

The BOM and DOH members discussed that probably the November BOM meeting will be the last rule-making meeting. The estimate was that the February 2020 meeting would be the Public Review of the proposed WACs and that approximately 6 months later the rules would be finalized and adopted.

**Elections:** Stephanie Dickey has come to the end of her term and this was her last BOM meeting. The BOM held elections to elect Heidi Williams, LMT as the new Chair and Anthony (Tony) Sharpe, public member) remains Vice President.

#### **2019 - 2020 Meeting Locations:**

- Nov 1, 2019 -- Tumwater
- Feb 21, 2020 -- Tumwater
- May 15, 2020 -- Kent
- Aug 21, 2020 -- Tri-Cities
- Nov 13, 2020 -- Kent

Part of the public comment regarding the efficacy of the phone/webinar conference meetings for rule-making meetings and other forms of meetings where in-depth discussion needed to occur. The public recommended that in-person meetings occur for rule-making and in-depth discussion meetings and

phone/webinar conference meetings occur for all others. And then the BOM set in-person meetings for all 2020, so we are unsure whether if they will all be in-person meetings or not towards the end of the year when the rulemaking meetings are no longer being held.

**Board Member Recruitment Update:** There are two board positions unfilled after the September 6 meeting, there are applications being reviewed.

**Credentialing Report:** There are currently 13,851 active LMTs and 351 in pending status.