

AMTA Position Statement Proposal

Date received by Delegate 01/25/10

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BACKGROUND INFORMATION:

Most of the states in the U.S. regulate massage therapy. As of 2009, 43 U.S. states and the District of Columbia had state-wide regulation in place. States without some form of massage therapy regulation were Alaska, Idaho, Kansas, Minnesota, Oklahoma, Vermont, and Wyoming.¹ Within the regulated states, however, education requirements vary widely from 300 hours (lower tier requirement in Delaware) to 1000 hours (Nebraska and New York) of initial education,² so regulation itself does not reflect a common standard across the nation for massage therapy. The American Massage Therapy Association very clearly advocates for consistent regulation of massage therapy as evidenced by the following statements on its website:

Legal recognition of the practice of massage therapy and clearly-stated requirements to practice are essential to promote the profession and protect the health, safety and welfare of the general public.

- Legal recognition of massage therapy in the form of state licensure creates standards of minimum competency. Competency is measured and enforced through formal education, training, and examination requirements.
- Legal recognition of massage therapy ensures that individuals have met the eligibility requirements needed to practice massage therapy and that they are qualified to represent themselves to the public as state licensed massage therapists.
- By providing a legal definition of the scope of massage therapy practice, professional licensure helps consumers identify the responsibilities and services unique to a massage therapist. It allows consumers to select the most appropriate massage therapy professional for their needs and brings the benefit of open access to the selection process.
- Legal recognition of massage therapy through licensure enables a state or jurisdiction to discipline a massage therapist. States do not have the ability to regulate a profession that is

not formally recognized in statute. Professional licensure laws enhance public safety by enforcing disciplinary actions against non-compliant practitioners.

- Legal recognition of massage therapy through licensure protects the public in other ways as well. It establishes a consistent standard of practice which is enforceable by a professional code of ethics. In addition, it establishes a formal grievance process for consumers that helps prevent unethical and/or non-compliant massage therapists from continuing to practice.³

Additionally, AMTA has included 'must haves' and 'should haves' for regulatory bills in policy that indicate an establishment of standards in the interest of fair regulation and portability including the following points (the following was taken from the AMTA website):

In order for the association (national or chapter) to support massage therapy legislation, the following content and practice conditions are **must have** elements of a baseline practice act:

- At least the minimum scope of practice for massage based on a definition of those massage procedures which are observable by the common person (i.e. the physical action of the therapist touching the client is observable.)
- A licensure qualification requiring successful completion of a professional course of study consisting of at least five hundred hours of in-class, supervised education authenticated by a single education provider, with content well distributed in the subjects of anatomy, physiology, hygiene, ethics, massage theory and research, and massage practice.
- A licensure qualification that requires passing an examination that has met national accreditation standards and which is administered by a recognized body independent of the education provider, with content that covers the subjects in a professional course of study, as described above.

The association advises chapters that the following content and practice conditions are **should have** elements of a baseline practice act:

- A means of recognizing, for the purpose of licensure, a valid license held by a practitioner that has been granted by another state government.
- Waiver of education and examination provisions for any practitioner seeking licensure who can establish that their occupational practice began by the date the legislation is passed.⁴

The Federation of State Massage Therapy Boards (FSMTB) also supports the concept of portability. On their website, the following is listed as one of the ways the Federation shall carry out its mission: "Support efforts among Member Boards to establish compatible requirements and cooperative procedures for the legal regulation of massage therapists, in order to facilitate professional mobility and to simplify and standardize the licensing process."⁴

Other professions support portability of licensure including, but not limited to: physicians⁵, nurses⁶, realtors⁷, teachers⁸, and counselors⁹.

RATIONALE:

If massage therapy licensure requirements were consistent and credentials were then portable, massage therapists would much more easily be able to move across state lines and continue to practice.

The position statement supports all of AMTA's Core Values:

- We are a diverse and nurturing community working with integrity, respect and dignity.
- We are a nonprofit member-driven organization of ethical professionals.
- We embrace consistency in education.
- We endorse professional standards.
- We believe in the benefits of massage.

The position statement supports the 10-30 Year Vivid Descriptions of the AMTA:

- The public will view professional massage as an important contribution toward wellness and will receive massage on a regular basis.
- People recognize the power of touch to affect the mind, body and spirit.
- AMTA is a trusted resource for information and current research about massage therapy.
- There is significant information in scientific literature on the use, safety and effects of therapeutic massage.
- Massage therapy education and practice is evidence-informed.
- Massage therapy is an essential part of integrative health care.
- There is fair licensure and portability in all 50 states.
- AMTA is instrumental in creating a climate conducive for members' professional success.
- The value of massage is recognized internationally and AMTA is viewed as a global resource for the massage therapy profession.
- AMTA supports certification that reflects professional competency.
- AMTA is instrumental in building consensus and maintaining an environment of cooperation across the profession of massage therapy.
- Massage therapy institutions and programs are accredited by a USDE recognized agency specializing in massage therapy education standards.
- AMTA members are viewed as trusted professionals who abide by the highest standard of ethical behavior.
- Employers and clients seek AMTA members.

Through the establishment of fair and consistent massage therapy regulation in all U.S. states, the public can be assured that standards have been set and individuals practicing massage therapy will be held to those standards. For therapists, moving from one state to another and being able to legally practice is facilitated when the regulatory standards are consistent across the country.

POSITION STATEMENT:

It is the position of the American Massage Therapy Association that there should be fair and consistent licensing of massage therapy in all states that can lead to portability of practice.

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