TESTIMONY BEFORE THE OHIO SENATE HEALTH, HUMAN SERVICES AND MEDICAID COMMITTEE IN OPPOSITION OF SENATE BILL S.B. 105

HOLLY DUPUIS, LMT

SEPTEMBER 18, 2019 WRITTEN TESTIMONY

Members of the Committee, Thank you for considering my testimony in opposition of S.B. 105, Change Massage Therapy Licensing Law. I live near Dayton, Ohio and am a Licensed Massage Therapist in my eleventh year of practice.

S.B. 105 would require legally practicing, licensed medical massage practitioners to be subject to local government oversight putting the onus of proof and compliance on the already governed massage therapist, misdirecting the burden from where it should be, on the criminals masquerading as massage practitioners.

Both sides, proponents and opponents alike agree that massage therapy should only be performed by those licensed by the state medical board, and I too am in agreement of this, however that is not what this bill accomplishes. Proponents of S.B. 105 claim the bill closes a loophole, but in fact it creates a larger loophole when it allows for exemptions which will allow cosmetologists to provide “massage therapy”:

* Page 17, lines 477-479 states “The following persons are not required to hold a certificate to practice massage therapy under this chapter:” and lines 480-481 go on to exempt several medical professionals, with the exception of the first two being Barbers and Cosmetologists, 4709 and 4713 of the ohio revised code respectfully.
* Nail technicians, as well as other cosmetologists with as few as 200 education hours could take a five hour continuing education course on full body massage and legally call it “massage therapy” under S.B. 105.
* The health and safety of the public would be put into jeopardy by blurring the boundaries between cosmetology and licensed massage therapy. The amount of education regarding the human body that nail technicians or any cosmetologists receive is a tiny fraction of the 750 hours of education, that Ohio's licensed massage therapists receive; the danger here is very real and would be detrimental to the profession of massage therapy.
* S.B. 105 allowing for this exemption of non-medical persons, would mean the public would have no chance of knowing if the person providing “massage therapy” has had 5 hours of massage education or 750 hours.
* Cosmetologists under current law can massage under their respective licenses but at this time they cannot call it “therapy” thus allowing for the educated public to make an informed decision, this right would be taken away with S. B. 105.
* Illegitimate “businesses” would be able to act in accordance with this law easily by obtaining a cosmetology license and a five hour CEU course, thus widening the loophole not eliminating it.

I believe the intention of S. B. 105 was a noble one but as written it does not accomplish what it sets out to do, instead it further regulates an already regulated profession and blurs the lines of what “massage therapy” is and who can provide it, increasing the risk to the public.

Thank you for your time and consideration.

Sincerely,

Holly Dupuis, LMT