

TESTIMONY BEFORE THE OHIO SENATE HEALTH, HUMAN SERVICES AND MEDICAID COMMITTEE

IN OPPOSITION OF SENATE BILL SB105 – CHANGE MASSAGE LICENSING LAWS

BRENDA STANSFIELD, LICENSED MASSAGE THERAPIST SINCE 1998

September 17, 2019

Dear Members of the Committee,

I thank you for allowing my voice to be heard in opposition of SB 105, Change Massage Therapy Licensing Law. While I believe this bill is well intentioned to 'stop human trafficking' and eliminate unlicensed 'relaxation massage' by having every Massage Therapist Licensed by the Ohio State Medical Board, I believe it will do neither of those things. I also firmly believe it may actually be a way for human traffickers to get a stronger, easier and legal foothold as a cover for their businesses, endanger the public by allowing untrained practitioners 'to use the term 'Therapy' under a Cosmetology or Barber license, and strips those who worked hard for their Medical Board License of the very essence of what makes them a valuable part of a health and wellness team, as it discriminates unfairly those legitimate therapists working under the Ohio State Medical Board License.

I have been a Licensed Massage Therapist (LIC #8892) since 1999. I am a Continuing Education Provider through the National Certification Board of Massage & Bodyworkers (#711), I serve on the Board of Director of the South Regional Metro Chamber of Commerce, Past Business of the Year (2015) and former Education Chair for the Ohio Chapter of AMTA (2001-2002). I have been in continuous practice and in good standing since the beginning of my career. I love my profession. I am proud to be a vital part of my client's health and wellbeing. I travel and work with spas and clinics around the country and I can assure you, every state I have visited has the same issues this bill is addressing.

I have many concerns regarding this bill, but I will testify today on what I believe are two core issues. I read the bill and then re-read it. I wanted clarification and I reached out to the AMTA Ohio President (Jennifer Cull), Government Liaison (Melissa Ryan) and their Lobbyist (Sean Dunn) to clarify my take. I also reached out to the OSMB to ask if the changes made would alter our Scope of Practice (it would be codified to comply with this bill of note is Sec 4731.04, which I address below). My first take-a-way is that this is NOT a bill to protect the integrity of Massage Therapy in Ohio at all, in fact it does the opposite.

The very essence of Clinical Medical Massage is 'treatment of disorders of the body'. In this bill Sec 4731.04 (Line 396 under the Definition of Massage Therapy they strike out 'treatment of disorders of the body by the manipulation of soft tissue...' and replace it with Lines 401-409 which includes many techniques such as stretch, vibration, compression etc. When I questioned the lobbyist on why this was done he told me that it was to broaden what was 'legal' to do under a massage therapy license, however it leaves out MANY techniques that are done (ie: stroking or kneading), so if they are not listed can a 'relaxation' provider do them legally? If so, we have not rid our state of 'relaxation' massage. In addition, Sec. 4731.15 Lines 477-490 has a very worrisome caveat – it now allows NON-medically trained people to practice Massage Therapy under their 'license' as a Cosmetologist or Barber Line 480-481 reference 4709 & 4713). I have no problem with those professions using techniques in their scope of practice, however the Cosmetology and Barbers are now able to take an 8-hour online training course to qualify for CEU's that enable them to do a full body and even hot stone massage. This certainly would cause confusion in the marketplace for a consumer who has mobility issues, pain, or any ailment that would seek treatment. When I questioned this troublesome addition, Mr. Dunn admitted "well, yes this would STILL allow for relaxation massage" through the Cosmetology & Barber Board. I asked if it could be taken out, but he told me that the bill would never pass if it was taken out because the Cosmetology & Barber Board would protest against it. So, to me, this bill is more about protecting the Cosmetology & Barber Licenses and less about protecting the Medical Value and integrity of Massage therapy or protecting the public. If a nail technician, hair stylist or cosmetologist

is practicing massage 'therapy' under this exemption shouldn't they be held to the same standards of education as those who spent 750 plus hours of anatomy, physiology, medical indications and contraindication? How would a customer know the difference when selecting a practitioner? It is misleading to the public to call those without oversight from the medical board 'therapists. It could also put a client at risk of injury in the hands of a well-intentioned, but uneducated person who is now able to call their work 'therapy' under this law.

Human trafficking is a terrible issue and I believe LMT's want to help eradicate it from our cities, townships and municipalities as much as our law makers. However, looking at the statistics, there is more human trafficking in Nail salons than in any other industry. This bill, by allowing those with little to no medical training and a very low number of entry level education hours would allow MORE 'relaxation' massage, and with it the potential of illegal activities that go with it. We have laws on the books now to combat human trafficking, perhaps we need to enforce and strengthen those.

In anticipation of this bill many cities, including West Carrollton, Ohio where I practice have now begun to revise their laws. I am now under 'police jurisdiction'. According to their new ordinance I have to register with them, provide a photo, fingerprints and background checks yearly, submit to a health 'exam' to ensure I have no communicable diseases, and be subject to entry at any time if the police deem it necessary. I met with my City Manager, Chief of Police, Business Development Manager and expressed my dismay. The ordinance would have also made it a CRIME for me to provide massage therapy to anyone under 18. They did not consider that we work with student athletes, offer mother/daughter day or teach infant massage. Once we had a conversation about a Massage Therapist role in healthcare, they, thankfully changed that to include persons under 18 with consent of a parent or guardian. I know of no other Medically Licensed Health Care provider that must be subjected to proving they are not a criminal in order to practice legally in their communities. I believe this bill will further this discrimination if we are not held in the same esteem as other health providers. Interestingly enough, a nail salon or hair stylist who would offer massage therapy under this bill would NOT be subjected to this same scrutiny in my city.

I appreciate your willingness to hear a few of my concerns. I do believe this bill was well intentioned, but I do not believe this is the best bill for our profession or the protection of our clients seeking medical care. I do think this bill as written might create more loopholes for illegal businesses to operate more openly. We can do better and my hope is that we will offer something that is fair, respectful and effective.

Thank you for your consideration and taking the time to read my testimony.

Sincerely,

Brenda Stansfield, OSMB LIC #8892