

SB 105 Testimony

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FROM Rob Rishel, Economic Development Coordinator
Bryan Wagner, Code Enforcement Supervisor

TO Honorable Dave Burke, Chairman
Health, Human Services and Medicaid Committee
The Ohio Senate, 133rd General Assembly

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RE: Proponent Testimony - Senate Bill 105

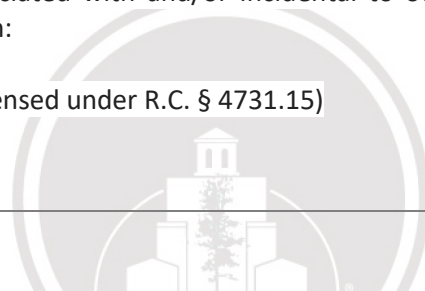
Chairman Burke, Vice Chair Huffman, Ranking Member Antonio, and members of the Senate Health, Human Services and Medicaid Committee, thank you for this opportunity to provide proponent testimony on Senate Bill 105.

My name is Rob Rishel and I am the Economic Development Coordinator for the City of Westerville. With me today is Mr. Bryan Wagner, the Code Enforcement Supervisor for the City. We have been asked to provide testimony today regarding the process Westerville went through in passing a Massage Establishment Registration Ordinance last year. It is our understanding the Bill before this Committee is very similar to Westerville's ordinance and we would be happy to answer any questions regarding our experience.

In February 2018, Westerville City Council instructed City staff to investigate health, safety and public welfare risks associated with unlicensed massage services in the community. Mr. Wagner and I led a committee of City officials who expended considerable time and effort in investigating this matter. Members of the committee consulted with the American Massage Therapy Association, the State Medical Board of Ohio, law enforcement, and local massage establishments. After conducting research, review and analysis; the committee determined additional regulation of massage establishments would be in the best interest of public welfare.

The committee proposed an ordinance to Westerville City Council requiring all businesses offering massage services to obtain a Massage Establishment Registration Certificate from the City's Planning & Development Department. Businesses offering massage services associated with and/or incidental to other services licensed by the below boards are exempt from registration:

The State Medical Board of Ohio (except those licensed under R.C. § 4731.15)
The Ohio State Cosmetology and Barber Board



The State of Ohio Board of Nursing
The Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board
The Ohio Chiropractic Board

As a requirement of obtaining a Massage Establishment Registration Certificate, all individuals offering massage services shall be a Licensed Massage Therapist (LMT) in good standing with the State Medical Board of Ohio pursuant to R.C. § 4731.15. Other application requirements include providing the business owner's name and contact information, providing a list of services offered, and payment of a \$40.00 application fee.

On June 19, 2018 Westerville City Council passed Ordinance Number 2018-13 requiring the registration of all non-exempt massage establishments on or before January 1, 2020. Westerville City Council specifically delayed enforcement of this ordinance for over 18 months to provide massage therapists in the community with an opportunity to become a LMT. Several massage establishments have already obtained their Massage Establishment Registration Certificate. Staff is aware of one massage establishment that closed because employees were unable and/or unwilling to become a LMT.

By requiring a Massage Establishment Registration Certificate for non-exempt businesses, the City of Westerville is able to ensure that only LMT's will provide massage services in the City. Significant consideration was given as to whether or not individuals with credentials short of an LMT should be allowed to operate in the City, however, it was determined those individuals are not required to comply with the prescribed rules of practice and conduct that govern licensed professionals.

Senate Bill 105 will have a positive impact on reducing forced labor, sexual slavery, and commercial sexual exploitation in our State. Hundreds of Ohioans, some of which are minors, have been affected by these crimes. Ohio law enforcement continues to proactively investigate and arrest traffickers. The City of Westerville encourages the support of community partners including The Salvation Army Anti-Human Trafficking Program, the Central Ohio Rescue and Restore Coalition (CORRC), the Switch Anti-Trafficking Network, the State of Ohio Human Trafficking Task Force, and the Franklin County CATCH Court (the Honorable Paul M. Herbert, presiding). Your advocacy can change lives!

Senate Bill 105 is common sense legislation providing Ohio townships with many of the same tools available to municipalities. Additionally, Senate Bill 105 eliminates the "relaxation massage" loophole and requires individuals providing massage services to become a LMT. We are pleased to appear before this Committee on behalf of the City of Westerville and provide testimony in support of this Bill. We are happy to answer any questions the Committee may have. Thank you.