

**Massage Modernization Platform**

American Massage Therapy Association—Ohio Chapter

*November 2014*

**Advertising of Massage by Unlicensed Individuals**

*STATUS: Issue for 131st General Assembly*

There are very few restrictions on who can use ‘massage’ and related terms in advertising and signage. This creates a significant public safety problem and has even allowed individuals engaged in human trafficking to hide in plain sight as massage practices. We recommend that the use of the word ‘massage’ and related medical terms be restricted only to individuals who are licensed healthcare providers.

**Non-Discrimination in Healthcare**

*STATUS: Issue for 131st General Assembly*

Similar to language that was included in the Patient Protection and the Affordable Care Act (ACA), we feel Ohio should adopt a healthcare non-discrimination policy. This policy states that licensed healthcare providers cannot be denied insurance reimbursement if they are performing a covered service that is within their scope of practice. This policy would not relieve a provider from their responsibility to become a qualified provider for an insurance carrier.

**Portability and Reciprocity**

*STATUS: Issue for 131st General Assembly*

LMT’s who wish to move to Ohio sometimes face excessive hurdles in transferring their license. Currently, only those LMT’s who have either five years of experience or have met educational requirements similar to Ohio’s can obtain a license. We feel that additional standards should be put in place for those individuals who have an appropriate combination of education and experience. We recommend that portability standards for LMT’s be broadened to accept a combination of education and experience.

**Sales Tax Exemption for Licensed Massage Therapy**

*STATUS: Issue for 131st General Assembly*

LMT’s are the only healthcare providers who collect and remit the state sales tax. This can be a disincentive for clients seeking treatment and physicians who may want to refer a patient to an LMT. We recommend that massage therapy be treated as a healthcare service and exempt from the sales tax. This exemption would apply only to LMT’s as unlicensed individuals do not have the requisite medical education and clinical training to be considered healthcare providers.

**Strengthen Representation on the State Medical Board of Ohio**

*STATUS: Issue for 131st General Assembly*

Currently there are no LMT’s on the State Medical Board; our only voice is the Massage Therapy Advisory Council (MTAC), which provides advice and makes recommendations to the boards. AMTA does not have a dedicated seat on MTAC, though many MTAC members are also AMTA members. Further, MTAC is only an advisory committee and has not statutory authority; MTAC is not even part of the Ohio Revised Code. AMTA-Ohio is considering seeking legislation to strengthen its role on MTAC, to give MTAC statutory authority, and to potentially have an LMT appointed to the State Medical Board.

**Model Ordinance for Local Regulation of Massage**

*STATUS: Working with State Medical Board of Ohio, Ohio Municipal League, and Ohio Township Association*

Unlike other healthcare professions, in Ohio townships and cities can pass ordinances to regulate massage practices. These ordinances vary from jurisdiction to jurisdiction and can contain outdated terminology and provisions. In collaboration with the State Medical Board and associations representing Cities, Villages, and Townships, we are working on a model ordinance document that can be used to assist local governments in passing and updating massage ordinances. We hope to distribute this and encourage AMTA members to engage with their local elected officials.

**Continuing Education Requirement for LMT’s**

*STATUS: Enacted (HB 483)*

LMT’s are the only licensed healthcare providers in the state of Ohio who do not adhere to a continuing education (CE) standard. The more than 1800 members of the Ohio Chapter of AMTA voluntary complete 24 hours of continuing education as a part of their membership. Continuing education is important to ensure public safety and provide LMT’s with the latest information on new techniques and treatments for their clients. We recommend that all LMT’s in Ohio be required to complete CE as part of their licensure.

**Definition of Massage Therapy**

*STATUS: Enacted (HB 483)*

Unlike other healthcare professions, massage therapy is not defined in the Ohio Revised Code. Creating a statutory definition of massage therapy will better protect the LMT scope of practice and allow us to pursue insurance coverage. We recommend that a definition of massage therapy be added to the Revised Code to strengthen scope of practice and improve insurance coverage.

**Prohibition on Use of Sexually Explicit Words and Images in Advertising**

*STATUS: Enacted (HB 130)*

Some individuals use massage practices as a front for criminal activity including sex trafficking. Often these illicit massage parlors will advertise in newspapers and online using sexually explicit words and images to attract ‘johns’. We recommend that advertising massage using sexually suggestive words and images being prohibited to help crack down on illegal massage practices who effectively hide in plain sight.

*Massage Therapy has been licensed and regulated by the State Medical Board of Ohio for nearly 100 years. There are currently more than 10,000 Licensed Massage Therapists (LMT’s) in Ohio today. We work in private practice, in hospitals and healthcare facilities, and in client homes. We treat children, adults, and seniors. In addition to wellness and rehabilitative purposes, we treat a number of medical conditions including chronic and acute pain and mental health and substance abuse.*

*These policy priorities are necessary to elevate and modernize the practice of massage therapy in the State of Ohio. Fulfilling these goals will improve the overall health and wellness of Ohioans, enhance public safety and combat human traffickers, and put LMT’s on the same level as other healthcare providers.*