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Message from

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## Legislative Update

On June 13, 2006, the House Professional Licensure Committee unanimously amended H.B. 1643 and announced a public hearing this Summer on the Bill as amended. The hearing date is yet to be scheduled, although it is anticipated to be held during August or early September.

There are several changes to H.B. 1643 that were put into the legislation by legislative staff upon recommendations made by the Chiropractors and others. Although there were several changes to the legislation, the one that caused concern to our Board of Directors is in the ***definition of massage therapy***:

***“The application of a system of structured touch, pressure, movement and holding of the soft tissues of the human body in which the primary intent is to enhance health and well-being of the client. The term includes the external application of water, heat, cold, lubricants or other topical preparations and electro-mechanical devices which mimic or enhance the action of the hands. The term does not include the diagnosis of illness or disease, a medical procedure, a chiropractic manipulation/adjustment, joint mobilization, electrical stimulation, ultra sound or prescription of medicines, for which a license to practice medicine, chiropractic, physical therapy, occupational therapy, podiatry or other practice of the healing arts is required.”***

The term “joint mobilization” has been added as a restriction in our definition. Our initial reaction to this change caused us to have serious concern, however, upon further research of the legislative process, we have been told that during the regulations portion of the legislative process, the Board may further define “movement” in our definition of massage therapy so that massage therapists will not be restricted from doing what they already do and what is being taught in massage therapy schools.

Upon further review of legislative information available on “joint mobilization”, we found that Physical Therapy Assistants (PTA’s), who have a two-year associates degree, have been prohibited from performing “joint mobilization” since a change was made to the State Board of Physical Therapy Rules and Regulations in 2004.

We have also been in contact with the chiropractic organization and, although they are in favor of the bill, they oppose Massage therapists from being able to perform “joint mobilization”. Although we have tried to contact various officials of the physical therapy profession, there has been no response to our efforts.

Another important change to the amended bill is in the board of directors. There will be a nine member board which will consist of the Commissioner, Physician General and seven massage therapists. Having our own State Board of Massage Therapy gives us the ability to regulate ourselves! Additionally, the chiropractors have asked for a seat on our board and the legislative staff at the Capitol felt it is not in the best interest of the massage therapists to have a chiropractor on the board. Having a chiropractor on the board might be a conflict of interest since many chiropractors hire massage therapists.

The bill has 600 hours listed as a requirement after the bill is passed. This hourly requirement was added by the legislative staff several years ago even though the hours required for massage therapy licensure across the country is 500. Pennsylvania has a higher hourly requirement because, according to the Department of Education, the bare minimum number of clock hours in a program for which aide can be awarded is 600 hours in accordance with the Federal Financial Aide Handbook. Many massage therapy schools have their programs structured in accordance with this requirement so students may qualify for aide.

It is my understanding that reports have been released by another organization alerting massage therapists to call the Chairperson of the Professional Licensure Committee and the primary sponsor of this bill in protest. This organization released their memorandum based on a “lack of information” that exists because of their own selective “lack of participation” in the funding as well as drafting of HB 1643.

Your Board of Directors has been in contact with National representatives and specialists in the government relations Process in order to obtain the best possible advice on the recent changes to the legislation. Based on this feedback, we feel confident that the amendments will clarify the scope of practice for massage therapists in Pennsylvania and will ensure our inclusion in the health care delivery system.

Stay posted to our website for further information regarding the public hearing.

