

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	4 - 0 - 1
Yeas:	George G., Kruse, Monnes Anderson, Verger
Nays:	0
Exc.:	Morrisette
Prepared By:	Ilana Weinbaum, Administrator
Meeting Dates:	4/4, 4/18

WHAT THE MEASURE DOES: Redefines “massage” and “massage therapy.” Allows the Board of Massage Therapists (Board) to discipline or deny licensure to persons who aid, abet, or assist an unlicensed person to practice massage, unless the person is exclusively a client or provides referrals to that person. Exempts licensed professionals acting within the scope of their license from licensure requirements. Updates requirements for students performing massage. Allows the Board to determine by rule the classes or programs required to apply for licensure. Increases time limit on license renewal from three to four years. Allows Board or authorized representative to inspect premises where massage is done, without receiving a complaint. Allows the Board to issue temporary licenses.

ISSUES DISCUSSED:

- Rationale behind giving the Board the authority to certify massage programs, as well as individual classes
- Rationale for allowing Board to inspect facilities without receiving complaints
- Process Board uses to perform inspections
- Meaning of “aid, abet, or assist” as related to the provisions of the bill
- Problem of salon owners hiring people who do not understand licensing requirements to perform massage
- Therapist and client right to privacy

EFFECT OF COMMITTEE AMENDMENT: Restores “human” in the definition of massage. Clarifies that any person licensed by an Oregon state regulatory body, who is acting within the scope of that license when practicing massage, is exempt from the regulatory authority of the Board. Clarifies that persons who are exclusively clients or provide referrals to a massage therapist cannot be considered to be aiding, abetting, or assisting a person practicing massage.

BACKGROUND: The Board of Massage Therapists regulates the practice of massage by licensing, establishing continuing education requirements, promoting education, administering tests to establish minimum competency to practice and enforcing professional behavior and standards. There are approximately 5,700 licensed massage therapists in Oregon.

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This summary has not been adopted or officially endorsed by action of the committee.