

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 1 - 0

**Yeas:** Kruse, Monnes Anderson, Verger, Morrisette

**Nays:** Telfer

**Exc.:** 0

**Prepared By:** Jennifer Kellar, Administrator

**Meeting Dates:** 1/26, 2/18, 3/16

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**WHAT THE MEASURE DOES:** Makes housekeeping, grammatical and technical revisions to statutes related to massage therapists, including: re-ordering the definition of massage; including aiding and abetting language in disciplinary authority; amending educational requirements; amending the lapse period to align with the renewal cycle; revising site inspection language; updating exemption language and establishing authority of the board to issue a temporary license.

**ISSUES DISCUSSED:**

- Modification to measure language from complaint driven to unannounced random site inspections
- Definition of the term “premises” as it relates to therapists who perform massage therapy in third party settings
- Establishment of fraternization policies between instructors and students for massage programs
- Potential over-reaching authority of agency vs. agency pro-active approach
- Reflexologist “harassment”
- Sanction and enforcement actions of agency
- Possible submittal of additional amendment language
- Adoption process of agency administrative rules and suggested circumvention of legislative process
- Need for written response by agency Executive Director addressing opponents verbal and written testimony

**EFFECT OF COMMITTEE AMENDMENT:** Revises definition of “premises” to exclude a client’s residence.

**BACKGROUND:** The Rules Committee of the Oregon Board of Massage Therapists is a volunteer committee consisting of licensees, affiliated professionals and representatives from the two professional associations operating in Oregon.

Senate Bill 146-A was originally proposed in the 2007 Legislative Session as Senate Bill 170-A.