

HOUSE COMMITTEE ON HUMAN RESOURCES

February 17, 1997 Hearing Room H-170

1:00 P.M. Tapes 27-29

**MEMBERS PRESENT:**

Rep. Patricia Milne, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Richard Devlin

Rep. Jeff Kruse

Rep. Kitty Piercy

Rep. Steve Harper

**MEMBER EXCUSED: Rep. Jane Lokan**

**STAFF PRESENT:**

Lori A. Long, Administrator

Diane M. Quinones, Administrative Support

**MEASURE/ISSUES HEARD:**

**HB 2128 PUBLIC HEARING**

**HB 2130 PUBLIC HEARING**

**SB 0065 PUBLIC HEARING/ POSSIBLE WORK SESSION**

**These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 27, A</b>		
001	Chair Milne	Calls the meeting to order at 1:05 p.m.
002	Chair Milne	Opens public hearing on HB 2128.
<b><u>HB 2128</u></b>		

<u>PUBLIC HEARING</u>		
005	Lori Long	Committee Administrator, summarizes HB 2128.
015	Glenath Moyle	Member, Board of Massage Technicians, submits and presents written testimony in favor of HB 2128 ( <b>EXHIBIT A</b> ).  * Explains history of rules and requirements regulated by the board of massage technicians.
065	Linda Glenn	Public Member, Board of Massage Technicians, submits and presents written testimony in favor of HB 2128 ( <b>EXHIBIT B</b> ).  * Explains that she became aware of the controversy around requiring hours for licensing massage technicians before she became a board member eight years ago.  * Discusses her transition in beliefs around what massage is, and what it takes to learn proper techniques.  * Describes how the board gathered data on massage in the state of Oregon.  * Scope of practice meetings were held throughout the state asking massage technicians and the public what they thought massage was and what they did when they gave or received a massage.  * The board held workshops on education standards, basic requirements, and estimated hours necessary to practice competently.  * Data was sent to massage schools for feed back.  * Massage works with different functional levels, different populations, and different types of body work.  * Massage therapists have increases from 24,000 to 60,000 in the past five years.  * Half of the complaints that the board has received were related to massage therapists not having a clear understanding of communication techniques and boundaries.
134	Rep. Kruse	Asks if all types of massage require the same amount of training.
138	Glenn	There exists a minimum body of knowledge after which a massage therapist may specialize.
150	Rep. Kruse	Asks about the national test requirements compared to the Oregon Board's requirements.

158	Glenn	National requirements are set at a minimum of five hundred hours.
165	Rep. Kruse	Asks what the new curriculum would look like as compared with the present curriculum.
170	Glenn	* Once a new curriculum is in place she can provide requested information. * It's possible to provide committee with intended standards.
176	Rep. Harper	Asks for a definition of a "contact hour."
178	Glenn	It is the amount of time actually spent in the educational process. * One hour of classroom is one contact hour.
194	Rep. Harper	Asks about mandating that the test is passed over mandating the number of hours required.
200	Glenn	Explains the compromise reached to agree on five hundred hours. * 68 percent of the licensees surveyed asked for an increase in contact hours.
219	Rep. Harper	Asks if the board would agree on an amendment removing the numbers in the bill and leaving standards at a test level.
223	Glenn	Discusses what the lawyers told the board. * The board needs to see and approve the national test for Oregon licenses. * The national exam board will only let Oregon look at the test if Oregon has a five hundred contact hour requirement.
244	Rep. Devlin	Asks if the common practice in schools at present is three hundred thirty hours or do most schools provide five hundred hours.
250	Glenn	Reads from letters received by the board from massage schools. * In March 1995, a Salem school determines that five hundred hours with emphasis on supervised hands on training is a base requirement for successful entry in this profession.
266	Vicky Williams	Administrator, Board of Massage Technicians * Out of thirty three schools certified with the board, three or four do not have five hundred contact hour curriculums.
296	Rep. Piercy	Asks about the hour requirements in other states.
298	Williams	* Nation wide, 95% of the states that require licenses have five hundred hour requirements. * Twenty five states don't have licenses however, they have cities and counties within that do require specific standards for practice.

320	Rep. Piercy	Asks if the board believes that Oregon's standards are higher than the national average.
325	Glenn	She has talked to individuals that say the National exam was easier to take than Oregon's exam.  The board has a professional test consultant helping them make the test reflective of what is needed in this profession.
330	Rep. Taylor	Asks about the difference between the terms "therapist" and "technician."
335	Glenn	The legal term in Oregon is technician.  * "therapist" is used more in the profession  * most people use the terms interchangeably
342	Rep. Harper	Asks about the motivation that's driving this legislation, are there a lot of test failures.
345	Williams	Pass rate is high at current times.
360	Rep. Harper	Asks about adding to the cost of student education.
370	Glenn	* Schools are under the Vocational Education Department (VED)  * VED approves curriculum, not the board  * Board of Massage defines basic requirement components  * The board originally came up with a Six hundred and fifty hour requirement and compromised down to five hundred hours.
<b>TAPE 28, A</b>		
010	Glenn	Explains the need for amending the effective date in the bill.  * date should change to January of 1999
018	Rep. Kruse	Asks about information found in <b>(EXHIBIT A)</b> dealing with exemptions.
020	Glenn	Discusses exemptions.  * students who are practicing within the authority of a school of massage.  * massage practices in adjunct of a non profit organization  * massage clinics that are run by students  * trainers of semi-professional or professional individual athletes or teams
028	Chair Milne	Asks what courses are being offered now and what will be added to raise the number of contact hours.

040	Moyle	<p>330 hours include:</p> <ul style="list-style-type: none"> <li>* 100 hours of anatomy and physiology</li> <li>* 50 hours of pathology</li> <li>* 45 hours of Kinesology</li> <li>* 90 hours of massage techniques</li> <li>* 23+ hours to look at other modalities</li> <li>* 8 hours of business ethics</li> <li>* 15 hours of hydro-therapy</li> </ul> <p>The board sees a need for more hours in communication techniques, and boundaries.</p>
068	Glenn	<ul style="list-style-type: none"> <li>* curriculum is controversial</li> <li>* what should be included</li> <li>* general agreement that more hands on practice is essential</li> </ul>
107	Rep. Harper	Asks what the massage board wants from the committee.
133	Moyle	The board wants 500 hours to be the minimal requirement.
178	Melanie Zermer	Licensed Massage Therapist (LMT), Salem, representing a Coalition of LMTs, submits and presents written testimony regarding HB 2128 <b>(EXHIBIT C)</b> .
278	Chris Joachim	<p>Licensed Massage Therapist, Salem, Second Vice-President, Massage Therapy Association, submits and presents written testimony in favor of HB 2128 <b>(EXHIBIT D)</b>.</p> <ul style="list-style-type: none"> <li>* Supports this bill from a business perspective as well as an educational perspective.</li> </ul>
330	Ted Adams	<p>Licensed Massage Therapist, Portland, does "out call" work going <u>to</u> his clients.</p> <p>Supportive of HB 2128.</p>
370	Chair Milne	Asks if there is opportunity during training for internship.
380	Adams	<ul style="list-style-type: none"> <li>* Cannot say it doesn't exist.</li> <li>* He wasn't aware of an internship program when he was in school</li> </ul>
		At her school there are "clinic hours."

390	Joachim	* special clinic hours were available on a very limited bases
<b>TAPE 27, B</b>		
011	Kim Holman	Salem School of Massage, testifies in favor of HB 2128. * Her school is currently reviewing their curriculum and will be going to a five hundred hour program. * concerned about the effective date, would support a January 1999 amendment
036	Rayna Dorsey	Licensed Massage Therapist, Portland, Member, American Massage Therapy Association (AMTA), Northwest Representative, AMTA Massage Emergency Response Team Council, Instructor, East-West College of Healing Arts, submits and presents written testimony in favor of HB 2128 ( <b>EXHIBIT E</b> ). * Believes that this bill will also limit the access to prostitutes that conduct illegitimate massage
120	Carla Schroder	Licensed Massage Therapist, Beaverton, President, Oregon Chapter of the American Massage Therapy Association, submits and presents written testimony in favor of HB 2128 ( <b>EXHIBIT F</b> ).
170	Jeff Watkins	Lobbyist, on behalf of the American Massage Therapists Association * The board has done extensive research to create this legislation
190	Ray Siderius	Owner and Director, Oregon School of Massage, Portland Submits and presents written testimony in opposition of HB 2128 ( <b>EXHIBIT G</b> ). * not in favor of requiring more training
350	Siderius	Continues presentation.
384	Rep. Taylor	Asks if Shiatsu massage is taught in his school.
395	Siderius	Responds affirmatively.
<b>TAPE 28,B</b>		
005	Chair Milne	Asks how a consumer can know what therapy is allowed under certain licenses.
015	Siderius	At the Oregon School of Massage in their business and marketing class students are given a survey to use to extract information from potential clients.
029	Chair Milne	Asks how long does this education take with 330 hours and 500 hours.
035	Siderius	* Three hundred and thirty hours is equivalent to a one year, light load, of college study.

		* Five hundred hours would be equivalent to a heavy year to a year and a half of college study.
044	Chair Milne	Asks about tuition of the Oregon school of massage.
047	Siderius	* \$10.00 per hour * school's basic program is 370 hours * tuition for the basic program is \$3,500.00 * books and tables are extra * recommend that students budget \$4,500.00
054	Chair Milne	Asks how long it takes to build a business and what are basic earnings.
058	Siderius	* between one and three years * gross \$35,000 per year, paying out Five to seven thousand in overhead.
088	Rep. Taylor	Asks about the letter with his name on it supporting an increase in hours. * has he had a change in attitude?
098	Siderius	* asks to be refreshed in the content of the letter * does not recall ever stating support for an increase in hours * never signed a letter supporting an increase in hours
120	Rep. Piercy	Asks if some of the curriculum that the previous witnesses want to see included in the future is a part of his schools study.
130	Siderius	Students work with members of the public from, the intake interview to the massage, under supervision.
180	Chair Milne	Closes the public hearing on HB 2128.
181	Chair Milne	Opens a public hearing on HB 2130.
<b><u>HB 2130</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
188	Williams	Submits and presents written testimony in favor of HB 2130 ( <b>EXHIBIT H</b> ).
210	Glenn	* Testifies in favor of HB 2130.
227	Moyle	* Testifies in favor of HB 2130. * Refers to an amendment in the bill's language.

235	Zermer	* Presents testimony regarding HB 2130.
241	Schroder	* Testifies in favor of HB 2130.
247	Rep. Piercy	Asks why the board feels a need for the amendment.
254	Glenn	Massage is viewed as a health care method and a non traditional care method it helps having a health care professional bringing perspective and experience to any discussion.
273	Rep. Harper	Asks about the order of priorities for creating this legislation.
281	Glenn	Work load issues and public input are both equally important.
284	Rep. Devlin	Asks for a response to a board composed with more members of the regulated group than other fields.
291	Glenn	Much of the boards work must be done by LMTs. Diminishing LMTs from the board would create a near impossible situation when it came time for testing and regulating.
307	Rep. Piercy	Talks of the interests of public members running up against the interests of professional members.
322	Glenn	The board has had a successful communication history. Each member is ultimately interested in what is best for the profession and the people it serves.
379	Chair Milne	Closes public hearing on HB 2130.
380	Chair Milne	Opens a public hearing on SB 65.
<b><u>SB 65</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
382	Glenn	Submits and presents written testimony in favor of SB 65 ( <b>EXHIBIT I</b> ). * Explains what the bill permits the board to do.
<b>TAPE 29, A</b>		
005	Schroder	Testifies in support of SB 65. * There are other states that are using the National Certification Exam in lieu of creating their own. * 80 percent of AMTA members are in favor of using the national exam. * It's convenient and can be taken any time. Results are available right away.
010	Glenn	This bill does not guarantee the use of the national exam, it gives the board the option of using the national exam.



030	Rep. Kruse	* Asks why the board isn't incorporating the use of the national exam since it is the body that defines and regulates what applicants must pass.  * Asks why the board needs state legislation to make an exam available to students.
040	Glenn	The board has been advised that the technical language in statute prevents them from approving a bill that was created by another board.
050	Rep. Piercy	Asks if the board is planning ahead with this bill so that if the five hundred hour mark is passed then the board will have an opportunity to look at the national exam.
055	Glenn	Responds affirmatively.  * This bill will allow the board to look at many other exams.
074	Rep. Harper	Asks if the bill allows licensed people coming from out of state to practice as long as they pass the basic requirements.
080	Glenn	Responds affirmatively
137	Chair Milne	Closes the public hearing on SB 65, and adjourns the meeting at 3:07 p.m.

Submitted By, Reviewed By,

Diane M. Quinones, Lori A. Long,

Administrative Support Administrator

### **EXHIBIT SUMMARY**

**A - HB 2128 written testimony, Moyle, 12 pp.**

**B - HB 2128 written testimony, Glenn, 1 p.**

**C - HB 2128 written testimony, Coalition list, Zermer, 3 pp.**

**D - HB 2128, HB 2130, SB 65, SB 68 written testimony in support, Joachim, 1 p.**

**E - HB 2128, HB 2130, SB 65, SB 68 written testimony in support, Dorsey, 1 p.**

**F - HB 2128, HB 2130, SB 65, SB 68 written testimony in support, Schroder, 1 p.**

**G - HB 2128 written testimony in opposition, Siderius, 5 pp.**

**H - HB 2130 written testimony in support, Williams, 1 p.**

**I - SB 65 written testimony in support, Glenn, 1 p.**