

HOUSE COMMITTEE ON HUMAN RESOURCES

February 21, 1997 Hearing Room H-170

1:00 P.M. Tapes 31 - 32

**MEMBERS PRESENT:**

Rep. Patricia Milne, Chair

Rep. Jackie Taylor, Vice-Chair

Rep. Richard Devlin

Rep. Jane Lokan

Rep. Kitty Piercy

Rep. Steve Harper

**MEMBER EXCUSED:** Rep. Jeff Kruse

**STAFF PRESENT:**

Lori A. Long, Administrator

Diane M. Quinones, Administrative Support

**MEASURE/ISSUES HEARD:**

**SB 0068 PUBLIC HEARING**

**HB 2128 PUBLIC HEARING**

**HB 2130 PUBLIC HEARING**

**SB 0065 PUBLIC HEARING**

**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 31, A</b>		
001	Chair Milne	Calls the meeting to order at 1:04 p.m.
002	Chair Milne	Opens a public hearing on SB 68.

**SB 68 PUBLIC HEARING**

005	Glenath Moyle	Member, Board of Massage Technicians and Licensed Massage Therapist (LMT), explains the intent of SB 68. * CPR would be required in addition to the 12 hours of continuing education.
028	Linda Glenn	Public Member, Board of Massage Technicians, presents further testimony to explain SB 68. * 12 hours of continuing education could be met in a variety of ways for those in the rural areas: * attending a formal workshop, class, or seminar * getting specialized training in the area of body work from an expert in the field or a recognized school * courses from approved schools or programs * reading, watching videos, doing research, attending seminars, lectures, writing articles, professional supervision tasks
052	Rep. Lokan	Asks if Glenn is referring to the twelve hours continuing education and if the cardiopulmonary training is in addition to those twelve hours.
054	Glenn	The cardiopulmonary requirement is already required. The time spent renewing their CPR would not be counted as part of the twelve hours continuing massage education.
077	Rep. Harper	Asks why the legislature needs to be involved in approving the course of study the massage board deems necessary.
088	Glenn	Based on statute, the board needs legislative approval before it can make changes.
092	Rep. Harper	Asks why the statute can be changed to read that the board will make any changes it requires.
094	Glenn	* Because this is a developing profession there are people who don't feel that continuing education is important or necessary. * It may be too controversial to leave the curriculum requirements so open ended. * This issue hasn't been taken to the massage therapists. * This issue needs to be reviewed publicly.
113	Moyle	Part of this bill was to eliminate first aid because that is already provided in the classroom.

		* CPR is a yearly requirement.
155	Rep. Lokan	Asks if other boards face the same dilemmas providing educational requirements to the profession they govern.
160	Glenn	Responds as a person licensed under three other boards.  * each one requires a minimum of fifty continued education hours  * doesn't know if the range of curriculum is passed on to her by statute or rule of board.
190	Rep. Lokan	Asks why CPR is needed by a massage technician.
195	Glenn	* There is some division on the board about this issue.  * All of the professional massage therapists do feel it is essential.  * Many LMTs work with ill people.
212	Rep. Lokan	Asks if first aid classes include CPR.
215	Moyle	* Sometimes CPR is combined with first aid.  * Many times they are two separate courses.
230	Rep. Harper	Asks if there is a national standard for CPR/first aid.
240	Rayna Dorsey	LMT, Portland, and member, American Massage Therapy Association (AMTA), Northwest Representative, AMTA Emergency Response Team Council, testifies in support of SB 68.  * the AMTA requires 12 hours every two years  * to re-certify nationally 12 1/2 hours are required totaling 50 hours in a 4 year period
256	Rep. Harper	Asks about how the subject areas are decided upon to qualify for continued education.
258	Dorsey	* Classes have to deal with body work.  * Business classes don't qualify.
265	Rep. Harper	Asks why Oregon doesn't mirror the language that the national testers have adopted.
270	Dorsey	As a member of the emergency response team she works closely with LMTs that work with very sick people.  * there is a great need for these LMTs to know CPR.
		Licensed Massage Therapist, Beaverton, President, Oregon Chapter of the AMTA, testifies in support of SB 68.

325	Carla Schroder	<p>* State wide survey showed overwhelming support for continuing education.</p> <p>* supports giving the board the final say in curriculum and leaving the legislators out of it. "The less things are locked up in statute the more flexibility we have."</p>
335	Jo White	<p>Licensed Massage Therapist for 24 years, and member of AMTA for 24 years.</p> <p>* Concurs with Carla Schroder</p>
390	Chair Milne	Closes the public hearing on SB 68.
391	Chair Milne	Opens the public hearing on HB 2128.
<b><u>HB 2128</u></b>		
<b><u>PUBLIC</u></b>		
<b><u>HEARING</u></b>		
<b><u>TAPE 32, A</u></b>		
005	Ray Siderius	<p>Director, Oregon School of Massage, Portland, submits and presents written testimony in opposition to HB 2128 (<b>EXHIBIT A</b>).</p> <p>* #1 of his attachments refers to a portion of a national exam application packet</p> <p>* discusses eligibility requirements</p>
075	Siderius	<p>Continues presentation.</p> <p>* explains how his name appeared on a document submitted by the Massage Board</p> <p>* is disturbed to find his name to be on a new document submitted to the committee by the board</p>
102	Rep. Piercy	Asks about the need for more ethics and communication training.
112	Siderius	<p>He understands this to be an important issue that should be given more prominence in the pre-licensing training.</p> <p>* believes his school is adequately covering it in a 375 hr. program</p>
118	Rep. Piercy	Asks about the difference between his school's 375 hour program and the 500 + hour program.
		<p>Oregon School of Massage's 375 hour program provides basic health sciences:</p> <p>* anatomy, physiology, kinesology, pathology</p>

127	Siderius	<ul style="list-style-type: none"> <li>* a good introduction to one modality of massage called Swedish Massage</li> <li>* a general overview of other modalities</li> </ul> <p>The 525 hour program provides</p> <ul style="list-style-type: none"> <li>* more specialized training in particular fields i.e. athletics</li> <li>* intense instruction in other modalities i.e. Polarity or Shiatsu</li> </ul>
145	Rep. Harper	Asks Mr. Siderius about his views in continuing education.
148	Siderius	<ul style="list-style-type: none"> <li>* thinks that the push for continuing education is driven by schools from a business perspective</li> <li>* continuing education is not monitored well</li> <li>* guiding principle should be practitioner choice</li> <li>* continuing education should be identified by major issues coming into the profession i.e. inappropriate business dealings</li> </ul>
165	Rep. H	Asks who should determine what's required.
170	Siderius	<ul style="list-style-type: none"> <li>* Legislators</li> <li>* Board Members</li> </ul>
190	Rep. Lokan	Asks how 375 hours compares to a year or two of college.
194	Siderius	<p>375 hours of study is equal to a full-light load at a junior college.</p> <ul style="list-style-type: none"> <li>* people can safely and adequately enter the field with the present hourly requirements</li> </ul>
221	Rep. Piercy	Asks if the Oregon School of Massage has a survey program in place to collect feed back from students.
230	Siderius	<ul style="list-style-type: none"> <li>* He has no formal student evaluations.</li> <li>* Feed back is received informally when ever he meets with a student</li> </ul>
240	Rep. Lokan	Asks about school costs for 375 hours.
243	Siderius	<p>Tuition is between \$3,500.00 and \$3,600.00</p> <ul style="list-style-type: none"> <li>* does not include books, fees, table</li> </ul>
252	Rep. Lokan	Asks what his school would cost at the 500 hour requirement.
253	Siderius	Around \$6,000.00

263	Jeff Watkins	Lobbyist, AMTA, reminds the committee about the research that went into creating this bill.
278	Rep. Piercy	Asks how the surveys were conducted. * talking to people in the field, learning what they want and need * seeing what other schools are doing
285	Watkins	Responds affirmatively.
290	Rep. Piercy	Asks about the number of LMTs the AMTA represents and how many LMTs are members of any massage board.
300	Watkins	* The AMTA represents about 25 % of the LMTs in Oregon. * It's the largest organization to represent LMTs. * many professionals don't belong to any organization
326	Chair Milne	The committee has received the amendment on HB 2128. * Asks Mr. Watkins to comment on the bills amendment.
339	Watkins	This amendment changes the date of effectiveness to January 1999.
350	Rep. Taylor	Asks about the schools' concerns of higher costs and attracting fewer students.
355	Watkins	The board's responsibility to protect consumers overrides the concern that this bill may possibly raise costs or deter applicants.
375	Chair Milne	Closes public hearing on HB 2128.
376	Chair Milne	Opens public hearing on HB 2130.
<b><u>HB 2130</u></b> <b><u>PUBLIC</u></b> <b><u>HEARING</u></b>		
380	Glenn	Submits and presents written testimony in favor of amendment to HB 2130 ( <b>EXHIBIT B</b> ). * Explains that the amendment states that one of the three additional board members be from a health related field. * Massage is moving into a primary health care field.
<b>TAPE 31, B</b>		
001	Moyle	Concurs with Linda Glenn's testimony.
003	Rep. Taylor	Asks about the intent that public members also be consumers of massage.
012	Glenn	It is a preference that members have experienced massage, however, it is not a requirement.

030	Rep. Harper	Asks about the discussion that took place around changing the number of board members.
035	Glenn	* Boards in general need more public representation. * The work load of the board has dramatically increased.
049	Rep. Lokan	Asks how the board deals with complaints.
053	Glenn	Talks about the board's responsibilities * examination and licenser, both written and practical * verification of credentials * data entry, keeping track of licensees and records * tracking and responding to complaints
074	Rep. Harper	Asks about the existence of full time staff.
076	Moyle	* The board has one administrator and one FTE. * The board is in the negotiation stage of having a full time investigator. * The board is looking into hiring temporary staff.
094	Chair Milne	Asks if the board will add an FTE.
098	Moyle	* The board is looking to take on an investigator full time. * The board is sharing an investigator with a veterinary board.
112	Glenn	Investigators are hired on an as need bases.
124	Rep. Harper	Asks about the existence of general fund dollars.
126	Glenn	The board is funded entirely by the industry.
130	Moyle	Another piece of the work load is responding to calls concerned about unlicensed people conducting massage.
140	Chair Milne	Closes the public hearing on HB 2130.
141	Chair Milne	Opens a public hearing on SB 65.
<b><u>SB 65 PUBLIC HEARING</u></b>		
		Submits and presents written testimony in favor of SB 65. <b>(EXHIBIT C).</b>

145	Glenn	* clarifies for the committee any confusion that may still exist from the public hearing on February 17, 1997
180	Rep. Piercy	Asks about the number of exams the board would have the option of looking at.
188	Moyle	* There is only one national exam. * Other exams on various modalities ( i.e. oriental massage) do exist, and are separate from the one national exam.
197	Rep. Piercy	Asks if the board is thinking of looking at the national exam to see if it meets Oregon standards.
200	Moyle	Responds affirmatively. * people come from out of state after passing the national exam * the board wants to allow these people to practice after taking Oregon's practical exam for \$25.00.
212	Glenn	This bill also allows the board flexibility with long range planning.
228	Rep. Lokan	Asks about the section that refers to the board issuing special achievement.
240	Glenn	That section has nothing to do with this legislation.
257	Chair Milne	Closes the public hearing on SB 65 and adjourns the meeting at 2:20 p.m.

Submitted By, Reviewed By,

Diane M. Quinones, Lori A. Long,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - HB 2128 written testimony in opposition, Siderius, 7 pp.**

**B - HB 2130 written testimony in favor of amendments, Glenn, 1 p.**

**C - SB 65 written testimony in favor of passage, Glenn, 1 p.**