



Legislative Background Brief

for the
Economic Affairs Interim Committee

June 2013

Board of Massage Therapy

Prepared by Pat Murdo, Legislative Research Analyst, with help from the Business Standards Division

Board = 5 members (term expiration in parentheses)

<p>Massage Therapists = 3 Stacy Baird, East Helena (5/6/2016) Deborah Kimmet, Missoula (5/6/2013) Lyndsay Schott, Whitefish (5/6/2015)</p>	<p>Licensed Health Care Provider = 1 Nick Soloway, Helena (5/6/2013)</p> <p>Public member who is not a licensed health care provider or owner of a massage therapy school = 1 Carole Love, Billings (5/6/2013)</p>
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Number of Licenses	FY 2009	FY 2010	FY 2011	FY2012
- Total	NA	0	1,273	1,265

Licensing Fees (since 2010)

Application/licensing fee by grandfather status	\$130 (expired July 1, 2012)
Application/licensing fee by endorsement	\$140
Application/licensing fee by examination	\$140
Annual renewal fee.....	\$ 90

Revenues FY2009-FY2012 and Expenditures for FY 2009-2012

	Revenues		Expenditures	
	Licensing	Other	Personal Services	Operating
FY 2009	Not created until 2009 Legislature		NA	
FY 2010	\$98,218		\$62,930	
FY 2011	\$85,143		\$123,667	
FY 2012	\$172,500		\$102,199	
FY 2015 biennium*	--		\$213,070	

*Appropriation Authority In House Bill 2

Expenditures, FY 2012	Direct	Indirect			
		Admin	Div. IT/Bureau	Compliance	Bureau
Personal Services, incl. per diem	\$39,451	\$7,626	\$5,421	\$6,188	\$2,647

Operating Expenses		
Consulting, Printing, IT, Other	\$4,242	\$2,736
Supplies, incl. Computer	\$900	\$878
Postage, mailing, IT network, voice srv	\$2,107	\$1,305
Travel/Per Diem for Board Members	\$1,110	
Rent and other expenses*	\$7,952	\$8,286
Legal and hearings	\$11,350	
Total	\$67,112	\$35,087

*Includes computer and office equipment repair of \$185, dues, education & training plus fee collection expense of \$4,002, and rent of \$3,765 for direct expenses and meeting rooms of \$10, repair/maintenance contracts of \$11, DLI OIT expenses of \$3631, and indirect agency, training IT, freight and express, etc. of \$4,634..

Number of Complaints

FY 09	NA
FY 10	0
FY 11	16
FY 12	9

Disciplinary Action (may be from other years)

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Dismissed 8, Investigations 1
Dismissed 2, Closed 7

Scope of Practice

Massage therapy as defined in 37-33-403, MCA, means--when provided by a massage therapist--"the application of a system of structured touch, pressure, positioning, or holding to soft tissues of the body, Swedish massage, effleurage, petrissage, tapotement, percussion, friction, vibration, compression, passive and active stretching or movement within the normal anatomical range of motion, the external application of water, heat, cold, lubricants, salts, skin brushing, or other topical preparations not classified as prescription drugs, providing information for self-care stress management, and the determination of whether massage is contraindicated and whether referral to another health care practitioner is recommended. (ii) The techniques described in subsection (4)(a)(i) must be applied by the massage therapist through the use of hands, forearms, elbows, knees, or feet or through the use of hand-held tools that mimic or support the action of the hands and are primarily intended to enhance or restore health and well-being by promoting pain relief, stress reduction, and relaxation.

(b) The term does not include providing examinations for the purpose of diagnosis, providing treatments that are outside the scope of massage therapy, attempts to adjust, manipulate, or mobilize any articulations of the body or spine by the use of high-velocity, low-amplitude thrusting force, exercise, exercise instruction or prescription, or the use of tape when applied to restrict joint movement, manual or mechanical traction when applied to the spine or extremities for the purposes of joint mobilization or manipulation, injection therapy, laser therapy, microwave diathermy, electrical stimulation, ultrasound, iontophoresis, or phonophoresis".

2013 Legislation Impacting Board or Profession

Summary of Responses from Survey as made through June 11, 2013:

of Responses from Board of Massage Therapists licensees -- 108

Comments summarized separately.