



# ***In Touch***

*An Official Publication of the Alabama Board of Massage Therapy*

Winter 2006

**Alabama Board of  
Massage Therapy  
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## **JUST A FEW THOUGHTS!!**

In the wake of a growing number of active massage therapists in Alabama, 1093 as of October 14, 2005, it's great to see massage therapists providing such a needed service to our community.

I would like to take just a few minutes of your time to address what I believe are just a few important issues facing the board, and licensed massage therapists in Alabama. There are three areas I would like to address: 1). Individuals practicing massage therapy without an Alabama license, and establishment license, and/or liability insurance; 2). Ongoing investigations by Mike James; and 3). What can massage therapist's do?

When talking about individuals practicing massage therapy without an Alabama license, an establishment license, and/or liability insurance, I would like to believe the majority of practicing therapists are abiding by the guidelines set forth by the Alabama Board Massage Therapy Act and Rules & Regulations. Unfortunately, while there are great, hardworking, massage therapists who abide by the law, there are some who choose to ignore it, and deliberately defy their responsibility to the profession and general public. I believe it is the responsibility of EVERY massage therapist to hold each other accountable for OUR actions.

Unfortunately, many of us have heard from friends, family, clients and other massage therapists about individuals practicing without proper licenses and committing unethical acts against innocent people.

Mike James, the investigator for the ALMTBD, provides monthly inspections to establishments to ensure compliance with the law. In the last 21 months, Mr. James completed 102 inspections. Eighty-two percent (82%) **failed** the inspection. The conclusion was that therapists did not have current massage therapy licenses, no establishment license and/or no liability insurance, which are requirements to practice in this state. Thirty-five (35) cities were covered during the inspections. During these inspections, Mr. James spends the majority of his time educating the establishments about the law. The board will continue to support Mr. James in his efforts.

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The board is working with these establishments to bring them in compliance with the law, and further working to develop strategies to combat this problem. Your suggestions are welcome.

In addition, when complaints come to the attention of the board they are handled with the utmost urgency. Currently, there are complaints pending; however, the board is working to resolve these matter expeditiously. Keep in mind, in some cases, a hearing may be required to determine if violations of the law have occurred. This can be a very costly expense. And, because the operations of the board are based upon fees collected from active massage therapists, it is imperative that ALL massage therapists do their part. The burden of bringing individual/establishments to justice is bared on the backs of law-abiding therapists and this must end.

What can massage therapists do to become advocates for the general public and the profession? What I'm about to suggest is already happening in many areas of the state. However, if all 1093 active massage therapists commit to just a few of these suggestions, we can make a difference. *Suggestions: 1. Find ways to educate the general public about the legal requirements of massage therapists in your city (i.e. articles*

*to newspapers, magazines, newsletters, speaking engagements); 2. Become experts about rules & regulations for massage therapy; 3. Know your community -- encourage family, friends, and clients, and even YOU to visit local establishments. If someone is not in compliance, be willing to submit a complaint to the board. 4. If you personally know of an individual practicing massage therapy without the proper licenses, submit a written complaint to the board; 5. If a family, friend, or client are victims of unethical behavior on the part of a massage therapist, please explain the importance of making a written complaint, support them through the process of writing the complaint, and give them a copy of the law to read; and 6. If you have questions about a matter and you're not sure about what actions to take, contact the board immediately.*

Let's renew our commitment to make a difference in the way we handle our business. If you have any questions, or comments, please contact the board, or visit us at the next meeting.

**Cynthia J. Harris, LMT #484**  
**Vice-Chair**

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## Reappointed Board Members

The following members have been reappointed to the Board for 3 years: Ms. Tammie Friedrichs (Chair), Mr. Hal Richardson, and Ms. April Henderson. The Board looks forward to their continued service.



## New National Organization to Serve State Boards

On May 11<sup>th</sup> and 12<sup>th</sup> I was honored to represent the Alabama Board of Massage Therapy in an exploratory conversation with nine other State Board representatives and several national leaders in the massage industry. The meeting, which took place in Denver, was funded by a grant from the American Bodywork and Massage Professionals. The purpose of the meeting was to discuss the possibility of forming a national organization of state Massage Therapy Boards. This is the type of national structure used by other regulated professions such as medicine, physical therapy, nursing, psychology, pharmacy, social work and chiropractic. The discussion among the group explored the different problems state boards are having and the possible benefits a national federation could provide.

As things stand currently, each state develops its own standards and examination process, which may or may not meet the requirements of another state. This inconsistency can make relocating from state to state very difficult and costly. There also is currently no examination accepted by all states. The National Certification Examination in Therapeutic Massage & Bodywork is used by many states as a requirement for licensing, however, it was not originally designed for this purpose and is under no overseeing agency that assures its compliance to state board legislative limitations. In other words, the NCBTMB can change the requirements necessary to take the exam, which then may conflict with what a particular state law mandates. This has resulted in multiple problems for State Boards, as well as schools, in staying current with the changes brought about by NCBTMB. To further complicate matters, NCBTMB has been unresponsive to requests to work in closer conjunction with State Boards and other stakeholders that are affected by its actions.

After much lively discussion and debate this small group set in motion to establish the Federation of State Massage Therapy Boards (FSMTB). An interim Board was established and a short-term agenda was developed including the following: recruit as many State Boards as possible to attend the next meeting set for September 20<sup>th</sup> and 21<sup>st</sup>, create a draft articles of incorporation including by-laws, and to file documents for IRS 501-C3 status. Other tasks included contacting and visiting other professional national organizations, making contact with other stake holders such as schools, professional organizations and the National Certification Board for Therapeutic Massage and Bodywork, securing legal counsel and interviewing different companies that could help create and administer an entry level exam of minimal competency.

As a result of this preliminary work 23 of the 34 states with regulatory boards met in Albuquerque on September 20<sup>th</sup> and 21<sup>st</sup>. (Again, I represented the Alabama State Board.) The purpose was to have the majority of state agencies assembled to consider the issues and decide if such a national organization would benefit them. Of the boards that did not attend all expressed a desire to be present, but were unable to due to financial constraints. After considering the issues at hand the group voted to formally establish the Federation of State Massage Therapy Boards with a mission focused on protecting the public. The FSMTB will serve several key areas that concern state boards. It will provide greater communication between states, assist establishing compatible standards among states to help improve professional mobility, and advocate for higher standards of education and licensure.

A Board of Directors was voted in place to actively pursue the mission of the Board. One of the first tasks was to elect Rick Rosen as acting Director. The Board members are: President, Patty Glenn, LMP, Executive Director, Oregon Board of Massage Therapists; Vice President, Dave Quiring, LMT, Chair, Florida Board of Massage Therapy; Treasure, Christine Kiely, LMT, Member, New Hampshire Massage Therapy Advisory Board; Director-at-Large Georgia Clem, Executive Director, Arkansas State Board of Massage Therapy; Director-at-Large, Kevin Snedden, LMT, Chair, Missouri Massage Therapy Board and Director-at-Large, Rita A. Sax, ACMT, Chair, Illinois Massage Licensing Board. The Public Member seat remains open.

How this organization will affect the Alabama Massage Therapy Board depends on several things. First, we will have to decide if we want to become a member of the FSMTB. The proposed dues structure has yet to be submitted. Secondly, our law states that to be licensed in the state of Alabama you must have passed the National Certification Exam for Therapeutic Massage and Bodywork or an examination of equivalent stature that is accredited by the National Committee for Certifying Agencies (NCCA). The problem is if the FSMTB establishes an exam it will more then likely not be eligible to be accredited by the NCCA, so for Alabama to use the exam it would require a legislative change. Over all, however, the FSMTB should provide significant support for our state in its interactions with other states and governing agencies.

For more information about the Federation of State Massage Therapy Boards go to their website:

<http://www.fsmtb.org>

**Arnold Askew, Board Member**

## New Year, New You

Hey friends!! Here we are again on the precipice of a new year and a new chapter in our lives. Each day is a fresh beginning and January 1st is no exception. People often times place too much emphasis on the new year and the expectations it brings... resolutions, credit card statements, boxing up decorations, kids going back to school, you know the routine. Then we rush Spring and hurry Summer, look forward to Fall and dread another Winter of speedy family get-to-gathers.. Whew!! I'm tired already!

That's where we come in. Your massage therapist welcomes you in, settles you into a comfortable spot, and works out all of life's little (and not so little) stresses. Our time in session takes us away from a world gone mobile and carries us to a secluded locale where we unwind with the help of things like shiatsu and soft-fist pressure! What a reward, as much necessity as luxury, and we leave all for the better! So who is your massage therapist?!?

That's right, who takes care of the therapist.

Who works out what life brings you? Studies show that a large number of massage therapists don't take time out of their own schedules to take their own advice... get regular massage! We all know the benefits of regular massage, but often times are our own worst clients. Why?

2006 is a new year, so commit to a new you! A "you" that is well maintained, well centered, well grounded, well nutritioned, and, well, massaged! Don't wait for that long week of 6-8 massages a day to call a friend for a trade-out, call today and book a massage. Treat yourself, you deserve it. You've definitely earned it! I read one time that it takes seven personal touches a day for emotional well-being. You give them, have you gotten yours? Be as great a client as you are a therapist!

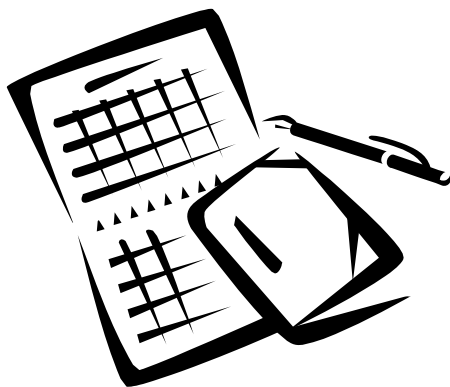
Have a great new beginning and happy massaging!

**Tommy O'Brien, Board Member**

**Brian Tucker, LMT #1464**

## 2006

### Calendar of Events



January 27, 2006 Board Meeting (Friday -- 10:00a.m.)  
Montgomery, Alabama

April 28, 2006 Board Meeting (Friday – 10:00 a.m.)  
Montgomery, Alabama

July 28, 2006 Board Meeting (Friday – 10:00 a.m.)  
Montgomery, Alabama

October 27, 2006 Board Meeting (Friday – 10:00 a.m.)  
Montgomery, Alabama

## The Complaint Process

In past issues of *In Touch* Board Council explained the Alabama Board of Massage Therapy's disciplinary process in great detail, however, the complaint process appears to still hold many questions for licensed therapists in our State. I hope to put some of your issues and questions to rest and encourage everyone's participation in bringing therapists practicing unlawfully to task for those actions.

Let me assure each of you that your Board takes every complaint filed very seriously and each complaint is investigated. At many round-table discussions your Board has pounded out ways to facilitate our most valuable and most informed, you, the massage therapist practicing within your State and local guidelines. Each therapist, while building his or her clientele, working to help those who need their service and still trying to educate the public to the many benefits of massage therapy is in the optimal position to know of other therapists in the area that may not have ever obtained a valid state license. Although your Board investigator works diligently to find these people, educate them to state law and enact disciplinary proceedings when necessary, we need your help. Maybe the idea of putting your name on a written complaint is what holds you back from getting involved. While the complaint process does require written documentation, please be aware that once the Executive Director has that official complaint, your Board will conduct an investigation. Often times your presence is not necessary. Frequently when someone is notified of the state law require-

ments, immediate action is taken by the therapist to comply rather than risk losing any opportunity of doing what they love. As no one wants to directly affect an individual's ability to practice his chosen profession and earn a livelihood, we each have undergone efforts to be in compliance with Alabama State law and everyone holding his or her self out as a licensed therapist must do the same. Your Board now requests your assistance in our efforts to bring every therapist into active licensure.

If you are aware of someone who once held a license and has since let that license lapse, please make efforts to rectify the situation. If no license has every been obtained, our professional reputation may be harmed if they are allowed to continue. We are all in this professional because we believe in the health benefits massage therapy provides. We have an obligation not only to our chosen profession, but to protect and educate the public utilizing our service. You may download the complaint form from the Alabama Board of Massage Therapy website at [almtbd.alabama.gov](http://almtbd.alabama.gov). Please forward any legitimate complaints to the Alabama Board of Massage Therapy at 610 S. McDonough Street, Montgomery, AL 36104. For additional information or questions, please call the Board office at 334/269-9990. Your immediate attention to this matter is greatly appreciated by your Board and your profession.

**Tammie Friedrichs, Chair**

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## The Board Welcomes New Member

Recently the Board has welcomed a new member, Mr. Tommy O'Brien. Tommy O'Brien, originally from Decatur, AL has spent the past sixteen years calling Tuscaloosa home. After graduating from the University of Alabama with his Bachelor's of Marketing, Tommy continued pursuing his career in the salon industry as a hair stylist.

Working closely to our profession in a salon/spa

setting has given Mr. O'Brien a great insight into Massage Therapy as a profession. He has a keen interest in promoting the positive and refreshing benefits massage offers his clients, friends, family, and himself. Having traveled extensively, Tommy has received massages all over the world and maintains that some of the best massages are given right here in our state by our own state licensed therapists!

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## Executive Director Notes

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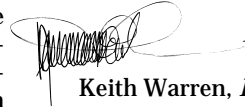
I would like to take this opportunity to thank the members of the Board, the Investigator and Legal Counsel for a wonderful and productive year as we continue to move forward with the regulatory process of massage therapy. The Board has two new members since the publication of the last newsletter, Ms. April Henderson and Mr. Tommy O'Brien. I would like to personally welcome Ms. Henderson and Mr. O'Brien to the Board and I thoroughly look forward to working with them during their tenure.

There are various issues that the Board will be addressing this year including funding, national examinations, disciplinary procedures and legislative changes to the law. As you have read in Ms. Harris' article, there is a great decline in the number of active licensed massage therapists that has caused a decrease in revenue. The Board will look at an increase in fees of some sort to correct the decline in revenue the Board receives. The National Certification Board for Therapeutic Massage and Bodywork has recently changed their administration and testing vendor which I know has

caused some concerns for many of you. The new administration is diligently resolving problems to ensure that new applicants are tested expeditiously and also ensure that the staff is more available to assist you in your needs. There is another national organization, the Federation of State Massage Therapy Boards, that has been formed and in its early growth stages which has plans to also offer a national examination to allow state massage boards another option for its examination requirements. The Board is also polling various State Boards to inquire about their disciplinary action process. The Board's Investigator has been busy conducting random establishment inspections and conducting investigations on complaints received in the office. However, the Board has not been able to act on any legal cases for over a year now. The Board's last disciplinary case drained a majority of the Board's fund and it is taking time to recover from that last case. The Board's legal counsel and I are investigating various options for the Board to settle cases without automatically scheduling an administrative hearing for the case to be heard, which can

be quite costly. In many newsletter articles we address the complaint process, we encourage people to file complaints regarding violations of the law, but emphasize that frivolous complaints regarding competition or personal animosity should not be filed. The Board is seeking legislation during the 2006 Legislative Session to do some major house-keeping to the law and repeal language that no longer is applicable to licensing process. For example, the grandfather clause and 1,000 hour requirement will be repealed to take away any confusion that those are still options of licensure. I will post the proposed legislation on the website in the next few weeks.

Please do not hesitate to contact myself, my staff or any member of the Board should you ever need to discuss any matters pertaining to the Board. I look forward to my continuation of working with you in the next year to come. I wish everyone a Happy and Prosperous New Year!



Keith Warren, *Executive Director*

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www.almtbd.alabama.gov

WE'RE ON THE WEB!

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